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HOUSE OF REPRESENTATIVES—Thursday, May 26, 2016

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Almighty and merciful God of the universe, we give You thanks for giving us another day.

We pray for the gift of wisdom to all with great responsibility in this House for the leadership of our Nation.

As the Members disperse to their various districts and our Nation prepares to celebrate Memorial Day, may we all retreat from the busyness of life to remember our citizen ancestors who served our Nation in the armed services.

Grant that their sacrifice of self, and for so many, of life, would inspire all of America's citizens to step forward, in whatever their path of life, to make a positive contribution to the strength of our democracy.

Bless us this day and every day, and may all that is done within these hallowed Halls be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULTGREN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HULTGREN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. HULTGREN) come forward and lead the House in the Pledge of Allegiance.

Mr. HULTGREN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CELEBRATING THE PUBLIC SERVICE OF RUTH RICHARDSON

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to celebrate the long and fruitful public service of a member of my staff, Ruth Richardson.

With degrees from Aurora and Northern Illinois Universities, Ruth began her career as an admissions counselor at Aurora University.

In 1990, she started her service to the U.S. House of Representatives as a caseworker in the office of Congressman Dennis Hastert. The caseworker plays a central role in a congressional office as the primary advocate for constituents having challenges with the Federal Government, and Ruth excelled at her job.

For 26 years, she worked tirelessly to help seniors who were having trouble obtaining their Social Security benefits or to help veterans in search of medical care or military acknowledgment of their service, and she spearheaded the U.S. annual Congressional Art Competition to showcase the young talent in Illinois.

To many, Ruth has been a strong ally navigating the intricate and arcane Federal bureaucracy. I was thrilled Ruth joined my team when I first entered Congress in 2011, and she has delivered professional and caring service to the 14th District residents. Everyone who comes in contact with Ruth is warmed by her selfless heart and willingness to help. In many ways, she is irreplaceable, and we will greatly miss her as she retires at the end of this month.

Ruth, it is now time for you to enjoy your family and your next adventure in life. Don't be a stranger to the office. And may God bless you in your retirement.

REMEMBERING AUBURN POLICE OFFICER RONALD TARENTINO

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, today I rise to honor Officer Ronald Tarentino, a member of the Auburn Police Department in Massachusetts, who was tragically shot and killed in the line of duty this past weekend.

Officer Tarentino exemplified the courage and dedication that defines our incredible men and women in blue. His neighbors and friends described him as a "gentle giant," a "great guy," and "always willing to help." He always kept an eye out for the 91-year-old widow living across the street.

Remembering Officer Tarentino this week, Auburn Police Chief Andrew J. Sluckis said: "He got along with everybody. He was somebody who was always smiling. He was an outstanding guy, and we're going to miss him." Mr. Speaker, that is how he will be remembered.

In the days since this tragedy, it has been truly inspiring to see the Auburn, Leicester, and surrounding communities come together to support Officer Tarentino's wife and three children. My heart goes out to them, and I know I am not alone in saying that Officer Tarentino will never be forgotten.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING SCOTT MEADOR

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a local act of courage.

Earlier this week, in my hometown of Newburgh, Indiana, a car wreck at a local gas station quickly turned into a life-or-death situation. In what was described as a scene from an action movie, Boonville native Scott Meador, who was a bystander to the incident, bravely pulled the driver to safety before the car was consumed by flames, saving the driver's life.

Scott Meador is a hero and an example for us all. Because of his selfless action, a family remains whole. That is what it means to be a Hoosier—to come to the aid of your fellow citizen when they are in need.

Mr. Speaker, it is important to highlight the positive things that happen daily in our country. Regardless of what may be going on around us, events like this remind us what is really important in life.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Platte, South Dakota, September 17, 2015:

Nicole Westerhuis, 41 years old;

Connor Westerhuis, 14;

Michael Westerhuis, 16;

Jaeci Westerhuis, 10;

Kailey Westerhuis, 9.

Piketon, Ohio, April 22, 2016:

Kenneth Rhoden, 44 years old;

Christopher Rhoden, Sr., 40;

Gary Rhoden, 38;

Dana Manley Rhoden, 37;

Hanna May Rhoden, 22;

Hannah Hazel Gilley, 20;

Clarence Rhoden, 20;

Christopher Rhoden, Jr., 16.

Macon, Georgia, December 12, 2014:

Derrick Jackson, 38 years old;

George Henley, 34;

Corey Hollingshed, 25.

Dallas, Texas, January 4, 2015:

Deborah Lou Stanley, 57 years old;

Max Vester McEwen, 54;

Jose Alfredo Lopez, 21.

Norfolk, Virginia, January 1, 2014:

Melvin Alston, 32 years old;

Marcus Deering, 22.

REMEMBERING HILLIARD POLICE OFFICER SEAN JOHNSON

(Mr. STIVERS asked and was given permission to address the House for 1 minute.)

Mr. STIVERS. Mr. Speaker, I rise today to honor the life and service of Hilliard, Ohio, Police Officer Sean R. Johnson, who passed away last week in a tragic training accident.

Officer Johnson's dedication to public service was evident when he made the decision to join the Air Force right out of high school in 1988. After serving in the military and earning the rank of senior airman, he was hired at the Fairfield County Sheriff's Department, where he served until 1997.

Officer Johnson joined the Hilliard Division of Police in October 1999 and would stay with the department for the next 16 years. Throughout his 16 years with the Hilliard Division of Police, he was distinguished as one of the most valuable members of the police department. He was awarded multiple achievement citations during his time for his service above the normal call of duty in dangerous circumstances.

He earned his associates degree in law enforcement from Columbus State Community College and was a father of two children, all while working to keep our community safe.

I want to recognize Officer Sean Johnson for his incredible service to our community in Hilliard.

I also want to offer my deepest condolences to his family at this difficult time.

ZIKA VIRUS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEUTCH. Mr. Speaker, a new CDC study shows a 13 percent risk that the Zika virus will result in microcephaly, causing incomplete fetal brain development.

Already, nearly 300 pregnant women in the United States have acquired Zika. In light of these risks, how can this Congress continue to obstruct, delay, and deny the necessary funding for a response?

On many issues, this Congress is divided. I get it. But this is our most basic job. This emergency will test us as Americans, and it will test us as an institution. Will we come together to prevent a Zika outbreak? Will we protect these families? Will we act in the common good, or will we continue to play politics, ignore the science, and disregard these serious risks?

The study's author, CDC biologist Michael Johansson, said: "We need to do whatever we can to help women avoid Zika virus infections during pregnancy."

Let's listen to him. Let's do our job.

IN SUPPORT OF VERIZON WORKERS AND UNITED STATES CALL CENTER WORKER AND CONSUMER PROTECTION ACT

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the 39,000

Verizon workers currently on strike. These hardworking members of CWA and IBEW are on strike for a number of reasons, but the number one reason is to keep their jobs and prevent them from being shipped overseas to the Philippines or India.

What Verizon is doing is not unique. In fact, it has been the experience of too many families in my district in Houston and Harris County and families throughout the country.

As Members of Congress, we have a responsibility to fight for these jobs and improve the lives of average Americans. This spring, I introduced bipartisan legislation, the United States Call Center Worker and Consumer Protection Act, H.R. 4604, that would make companies that offshore American jobs ineligible for Federal grants or loans and put them at the back of the line for Federal contracts. This legislation will not stop all offshoring, but it is a strong first step to protect these middle class jobs.

I urge my colleagues to cosponsor this bipartisan legislation, H.R. 4604.

RELATING TO CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 751 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 751

Resolved, That upon adoption of this resolution—

(a) the House hereby takes from the Speaker's table the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with the Senate amendment thereto, and concurs in the Senate amendment with an amendment consisting of the text of Rules Committee Print 114-56; and

(b) it shall be in order for the chair of the Committee on Appropriations or his designee to move that the House insist on its amendment to the Senate amendment to H.R. 2577 and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. KELLY of Mississippi). The gentleman from Oklahoma is recognized for 1 hour.

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLE. Mr. Speaker, I ask unanimous consent that all Members may

have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, yesterday the Rules Committee met and reported a rule to expedite consideration of legislation that would deal with the imminent threat of the Zika virus. The rule provides that the House concur in the Senate amendment with a further amendment consisting of the text of H.R. 4974, H.R. 5243, and H.R. 897, as passed by the House, and provides a motion from the chair of the Committee on Appropriations to request a conference with the Senate.

Mr. Speaker, as I said last week, the debate between Republicans and Democrats is not over whether or not to address the Zika threat, but whether to pay for it or just to add it to the national credit card.

This rule would provide for a conference between the House and the Senate on the Zika response legislation, as passed by the House. As opposed to the Senate approach, which adds an additional \$1.2 billion to the national debt, the House approach acts responsibly by using existing funds designated for Ebola and other infectious diseases to pay for our response to the looming Zika threat.

□ 0915

Mr. Speaker, many of my friends on the other side have claimed that the House Republicans' response to the Zika threat has been wholly insufficient. Frankly, I disagree with that view. In our view, our response is, really, the second of three tranches of funds directed at Zika.

First, Chairman ROGERS, Chairman GRANGER, and I directed the administration to use existing funds for Ebola and other infectious diseases to deal with the immediate threat. Thus far, the administration has used nearly \$600 million to support efforts to combat Zika.

The second tranche of money that is included in this legislation would provide an additional \$622 million for Zika.

Finally, I want to assure my colleagues that we will commit additional resources in the FY 2017 appropriations process to ensure that the administration request is fully fulfilled, providing nearly \$1.9 billion, which is the amount requested by the administration to combat Zika.

In conclusion, Mr. Speaker, I think it is important to reiterate that I do not disagree with my friends about the need to confront the Zika virus quickly. In fact, I have been to Brazil. I have been to Argentina.

I have visited the infected areas and have spent a lot of hours in talking to our people on the ground there who are

both investigating the disease and working with local governments to try and take care of some of the outbreak down there.

We have visited extensively with our friends up here at the National Institutes of Health and at the Centers for Disease Control and Prevention. The only difference I have with my friends is whether or not we pay for the activity.

I believe, Mr. Speaker, that, if we already have the resources to confront the crisis, which we do, we should do so within our existing capabilities as opposed to adding to the deficit.

I look forward to working with my colleagues in conference, through regular order, to ensure a bipartisan agreement can be reached. I urge my colleagues to support the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Oklahoma (Mr. COLE), my good friend, for yielding me the customary 30 minutes.

Mr. Speaker, let me start by saying how disappointed I am by the inadequate and long overdue response by this Republican majority to the Zika crisis.

With nearly 1,400 Americans, including more than 275 pregnant women who are currently infected with the virus and well over a million cases expected before the end of the year, it is absolutely shameful that this House has failed to act on legislation to adequately fund a response to this potentially devastating crisis.

Mr. Speaker, Zika is not coming to the United States. It is here. As summer arrives, along with mosquito season, the mosquito that carries the Zika virus will be active and knocking on the doors of our southern States and territories.

This is an emergency, and it should be treated as such. But my friends on the other side of the aisle have spent months in delaying action and in making excuse after excuse after excuse about why we don't need to provide the full funding that our Nation's public health experts say we need.

I appreciate the fact that my friends on the other side of the aisle consider themselves public health experts, but there are people who are trained to be public health experts who tell us that what we are doing here today is underfunding an adequate response to this crisis.

I suppose I shouldn't be surprised by this, as my friends in the majority have made it a habit of ignoring the advice of scientists and of experts in favor of appeasing a small group in their Conference on the extreme right.

In February, President Obama requested \$1.9 billion to address the public health threat that is posed by the

Zika virus. Instead of taking the swift action that was needed to confront this crisis, the House delayed and delayed and delayed as the Zika crisis continued to spread.

We should have sent a bill to President Obama's desk months ago, but, instead, this leadership allowed months to go by without there being any action on this issue until last week, when they brought to the floor a completely inadequate \$622 million package that provides only one-third of the funds that have been requested by the administration.

House Democrats, under the leadership of Leader PELOSI and Appropriations Committee Ranking Member LOWEY, have tried to bring to the floor meaningful emergency funding to address Zika, only to be blocked by House Republicans five times.

While the administration has taken significant steps to help keep Americans safe from the Zika virus, significant additional appropriations are needed. In a letter to Speaker RYAN, OMB Director Shaun Donovan and National Security Advisor Susan Rice said, without emergency supplemental funding, mosquito control and surveillance may need to be suspended.

State and local governments that manage mosquito control may not be able to hire personnel for mosquito mitigation efforts, and vaccine developments, which require multiyear funding commitments, may be jeopardized.

To make matters worse, Mr. Speaker, House Republicans sent to the floor last week and again this week a bill to undermine the Clean Water Act and protections for our waterways under the guise of helping to contain the Zika virus.

But the truth of the matter is that the legislation is nothing more than a carve-out for pesticide special interests and it would have absolutely no effect on spraying pesticides to combat the spread of the Zika virus.

It is a bill my friends have brought to the floor in the past, but they just couldn't help themselves in using this crisis as an excuse to further undermine environmental protections.

Instead of working with Democrats to address this public health emergency in a serious bipartisan way that puts the health and safety of the American people first, the Republican leadership has once again brought to the floor partisan legislation that will not adequately meet the needs of the CDC, of the NIH, of the USAID, and of other governmental agencies that are on the front lines in responding to this crisis.

Let me close, Mr. Speaker, by saying that I have great respect for the gentleman from Oklahoma. When he says that he intends to support every effort to make sure that adequate funding is available, if I thought this whole decision were up to him alone, I don't

think I would be as nervous as I am at this particular point, but his party that is in control has shut this government down.

We have seen them lurch from one crisis to another crisis and underfund one priority after another priority. Quite frankly, I don't trust the people who are running this House to do the right thing, to be able to get a majority of their majority to go along with providing the appropriate funding.

Yes, we all want to be fiscally responsible, but let me tell you this: if all you are worried about is the bottom line—and that is the cost—by not adequately funding what is needed to combat this crisis, the costs that will result if this crisis gets out of control will be prohibitive. You ain't seen nothing yet.

So we can nickel-and-dime this all we want, but we do so at our own peril. We ought to be concerned primarily with the safety and well-being of the citizens of this country.

But if that is not enough to prompt my friends on the other side of the aisle to support the President's request, I would suggest that the cost of ignoring this problem of not adequately funding an appropriate response will be a cost like you have never seen before.

I urge my colleagues to defeat this rule and to bring up strong bipartisan legislation that will fully fund the administration's request. This is a public health emergency, and we must act now.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

I begin by pointing out to my good friend that, actually, we are doing, in a sense, what he is urging us to do right now. We are moving expeditiously to go to conference with our friends in the Senate, who have passed one version of the Zika response.

We will have our version. We will sit down and work out a compromise, and I suspect we will be able to move pretty smartly through this. What we are doing here today is exactly what I know my friend wants us to do, and that is to move and respond.

I also point out—and it gets lost in the rhetoric sometimes around this issue—that there is not one thing the Federal Government has proposed to do about Zika that it has been unable to do because of a lack of money. The Federal Government has had every cent that it has asked for.

Frankly, it was HAL ROGERS, the chairman of the Appropriations Committee, who solicited Ms. GRANGER, the chairman of the Subcommittee on State, Foreign Operations, and Related Agencies, and I, as the chair of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to write the adminis-

tration and tell them to start spending money immediately from the things they had. Then that money would be backfilled as needed during the normal appropriations process.

That is exactly what has been done. No measure has failed to be implemented because of a lack of money. There has been no delay in money for the Zika response, and there are substantial efforts to move ahead in this regard.

My friend made the point that we sometimes seem to ignore the advice of scientists. That is just simply not true. For Ebola last year, the administration got the response it wanted out of this Congress immediately. Frankly, it has gotten an immediate response out of Zika.

I point out to my friend—he may not be aware of this because he is not on the Appropriations Committee—that last year the President of the United States asked for \$1 billion for additional research at the National Institutes of Health. We gave him \$2 billion.

He asked for a certain amount of money—forgive me for not remembering the exact figure—for the Centers for Disease Control and Prevention. We gave him more money than he asked for. This year we will do that again. He has made requests for additional money.

We will go beyond what he has requested at both the National Institutes of Health and at the Centers for Disease Control and Prevention. So in suggesting we are not funding these efforts robustly, the truth is, if you look at the numbers, we are actually spending more money than the President asked for because we think these are national priorities.

While we listen to scientists, we also listen to economists. They tell us that running up a national debt willy-nilly is not a very good thing to do. In this case, we have the money and we have the time to deal with this in a thoughtful and prudent way and to advance the efforts without running up the national debt. It is the appropriate way to proceed.

I would just ask my friend to think back. When we hear this figure, this is only a third of the response. Somehow my friends on the other side have forgotten that the first third is already done. That was the first \$600 million that is being deployed as we speak. This is the next third.

Frankly, it reaches not only the balance for the remainder of this fiscal year, but it reaches into next year. This is more money, once we pass this, than the administration has proposed to deploy in this fiscal or even this calendar year.

Then, in the normal appropriations process, which is underway right now—the bill will probably be presented sometime in the middle of June to the Appropriations Committee—you will

see additional money in both the State and Foreign Operations bill and in the Labor-H bill that is targeted toward Zika. The one difference is it will all have been paid for.

I think that is what shocks my friends the most. They would much prefer to save that money so as to spend it someplace else. We think it is a crisis. We have the money. We ought to spend the money right now and take care of Zika.

We are going to continue to work with our friends, and I think we will arrive at a good place. My hope is that that measure that we enact at the end is fully paid for. That is what we are trying to achieve here.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I think what we are concerned about on this side of the aisle—and I know some thoughtful Republicans are also concerned about this—is the fact that, without certainty, a lot of the research projects and a lot of initiatives that need to be done at the Federal and State levels will not happen because no one knows whether the money is going to follow for what is needed.

I think there is a lack of certainty because we are in a House of Representatives that has shut the government down before. If people don't get their way, people have a tantrum and they shut the government down. That is the history of this House of Representatives.

I quote here from Dr. Anthony Fauci, the Director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health, whom I actually have a great deal of trust in.

He says:

If we do not get the money that the President has asked for—the \$1.9 billion—that is going to have a very serious, negative impact on our ability to get the job done.

That is Dr. Fauci. That is not I. That is a highly respected scientist, whom I think we all have a great deal of respect for in this House. We ought to listen to him more than to the Tea Party wing of the Republican Party.

Mr. Speaker, I ask my friends to defeat the previous question. If we do, I will offer an amendment to the rule that modifies the House amendment by replacing the Zika virus provisions with the text of H.R. 5044, which is the Democratic alternative that fully funds the administration's request.

The Republican majority's current plan is to pass creatively named bills that have nothing to do with Zika and to offer short-term spending commitments that will, unfortunately, fail to properly incentivize the private sector to help develop a vaccine.

□ 0930

Our alternative would give our scientists and our doctors the resources

they need to mount a longer-term, robust response to the growing Zika crisis.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss our proposal, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY), the distinguished ranking member of the Committee on Appropriations.

Mrs. LOWEY. Mr. Speaker, before I make my statement, I just want to respond to our distinguished chair of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Has the chairman of the Committee on Appropriations introduced subcommittee allocations for either the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies or the Subcommittee on State, Foreign Operations, and Related Programs?

The answer is no.

Has the chairman set markup dates for either the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies or the Subcommittee on State, Foreign Operations, and Related Programs bill?

The answer is no.

So there is no chance that Congress will send either appropriations bill to the President by September 30. This really is a charade. CDC Director Tom Frieden says 3 months is an eternity for control of an outbreak. There is a narrow window of opportunity here, and it is closing.

So, Mr. Speaker, I rise to urge my colleagues to defeat the previous question so we can support a robust and aggressive response to an imminent public health emergency.

Researchers at Harvard and CDC reported that pregnant women who contract the Zika virus in their first trimester face as high as a 13 percent chance that their baby will have microcephaly. Nearly 300 pregnant women in the United States and its territories are terrified that their child will have a devastating birth defect, and that number increases every day. Every day we learn more about the devastating virus, and each piece of news is more alarming than the last.

That is why President Obama acted responsibly and requested \$1.9 billion to research and develop vaccines and diagnostic tests, invest in mosquito vector control, and implement an aggressive public education and outreach campaign.

Yet, the House Republican Zika bill would provide a mere \$622 million,

which is less than one-third of the \$1.9 billion that public health experts tell us is necessary to protect American communities. To make matters worse, the bill robs Peter to pay Paul, stealing funding still needed to protect against Ebola and increase public preparedness at home.

The spread of the Zika virus is taking a severe toll on Brazil and other South and Central American countries. It has spread to Puerto Rico, and the outbreak is knocking at our door.

Why are my friends in the majority acting more like bureaucrats and accountants than responsive representatives of hardworking Americans?

Protecting American communities is the foremost responsibility of the Federal Government. Yet, the majority has failed to lead the way to a response worthy of this emergency.

If the previous question is defeated, Mr. MCGOVERN will amend the rule to offer my bill, H.R. 5044, as a substitute, providing the full \$1.9 billion the administration requested, without offsets, to ensure an adequate response to Zika that doesn't rob our Ebola response.

I urge me colleagues to vote "no" on the previous question.

Mr. COLE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT), the chairman of the Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies.

Mr. DENT. Mr. Speaker, I thank the gentleman for yielding. He is obviously a very thoughtful member of the Committee on Rules and a fine member of our Committee on Appropriations.

I believe we have something really important to discuss today, and that is that today really does mark a return to regular order for our appropriations bills and process. That statement is so significant that we need to pause and recognize it as a tremendous achievement. This has been the intense focus of Appropriations Committee Chairman HAL ROGERS for more than 5 years. And the committee's esteemed ranking member, too, Mrs. LOWEY, has been equally determined to have regular order restored. They have worked relentlessly to get us to this place, which is, in fact, a better place. So I commend Chairman ROGERS and Mrs. LOWEY and appreciate the support of the House leadership to make this happen. This is the best way to serve our citizens, our Federal agencies, our veterans, our military services, and the members and their families.

It is also my honor to have the Military Construction, Veterans Affairs, and Related Agencies appropriations bill move forward as part of the conference committee. That is very significant to me as chairman of that subcommittee. Of course, we are also going to deal with the Zika threat as we must and as we should, and that

will be part of these discussions. I am sure we are going to be able to come to an agreement with the Senate just on how we will proceed on that very important issue, and I think everybody here is committed to moving forward both on the MILCON piece of this as well as Zika.

H.R. 4974—and that is the Military Construction, Veterans Affairs, and Related Agencies bill—demonstrates our firm commitment to fully supporting our Nation's veterans and servicemembers. Our investment of \$81.6 billion for Military Construction, Veterans Affairs, and Related Agencies, at \$1.8 billion over last year's level, is unprecedented. The bill will address issues to help veterans in every part of the country, every congressional district, and our troops throughout the world.

The bill provides comprehensive support for servicemembers, military families, and veterans with \$7.9 billion. It supports our troops with facilities and services necessary to maintain readiness and morale at bases here in the States and, again, overseas. It provides for the Department of Defense schools and health clinics that take care of our military families.

For the VA, this bill includes \$73.5 billion in discretionary funding. The bill funds our veterans healthcare systems to ensure that our promise to care for those who sacrificed in defense of this great Nation continues as those men and women return home. We owe this support to our veterans and we are committed to sustained oversight so that programs deliver what they promise and taxpayers are well served by the investments that we make.

So I certainly support this motion to go to conference. I certainly urge adoption of this motion so we can deal with taking care of our servicemembers, our veterans, and their families. We must do this. Of course, we must also deal with the Zika threat that is affecting so many of us. I commend everybody involved in that issue.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COLE. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DENT. Mr. Speaker, I wanted to commend Chairman COLE for his efforts on this issue. I serve with him on the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies. I know he has been in constant communication with our friends at the NIH and the CDC to make sure we get the resources necessary to them so they can help us deal with this very real threat.

Again, I am very pleased that we have returned to regular order and that we are going to conference this bill on Military Construction, Veterans Affairs, and Related Agencies, and on Zika. It is great for the Congress, great for the country, and we need to move forward.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I have great respect for the gentleman from Pennsylvania, and I agree with him that there are a lot of issues that he has championed here.

He used the words “regular order.” We have no allocations, no budget resolution. We know that many of the appropriations bills will never see the light of day on the House floor. There will be this mad rush after the election to put together some big omnibus package that most people will never be able to read. If that is regular order, we have a very strong difference of opinion of what regular is all about.

Mr. Speaker, I insert into the RECORD a letter that was sent to the House leadership signed by close to 70 health organizations—every major health organization in the country—calling for new funding rather than repurposing money from other high-priority programs to combat Zika, also supporting the President's request. It talks about how we have a brief window of opportunity to slow the spread of the Zika virus and avert a wave of preventable birth defects and urging Congress to act certainly in a much more aggressive way than what we are doing here today.

APRIL 5, 2016.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

Hon. HAL ROGERS,
Chairman, Committee on Appropriations, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

Hon. FRANK PALLONE,
Ranking Member, Committee on Energy and Commerce, Washington, DC.

Hon. NITA LOWEY,
Ranking Member, Committee on Appropriations, Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI, CHAIRMAN UPTON AND REPRESENTATIVE UPTON, AND CHAIRMAN ROGERS AND REPRESENTATIVE LOWEY: The undersigned organizations committed to the health and wellbeing of our nation's families and communities urge you in the strongest terms to immediately provide emergency supplemental funding to prepare for and respond to the Zika virus here in the United States. We also urge that Congress provide new funding rather than repurpose money from other high priority programs at the Centers for Disease Control and Prevention (CDC) and other federal agencies that ensure our health security and public health preparedness.

As you know, the Zika virus has been linked to microcephaly, a serious birth defect of the brain, in babies of mothers who contracted the virus while pregnant. Thousands of devastating birth defects have been observed among infants born in South and Central America in recent months. Zika has already been diagnosed in travelers returning to the U.S. from these areas. As the summer months approach and we enter mosquito season, our nation can expect to be exposed to mosquitos that can spread this virus. Over

four million babies are born in our nation each year, and many of their mothers could be at risk for contracting Zika during pregnancy.

With emergency supplemental funding to respond to the Zika virus, state and local public health professionals would have access to increased virus readiness and response capacity focused on areas with ongoing Zika transmission; enhanced laboratory, epidemiology and surveillance capacity in at-risk areas to reduce the opportunities for Zika transmission and surge capacity through rapid response teams to limit potential clusters of Zika virus in the United States. Moreover, supplemental funding will assist the CDC and USAID in efforts to contain the Zika virus in Zika-endemic countries and ensure that there are resources for surveillance, vector control and services for affected pregnant women and children.

If we take immediate action, we may be able to dramatically slow the spread of Zika, giving scientists time to develop and test a vaccine. Without action, however, we fear the number of newborns born with debilitating birth defects will only continue to rise. In addition to the human toll on children and families, the CDC estimates that the average lifetime cost of caring for each child born with microcephaly will likely be millions of dollars per child. For hard-hit communities, an epidemic of severe birth defects could quickly overwhelm health care and social services systems, and put extreme pressure on educational and other institutions.

The President has requested emergency funding to educate Americans about protecting themselves, reduce the mosquito population, and accelerate Zika vaccine research. Each of these steps is vital to reducing the likelihood that pregnant women will be exposed to the Zika virus.

Our nation has a brief window of opportunity to slow the spread of the Zika virus and avert a wave of preventable birth defects. We urge you to act immediately to provide the emergency resources necessary to protect pregnant women, infants and children from this devastating infection.

Sincerely,

Academic Pediatric Association, American Academy of Family Physicians, American Academy of Pediatrics, American Association for Clinical Chemistry, American Association for Pediatric Ophthalmology and Strabismus, American College of Nurse-Midwives, American College of Preventive Medicine, American Congress of Obstetricians and Gynecologists, American Medical Association, American Nurses Association, American Pediatric Society, American Public Health Association, American Sexual Health Association, American Society for Clinical Pathology, American Society for Reproductive Medicine, Association for Professionals in Infection Control and Epidemiology, Association of Maternal & Child Health Programs, Association of Medical School Pediatric Department Chairs, Association of Public Health Laboratories, Association of Reproductive Health Professionals, Association of Schools and Programs of Public Health, Association of State and Territorial Health Officials, Association of Women's Health, Obstetric and Neonatal Nurses.

Children's Environmental Health Network, Children's Hospital Association, Commissioned Officers Association of the U.S. Public Health Service, Inc., Cooley's Anemia Foundation, Council of State and Territorial Epidemiologists, Easter Seals, Every Child By Two, First Candle, GBS/CIDP Foundation

International, Healthcare Ready, HIV Medicine Association, Infectious Diseases Society of America, Intrexon, Johnson & Johnson, March of Dimes, National Association of County and City Health Officials, National Birth Defects Prevention Network, National Association of Pediatric Nurse Practitioners, National Council of La Raza, National Environmental Health Association, National Foundation for Infectious Diseases, National Hispanic Medical Association, National Medical Association.

National Network of Public Health Institutes, National Organization for Rare Disorders, National Partnership for Women & Families, National Recreation and Park Association, Novavax, Inc., Nurse Practitioners in Women's Health, OraSure Technologies, Inc., Oregon Public Health Association, Pediatric Infectious Diseases Society, Pediatric Policy Council, Public Health Institute, Research!America, Resolve: The National Infertility Association, Save Babies Through Screening Foundation Society for Healthcare Epidemiology of America, Society for Maternal-Fetal Medicine, Society for Pediatric Research, Society for Women's Health Research, The Arc, The Newborn Foundation, Trisomy 18 Foundation, Trust for America's Health.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Appropriations Subcommittee on the Legislative Branch.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I urge the House to take meaningful action to address the public health crisis that the Centers for Disease Control recently called scarier than we originally thought, and to support the President's request for supplemental funding for the Zika virus as outlined in H.R. 5044, the FY16 Zika supplemental appropriations.

I thank Appropriations Ranking Member NITA LOWEY and Labor, Health and Human Services, Education, and Related Agencies Subcommittee Ranking Member DELAURO for their ongoing leadership to help protect our constituents.

More than 120 Floridians now have the Zika virus, including 36 pregnant women. Last week there were an estimated 157 pregnant women in the continental United States and 122 more in the territories who have contracted Zika.

The House must take real action to protect our citizens. It is an outrage that we are not adequately responding to the calls of public health officials at the Federal, State, and local levels who are clanging the alarm bells, imploring Congress to act.

Last week the House approved a Zika bill that is absolutely unacceptable. The bill the House passed would raid existing public health accounts, a dangerous precedent to set for appropriately responding to public health crises. This is an approach that Dr. Fauci of the National Institutes of Health, the so-called Zika czar, has called illogical. Furthermore, it only authorizes use of funds through September 30th. Let me assure you that

mosquitos carrying the Zika virus do not adhere to a congressional calendar.

The Republican bill does nothing to specifically help Puerto Rico where Zika is wreaking the most havoc and where close to 1,000 people have been infected.

We need more funds now to equip our local health centers with testing kits. We need to assure the National Institutes of Health that there is sustained funding to develop a vaccine as well as a cure, and we need to protect our constituents. That is our responsibility.

It continues to baffle and frustrate so many of us that the majority wishes to address this crisis, this public health crisis, by combatting Zika through robbing Peter to pay Paul. That is irresponsible. It is immoral. And the majority will have to look in the eyes of the mothers who have contracted the Zika virus beyond the point of which we will have lost control of the ability to contain this virus and this public health crisis, look those mothers in the eye and explain why they did nothing to ensure that their babies were not born with birth defects. It is unconscionable, and we need to act now.

I urge the House to support the full request for funds and vote "no" on the previous question.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, what is unconscionable is to make charges that are simply untrue, and to suggest that there is money that has not been deployed that would otherwise have been spent is untrue. Everything the administration has wanted to spend, it has been able to spend.

Now, we hear a lot of talk about raiding funds. Let's talk about raiding funds. The administration took \$500 million out of emergency response money—I believe in December or earlier this year—and redirected that to the global climate fund. That is money that was set aside that could have been used for Zika. Instead, it is in a global climate fund. The administration, in its own budget, took \$40 million out of the Ebola fund and directed it into a worthy cause, malaria suppression. So we don't have objection, but the idea that this money isn't used is untrue.

Now, when we hear discussions about the Ebola money, that is money that was not to be spent in the next weeks or the next months, but in future years. We don't even know if it is enough or if it is too much. So the idea that using some of it now in an immediate emergency is wrong with the idea and the commitment that that would be replenished later, as needed, is the responsible thing to do.

As for NIH funding, in the Zika bill that this House passed, there are \$230 million that fully funds the NIH's request for vaccination research for all of next year. So, again, the idea that money is not available and they don't

know what to do if we pass this legislation is untrue.

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So I would just suggest again we look at the real difference here. It has nothing to do with Zika response. It has everything to do with whether or not you want to pay for it when you have the money available or you just want to add another \$1.9 billion to the national credit card.

It is thinking like that that got us into a situation where we were running \$1.4 trillion deficits when my friends were in control on the other side. Where we still have a \$450 billion, roughly, deficit for this fiscal year—and it will go up next year—we ought to be doing this in a prudent way.

Now, Zika response does not happen in a single day. It is something that will last, frankly, over multiple months and years. The administration's request for \$1.9 billion is not for just today. It is for at least a period of 2 years.

So they have the money they need right now. The bill provides the next amount of money they need, and we will provide additional money in the course of the appropriations process.

I want to assure everybody that nothing will not be done because the money was not available. To date, the administration has been able to do everything it wanted to do. This debate that we are having here today is actually another step in that process.

This moves us toward conference. My friends probably look on the Senate bill with more favor than they do the House bill. Fair enough. We will go to conference with the Senate. So the process is underway. It is moving as it should.

When the administration asked for emergency funding, they immediately got a response from Chairman ROGERS, saying: Spend whatever you need to spend right now. We will back you up. We have made good on that commitment. We are going to continue to make good on that commitment.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. LOWEY).

Mrs. LOWEY. As my colleague knows, I have great respect for the distinguished chairman of the Labor-HHS Subcommittee, for which we don't even have a number right now, so we don't know how much we have to spend.

But I also would like to respond to your comments about we have enough now, we may have enough next year. We don't in the United States of America respond to crises on the installment plan. As you well know, Dr. Frieden and Dr. Fauci have said: This is the request. We need the money.

This isn't extra money that we are requesting. This is what the experts

have requested to address this crisis now.

Mr. MCGOVERN. Mr. Speaker, let me just again make clear so that everybody understands this that this House Republican Zika bill provides less than one-third of the funds requested by the President to respond to the Zika threat. The House bill also cuts the request for research and development of vaccines, treatments, and diagnostics by \$132 million, or 28.4 percent.

The House bill does not replace the more than \$40 million taken from States and cities for public health and emergency preparedness that HHS was forced to move into the Zika response due to the inaction by Congress. The House bill also does not replace the more than \$500 million taken from Ebola funds that HHS was forced to move into Zika response due to Congress' inaction.

Finally, to make matters worse, the House bill rescinds \$622 million to pay for the Zika package, including taking an additional \$352 million from Ebola. So the total being taken from Ebola efforts under the House Republican approach reaches nearly \$900 million.

Now, I appreciate the fact that we don't want to keep on adding to our national credit card, but we have no problem adding tens of billions of dollars to the national credit card for war.

Well, this is also a war, a war for the health and welfare of the American people and for the health and welfare of many women and children in this country. This is a big deal. This is an emergency. Shame on us for not stepping up to the plate and doing what is right.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there has been a great deal of discussion this morning about the Ebola fund and how it is being used and in what ways it is going to be used. Let me just go back and make a few points to clarify that situation.

When Congress acted, it appropriated almost \$6 billion for Ebola. That money was to be spent over years. It wasn't really clear whether it was too much or, frankly, not enough. We simply didn't know.

Now, the reality is, even after the amounts of money that my friend has talked about that have been shifted from Ebola to deal with Zika, that fund still has over \$1.7 billion in it, more than enough to finance all the planned activity not only for this fiscal year, but all of next fiscal year.

This is a multiyear fund. When you are in an emergency, it makes sense to take money like that and move it over, particularly with the assurance that that money will be replaced, as needed, in the regular appropriations process.

The administration itself is doing the same thing. In its own budget, it proposed taking money out of the Ebola

fund and spending it on something else that it thought was more immediate. So the idea that this is somehow unprecedented or different than what the administration is doing is simply not true.

Now, the reality is—again, my friends seem to imply or perhaps believe that there is something that hasn't been done to date that the Federal Government wanted to do on Zika. That is not true.

They have had the funds to do everything they have wanted to do. They will continue to have the funds to do everything they want to do. So to suggest that somehow they are not being funded is just not the case.

Frankly, we have effectively in the Zika bill advance funded money for the NIH to actually begin research and have given them all the money in that bill they asked for for next fiscal year on the vaccine side of this.

So we will continue to work the process. We will continue to make sure that the resources are available to fight Zika because we all believe it is a danger. We will continue to do it in a responsible way by using the funds that are available, putting them on an immediate problem, and replenishing accounts as we need to.

Again, I remind my friends that that is something the administration itself has been doing not only with Ebola funds, but with other funds, when it has moved emergency response money to the global climate fund. I mean, goodness, that was \$500 million that, had it been left there, would have been available right now for Zika for the response in other parts of the world.

So it is easy to get lost in the thicket of numbers here and this much from this pot and this much from that pot.

The reality is, number one, everything that the Federal Government has wanted to do to date they have had the money to do.

Number two, it has been paid for.

Number three, we are proposing to continue that, making sure they have all the funds that are needed, as needed, but we pay for them.

Number four, we are actually moving the process forward to sit down with the Senate by passing this rule and the underlying legislation and going to conference and actually hammering out a common bill that will be acceptable to all sides.

I appreciate the concern. I know it is genuine, quite frankly, but I also know that we are acting and acting effectively to deal with the problem.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his forceful arguments against this reckless rule that is before us today.

I rise, Mr. Speaker, in strong opposition to the rule and, really, in a state of wonderment, wonderment about how on earth this Congress of the United States can be so insensitive to a challenge to the American people.

It is our responsibility to honor our preamble to the Constitution, to promote the general welfare. That is in the preamble of our Constitution, which we take an oath to defend.

The distinguished gentleman from Oklahoma, whom I respect, said just be patient. No. No. Ninety-four days since the President of the United States asked for the amount of resources necessary to address the Zika crisis, an amount of money that was requested by the scientists, documented by the urgency of this challenge for the research and for the prevention and for the resources needed to address this public health emergency.

I rise not only as the House Democratic leader, I rise as a mother and a grandmother, and I speak to parents and grandparents in this body because that is all I am allowed to speak to.

The questions that I have for you are: How can we ignore the President's scientifically based request expressed in the words of Dr. Fauci, the Director of the National Institute of Allergy and Infectious Diseases at the National Institutes of Health, a person, a healthcare leader in our country, a researcher, a scientist who has been described by President George Herbert Walker Bush as a hero—as a hero—in his work for the American people and their public health?

Dr. Fauci says: If we don't get the money that the President has asked for, the \$1.9 billion, that is going to have a very serious negative impact on our ability to get the job done.

Another scientist, Dr. Tom Frieden, Director of the Centers for Disease Control, the public health agency to stop this threat, said: Never before in history has there been a situation where a bite from a mosquito can result in devastating fetal malformation.

Testimony went on to say that we are talking about children with irreversible brain damage who will never be able to walk, talk, see, or hear, children whose care over a lifetime is estimated to cost more than \$10 million.

The money is one thing. The devastation to that child and to that family is far more consequential. So the \$1.9 billion is a great deal of money.

It is an emergency. It is a small price to pay to prevent irreversible brain damage in our children. It is a small price to pay instead of saying to families: Don't think about having children now because of this epidemic.

The Republicans are treating the threat of Zika with so little seriousness that they decided to use the crisis as an opportunity to eliminate protections for the water that our children drink.

The so-called Zika Vector Control Act the Republicans are adding to this package this morning that they are asking you to vote for is nothing but a longstanding and craven repackaged Republican effort to gut the Clean Water Act. It is a pesticide Trojan horse that will do nothing to protect Americans from Zika.

This is really a dishonoring of our responsibility to protect and defend our fellow Americans. As our distinguished member of the Committee on Rules mentioned, this is a defense issue. It is about protecting the American people.

This proposal today puts forth one-third of what the President has asked for—one-third. People say: Aren't you happy with one-third of a loaf? It is not one-third of a loaf. It is one-third of a shoe. You cannot get there from here with one-third.

It is really an insult to the scientists who have spoken out. Actually, it is one-third of the President's request, but it is one-fifth of what the CDC has requested for the public health activities.

We must elevate the importance of the public health responsibility that we have. If we had a natural disaster, FEMA has funds to come to the rescue of the American people. That is our compact with the American people, to help them in ways that they could never help themselves because of the scope of the challenge.

This is no less a challenge. In fact, it would probably result in more loss of life, malformation of unborn children. On top of that, think of the negative impact it will have, distrust to travel to certain regions in our country.

This is so reckless. Just when I thought I had seen it all on the part of the Republicans in the Congress to disregard meeting the needs of the American people, along comes this incomprehensible explanation to anybody why this might be a proposal worthy of the floor of the House, worthy of the public health challenge to the American people, worthy of our concerns about the American people.

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My Republican colleagues, you have outdone yourselves today. What you are doing is reckless. In this bill, we should be meeting this challenge the way we meet emergencies: with adequate resources, which will end up saving money because they will be an investment in the health of the American people. It has been over 90 days since the President has made the request.

I will just say this one other thing. It is not our role to instill fear, but we have to face the challenge in a very clear-eyed way. The virus from this mosquito is sexually transmitted. We have no idea—it could be as long as 18 months—how long it would reside in a gentleman who might be bitten by the mosquito. It could be over a year, it

could be shorter, but it is not one night.

Secondly, if you get bitten by this mosquito when you travel someplace where it might be pervasive, you not only get bitten yourself, you bring it home. Again, it is sexually transmitted.

It is transmitted in even more pervasive ways. Any other garden variety mosquito that would bite you, who have already been bitten by the other mosquito, now is a carrier of that virus. We turn garden variety mosquitoes into an army on the assault of the public health of the American people.

So, again, as a mother and a grandmother, as a parent, and for the fathers and grandfathers who serve here, think of the children, think of the risk, think of the responsibility that we have. Think of the irresponsibility of this bill before us today and the reckless disregard for public health in our country that the Republicans are putting forth in this legislation, and vote "no."

Mr. COLE. Mr. Speaker, may I inquire as to how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Oklahoma has 13 minutes remaining. The gentleman from Massachusetts has 11 minutes remaining.

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to begin by saying I also have a great deal of respect for the distinguished minority leader. She used in her remarks and made the point that the President had asked for a number of things.

Last year, the President asked for a billion dollars more for the NIH. We said: You know, we didn't think you asked for enough, so we are going to give you \$2 billion.

Somehow, that seems to get lost.

Last year, the President sent down his request for the Centers for Disease Control. We said: You know, we don't think you are spending enough on public health, Mr. President. We are going to spend more money than you asked for.

This year, when the President submitted his budget, he decided: I am going to take a billion dollars of discretionary spending away from the National Institutes of Health and spend it someplace else.

We said: No, Mr. President; we think that is pretty reckless.

By the way, my Democratic friends agreed with that, too.

We said: We are not going to let you take a billion dollars of discretionary money away from the NIH and spend it someplace else. We are going to keep it right there. And, by the way, we are going to put more money than you asked for in this agency when the bill comes out, and we are probably going to do the same thing for the Centers for Disease Control.

So, to suggest that the President hasn't gotten what he has asked for is to, frankly, misstate the facts.

We have had a great deal of mention that the President has had the request for 94 days. What we have not had is one shred of evidence that, in those 94 days, he has not had the money to do every single thing he wanted to do. Indeed, the chairman of the committee urged him to start spending money immediately to do that. So there has been no loss of effort, and the bill in front of us now funds it for the rest of the fiscal year. It also funds the research on the vaccine at the NIH into next year.

So, again, I am just going to simply disagree with my friend that money has not been available. It has been available; and, frankly, to the appropriate agencies, more money has been available than the President has asked for. More money will be available next year than he asked for.

Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. SESSIONS), the distinguished chairman of the Rules Committee and my good friend.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman, not only a member of the Rules Committee, but an appropriator who is directly in line with and understands the needs of not only the American people as it relates to the NIH, but also the funding mechanisms.

Mr. Speaker, I stand up to really disagree with the gentlewoman from California. To call my party and our efforts reckless and irresponsible, I believe, is unfair.

I believe it is unfair because, last night at the Rules Committee, we had this virtually same discussion. And the discussion started with me when I said that I had Republicans and Democrats, only Monday, with the Director of NIH, Dr. Francis Collins, and the Director of the Institute of Allergy and Infectious Diseases, Dr. Anthony Fauci, and we talked directly about this issue.

What we learned, Mr. Speaker, is that there was a request for additional money and that the NIH had some \$600 million that was sitting in a fund from Ebola that had not been completely used. A determination was made—including the gentleman from Oklahoma (Mr. COLE), HAL ROGERS, and NITA LOWEY, who were engaged in the decision—that said we will allow the money to be switched over if you would like to do that. Switch it over and use that money for this specific event that we are now looking at. What happened is they used the money very quickly. They accelerated spending the money—that is fine; we want them to do what they need to do—some \$600 million.

As soon as that was known, the gentlewoman Mrs. LOWEY, the gentleman Mr. ROGERS, and the gentleman Mr. COLE went about looking at a request to fill for the next 5 months what would be some \$1.2 billion that would be spent just this year remaining—we are in May—just until the end of September.

The President asked for \$1.9 billion for 5 years, and we gave \$1.2 billion of that \$1.9 for 5 months. We are accelerating the money that is necessary to NIH.

The minority leader outlined how terrible this destructive behavior can be to a child, to an embryo. We agree. But to suggest that Republicans are reckless is not fair.

What is fair to say is that we are responding appropriately, we are responding immediately, and we are putting it together before we are gone next week on a district work period. We are doing it this week. We are moving it as quickly as possible. If we weren't, we would be accused of the reverse, evidently.

Mr. Speaker, the Republican Party, the gentleman Mr. COLE, the gentleman Mr. ROGERS, and our Speaker care about people. We are doing the right thing.

Now, in the Rules Committee, the gentleman Dr. MICHAEL BURGESS, acknowledged some other frailties that he sees from the administration's point, and that would be: Where is the alert to cities? Where is the administrative action to say let's do something about alerting travelers? Where is the information that is going to public health officials? Where are we preparing ourselves to look at what would happen in Brazil? What is the administration doing other than just accusing us of not spending more money?

Mr. Speaker, we all live in glass houses. We need to look at this the same way, and calling each other names is not a way to get there.

So, Mr. COLE will be responsible and reasonable; HAL ROGERS, the chairman of our Appropriations Committee, will be responsible. I said to my committee last night, as quickly as we need to get together, the Rules Committee will come in, even if it is on an emergency basis, to handle this, based upon a request. And that is what we are going to do.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Ms. DELAURO. Mr. Speaker, I just will say, what my colleague, Mr. SESSIONS, just said: that the NIH had \$600 million in unused Ebola money, that really is false. The NIH has used all of its Ebola funds that Congress allocated. So the statement of the gentleman from Texas is not factual.

The Zika virus is a public health emergency. It is a crisis, and we must treat it as such. As of last week, there were almost 1,400 confirmed cases of Zika in the United States and its territories. Nearly 300 of them are pregnant women. And one person has died.

This Congress, when we appropriate money for defense or defense spending

or for wars, Republicans say: Listen to the generals in the field; they are the ones who know best. Well, we are in the midst of a war against the Zika virus, and we should be listening to the generals and the experts in the field. And who are they? They are at the Centers for Disease Control; they are at the National Institutes of Health; and they are the scientists in our country.

We need to give them the resources that they need, and they have told us that they need \$1.9 billion. We should do the right thing. We should fund their request. One-third of that request, which is what the House Republicans have proposed, is not adequate.

Typically, microcephaly occurs in 0.02 percent to 0.12 percent of all U.S. births, but The Washington Post reported yesterday that, among Zika-infected pregnant women, that risk is as high as 13 percent.

This summer, every woman who is pregnant or trying to get pregnant will be afraid: afraid to go out on the patio, afraid to take your kids to the Little League, afraid to go to a barbecue. It is our duty here to do everything that we can to ease those fears, to stop this disease from spreading any further.

We must not put American women in a predicament of choosing whether or not they should get pregnant or, if they are already pregnant, wondering whether or not their baby is going to be okay.

Ron Klain, the Ebola czar, wrote in The Washington Post: "It is not a question of whether babies will be born in the United States with Zika-related microcephaly—it is a question of when and how many. For years to come, these children will be a visible, human reminder of the cost of absurd wrangling in Washington, of preventable suffering, of a failure of our political system to respond to the threat that infectious diseases pose."

According to the CDC, pregnant women are already facing unacceptably long delays in learning Zika results. CDC Director Tom Frieden has said that experts estimate a single child with birth defects can usually cost \$10 million to care for—or more. That says nothing about the life of that child with microcephaly. They cannot eat; they cannot speak; they cannot walk.

I do not often quote Senator MARCO RUBIO, but last week, he said:

It is a mistake for Congress to try to deal with the Zika virus on the cheap. If we don't spend money on the front end, I think we are going to spend a lot more later, because this problem is not going away.

We could not agree more. We have stolen \$44 million from our States to deal with this crisis, and the Republican bill does not reimburse our States for the money that they need for dealing with emergencies such as this.

We should defeat the previous question, and we should consider the Lowey-DeLauro-Wasserman Schultz

amendment and fully fund the President's request of \$1.9 billion. It is the responsible and moral thing to do.

The SPEAKER pro tempore (Mr. LUCAS). The time of the gentlewoman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. DELAURO. Months from now, when the results of our inaction become apparent, we will ask ourselves: Why did we delay? Why did we wait?

We must take appropriate action now. We must reject the previous question. We must do what is the morally right thing for the people of this country who put their faith and trust in us to come and represent their best interests and the public health.

Mr. COLE. Mr. Speaker, may I inquire as to how much time remains?

The SPEAKER pro tempore. The gentleman from Oklahoma has 7 minutes remaining. The gentleman from Massachusetts has 6½ minutes remaining.

Mr. COLE. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. HOYER), the Democratic whip.

□ 1015

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

I want to thank Ms. DELAURO, the ranking member of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies.

Mr. Speaker, this is the story in The Washington Post. It is front page. It is about the crisis that we confront, about the danger to Americans' health, about the dangers that young children will be born with microcephaly.

Dr. Frieden, the head of our communicable disease operation and defense force, if you will, says it will cost \$10 million per baby born with microcephaly; \$10 million per child. That does not count the heartache that will be counted.

I want to tell my friend, Mr. COLE—and he is a dear friend and a good legislator—the action you take today belies the representation you have made.

What do I mean by that?

If there is enough money now, as Mr. COLE argues, why take this action?

This was not scheduled earlier this week. This was not have a rule until 9:30 last night. So if the gentleman's proposition is correct, that there are sufficient funds right now, we don't need to act on this bill today.

So why, my friends, are we acting on it today?

Because the public believes we ought to act. And the Republicans are trying to protect themselves against the attack, that they took no action until 94 days into the President's request because, if Mr. COLE is right, we need not worry: there is plenty of money available.

But they know the American people don't agree with that. So 9:30, in the dead of night, they passed this rule, brought it to the floor so that they can say: Oh, we have acted.

Nothing, my friends, will happen as a result of what we do today. The Senate passed a bill with 69 votes, \$1.1 billion, not taking from Ebola defense, not taking from the other health needs of America, as our bill does, but saying: this is an emergency.

Now, very frankly, my friends on your side of the aisle, Mr. COLE, when you want \$18 billion from defense, you have no problem not paying for it. You take it from OCO, which is not scored. No problem. But when the President asks for \$1.9 billion, about a tenth of that, well, my goodness, this is a problem. It is, after all, not the Taliban. It is not Iran. We have to protect against that. It is a health crisis in America, and we have fiddled for 94 days.

If, in fact, Mr. COLE's representation is correct, there is no need to act. But if the actions that they are taking speak loudly that, yes, there is a need to tell the American people: we get it; there is a crisis; we are going to act, the problem is nothing will happen as a result of this action, other than a bill will go over to the Senate, with which the Senate does not agree. They passed a bill with 69 votes. Half of the Republicans, all of the Democrats, said we need the \$1.1 billion.

Now, the President asked for \$1.9 billion, but what they didn't do is steal from Ebola, steal from other health priorities.

And I hear the gentleman talking about how much money is out there, but if that is true, why did we need to act in the dead of night last night and today, just as we walk out the door?

We have not dealt with Zika. We will not have dealt with Zika.

We haven't acted on the Puerto Rican debt. We haven't acted on a budget resolution. We haven't acted on the Flint water crisis. We haven't acted on criminal justice reform. And we haven't acted on the Voting Rights Act.

This is a cover vote. Vote "no."

Mr. COLE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to reply to my very good friend from Maryland, whom I have not only great esteem for, but, frankly, great personal affection for, and I want to respond to his question. This is not a cover vote.

First of all, the main item here is actually veterans and military construction that is over \$83 billion; that, through normal order, is moving forward. Now, to also move the Zika bill with it makes a lot of sense.

Frankly, one of the things in this bill—and I disagree with my friend's characterization—we want to make sure that misguided environmental regulations don't stop us from deploying pesticides that we may need. That

is in this bill. That is pretty important to move forward.

The funding is also important. Now, my friends seem to forget, again, the long record here of who has been willing to support the NIH and who has been willing to support the CDC. We gave the NIH twice what the President asked for in additional new money last year. That is being spent right now, by the way. We also gave the Centers for Disease Control more money than the President asked for. This year, when the President tried to take \$1 billion of discretionary money away from the NIH, both Republicans and Democrats on the Appropriations Committee said: No, Mr. President, we are not going to let you raid NIH and take money away and weaken the healthcare apparatus of the United States.

I made the point then—and I can assure my friends we will be happy to back it up—that we will put more money into NIH this year for next fiscal year than the President actually requests.

Now, in terms of Zika, the moment there was a crisis, the chairman of this committee, HAL ROGERS, immediately sent a letter to the President and said: Spend all the money you need. There are whole pots of it in different spots. We will replace the dollars as they are needed.

So taking money out of funds that were meant to be spent over years and using them in immediate crises is not unusual. Indeed, the administration itself has done this twice in recent months: once taking \$500 million from the Emergency Response Fund in the Department of State and spending it on climate change, instead of an emergency response; \$40 million in their own budget out of Ebola money that they were going to spend on malaria money.

I don't condemn them for that, by the way. They just simply were using something and they said: This is an account that is going to take several years. We want to deal with malaria right now. Let's take some of that money. If we have got a problem later, we will fix it.

That is all that is going on here. At the end of the day, the amount of resources that are necessary will be made available. The only difference here is one side wants to pay for it and not add to the national debt. The other side really doesn't think that is a big consideration. That is a debate worth having. I don't mind having that debate.

But we heard the word "reckless" earlier. It is also shameless to exploit a crisis for political gain, and I think we are seeing some of that here today. Some of it is sincere, but some of it is great theatrics. It doesn't change the fact that when the President made his request, he has had every dime he has needed for that 94 days.

When my friends say the Republican bill only provides a third of the money,

they somehow forget a third had already been provided. This is the second third. The rest of it will come. The money is to be spent as the administration requested, not over weeks or days, but over months and years. That is how they have proposed to deploy it. So giving them the money as they need it instead of writing them a blank check and not even paying for it ahead of time seems to us to be the prudent and responsible thing to do.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Dr. Thomas Frieden, the Director of the Centers for Disease Control and Prevention, just recently said in response to the way this House has handled funding for the Zika crisis:

"This is no way to fight an epidemic. Three months is an eternity for control of an outbreak. There is a narrow window of opportunity here and it's closing. Every day that passes makes it harder to stop Zika."

So whether it is Dr. Frieden, or Dr. Fauci, or any of our Nation's leading scientists or medical experts who all say that what is going on here today is grossly inadequate, my friends on the other side of the aisle seem to think that they know more than our scientists and medical experts; at least they have convinced themselves that they know more.

Well, they haven't convinced me and they haven't convinced the majority of the American people who are watching this in disbelief.

This is an emergency. This is a crisis. Why aren't we acting more aggressively?

I include in the CONGRESSIONAL RECORD a letter to Congress from the Director of the Office of Management and Budget, and our National Security Adviser, in which they talk about the importance of multi-year funding, long-term funding because they have multiyear commitments that they need to make to the private sector in order to prioritize Zika, in order to develop vaccines and other prevention to protect the American people.

THE WHITE HOUSE,
Washington, DC, April 26, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: As you are aware, on February 22, the Administration transmitted to Congress its formal request for \$1.9 billion in emergency supplemental funding to address the public health threat posed by the Zika virus. Sixty-four days have passed since this initial request; yet still Congress has not acted.

Since the time the Administration transmitted its request, the public health threat posed by the Zika virus has increased. After careful review of existing evidence, scientists at the Centers for Disease Control and Prevention (CDC) concluded that the Zika virus is a cause of microcephaly and other severe fetal brain defects. The Zika

virus has spread in Puerto Rico, American Samoa, the U.S. Virgin Islands and abroad. As of April 20, there were 891 confirmed Zika cases in the continental United States and U.S. territories, including 81 pregnant women with confirmed cases of Zika. Based on similar experiences with other diseases transmitted by the *Aedes aegypti* mosquito—believed to be the primary carrier of the Zika virus—scientists at the CDC expect there could be local transmission within the continental U.S. in the summer months. Updated estimate range maps show that these mosquitoes have been found in cities as far north as San Francisco, Kansas City and New York City.

In the absence of action from Congress to address the Zika virus, the Administration has taken concrete and aggressive steps to help keep America safe from this growing public health threat. The Administration is working closely with State and local governments to prepare for outbreaks in the continental United States and to respond to the current outbreak in Puerto Rico and other U.S. territories. We are expanding mosquito control surveillance and laboratory capacity; developing improved diagnostics as well as vaccines; supporting affected expectant mothers, and supporting other Zika response efforts in Puerto Rico, the U.S. territories, the continental United States, and abroad. These efforts are crucial, but they are costly and they fall well outside of current agency appropriations. To meet these immediate needs, the Administration conducted a careful examination of existing Ebola balances and identified \$510 million to redirect towards Zika response activities. We have also redirected an additional \$79 million from other activities. This reprogramming, while necessary, is not without cost. It is particularly painful at a time when state and local public health departments are already strained.

While this immediate infusion of resources is necessary to enable the Administration to take critical first steps in our response to the public health threat posed by Zika, it is insufficient. Without significant additional appropriations this summer, the Nation's efforts to comprehensively respond to the disease will be severely undermined. In particular, the Administration may need to suspend crucial activities, such as mosquito control and surveillance in the absence of emergency supplemental funding. State and local governments that manage mosquito control and response operations will not be able to hire needed responders to engage in mosquito mitigation efforts. Additionally, the Administration's ability to move to the next phase of vaccine development, which requires multi-year commitments from the Government to encourage the private sector to prioritize Zika research and development, could be jeopardized. Without emergency supplemental funding, the development of faster and more accurate diagnostic tests also will be impeded. The Administration may not be able to conduct follow up of children born to pregnant women with Zika to better understand the range of Zika impacts, particularly those health effects that are not evident at birth. The supplemental request is also needed to replenish the amounts that we are now spending from our Ebola accounts to fund Zika-related activities. This will ensure we have sufficient contingency funds to address unanticipated needs related to both Zika and Ebola. As we have seen with both Ebola and Zika, there are still many unknowns about the science and scale of the outbreak and how it will impact mothers,

babies, and health systems domestically and abroad.

The Administration is pleased to learn that there is bipartisan support for providing emergency funding to address the Zika crisis, but we remain concerned about the adequacy and speed of this response. To properly protect the American public, and in particular pregnant women and their newborns, Congress must fund the Administration's request of \$1.9 billion and find a path forward to address this public health emergency immediately. The American people deserve action now. With the summer months fast approaching, we continue to believe that the Zika supplemental should not be considered as part of the regular appropriations process, as it relates to funding we must receive this year in order to most effectively prepare for and mitigate the impact of the virus.

We urge you to pass free-standing emergency supplemental funding legislation at the level requested by the Administration before Congress leaves town for the Memorial Day recess. We look forward to working with you to protect the safety and health of all Americans.

Sincerely,

SHAUN DONOVAN,
*Director, The Office of
Management and
Budget.*

SUSAN RICE,
*National Security Ad-
visor.*

Mr. MCGOVERN. Mr. Speaker, what we are doing here today represents a failure, a miserable failure. This represents a failure of this Congress to do everything humanly possible to protect the people of this country. It is shameful. It is unbelievable.

A rigid, right-wing ideology is trumping common sense, is trumping doing what is right, what I think most of my colleagues on the other side of the aisle understand.

We need to aggressively fight this crisis. And here is the deal: if we don't get this right, all the talk about fiscal responsibility and controlling the debt goes out the window because the cost of this crisis getting out of control is astronomical.

Mr. Speaker, my friends on the other side of the aisle can explain away or rationalize or justify this inadequate response all they want, but it is reckless and irresponsible.

And for the life of me, I can't understand why on this issue, as we are confronted with this health crisis, we all can't come together and do what is right.

When it comes to wars halfway around the world, nobody cares about paying for it; but when it comes to a war to confront a healthcare epidemic, crisis, to confront an epidemic, my friends can't find the money.

Please vote "no" on the previous question so we can actually have an amendment to properly fund this. I urge my colleagues to vote "no" on the previous question and "no" on the rule.

I yield back the balance of my time.

Mr. COLE. Mr. Speaker, I yield myself the balance of my time.

I want to respond quickly to some of my friend's points, Mr. Speaker, and I

want to go back to the essential reality that we are facing.

Number 1, last year, when the President asked for \$1 billion more for NIH, we said: That is not enough. We are going to give you two.

Last year the President submitted a request for CDC. We looked at it and said: You know, it is not enough. You evidently don't care enough about public health, Mr. President. We are going to spend more money.

This year he brought us a request to try and take \$1 billion of discretionary funding away from NIH. My friends on the other side were as appalled as we were. We said: No, Mr. President, you are not going to take \$1 billion out of NIH in a dangerous time of disease. We are not only going to keep that money there, we are going to put more money, additional money than you asked for.

We said the same thing about the CDC, and so we will do it.

In terms of what has been done, the minute the Zika virus appeared and the administration asked for emergency money, HAL ROGERS, the chairman of the committee, responded and said: Spend whatever it takes.

And, indeed, the administration has done that.

My friends seem to suggest that there is something that hasn't been done, yet they never tell us what that one thing is.

The reality is the administration has had the money to do everything it has wanted to do. This bill provides more money on top of that. Our Senators are proposing even more, so we go to conference to figure out the appropriate amount and whether or not and to what degree it should be paid for. I would hope it is all paid for. It should be because we have the funds to do that.

So to suggest that there is some sort of failure of funding is simply not true, and my friends know it is not true. To suggest that we are not willing to put the money here would suggest that recent history has no relevance, because we have put more money here than the President asked us to put, and we have committed to put even more going forward.

The only difference here, and what drives my friends into a frenzy, is that we actually want to pay for this. They simply don't. They think, let's just put another \$1.9 billion on the national credit card. This is a great excuse to do that.

Well, we are not prepared to do that, but we are prepared to respond to the legitimate needs of the American people and use the resources that we have.

So, Mr. Speaker, in closing, I agree with my colleagues on the other side. We should address the issue. We disagree with the other body on how to do it, and we will go on from there.

Mr. Speaker, I look forward to working with my colleagues in conference on these important issues.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 751 OFFERED BY
MR. MCGOVERN

On page 2, line 4, insert "as modified by the amendment specified in section 2 of this resolution" before the semicolon.

At the end of the resolution, add the following new section:

SEC.2. The amendment referred to in section 1(a) is as follows: Strike divisions B and C and insert the text of H.R. 5044 as introduced.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the *Republican Leadership Manual on the Legislative Process in the United States House of Representatives*, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In *Deschler's Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee

on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The SPEAKER pro tempore. Pursuant to House Resolution 743 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5055.

Will the gentleman from Wisconsin (Mr. RIBBLE) kindly take the chair.

□ 1030

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, with Mr. RIBBLE (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on May 25, 2016, an amendment offered by the gentleman from Florida (Mr. DESANTIS) had been disposed of and the bill had been read through 80, line 15.

Mr. SIMPSON. Mr. Speaker, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LUCAS) having assumed the chair, Mr.

RIBBLE Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, directed him to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 743, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LANGEVIN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LANGEVIN. I am opposed to the bill in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Langevin moves to recommit the bill H.R. 5055 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

In the “Defense Nuclear Nonproliferation” account on page 53, line 11, after the dollar amount, insert “(increased by \$20,000,000)”.

In the “Federal Salaries and Expenses” account on page 54, line 14, after the dollar amount relating to the National Nuclear Security Administration, insert “(reduced by \$20,000,000)”.

The SPEAKER pro tempore. The gentleman from Rhode Island is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, this is the final amendment to the bill, which would not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, this amendment is simple. It adds \$20 million to nuclear nonproliferation accounts so that nuclear materials do not fall into the wrong hands.

The possibility that terrorists or rogue nations will acquire nuclear weapons, fissile material, or radiological material that could be used in a dirty bomb are among the gravest threats facing our Nation and the international community.

Right now, luckily—though there are, of course, exceptions—these most dangerous weapons are in the hands of

responsible actors. We cannot allow that dynamic to shift, and we must ensure that these weapons never fall into the hands of bad actors who would seek to do us or the rest of the international community harm.

However, today, there is more fissile material in the world than at any other time in our history, and the bad actors are taking notice. According to several studies conducted at Harvard, at least two terrorist groups—al Qaeda and the Japanese terror cult Aum Shinrikyo—have made serious efforts to buy, steal, or otherwise obtain nuclear weapons in recent years.

There is clear evidence that ISIL would, if given the opportunity, strive to do us great harm. After all, it only takes a grapefruit-sized amount of highly enriched uranium to make a nuclear weapon, and there are hundreds of metric tons of material out there, some of which is still vulnerable to theft. Now, according to reports, ISIL has been monitoring a senior official of a Belgian facility, by way of example, with substantial stocks of highly enriched uranium.

We absolutely cannot assume the risk that the United States would be ambushed by a rogue nuclear threat, and we must not leave ourselves exposed to a threat that would forever change our American way of life. While we can never protect against every threat, we can, however, mitigate it by working with our international partners, Federal agencies, national laboratories, and the private sector to more quickly secure and eliminate vulnerable nuclear materials.

Small investments, such as the ones offered in this amendment, can yield significant national security benefits. By moving \$20 million into the Defense Nuclear Nonproliferation account, we would ultimately make our country—and the world—a safer place to live.

Mr. Speaker, Congress has worked across the aisle on this issue many times before, and we have seen some incredible success stories that have a profound impact on the security of our nuclear materials.

During the fiscal year 2012 Energy and Water Development Appropriations bill, the House approved an amendment—by a voice vote, no less—offered by Congressman FORTENBERRY and Congresswoman SANCHEZ to do exactly what this motion to recommit seeks to do today.

Their amendment to increase appropriations for the Global Threat Reduction Initiative under the Defense Nuclear Nonproliferation account was enthusiastically supported on both sides of this Chamber, securing an important bipartisan victory for the international effort to secure vulnerable fissile material and keeping our Nation safe from the threat of nuclear terrorism.

Mr. Speaker, this House did not cower when faced with this challenge

back then, and we must not do so today. Let today be another one of those bipartisan success stories. Let us redouble our efforts to prevent the proliferation and catastrophic abuse of sensitive nuclear materials and technologies across the globe and here at home.

I beseech my fellow Members, adopt this amendment, keep our Nation safe, and deny the nuclear terrorists who would seek to do us harm their own success story.

Mr. Speaker, I yield back the balance of my time.

Mr. SIMPSON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Speaker, H.R. 5055, is a good bill that invests \$37.4 billion in priorities we can all support—national security, critical water resources, infrastructure projects for our districts, and energy independence—through an all-of-the-above approach.

First and foremost, this legislation is a defense bill. \$19.44 billion out of the 37.4 billion, or 51 percent, is dedicated toward our national security. Carrying out our Nation's nuclear deterrence mission is, in part, the responsibility of the Department of Energy; while DOD provides delivery vehicles and operators, DOE provides nuclear warheads themselves.

Congress provides funding for this critical defense mission through the Energy and Water Development Appropriations bill. As we drafted this bill, we carefully considered 2,700 Member requests. This legislation addresses 95 percent of those requests in one form or another. This included four requests from Democratic Members to fund nonproliferation programs at the budget request level of \$1.8 billion, which this bill does.

I agree that nonproliferation is a critical part of our overall nuclear defense strategy. We need to be doing everything we can to keep dangerous nuclear materials away from rogue nations and terrorists. Extra funding for DOE nonproliferation programs, however, is not the only way to do this. We must also provide for a strong defense capability, and this bill accomplishes that.

While I appreciate the passion for the nonproliferation and securing these materials abroad, I would also like to see the same passion for securing these materials at home. While the prospect of a terrorist getting hold of nuclear materials in the Middle East, Africa, or East Asia is terrifying, the prospect of them getting ahold of these materials in Tennessee, Texas, or California is even more so.

In 2012, three peace activists—a drifter, an 82-year-old nun, and a house painter—penetrated the exterior of the Y-12 National Security Complex in

Tennessee, supposedly one of the most secure nuclear facilities in the United States. If they had been terrorists armed with explosives, that scenario would be frightening to imagine. That is why this funding in this bill is so critical.

The bill increases funding \$30 million above the request to improve security at aging nuclear weapons facilities to make sure our own nuclear materials are secure on our home soil and address a backlog of \$2 billion in security upgrades needed at nuclear weapons facilities.

In a tight fiscal environment, we need to be making these investments at our own nuclear facilities, not spending American taxpayer dollars to perform work in Russia's nuclear facilities.

In addition to these investments, the bill also continues prohibitions on funding for nonproliferation projects in Russia, which is spending billions of dollars on its own nuclear modernization.

In all, this is a fiscally responsible, economically smart, and critically important national security bill. It deserves to be passed quickly without further changes or delays.

Mr. Speaker, I urge my colleagues to vote against this motion and to support the underlying bill.

Lastly, let me say, Mr. Speaker, I appreciate every Member of this body, on both sides of the aisle, for the 2 days of debate we have put in for the amendments that we have debated and the respectful debate that we have had on a lot of important issues. It has been a good debate, and I look forward to seeing my colleagues on the other side of the aisle who had some of their amendments adopted now voting for this bill because of the amendments that were adopted in the Committee of the Whole.

So I would urge my colleagues to vote against this motion to recommit and vote for passage of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SIMPSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 5055; ordering the previous question on House Resolution 751; and adoption of House Resolution 751, if ordered.

The vote was taken by electronic device, and there were—yeas 178, nays 236, not voting 19, as follows:

[Roll No. 265]

YEAS—178

Adams	Gabbard	Nadler
Aguilar	Gallego	Napolitano
Ashford	Garamendi	Neal
Bass	Graham	Nolan
Beatty	Grayson	Norcross
Becerra	Green, Al	Pallone
Bera	Green, Gene	Pascrell
Beyer	Grijalva	Payne
Bishop (GA)	Gutiérrez	Pelosi
Blumenauer	Hahn	Perlmutter
Bonamici	Hastings	Peters
Boyle, Brendan	Heck (WA)	Peterson
F.	Higgins	Pingree
Brady (PA)	Himes	Pocan
Brown (FL)	Hinojosa	Polis
Brownley (CA)	Honda	Price (NC)
Bustos	Hoyer	Quigley
Butterfield	Huffman	Richmond
Capps	Israel	Roybal-Allard
Capuano	Jackson Lee	Ruiz
Carney	Jeffries	Ruppersberger
Carson (IN)	Johnson, E. B.	Rush
Cartwright	Kaptur	Ryan (OH)
Castor (FL)	Keating	Sánchez, Linda
Chu, Judy	Kelly (IL)	T.
Cicilline	Kennedy	Sanchez, Loretta
Clark (MA)	Kildee	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Clay	Kind	Schiff
Cleaver	Kirkpatrick	Schrader
Clyburn	Kuster	Scott (VA)
Cohen	Langevin	Scott, David
Connolly	Larsen (WA)	Serrano
Conyers	Larson (CT)	Sewell (AL)
Cooper	Lawrence	Sherman
Courtney	Lee	Sinema
Crowley	Levin	Sires
Cuellar	Lewis	Slaughter
Cummings	Lieu, Ted	Smith (WA)
Davis (CA)	Lipinski	Speier
Davis, Danny	Loebach	Swalwell (CA)
DeFazio	Lofgren	Takano
DeGette	Lowenthal	Thompson (CA)
Delaney	Lowey	Thompson (MS)
DeLauro	Lujan Grisham	Titus
DelBene	(NM)	Tonko
DeSaulnier	Luján, Ben Ray	Torres
Deutch	(NM)	Tsongas
Dingell	Lynch	Van Hollen
Doggett	Maloney,	Vargas
Doyle, Michael	Carolyn	Veasey
F.	Maloney, Sean	Vela
Duckworth	Matsui	Velázquez
Edwards	McCollum	Vislosky
Ellison	McDermott	Walz
Engel	McGovern	Wasserman
Eshoo	McNerney	Schultz
Esty	Meeks	Waters, Maxine
Farr	Meng	Watson Coleman
Foster	Moore	Welch
Frankel (FL)	Moulton	Wilson (FL)
Fudge	Murphy (FL)	

NAYS—236

Abraham	Calvert	Duncan (TN)
Aderholt	Carter (GA)	Ellmers (NC)
Allen	Carter (TX)	Emmer (MN)
Amash	Chabot	Farenthold
Amodei	Chaffetz	Fitzpatrick
Babin	Clawson (FL)	Fleischmann
Barletta	Coffman	Fleming
Barr	Cole	Flores
Barton	Collins (GA)	Forbes
Benishke	Collins (NY)	Fortenberry
Bilirakis	Comstock	Fox
Bishop (MI)	Conaway	Frelinghuysen
Bishop (UT)	Cook	Garrett
Black	Costa	Gibbs
Blackburn	Costello (PA)	Gibson
Blum	Crawford	Gohmert
Bost	Crenshaw	Goodlatte
Boustany	Culberson	Gosar
Brady (TX)	Curbelo (FL)	Gowdy
Brat	Davis, Rodney	Granger
Bridenstine	Denham	Graves (GA)
Brooks (AL)	Dent	Graves (LA)
Brooks (IN)	DeSantis	Graves (MO)
Buchanan	DesJarlais	Griffith
Buck	Diaz-Balart	Grothman
Bucshon	Dold	Guinta
Burgess	Donovan	Guthrie
Byrne	Duncan (SC)	Hardy

Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry

McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry

Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOT VOTING—19

Cárdenas
Castro (TX)
Cramer
Duffy
Fattah
Fincher
Franks (AZ)

Hanna
Herrera Beutler
Jenkins (KS)
Johnson (GA)
Lamborn
O'Rourke
Rangel

Rice (NY)
Takai
Whitfield
Yarmuth
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1103

Messrs. POE of Texas, SHUSTER, and ROHRABACHER changed their vote from “yea” to “nay.”

Ms. EDWARDS, Mr. RYAN of Ohio, and Ms. MCCOLLUM changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 112, nays 305, not voting 16, as follows:

[Roll No. 266]

YEAS—112

Ashford
Barr
Benishek
Bishop (UT)
Boustany
Brady (TX)
Brooks (IN)
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chaffetz
Coffman
Cole
Collins (NY)
Comstock
Cook
Costa
Costello (PA)
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
Diaz-Balart
Dold
Rodgers
Donovan
Emmer (MN)
Fitzpatrick
Foxy
Frelinghuysen
Gibbs
Gibson
Granger
Green, Gene

Grothman
Hardy
Hill
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Jolly
Joyce
Katko
King (NY)
Kinzinger (IL)
Kline
Knight
LaHood
Lance
LoBiondo
Love
Lummis
MacArthur
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris
McHenry
McSally
Meehan
Messer
Newhouse
Nunes
Paulsen
Peterson
Poliquin
Pompeo

Price, Tom
Reed
Reichert
Renacci
Rigell
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Royce
Salmon
Scalise
Schweikert
Shimkus
Simpson
Smith (NE)
Smith (NJ)
Stefanik
Stewart
Stivers
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Walden
Walters, Mimi
Wilson (SC)
Womack
Woodall
Young (AK)
Young (IA)
Young (IN)
Zeldin

NAYS—305

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Babin
Barletta
Barton
Bass
Beatty
Beckerra
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brat
Bridenstine
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Burgess
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Cleaver
Clyburn

Cohen
Collins (GA)
Conaway
Connolly
Conyers
Cooper
Courtney
Crawford
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSantis
DeSaulnier
DesJarlais
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Engel
Eshoo
Esty
Farenthold
Farr
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gohmert
Goodlatte
Gosar

Gowdy
Graham
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hahn
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
Kirkpatrick
Kuster

Labrador
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McNerney
Meadows
Meeks
Meng
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano

Neal
Neugebauer
Noem
Nolan
Norcross
Nugent
Olson
Palazzo
Pallone
Palmer
Pascarelli
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Ribble
Rice (SC)
Richmond
Roe (TN)
Rogers (AL)
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader

Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (MO)
Smith (TX)
Smith (WA)
Speier
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Trott
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walker
Walorski
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wittman
Yoder
Yoho

NOT VOTING—16

Cárdenas
Castro (TX)
Cramer
Duffy
Fattah
Fincher

Hanna
Herrera Beutler
Jenkins (KS)
Lamborn
O'Rourke
Rice (NY)

Takai
Whitfield
Yarmuth
Zinke

□ 1112

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RELATING TO CONSIDERATION OF THE SENATE AMENDMENT TO H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 751) relating to consideration of the Senate amendment to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 180, not voting 17, as follows:

[Roll No. 267]

YEAS—236

Abraham	Griffith	Paulsen
Aderholt	Grothman	Pearce
Allen	Guinta	Perry
Amash	Guthrie	Pittenger
Amodei	Hardy	Pitts
Babin	Harper	Poe (TX)
Barletta	Harris	Poliquin
Barr	Hartzler	Pompeo
Barton	Heck (NV)	Posey
Benishek	Hensarling	Price, Tom
Bilirakis	Hice, Jody B.	Ratcliffe
Bishop (MI)	Hill	Reed
Bishop (UT)	Holding	Reichert
Black	Hudson	Renacci
Blackburn	Huelskamp	Ribble
Blum	Huizenga (MI)	Rice (SC)
Bost	Hultgren	Rigell
Boustany	Hunter	Roby
Brady (TX)	Hurd (TX)	Roe (TN)
Brat	Hurt (VA)	Rogers (AL)
Bridenstine	Issa	Rogers (KY)
Brooks (AL)	Jenkins (WV)	Rohrabacher
Brooks (IN)	Johnson (OH)	Rokita
Buchanan	Johnson, Sam	Rooney (FL)
Buck	Jolly	Ros-Lehtinen
Bucshon	Jones	Roskam
Burgess	Jordan	Ross
Byrne	Joyce	Rothfus
Calvert	Katko	Rouzer
Carter (GA)	Kelly (MS)	Royce
Carter (TX)	Kelly (PA)	Russell
Chabot	King (IA)	Salmon
Chaffetz	King (NY)	Sanford
Clawson (FL)	Kinzing (IL)	Scalise
Coffman	Kline	Schweikert
Cole	Knight	Scott, Austin
Collins (GA)	Labrador	Sensenbrenner
Collins (NY)	LaHood	Sessions
Comstock	LaMalfa	Shimkus
Conaway	Lance	Shuster
Cook	Latta	Simpson
Costello (PA)	LoBiondo	Smith (MO)
Crawford	Long	Smith (NE)
Crenshaw	Loudermilk	Smith (NJ)
Culberson	Love	Smith (TX)
Curbelo (FL)	Lucas	Stefanik
Davis, Rodney	Luetkemeyer	Stewart
Denham	Lummis	Stivers
Dent	MacArthur	Stutzman
DeSantis	Marchant	Thompson (PA)
DesJarlais	Marino	Thornberry
Diaz-Balart	Massie	Tiberi
Dold	McCarthy	Tipton
Donovan	McCaul	Trott
Duncan (SC)	McClintock	Turner
Duncan (TN)	McHenry	Upton
Ellmers (NC)	McKinley	Valadao
Emmer (MN)	McMorris	Wagner
Farenthold	Rodgers	Walberg
Fitzpatrick	McSally	Walden
Fleischmann	Meadows	Walker
Fleming	Meehan	Walorski
Flores	Messer	Walters, Mimi
Forbes	Mica	Weber (TX)
Fortenberry	Miller (FL)	Webster (FL)
Fox	Miller (MI)	Westerman
Franks (AZ)	Moolenaar	Westmoreland
Frelinghuysen	Mooney (WV)	Williams
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gibson	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	Yoder
Gosar	Noem	Yoho
Gowdy	Nugent	Young (AK)
Granger	Nunes	Young (IA)
Graves (GA)	Olson	Young (IN)
Graves (LA)	Palazzo	Zeldin
Graves (MO)	Palmer	

NAYS—180

Adams	Ashford	Beatty
Aguilar	Bass	Becerra

Bera	Grayson	Neal
Beyer	Green, Al	Nolan
Bishop (GA)	Green, Gene	Norcross
Blumenauer	Grijalva	Pallone
Bonamici	Gutiérrez	Pascarell
Boyle, Brendan F.	Hahn	Payne
Brady (PA)	Hastings	Pelosi
Brown (FL)	Heck (WA)	Perlmutter
Brownley (CA)	Higgins	Peters
Bustos	Himes	Peterson
Butterfield	Hinojosa	Pingree
Capps	Honda	Pocan
Capuano	Hoyer	Polis
Carney	Huffman	Price (NC)
Carson (IN)	Israel	Quigley
Cartwright	Jackson Lee	Rangel
Castor (FL)	Jeffries	Richmond
Chu, Judy	Johnson (GA)	Roybal-Allard
Cicilline	Johnson, E. B.	Ruiz
Clark (MA)	Kaptur	Ruppersberger
Clarke (NY)	Keating	Rush
Clay	Kelly (IL)	Ryan (OH)
Cleaver	Kennedy	Sánchez, Linda T.
Clyburn	Kildee	Sanchez, Loretta
Cohen	Kilmer	Sarbanes
Connolly	Kind	Schakowsky
Conyers	Kirkpatrick	Schiff
Cooper	Kuster	Schrader
Costa	Langevin	Scott (VA)
Courtney	Larsen (WA)	Scott, David
Crowley	Larson (CT)	Serrano
Cuellar	Lawrence	Sewell (AL)
Cummings	Lee	Sherman
Davis (CA)	Levin	Sinema
Davis, Danny	Lewis	Sires
DeFazio	Lieu, Ted	Slaughter
DeGette	Lipinski	Smith (WA)
Delaney	Loeb sack	Speier
DeLauro	Lofgren	Swalwell (CA)
DeBene	Lowenthal	Takano
DeSaulnier	Lowey	Thompson (CA)
Deutsch	Lujan Grisham	Titus
Dingell	(NM)	Tonko
Doggett	Luján, Ben Ray	Torres
Doyle, Michael F.	(NM)	Tsongas
Duckworth	Lynch	Van Hollen
Edwards	Maloney,	Vargas
Ellison	Carolyn	Veasey
Engel	Maloney, Sean	Vela
Eshoo	Matsui	Velázquez
Esty	McCollum	Visclosky
Farr	McDermott	Walz
Foster	McGovern	Wasserman
Frankel (FL)	McNerney	Schultz
Fudge	Meeks	Waters, Maxine
Gabbard	Meng	Watson Coleman
Galleo	Moore	Welch
Garamendi	Moulton	Wilson (FL)
Graham	Murphy (FL)	
	Nadler	
	Napolitano	

NOT VOTING—17

Cárdenas	Hanna	Takai
Castro (TX)	Herrera Beutler	Thompson (MS)
Cramer	Jenkins (KS)	Whitfield
Duffy	Lamborn	Yarmuth
Fattah	O'Rourke	Zinke
Fincher	Rice (NY)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1118

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOICE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 180, not voting 20, as follows:

[Roll No. 268]

AYES—233

Abraham	Guinta	Pearce
Aderholt	Guthrie	Perry
Allen	Hardy	Pittenger
Amodei	Harper	Pitts
Babin	Harris	Poe (TX)
Barletta	Hartzler	Poliquin
Barr	Heck (NV)	Pompeo
Barton	Hensarling	Posey
Benishek	Hice, Jody B.	Price, Tom
Bilirakis	Hill	Ratcliffe
Bishop (MI)	Holding	Reed
Bishop (UT)	Hudson	Reichert
Black	Huelskamp	Renacci
Blackburn	Huizenga (MI)	Ribble
Blum	Hultgren	Rice (SC)
Bost	Hunter	Rigell
Boustany	Hurd (TX)	Roby
Brady (TX)	Hurt (VA)	Roe (TN)
Brat	Issa	Rogers (AL)
Bridenstine	Jenkins (WV)	Rogers (KY)
Brooks (IN)	Johnson (OH)	Rohrabacher
Buchanan	Johnson, Sam	Rokita
Buck	Jolly	Rooney (FL)
Bucshon	Jones	Ros-Lehtinen
Burgess	Jordan	Roskam
Byrne	Joyce	Ross
Calvert	Katko	Rothfus
Carter (GA)	Kelly (MS)	Rouzer
Carter (TX)	Kelly (PA)	Royce
Chabot	King (IA)	Russell
Chaffetz	King (NY)	Salmon
Clawson (FL)	Kinzing (IL)	Sanford
Coffman	Kline	Scalise
Cole	Knight	Schweikert
Collins (GA)	Labrador	Scott, Austin
Collins (NY)	LaHood	Sensenbrenner
Comstock	LaMalfa	Sessions
Conaway	Lance	Shimkus
Cook	Latta	Shuster
Costello (PA)	LoBiondo	Sinema
Crawford	Long	Smith (MO)
Crenshaw	Loudermilk	Smith (NE)
Culberson	Love	Smith (NJ)
Curbelo (FL)	Lucas	Smith (TX)
Davis, Rodney	Luetkemeyer	Stefanik
Denham	Lummis	Stewart
Dent	MacArthur	Stivers
DeSantis	Marchant	Stutzman
DesJarlais	Marino	Thompson (PA)
Diaz-Balart	Massie	Thornberry
Dold	McCarthy	Tiberi
Donovan	McCaul	Tipton
Duncan (SC)	McClintock	Trott
Duncan (TN)	McHenry	Turner
Ellmers (NC)	McKinley	Upton
Emmer (MN)	McMorris	Valadao
Farenthold	Rodgers	Wagner
Fitzpatrick	McSally	Walberg
Fleischmann	Meadows	Walden
Fleming	Meehan	Walker
Flores	Messer	Walorski
Forbes	Mica	Walters, Mimi
Fortenberry	Miller (FL)	Weber (TX)
Fox	Miller (MI)	Webster (FL)
Franks (AZ)	Moolenaar	Westerman
Frelinghuysen	Mooney (WV)	Westmoreland
Garrett	Mullin	Williams
Gibbs	Mulvaney	Wilson (SC)
Gibson	Murphy (PA)	Wittman
Gohmert	Neugebauer	Womack
Goodlatte	Newhouse	Woodall
Gosar	Noem	Yoder
Gowdy	Nugent	Yoho
Granger	Nunes	Young (AK)
Graves (GA)	Olson	Young (IA)
Graves (LA)	Palazzo	Young (IN)
Graves (MO)	Palmer	Zeldin

NOES—180

Adams	Beyer	Brown (FL)
Aguilar	Bishop (GA)	Brownley (CA)
Amash	Blumenauer	Bustos
Ashford	Bonamici	Butterfield
Bass	Boyle, Brendan F.	Capps
Beatty	Brady (PA)	Capuano
Becerra	Brooks (AL)	Carney
Bera		Carson (IN)

Cartwright	Honda	Payne
Castor (FL)	Hoyer	Pelosi
Chu, Judy	Huffman	Perlmutter
Cicilline	Israel	Peters
Clark (MA)	Jackson Lee	Peterson
Clarke (NY)	Jeffries	Pingree
Clay	Johnson (GA)	Pocan
Cleaver	Johnson, E. B.	Polis
Clyburn	Kaptur	Price (NC)
Cohen	Keating	Quigley
Connolly	Kelly (IL)	Rangel
Conyers	Kennedy	Richmond
Cooper	Kildee	Roybal-Allard
Costa	Kilmer	Ruiz
Courtney	Kind	Ruppersberger
Crowley	Kirkpatrick	Rush
Cuellar	Kuster	Ryan (OH)
Cummings	Langevin	Sánchez, Linda T.
Davis (CA)	Larsen (WA)	Sanchez, Loretta
Davis, Danny	Larson (CT)	Sarbanes
DeFazio	Lawrence	Schakowsky
DeGette	Lee	Schiff
Delaney	Levin	Schrader
DeLauro	Lewis	Scott (VA)
DeBene	Lieu, Ted	Scott, David
DeSaulnier	Lipinski	Serrano
Deutch	Loebach	Sewell (AL)
Dingell	Lofgren	Sherman
Doggett	Lowenthal	Sires
Doyle, Michael F.	Lowey	Slaughter
Duckworth	Lujan Grisham (NM)	Smith (WA)
Edwards	Luján, Ben Ray (NM)	Speier
Ellison	Lynch	Swalwell (CA)
Engel	Maloney,	Takano
Esty	Carolyn	Thompson (CA)
Farr	Maloney, Sean	Titus
Foster	Matsui	Tonko
Frankel (FL)	McCollum	Torres
Fudge	McDermott	Tsongas
Gabbard	McGovern	Van Hollen
Galleo	McNerney	Vargas
Garamendi	Meeks	Veasey
Graham	Meng	Vela
Grayson	Moore	Velázquez
Green, Al	Moulton	Visclosky
Green, Gene	Murphy (FL)	Walz
Grijalva	Nadler	Wasserman
Gutiérrez	Napolitano	Schultz
Hahn	Neal	Waters, Maxine
Hastings	Nolan	Watson Coleman
Heck (WA)	Norcross	Welch
Higgins	Pallone	Wilson (FL)
Himes	Pascrell	
Hinojosa		

NOT VOTING—20

Cárdenas	Garrett	Simpson
Castro (TX)	Hanna	Takai
Cramer	Herrera Beutler	Thompson (MS)
Duffy	Jenkins (KS)	Whitfield
Eshoo	Lamborn	Yarmuth
Fattah	O'Rourke	Zinke
Fincher	Rice (NY)	

□ 1125

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Ms. ROSELEHTINEN). Pursuant to House Resolution 751, the House concurs in the Senate amendment to H.R. 2577, with an amendment.

MOTION TO GO TO CONFERENCE ON H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to House Resolution 751, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the House insist on its amendment to the Senate amendment to H.R. 2577 and request a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 1 hour.

Mr. ROGERS of Kentucky. Madam Speaker, I rise today on the motion to go to conference on the House amendment to the Senate amendment to H.R. 2577, which was originally the fiscal year 2016 Transportation-HUD Appropriations Act.

As amended, the legislation now contains H.R. 4974, the House-passed Military Construction and Veterans Affairs Appropriations bill of 2017; H.R. 5243, the Zika Response Appropriations Act; and H.R. 897, the Zika Vector Control Act.

Madam Speaker, this is a good package of bills that will ensure the care of our veterans, provide needed resources for our troops and their families, and allow for responsible, ample funding and authorities to fight the spread of the Zika virus.

I urge my colleagues to support this motion so that a conference committee with the Senate can begin in short order and so that Congress can come to a final resolution on this critical legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. ROGERS).

The motion was agreed to.

A motion to reconsider was laid on the table.

□ 1130

APPOINTMENT OF CONFEREES ON H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 2577:

Mr. ROGERS of Kentucky, Ms. GRANGER, Messrs. COLE, DENT, FORTENBERRY, ROONEY of Florida, VALADAO, Mrs. ROBY, Mrs. LOWEY, Ms. DELAULO, Messrs. SERRANO, BISHOP of Georgia, and Ms. WASSERMAN SCHULTZ.

There was no objection.

APPOINTMENT OF CONFEREES ON S. 2012, ENERGY POLICY MODERNIZATION ACT OF 2016

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on S. 2012:

From the Committee on Energy and Commerce, for the consideration of the

Senate bill and the House amendment, and modifications committed to conference: Messrs. UPTON, BARTON, WHITFIELD, SHIMKUS, LATTI, Mrs. McMORRIS RODGERS, Messrs. OLSON, MCKINLEY, POMPEO, GRIFFITH, JOHNSON of Ohio, FLORES, MULLIN, PALLONE, RUSH, Mrs. CAPPS, Meses. MATSUI, CASTOR of Florida, Messrs. SARBANES, WELCH, BEN RAY LUJÁN of New Mexico, TONKO, and LOEBSACK.

From the Committee on Agriculture, for consideration of sections 3017, 3305, 4501, 4502, 5002, part II of subtitle C of title X, and section 10233 of the Senate bill, and sections 1116 and 5013 of Division A, Division B, and sections 1031, 1032, 1035-1037, subtitle K of title I, section 2013, subtitles F, M, and Q of title II, and title XXV of Division C of the House amendment, and modifications committed to conference: Messrs. CONAWAY, THOMPSON of Pennsylvania, and PETERSON.

From the Committee on Natural Resources, for consideration of sections 2308, 3001, part II of title II, 3017, 3104, 3109, 3201, 3301-3306, 3308-3312, 4006, 4401, 4403, 4405, 4407, 4410, 4412-4414, title V, section 6001, subtitle A of title VI, section 6202, title VIII, title IX, subtitles A, B, and C of title X, parts I, II, III, and IV of subtitle D of title X, and sections 10341 and 10345 of the Senate bill, and sections 1115 and 1116 of Division A, Division B, and Division C of the House amendment, and modifications committed to conference: Messrs. BISHOP of Utah, YOUNG of Alaska, Mrs. LUMMIS, Messrs. DENHAM, WESTERMAN, GRIJALVA, HUFFMAN, and Mrs. DINGELL.

From the Committee on Science, Space, and Technology for consideration of sections 1014, 1201, 1203, 1301-1304, 1306-1308, 1310, 1311, 2002, 2301, 2401, part III of subtitle A of title III, sections 3101, 3302, 3307, 3402, 3403, 3501, 3502, 4001, 4002, 4006, 4101, subtitle C of title IV, sections 4402, 4404, 4406, 4720, 4721, 4727, 4728, and 4737 of the Senate bill, and section 1109 of title VII of Division A, and Division D of the House amendment, and modifications committed to conference: Messrs. SMITH of Texas, WEBER of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Transportation and Infrastructure for consideration of sections 1005, 1006, 1010, 1014, 1016-1019, 1022, 3001, 4724, title VII, and section 10331 of the Senate bill and sections 2007, 3116, 3117, and 3141 of Division A, and title IX of Division B, subtitle D of title II of Division C of the House amendment, and modifications committed to conference: Messrs. HARDY, ZELDIN, and DEFazio.

There was no objection.

THE JOURNAL

The SPEAKER pro tempore (Mrs. COMSTOCK). Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's

approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

HOOR OF MEETING ON TOMORROW

Mr. WESTERMAN. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

CELEBRATING THE LEAGUE AGAINST CANCER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, today I rise to support La Liga Contra El Cancer—the League Against Cancer—and celebrate its 41st year of service.

The League Against Cancer was founded in Miami in 1975 and provides free medical care for children and adults who have no financial means to combat their cancers. The league relies on doctors who volunteer their time to perform screenings and medical procedures.

Since its founding, more than 60,000 people from 50 different countries have been served by La Liga Contra El Cancer. The league's annual tele-marathon will take place this Saturday, June 4, at the Miami-Dade County Fairgrounds.

I encourage all south Floridians to take note of the great work that the League Against Cancer has accomplished for our community and consider supporting their mission.

FOSTER YOUTH SHADOW DAY

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, this week I was thrilled to participate in the fifth annual Foster Youth Shadow Day.

It was truly an honor to host Randy Colon, a young man from my home State of Rhode Island, as my shadow. He is a bright young man full of potential despite the many challenges he has faced. Randy is now studying to become a veterinarian while working full time. Unfortunately, success stories like his are all too rare, and we need to make sure that every child has the opportunity to reach his or her full potential.

This week I introduced the All Kids Matter Act, which directs funds to help

children and families avoid the trauma of foster care placements in the first place and promotes family unity and stability.

I would like to thank the gentlewoman from California (Ms. BASS) for organizing Foster Youth Shadow Day, and I urge all of my colleagues to join us in this endeavor next year.

MEMORIAL DAY

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Madam Speaker, as we approach Memorial Day weekend, we learn from the Book of Wisdom that "the souls of the just are in the hand of God, and no torment shall touch them."

They seemed, in the view of the foolish, to be dead; and their passing away was thought an affliction; and their going forth from us, utter destruction. But they are in peace.

"For if before men, indeed, they be punished, yet is their hope full of immortality; Chastised a little, they shall be greatly blessed, because God tried them and found them worthy of himself.

"As gold in the furnace, he proved them, and as sacrificial offerings he took them to himself. In the time of their visitation they shall shine, and shall dart about as sparks through stubble;

They shall judge nations and rule over peoples, and the Lord shall be their King forever. Those who trust in Him shall understand truth, and the faithful shall abide with Him in love; Because grace and mercy are with His holy ones, and His care is with the elect."

As we gather with our families this Memorial Day weekend, let us always be mindful of those who gave their lives for our country. May God bless them and their families always.

LOOKING FORWARD TO ELECTION SEASON

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, during this season when the American people are selecting the next Commander in Chief, I would like to offer that this is a time to discuss the issues of economic opportunity, a time for discussion of furthering health care, and working to create jobs for the American people. This is not the time for the presumptive nominee of the Republican Party to call for debates that are frivolous and for entertainment.

We in the United States Congress have to do our jobs. We need to confirm the next United States Supreme Court Justice. The Senate needs to do its job

under the Constitution. We need to pass \$1.9 billion for the Zika virus because right now 200-plus pregnant women are infected with the Zika virus here in the United States of America, and one child born with the impact of brain damage, no brain, will cost us \$10 million, \$1 million a year.

It is time now that we respond in a responsible manner, and those who are seeking the Presidency of the United States must stop the frivolousness and the downgrading of the Constitution and the denigrating of the people of the United States of America.

I look forward to a vigorous debate, and I look forward to an election in November befitting the American people.

IN MEMORY OF MS. JANE MAHARAM

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Madam Speaker, Jane Maharam was, above all, a survivor. She always rose above adversity. She was a teacher, a music producer, a textile owner, a mother, a grandmother. She was happily married to her childhood sweetheart, but 31 years after her marriage, her husband took off in the darkness of the night with the property.

After a 15-year court battle, her ex-husband was ordered to return her assets, but instead of following the court order, he snuck off again, hiding in another State. Jane was left with nothing. She was forced to rely on public assistance.

There are many spouses like Jane who find themselves victims of this injustice. Jane's Law provides Federal enforcement to retrieve stolen marital property that is illegally taken across State lines. It targets stealing spouses who have deliberately evaded payment. Jane's motto, though, was: Don't give up.

Her passion drove me and the gentleman from Tennessee (Mr. COHEN) along with a number of other House Members to champion Jane's Law.

Jane Maharam died recently on April 28, 2016, at the age of 85. She was a strong-spirited woman but, Madam Speaker, she died without justice. To honor her memory, we must pass Jane's Law to rectify this injustice that she had to live through.

And that is just the way it is.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 752

Ms. LEE. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor of H. Res. 752.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HIGHLIGHTING ASIAN PACIFIC AMERICAN HERITAGE MONTH AND THE HARMFUL IMPACT OF POVERTY ON THE COMMUNITY

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Madam Speaker, I rise today to commemorate Asian Pacific Islander Heritage Month, but also to highlight the harmful impact of poverty on the AAPI community all across our Nation.

In my home district—the beautiful East Bay—and across the Nation, the achievements of Asian Pacific Americans are front and center. By serving in elected office, advocating for equality and justice, and creating new businesses, they are an integral part of our vibrant community.

But far too many Asian Pacific Americans are just making ends meet. It is a struggle, and the American Dream seems far out of reach. The sad reality is that in 2016, poverty rates for Asian Americans is over 12 percent. And this problem is getting worse. Since the Great Recession, the AAPI community has had one of the fastest growing poverty rates in the Nation.

There are also enormous disparities in healthcare access, treatment, and outcomes for the AAPI community. Too many Asian Pacific Americans still lack the fundamental human right that is health care.

As chair of the Democratic Whip Task Force on Poverty, Income Inequality, and Opportunity, I will continue to fight to help all hardworking Americans—all hardworking Americans—including the Asian Pacific American community, achieve the American Dream.

□ 1145

ZIKA VECTOR ACT

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, I rise today to commend my colleagues for passing H.R. 897, the Zika Vector Act.

This legislation works to remove duplicative and costly permitting requirements that create barriers to fighting the Zika virus, barriers put in place by one of America's most political agencies, the EPA. It is another classic example of the Federal Government finding problems in every solution.

Now is not the time to nit-pick policies for politically charged reasons. The Zika virus is a public health emergency that deserves our immediate attention.

This is close to home for me. My youngest daughter is in her first trimester with her third child. We need an all-hands-on-deck approach to deal

with Zika. We cannot let it get caught up in Washington politics.

With the summer months approaching rapidly, we need to harness our resources and wipe out this virus. I would hope that we can all agree that the Federal Government should not be making it harder for people to kill mosquitoes, which could be carrying Zika, with pesticides.

I strongly support this legislation, and I encourage the administration to change their position on this legislation. The public's health deserves it.

REMEMBERING THOSE WHO KEEP US SAFE

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Madam Speaker, today I rise in celebration of our servicemen and -women, past and present.

With Memorial Day right around the corner, there is no better time to remember the people who have kept our Nation safe.

Yesterday I was proud to welcome a UP Honor Flight of veterans to the World War II Memorial and thank them for their service. I am always deeply touched by the joy and humility I see on their faces as they visit the memorials erected in their honor.

Memorial Day is when we remember the heroes America has lost defending our freedoms and thank the families that have borne the brunt of that painful loss.

One of the best ways we honor those we have lost is to care for those that came home. We have made progress at the VA, but we can do better. Our veterans deserve better. I am committed to breaking down the barriers to high-quality veterans' health care.

To all our veterans and servicemembers, on behalf of all the citizens of Michigan's First District, I say thank you. We remain forever in your debt.

B'NAI ISRAEL 150TH ANNIVERSARY

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Madam Speaker, I rise to congratulate the Congregation B'nai Israel on its 150th anniversary in Little Rock.

Established at the close of the Civil War, B'nai Israel was founded by Jewish immigrants in the United States. Over the past decades, Jewish immigrants have enhanced our State and our Nation, including the first Jewish Federal judge in the United States, Judge Jacob Trieber.

B'nai Israel was a founding member of the Union for Reform Judaism and is the home for Reform Judaism in central Arkansas. The congregation has a

strong link to the American civil rights movement and has embraced diversity and inclusiveness in actions and words.

In the heart of Little Rock, B'nai Israel's current temple building has been a beacon for Jewish faith and empowerment in Arkansas for over 40 years.

I would like to extend my congratulations to Congregation B'nai Israel and wish it much continued success for generations to come.

MENTAL HEALTH MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise in recognition of National Mental Health Month, which is being observed during the month of May.

According to the National Alliance on Mental Illness, or NAMI, approximately one in five adults in the United States, or more than 43 million people, experience mental illness in any given year. Mental illness is responsible for lost earnings of nearly \$200 billion each year.

In addition, mood disorders, including major depression and bipolar disorder, are the third most common cause of hospitalization in the United States for both youth and adults between the age of 18 and 44 years old.

National Mental Health Month was created to draw awareness to these conditions and attention to the efforts to help those who are suffering. As someone with a background in the mental health care industry, including 28 years as a therapist, a rehabilitation services manager, and a licensed nursing home administrator, this is something that is very important to me.

I signed on as a cosponsor to the resolution declaring May as Mental Health Month and remain committed to helping improve, through legislation here in Congress, the mental health of people all across this Nation.

REMEMBERING BEN HATFIELD

(Mr. JENKINS of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JENKINS of West Virginia. Madam Speaker, I rise today with a heavy heart and with profound sadness to remember West Virginian Ben Hatfield, who we tragically lost last Sunday.

Born and raised in Williamson, Ben knew the value of hard work. He went into the mines to help pay for college and then continued his work in mining for the rest of his life. He was a mentor to so many in the coal community who remember him as a friend and as a brother.

Ben cared deeply about giving back, donating anonymously to many charities and causes. He was also a man of deep faith, attending River Ridge Church and supporting the Ambassador Christian Academy in Williamson.

Ben lived for his family. For more than 12 years, he stood by his wife Debbie as she battled cancer. You might say he never left her side and was with her to the very end, where she lay waiting for him.

I send my prayers to his children, his mother, his brothers and sisters, and everyone who called him a friend. Ben will be laid to rest this weekend. We will miss him. May he rest in peace.

INDIANAPOLIS 500

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Madam Speaker, I rise today to recognize a uniquely Hoosier event that will be taking place this weekend in honor of those who have given the ultimate sacrifice.

Every Memorial Day weekend since 1911, with the exception of a few years around World War II, hundreds of thousands of race fans have come to Speedway, Indiana, and millions more have tuned in on their TVs and radios to partake in what has been called the greatest spectacle in racing, the Indianapolis 500.

This year marks the 100th running of the 500-mile race and gives another chance for Indiana to showcase our Hoosier hospitality to the world and all that our State has to offer.

Though it is true every weekend when I head back to my beloved Indiana, this weekend it will be especially wonderful, Madam Speaker, to be back home again in Indiana.

TAKE AN EXAMPLE FROM DISNEY

(Mr. FARENTHOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARENTHOLD. Madam Speaker, I rise today, disgusted that the Secretary of the VA this week compared veterans waiting in line for much-needed health care to waiting in line at Disney. People don't die waiting in line for Space Mountain.

The Secretary said: We care about the overall experience, like Disney does, not the specifics. Well, guess what. Disney cares about wait time. In fact, there is an app for that. I can get on my phone right now and tell you it takes 90 minutes to get on Space Mountain in Florida.

The VA needs to take an example from Disney. They are legendary for their customer service, cleanliness, efficiency, and the fact that they never say no to anyone.

Our VA right now is a national disgrace. Despite Congress passing numerous reform laws giving the VA virtually everything they ask for, including billions of dollars in appropriations, our veterans are still waiting for the health care they earned.

Madam Speaker, it is absolutely imperative that the VA learn from Disney. We have to get the President and the Secretary of the VA to deal with this national disgrace. Americans, our veterans especially, deserve better.

MEMORIAL DAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, we recognize Memorial Day, this last Monday of May. We remember those who have given their lives in service to our Nation's Armed Forces.

Recognition of this sacrifice began following the bloodiest conflict in our Nation's history, the Civil War, and today remains as significant as ever.

From the Revolutionary War to Operation Enduring Freedom in Afghanistan, from Vietnam to today's struggle against the tyranny of ISIS, Americans have dedicated their lives to protecting freedom at home and abroad.

As we contemplate this weekend as a holiday, we also need to remember what this really looks like for those that we are truly remembering.

This morning a group of us were able to visit Arlington Cemetery and take that in and remember that sacrifice as we laid a wreath. It was a unique opportunity to visit with spouses of those who have fallen and see what it really feels like.

They were grateful not just for our visit, but also that people across America take time to pause and remember and be grateful for their service and say thank you to those Gold Star families whom we will never be able to repay.

Madam Speaker, we ask for God's blessings on those families.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 26, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2016 at 8:52 a.m.:

That the Senate agreed to S.J. Res. 28.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

RESIGNATION AS MEMBER OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The Speaker laid before the House the following resignation as a member of the Permanent Select Committee on Intelligence:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 26, 2016.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: I, Luis V. Gutiérrez, am submitting my resignation from the Permanent Select Committee on Intelligence effective immediately.

It has been a privilege and honor to have served the last three Congresses on this Committee, whose work and service is absolutely vital to the security of the United States and whose oversight over the Department of Defense and the intelligence community safeguards the civil liberties and safety of all Americans.

Stepping down from the Committee will allow me to commit more time and energy to other priority issues of my constituents, as well as allow another one of our colleagues the opportunity to serve on this important Committee. Serving on the Intelligence Committee has been one of my greatest honors while in Congress and I am deeply grateful to have had the chance to serve in this capacity.

Sincerely,

LUIS V. GUTIÉRREZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
There was no objection.

RELIGIOUS LIBERTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Oklahoma (Mr. RUSSELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RUSSELL. Madam Speaker, since December 15, 1791, nearly 225 years, our Congress has operated under the constitutional requirement to do the following. Amendment 1 of the Bill of Rights to the Constitution of the United States of America:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or the press; or the right of the people to peaceably assemble, and to petition the government for a regress of grievances."

I am saddened, Madam Speaker, that, in our current day, the greatest assault on the free exercise of religion is being perpetuated, seemingly, by those most responsible to protect it: those who are sworn to uphold the law.

Worse still, we see our Armed Forces, whose singular purpose is to support

and defend the Constitution, now perpetually being used as the vehicle to subvert the very document that they risked their lives to defend.

In a recent example, we have seen executive guidance with regard to religious corporations, religious associations, religious educational institutions, and religious societies placed in jeopardy.

More than 2,000 Federal Government contracts a year are awarded to religious organizations and contractors that provide essential services in many vital programs. Now many of these services are being impacted due to conflicting, ambiguous executive guidance.

Here are some examples:

Chaplain services. Multiple organizations provide chaplains and related services to the military and other government agencies.

□ 1200

Chaplains have faced significant religious liberty challenges in pursuing contracts with religious education directories, youth ministers, musicians, and other religious service providers who adhere to the teachings of their particular faith. Without protecting free exercise of religion, chaplains have been forced to hire people that work directly against their teachings, tenets, and faith. This is a clear violation of the First Amendment.

Here is another example: refugee service providers. The vast majority of refugee and suffering vulnerable population relief is done by religious service organizations. I have worked with many on battlefields in my time as a career soldier.

Because of bad agency guidance, now these organizations are facing mounting liability related to their performance under grants, contracts, and cooperative agreements. Sadly, when these organizations cannot partner with the government, the relief of human suffering just goes away, seldom being replaced.

The groups under assault are often the best—if not the only—organizations able to offer the assistance they perform, doing invaluable work to relieve the suffering, aid the returning combat warrior, assist in the rehabilitation of substance abuse for those not adjusting well, and many other such services that have been going on for many decades.

To curtail the blatant discrimination against these groups, I offered a simple amendment to protect them under existing law which passed in the National Defense Authorization, and that existing law upheld is the 1964 Civil Rights Act and the 1990 Americans with Disabilities Act.

You would have thought I had killed someone's mother. Instead of upholding the Free Exercise Clause of the First Amendment, we have now seen

this body continue its assault on faith in America. It is not enough to level accusations of injustice by some. They will not be satisfied until their assaults of intolerance on people of faith in this country has produced an elimination of God in public life in America.

We are accused of hatred, called out as shameful on this floor, and enjoined to use the whole Constitution to support an opposing view that embodies behavior, mores, and outcomes that not only violate our conscience, but have been prohibited under the laws of nature and nature's God.

In the last 50 years, we have seen the Constitution used by these ideologues to kill American children in the womb, eliminate family structure, elevate behavior over belief, redefine marriage, and assault into silence and inaction any who may oppose them. Not satisfied, we see them without rest on their quest to eliminate free exercise of faith in the United States.

Do we really want a Nation without God?

They would call it progress, yet our conscience knows differently. The Apostle Paul explains why when he said this:

For the wrath of God is revealed from Heaven against all ungodliness and unrighteousness of men who suppress the truth in unrighteousness, because what may be known of God is manifest in them, for God has shown it to them. For since the creation of the world, His invisible attributes are clearly seen, being understood by the things that are made, even His eternal power and Godhead, so that they are without excuse, because, although they knew God, they did not glorify Him as God, nor were thankful, but became futile in their thoughts, and their foolish hearts were darkened. Professing to be wise, they became fools.

Therefore, God also gave them up to uncleanness, in the lusts of their hearts, to dishonor their bodies among themselves, who exchanged the truth of God for the lie, and worshiped and served the creature, rather than the Creator.

The Creator, our Nation has always been anchored in the Creator, from its inception throughout our history. God has been the foundation of our Republic as seen in the sweeping lines of the Declaration of Independence, when it drove our Founders to proclaim "the separate and equal Station to which the Laws of Nature and Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

"We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness."

That life, liberty, and pursuit of happiness could not be realized without God in our Republic. George Washington spoke for all Americans in his first inaugural address, that "No people can be bound to acknowledge and

adore the Invisible Hand which conducts the affairs of men more than . . . the United States."

Our Nation's survival and prosperity in the future were understood to be dependent upon faith. When Washington left office in the most remarkable, peaceful transfer of power the world had seen, he warned of a future that somehow supposed that we could have order and prosperity without faith. In his last address to the Nation, he declared:

Of all the dispositions and habits which lead to the political prosperity, religion and morality are indispensable supports. In vain would that men claim the tribute of patriotism, who would subvert the great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. And let us with caution indulge in the supposition that morality can be maintained without religion.

None of the Founders of this country believed that a governmental connection to religion was an evil in itself. They opposed the establishment of a national religion because it could prohibit the free exercise of faith but that faith would and should be freely exercised. This same foundational belief extended to a prohibition of a national press so that it could express freely, so people could speak and assemble freely, and that their grievance would not only become known, but redressed. This was embodied in the First Amendment of the Bill of Rights.

The Framers of our Constitution understood that restriction on religious conduct should not be from application of general laws but, rather, should be applied to those laws that target religion. Laws that "substantially burden" religion, even if they are generally applicable, must be justified as the "least restrictive means" of achieving a "compelling interest."

The same day the Bill of Rights was introduced, July 13, 1787, this Congress also introduced the Northwest Ordinance that laid guidelines and instruction on new territory acquired for a future United States.

Article 3 of that Ordinance stated: "Religion, and morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged."

"Forever be encouraged." Some in this body today, Madam Speaker, would believe forever stops in 2016 and should have stopped much sooner. They claim that Congress grants these unalienable rights and uses the powers of the government, without the consent of the governed, to regulate and diminish faith and eliminate it from public life.

In 1798, in response to the claim that Congress could regulate First Amendment freedoms without abridging them, James Madison condemned it saying: the liberty of conscience and

the freedom the press were completely exempted from all congressional authority whatever.

Every constitution of our Thirteen Original States, and all thereafter following their example, understood this and embodied such language in their State constitutions, which survive today.

New York, article I, section 3: "The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State to all humankind."

New Hampshire, article 5: "Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience, and reason; and no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession, sentiments, or persuasion."

Vermont, article 3: "That all persons have a natural and unalienable right, to worship Almighty God, according to the dictates of their own consciences and understandings, as in their opinion shall be regulated by the word of God; and that no person ought to, or of right can be compelled to attend any religious worship, or erect or support any place of worship, or maintain any minister, contrary to the dictates of conscience, nor can any person be justly deprived or abridged of any civil right as a citizen, on account of religious sentiments, or peculiar mode of religious worship; and that no authority can, or ought to be vested in, or assumed by, any power whatever, that shall in any case interfere with, or in any manner control the rights of conscience, in the free exercise of religious worship."

Massachusetts, part 1, articles II and III: "It is the right as well as the duty of all men in society, publicly, and at stated seasons to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession or sentiments . . . As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of God, and of public instructions in piety, religion and morality."

Connecticut, article I, section 3: "The exercise and enjoyment of religious profession and worship, without discrimination, shall be free to all persons in the state."

Rhode Island, article I, section 3: "Whereas Almighty God hath created

the mind free; and all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend to beget habits of hypocrisy and meanness; and whereas a principal object to our venerable ancestors, in their migration to this country and their settlement of this state, was, as they expressed it, to hold forth a lively experiment that a flourishing civil state may stand and be maintained with full liberty and religious concerns; we, therefore, declare that no person shall be compelled to frequent or to support any religious worship, place, or ministry whatever, except in fulfillment of such person's voluntary contract; nor enforced, restrained, molested, or burdened in any body or goods; nor disqualified from holding office; nor otherwise suffer on account of such person's religious belief; and that every person shall be free to worship God according to the dictates of such person's conscience, and to profess and by argument to maintain such person's opinion in matters of religion; and that the same shall in no wise diminish, enlarge, or affect the civil capacity of any person."

Pennsylvania, article 1, sections 3 and 4:

"All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship or to maintain any ministry against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience, and no preference shall ever be given by any law to any religious establishments or modes of worship . . . No person who acknowledges the being of a God and a future state of rewards and punishments shall, on account of his religious sentiments, be disqualified to hold any office or place of trust or profit under this Commonwealth."

□ 1215

New Jersey: Article 1, sections 3-5: "No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor under any pretense whatever be compelled to attend any place of worship contrary to his faith and judgement; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform.

"There shall be no establishment of one religious sect in preference to another; no religious or racial test shall be required as a qualification for any office or public trust.

"No person shall be denied the enjoyment of any civil or military right, nor

be discriminated against in the exercise of any civil or military right, nor be segregated in the militia or in the public schools, because of religious principles . . ."

North Carolina: Article 1, section 13: "All persons have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority shall, in any case whatever, control or interfere with the rights of conscience."

Maryland: Article 36: "That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought by any law to be molested in his person or estate, on account of his religious persuasion, or profession, or for his religious practice . . . nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief; provided, he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be rewarded or punished therefor either in this world or in the world to come."

Virginia: Article 1, sections 11 and 16: "That religion or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other . . . all men shall be free to profess and by argument to maintain their opinions in matters of religion, and the same shall in nowise diminish, enlarge, or affect their civil capacities . . . it shall be left free to every person to select his religious instructor, and to make his support such private contract as he shall please."

South Carolina: Article 1, section 2: "The general assembly shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . ."

Last among them, the State of Georgia: Article 1, section 1, paragraph 4: "No inhabitant of this state shall be molested in person or property or be prohibited from holding any public office or trust on account of religious opinions."

These constitutions are still in effect in each of these States today. All speak of the exceptions on maintaining the peace and safety of each State.

Forever—forever—be encouraged. That is the way it was phrased. Is that where we stand today? Shall religious freedom, the hallmark of Columbia's shores, continue to be forever encouraged or do we who are so humbly honored to serve in these Chambers now

just step aside and see the indispensable supports of religion and morality knocked from under our foundation?

Madam Speaker, I cannot be silent. Since I was 18 years of age, I have pledged to support and defend the Constitution of this great Republic. I have been moved by conscience and dictates to speak out against the coercion of people of faith who are being discriminated against because they merely hold to the laws of nature and nature's God.

Our institutions, once based on the Creator of life, have now appointed themselves to usurp the authority of God, who is the author of life, marriage, and family. The most elemental sovereign unit, our families, has been destroyed by our foolish decisions.

We are told instead by those of us sworn to uphold the law that murder is not murder, marriage is not marriage, and family is not family. We have allowed constitutional constructs to kill a child and call it a choice.

We have seen discreet behaviors and private sexual preferences promoted to public display while what is constitutionally guaranteed to be able to express—religion—is now being publicly prohibited. This Nation, at its highest level, has taken a position against God.

Is it possible, if that be the case, that we can form a more perfect union? Can we establish justice absent the giver of law? Can domestic tranquility be ensured that when we abandon His precepts? Can we provide for a common defense absent a mighty fortress and an unfailing bulwark?

How do we promote the general welfare when every American is unanchored, adrift to do what seems right in his own eyes? Do we suppose that we can secure the blessings of liberty without Him? Can those of our posterity expect to obtain His blessing without acknowledging His existence?

So, Madam Speaker, like our forebears, I cannot be silent. My faith directs that I act with love and civility in a gentlemanly manner. As a warrior on battlefields, I have seen the worst that human beings have to offer.

But my optimism is secured by eternal hope and everlasting truth. My conscience speaks to God's eternal Being. So I am without excuse. His love and mercy cannot be separated from those that answer His call.

I take solace in the words of Christ when He encourages: "Blessed are you when they revile and persecute you, and say all kinds of evil against you falsely for My sake. Rejoice and be exceedingly glad, for great is your reward in Heaven, for so they persecuted the prophets who were before you."

Like the Founders of our Nation and Framers of our great Constitution, I speak with many as a Representative in this august body "with a firm reliance on the protections of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor."

So, Madam Speaker, I will stand with Joshua when he said: "And if it seems evil to you to serve the Lord, choose for yourselves this day whom you will serve . . . But as for me and my house, we will serve the Lord."

I stand with the Apostle Paul when he said: "Putting away falsehood, let each one of you speak truth with his neighbor, for we are members of one another. For we do not wrestle against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this age, against spiritual hosts of wickedness in the heavenly places. Therefore take up the whole armor of God, that you may be able to withstand in the evil day, and having done all, to stand."

So I ask America: Who will stand with me?

Madam Speaker, I yield back the balance of my time.

ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. MOONEY of West Virginia). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, it is inspiring to hear my friend, Mr. RUSSELL, speak such inspiring words. It is interesting that the book from which he kept quoting is the best-seller book of all time and also happens to be the most quoted book in U.S. history here in both the House and the Senate.

There was a time when most legislators felt it was helpful in getting legislation passed if they had a verse of Scripture from the Bible that supported their position.

Then we arrive at the point today where, if someone in Congress makes the statement in quoting Jesus Himself when He discussed marriage and divorce and was asked about it, that He, God, made male and female. Haven't you read? Don't you understand He created male and female?

So you would have to believe, if you supported the agenda that was exhibited today, that Jesus didn't know what He was talking about because God not only created male and female, He created a lot of question marks, like the cartoon that somebody did of a doctor holding a newborn and the mother asks, "What did I have?" and the doctor says, "The baby hasn't decided yet."

We have come so far. We thought we had advanced so far. Yet, as Solomon said: "There is nothing new under the sun." I know Justice Ginsburg was talking about same-sex marriage when she said: Well, we just know so much more now than we used to know.

In some ways—but in the nature of human nature, things haven't changed. Things from 3,000 years ago, just as Abraham Lincoln said in quoting

Scripture in his second inaugural, are just as true today as they were 3,000 years ago or 2,000 years ago. It is why Lincoln quoted them.

But when we get to the place as a Nation that truth is not important, everything is relative, and there is no absolute, unqualified, black-and-white justice or injustice, then our prisons fill up.

You have more people committing suicide than ever. You have more people using drugs and trying to escape by using drugs. You have all kinds of problems in schools and in society. Things are turned upside down because a society loses its way, says there is no absolutes and everything is relative.

But as C.S. Lewis pointed out, what led him from being an atheist to believing in God was in poking fun at Christians and saying: Why don't you just admit it. Wouldn't it just be easier to admit that there cannot be a just God when there is so much injustice in the world?

After doing that for years, this brilliant man finally realized: If there were no just God, if there were no absolute-in-the-universe standard of justice and injustice, right and wrong, if that standard did not exist, then I would have no way of knowing whatsoever that injustice even existed.

As he illustrated, if a man is blind from birth, then he would not ever know what light was like. If there were no absolute standard of justice in the universe, we could never know when there was injustice. We just wouldn't know the difference.

□ 1230

But there is that standard. And as he points out, although some have a more heightened understanding of justice and injustice, of fairness and unfairness, and some of those standards differ, it doesn't mean the standards don't exist any more than the fact that some people can hit a musical note more closely than others. And just because somebody doesn't hit it exactly the same does not mean the music does not exist.

So we arrive at all these massive problems, and we are told the cure for the problems of society is if we start letting more people out of prison much sooner. And then people misrepresent and mischaracterize the reason why people are in prison in order to justify having a massive prison break that is authorized by the President of the United States. He is already authorizing prison breaks from Guantanamo Bay and is continuing to do that.

There is an article from the National Review by Sean Kennedy this week. The subtitle is, "The Truth About the Sentencing Reform Act is Scary, and Not a Reason to Support It." The title is, "Our Prisons Are Crowded Because We Have a Lot of Criminals." The article points out, "mandatory minimums are for real bad guys."

In Texas, as in many States, we have what we call ranges of punishment. If you do something wrong—you commit a felony, for example—then, depending on how serious that has been judged to be—it could be a State jail felony, a third-degree felony, a second-degree felony, or a first-degree felony, being the most serious. Well, actually, a capital felony would be the most serious, where the death penalty is authorized under certain, very strict conditions. But for noncapital, there is a range of punishment.

For example, a third-degree, minimum of 2 years, maximum of 10 years; second-degree, minimum of 2 years, maximum of 20 years; first-degree, minimum of 5 years, maximum of life or 99 years.

Some say we should not have those minimums, and certainly not a mandatory minimum that says you can't go below this point. For some of us, you are saying we have got to get rid of the bottom of the range.

But as we saw, and with the circumstances that motivated the original sentencing guidelines in Federal court 30 years or so ago, we had Federal judges appointed for life, completely unaccountable, that would face some heinous, despicable act, and then give a very light slap on the wrist. So Congress came back and said, look, we are going to have to have some sentencing guidelines and keep judges within these guidelines. There was nothing wrong with that, as long as you give a judge at least some ability to discriminate between more serious and less serious, some ability to use judicial decisionmaking.

Over time, we have seen the serious crime rates go down. Murders, assaults, rapes, a lot of those numbers have gone down for some time. They were a result not of society becoming more lawful and concerned, but actually just enforcing the law more strictly. Society has taken a turn for the worse as we have continued to say through the media, through entertainment, and through Congress everything is relative, there are no absolutes.

Well, the Founders knew there were some absolutes. They knew the only way we could ever be considered to have rights that government could not take is to make clear that our rights do not come from the government. The government is the protector of the rights that came from our Creator. Once people decide your rights are given by the government, then obviously the government can take them away. But if those rights come from our Creator, as our Founders made very clear in the Declaration of Independence, then the government is supposed to protect them and not let anyone take them away.

That is why it was a bit heart-breaking to hear the President say—I believe he was in Hawaii, but saying

this week—oh, no. He was in a foreign country at the time. But he was explaining that, in the United States, we have these founding documents, and they indicate that we are endowed with certain unalienable rights. He went ahead and rewrote—actually, omitted—the most important words of that line in the Declaration, not where it just said we are endowed with certain unalienable rights, but we are endowed by our Creator. He just failed to mention “endowed by our Creator.” Maybe it bothers him to say that, I don't know, but he left it out. And there is the problem: when people who are in leadership of the government of the United States think that they are the source of their rights.

The oral argument in the Little Sisters of the Poor case should have gotten more notoriety than they got because some of the positions taken by President Obama's attorneys were absolutely outrageous. The indications basically were that the government can tell, potentially even a church, which religious beliefs you can practice and which you are not allowed to practice. The government has that right, which would mean those rights didn't come from our Creator; they came from the government. So the government giveth and the government will take away, which makes it very consistent with what the President just said in the last few days in eliminating that our rights were endowed by our Creator.

There was no accident in the first part of the Bill of Rights, the First Amendment, having to do with religious liberty: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” They knew if that freedom is abridged in any way, the rest of them will not matter.

Once the government, for example, recognizes secular humanism as the official religion of the United States, then it can dictate to people of all faiths exactly what they can believe and disbelieve. That is exactly what has happened.

There is a prior Supreme Court case that, in the footnotes, lists the different religions in the United States. Secular humanism was one of them. Secular humanism does not recognize a creator.

There has been so much misinformation and miseducation of our young people. People were told that Ben Franklin didn't believe in God. You have to be totally fraudulent in your representation of Benjamin Franklin to tell any student that, when he said in his own words—which were later illustrated in his own handwriting exactly what he said when he spoke in 1787, the end of June, to the Constitutional Convention imploring them that they needed to be praying—when he told them:

We have been going nearly 5 weeks with more noes than ayes on virtually every vote. How has it happened, sir, that we have not once thought of humbly applying to the Father of Lights to illuminate our understandings? In the beginning of the contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for the Divine Protection. Our prayers, sir, were heard, and they were graciously answered.

He went on and eventually said:

I have lived, sir, a long time.

He was 80 years old. He had gout. He had arthritis very bad. He was overweight. He had trouble getting up and down.

He said:

And the longer I live, the more convincing proofs I see of this truth: that God governs in the affairs of men. And if a sparrow cannot fall to the ground without his notice, is it probable that an empire can rise without his aid? We have been assured, Sir, in the sacred writings that “except the Lord build, they labor in vain that build it.”

That is the basis on which this Nation was built. We were endowed by our Creator with certain unalienable rights.

Ben Franklin knew what the Declaration of Independence said. It was Adams who told Jefferson, basically: You do the first draft. In essence: You are the best writer we have. It was Adams that Jefferson showed the first draft to, and then they both showed it to Franklin. Apparently, Franklin made some little interlineations. It was brought up for debate, and some things were knocked out.

He knew exactly what was important in that Declaration that would stand as the building foundation for this Nation for our rights. When that foundation is cracked, when parts of it are eliminated, the building on which it stands would no longer stand. That is the kind of erosion that has occurred.

When the Federal Government of the United States can tell the Little Sisters of the Poor—these incredibly ethical, loving, caring, giving women, who devoted their lives to helping others, far more than anybody in this city in government—and people in this city would tell them, no, you cannot practice your religious beliefs because we are secular humanists, and we will tell you you cannot believe and practice what the Bible tells you.

Of course, Moses said it came from God. That is why he is right up there as the only full-face image in this whole room of lawgivers, considered the greatest lawgivers of all time. Moses is the only full-face, because he was considered for most of our history to be the greatest lawgiver of all time.

This is the guy that says it is coming from God, but a man shall leave his mother and father, a woman shall leave her home, and the two will become one flesh. And when Jesus was asked about it, he said: Haven't you read? Don't you understand? God made them male and female.

He didn't mention question marks.

These are people we need to love and encourage. The diagnostic statistical manuals for most of existence have pointed out that these are mental disorders. These are people that we are to love, encourage, and help every way we can. For among educated, compassionate people, for our civilized history, a man that didn't know which he was was pitied, loved, and encouraged. But educated people said that is basically where the word 'perverse' is most widely used.

Now we have a government that says forget what the Bible says, forget what Moses said, forget what Jesus said when he quoted Moses verbatim and then added, "What therefore God has joined together, let not man separate."

Even if you don't believe Jesus was part of the Holy Trinity, as our Founders did, do you really want to leave this life and potentially, whether you believe in a judge, a maker, or not, say, "Oh, I didn't think you were serious when you said those things about marriage"?

□ 1245

I didn't think you were serious. You just weren't smart enough to know that he didn't just create male and female. I really wonder how many people in this body who had the ultimate power to decide whether humanity would go forward or not, whether there was an asteroid coming or something that would end humanity on Earth as dinosaurs were ended at one time—okay. We have a spaceship that can—as Matt Damon did in the movie—plant a colony somewhere. We can have humans survive this terrible disaster about to befall.

If you could decide what 40 people you would put on the spacecraft who would save humanity, how many of those would be same-sex couples?

You are wanting to save humankind for posterity—basically, a modern-day Noah. You have that ability to be a modern-day Noah. You can preserve life.

How many same-sex couples would you take from the animal kingdom and from humans to put on the spacecraft to perpetuate humanity and the wild-life kingdom?

That is why it has been called part of the natural law, natural law given by the Creator; but when we continue to abolish the first words of the Bill of Rights—the First Amendment—and we continue to prohibit the free exercise of religion, we don't have much longer to go.

Jonathan Cahn has a great book—interesting. The dialogue could be a little stronger, but "The Harbinger," and the more recent one, "The Mystery of the Shemitah Unlocked," really are thought-provoking even if you are a secular humanist. He makes the comparison that the United States, just as

the Founders said, was founded by the grace of God and as an instrument to bless the world.

Even for those who have not recognized the exceptional nature of the United States, it is still a fact that you can't find nations throughout history that have done what this one has, where we have sent our best and brightest and our most valuable commodity—American blood, sweat, toil—and fought for the freedom of others. We have fought to protect others, not just ourselves. You don't find nations through history that did that. This Nation had because they believed there was a higher power. They believe our rights come from our Creator, and we have an obligation to that same Creator.

This Nation has spread goodness around the world despite those who would say otherwise. It has happened. We have been the most generous, charitable, helping, loving nation in the history of the world. We have more opportunities and more assets per individual than even Solomon's Israel. We have been blessed beyond measure.

Jonathan Cahn makes the comparison to the ninth chapter of Isaiah, where at that point, long after Saul and long after David and Solomon, we come to 732 B.C. By that time, Israel is divided into two parts—the northern kingdom of Israel and the southern kingdom of Judah. The southern kingdom of Judah is where Jerusalem was. Jonathan Cahn draws the parallel, which is actually scary when you start looking at the things that actually are parallel to that time.

God is telling Isaiah: Look, the people whom I have blessed—I have provided more than anyone else—have turned away from me; so I allowed the Assyrians to come in and attack and harm them. I pulled back the hand of protection.

Back in those days, the Assyrians were known as the true fathers of terrorism. They came in and attacked and did the strange thing of going back to Assyria.

God is telling Isaiah: I have given them a warning to turn back to me.

I know that for 90 days, churches all over America were packed after 9/11. Basically, we saw people say: Never mind, God. We don't have to worry anymore. We have got this.

God said: They didn't turn back to me. I am going to let them go.

Ten years later, he allowed the Assyrians to come in and wipe them out. The southern kingdom, where Jerusalem was, continued to turn away from him. Then, over 100 years later, he allowed them to be attacked as a warning. They didn't heed the warning. Now, they got about 19 years before God withdrew his hand of protection and allowed the children of Israel to be taken into exile, and the nation of Israel ceased to exist. The northern

kingdom and the southern kingdom of Judah ceased to exist because they wouldn't turn back.

If Jonathan Cahn is accurate in that comparison—well, we are beyond 10 years since that warning. Maybe people believe there is a God and believe as our Founders did and as Ben Franklin said in his talking about the Bible, in quoting it, and as Jefferson did in the quote that is still engraved in his memorial: that he trembles for our country when he realizes God is just, but he is not going to remain silent forever—well, the southern kingdom got 19 years after their warning, and then God let them go.

Tough times are upon us. We have a President who has now got an agenda to release more murderers, killers, haters of America to go forth and continue to kill and murder and hate Americans. I mean, I know some people are saying: But it has been 15 years; they have got to be released.

No. The way it has always worked among civilized nations when it has come to prisoners of war is, when someone declared war on a nation or on a people, and when some of those warriors were captured, they were held in a civil manner; they were held until those at war said: We are no longer at war.

Then the prisoners were released unless they had committed war crimes for which they could be tried. At any time in the last 15 years, all of them could have been released—unless war crimes had been committed—if their friends, their allies, had said: Okay. We are the Muslim Brotherhood, we are radical Islam, and we are no longer at war with the Great Satan, the United States. We want peace. We won't be terrorizing and attacking you and trying to destroy your way of life anymore. We are done.

That is when they cease the violence against the United States. We can release the prisoners unless war crimes have been committed. Then at that point, as in Nuremberg, you try them for their war crimes. This President is jumping the gun. They are still at war.

Muslim leaders in the Middle East and Africa have asked me: Why is it you don't understand that radical Islamists, the Muslim Brotherhood, have been at war with you since 1979, and you are helping them? Iran is the greatest supporter of terrorism. You are helping them more than you are willing to help us. What is wrong with you?

The answer is: We have turned away from the Creator, the source of our rights and our blessings.

I believe God exists. For those who think that maybe he does, maybe they are agnostic.

If God exists, the question is: Does he love us more than he loved Jerusalem?

Because, if he doesn't, it is doubtful we have more than 4 or 5 years to go.

Mr. Speaker, I yield back the balance of my time.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, JUNE 8, 2016, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY NARENDRA MODI, PRIME MINISTER OF INDIA

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, June 8, 2016, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency Narendra Modi, Prime Minister of India.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 27, 2016, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5502. A letter from the Director, Issuances Staff, Office of Policy and Program Development, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule — Classes of Poultry [Docket No.: FSIS-2015-0026] (RIN: 0583-AD60) received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5503. A letter from the Administrator, Rural Business-Cooperative Service, Rural Development, Department of Agriculture, transmitting the Department's Major final rule — Guaranteed Loanmaking and Servicing Regulations (RIN: 0570-AA85) received May 24, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5504. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; ME; Control of Volatile Organic Compound Emissions from Fiberglass Boat Manufacturing and Surface Coating Facilities [EPA-R01-OAR-2015-0801; A-1-FRL-9946-94-Region 1] received May 25, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5505. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — EPAAR Clause for Level of Effort — Cost-Reimbursement Contract [EPA-HQ-OARM-2012-0478; FRL-9946-47-OARM] received May 25, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Energy and Commerce.

5506. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of California; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference [CA130-NBK; FRL-9942-49-Region 9] received May 25, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5507. A letter from the Director, International Cooperation, Office of the Under Secretary of Defense, Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's intent to sign an agreement between the Department of Defense of the United States of America and the Ministry of Defence of the Republic of Estonia, Transmittal No. 15-16, pursuant to Sec. 27(f) of the Arms Export Control Act, and Executive Order 13637; to the Committee on Foreign Affairs.

5508. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area (RIN: 3206-AN26) received May 16, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5509. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN: 3052-AD16) received May 25, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5510. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2015-1277; Directorate Identifier 2014-NM-155-AD; Amendment 39-18459; AD 2016-07-14] (RIN: 2120-AA64) received May 17, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5511. A letter from the Deputy General Counsel, Office of Surety Guarantees, Small Business Administration, transmitting the Administration's final rule — Surety Bond Guarantee Program; Miscellaneous Amendments (RIN: 3245-AG70) received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 4166. A bill to amend the Securities Exchange Act of 1934 to provide specific credit risk retention requirements to certain qualifying collateralized loan obligations; with an amendment (Rept. 114-596). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4620. A bill to amend the Securities Exchange Act of 1934 to exempt

certain commercial real estate loans from risk retention requirements, and for other purposes (Rept. 114-597). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. ELLMERS of North Carolina:

H.R. 5336. A bill to require Members of the House of Representatives to post information on their official public websites on the costs of trips taken by Members for which expenses were paid by the Department of Defense, the Department of State, or other offices of the House of Representatives, to direct the Committee on House Administration of the House of Representatives to maintain an online clearinghouse on its official public website of all such information for all Members, and for other purposes; to the Committee on House Administration.

By Mr. O'ROURKE (for himself, Mr. COFFMAN, Miss RICE of New York, and Ms. TITUS):

H.R. 5337. A bill to ensure that an individual who is transitioning from receiving medical treatment furnished by the Secretary of Defense to medical treatment furnished by the Secretary of Veterans Affairs receives the pharmaceutical agents required for such transition; to the Committee on Veterans' Affairs.

By Mr. KATKO (for himself, Mr. MCCAUL, Mr. KEATING, Mr. KING of New York, Miss RICE of New York, Mr. DONOVAN, Ms. MCSALLY, Mr. MARCHANT, Mr. JOYCE, and Mr. DOLD):

H.R. 5338. A bill to reduce passenger wait times at airports, and for other purposes; to the Committee on Homeland Security.

By Mr. PRICE of North Carolina (for himself and Mr. ISSA):

H.R. 5339. A bill to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. DOLD, and Mr. THOMPSON of Mississippi):

H.R. 5340. A bill to amend title 49, United States Code, to ensure that revenues collected from passengers as aviation security fees are used to help finance the costs of aviation security screening by repealing a requirement that a portion of such fees be credited as offsetting receipts and deposited in the general fund of the Treasury; to the Committee on Homeland Security.

By Mr. MICA:

H.R. 5341. A bill to amend title 5, United States Code, to provide for recalculation of basic annuity benefits for certain air traffic controllers, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NOLAN:

H.R. 5342. A bill to amend title II of the Social Security Act to provide a midyear cost-of-living increase to account for the lack of an automatic increase for 2016, to apply the Consumer Price Index for the Elderly (CPI-E) to future Social Security COLAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DINGELL (for herself and Mr. WALBERG):

H.R. 5343. A bill to require increased reporting regarding certain surgeries scheduled at medical facilities of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CARTWRIGHT (for himself, Mr. GRIJALVA, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POLIS, Mr. RANGEL, Mr. YOUNG of Alaska, Mr. MARINO, and Mr. POSEY):

H.R. 5344. A bill to clarify that pilot programs that honor and reward organ donation are not preempted by Federal criminal law and that offering and accepting such benefits in accordance with a pilot program are not criminal acts; to the Committee on Energy and Commerce.

By Mr. YOUNG of Iowa (for himself and Ms. SINEMA):

H.R. 5345. A bill to require the Attorney General to establish procedures for expedited review of the case of any person who unlawfully solicits personal information for purposes of committing identity theft, while purporting to be acting on behalf of the IRS, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Iowa:

H.R. 5346. A bill to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. KIND):

H.R. 5347. A bill to provide for phased-in payment of Social Security Disability Insurance payments during the waiting period for individuals with a terminal illness; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Mr. SEAN PATRICK MALONEY of New York, and Ms. KUSTER):

H.R. 5348. A bill to amend the Federal Power Act to establish an Office of Public Participation and Consumer Advocacy; to the Committee on Energy and Commerce.

By Mr. KNIGHT:

H.R. 5349. A bill to reduce government-imposed obstacles to profitability and accessibility for new electric energy projects; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Mr. REED, Mr. GIBSON, and Mr. TAKANO):

H.R. 5350. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property

connected to the grid, and for other purposes; to the Committee on Ways and Means.

By Mrs. WALORSKI (for herself, Mr. WILSON of South Carolina, Mr. ZINKE, and Ms. STEFANIK):

H.R. 5351. A bill to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. GRAYSON (for himself, Mr. ELLISON, and Mr. CONYERS):

H.R. 5352. A bill to amend the National Voter Registration Act of 1993 to prohibit States from disqualifying individuals convicted of criminal offenses, other than individuals convicted of murder, manslaughter, or sex crimes, from registering to vote or voting in elections for Federal office; to the Committee on House Administration.

By Mr. REED (for himself, Mr. KATKO, Ms. SLAUGHTER, Mr. SERRANO, Mr. TONKO, Mr. CROWLEY, Mr. GIBSON, Ms. CLARKE of New York, Mr. HIGGINS, and Mr. COLLINS of New York):

H.R. 5353. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5354. A bill to amend title IV of the Social Security Act to improve supports for kinship caregivers in child welfare programs and the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. ASHFORD (for himself and Mr. JONES):

H.R. 5355. A bill to amend title 49, United States Code, to assist veterans to obtain certain public transportation jobs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. BURGESS, Mr. CARTER of Texas, Mr. CONAWAY, Mr. GOHMERT, Mr. GENE GREEN of Texas, Mr. HENSARLING, Mr. HURD of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. NEUGEBAUER, Mr. OLSON, Mr. RATCLIFFE, Mr. SESSIONS, Mr. SMITH of Texas, Mr. THORNBERRY, Mr. VELA, Mr. VEASEY, Mr. BARTON, Ms. GRANGER, Mr. WILLIAMS, and Mr. HINOJOSA):

H.R. 5356. A bill to designate the facility of the United States Postal Service located at 14231 TX-150 in Coldspring, Texas, as the "E. Marie Youngblood Post Office"; to the Committee on Oversight and Government Reform.

By Mr. CARSON of Indiana (for himself, Mr. SCHRADER, and Mr. HANNA):

H.R. 5357. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize an interstate teaching application program; to the Committee on Education and the Workforce.

By Mr. CLYBURN (for himself and Mr. SANFORD):

H.R. 5358. A bill to establish Penn School - Reconstruction Era National Monument in the State of South Carolina as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. HUFFMAN:

H.R. 5359. A bill to revise Federal flammability standards for motor vehicle child restraint systems; to the Committee on Energy and Commerce.

By Mr. JORDAN (for himself, Mr. MEADOWS, Mr. DESJARLAIS, Mr. GOHMERT, and Mr. CHABOT):

H.R. 5360. A bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Energy and Commerce, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself, Mr. BLUMENAUER, Mr. NOLAN, Mr. HASTINGS, Mr. KIND, and Mr. ZELDIN):

H.R. 5361. A bill to amend the Internal Revenue Code of 1986 to provide for the tax-exempt financing of certain government-owned buildings; to the Committee on Ways and Means.

By Mr. KENNEDY:

H.R. 5362. A bill to amend title XIX of the Social Security Act to provide a higher Federal matching rate for increased expenditures under Medicaid for mental and behavioral health services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANCE (for himself and Mr. NEAL):

H.R. 5363. A bill to authorize the President to award the Medal of Honor posthumously to Corporal David Dannels White of the United States Army for his capture of Confederate Major General George Washington Custis Lee at the Battle of Sailor's Creek, Virginia, during the Civil War; to the Committee on Armed Services.

By Mr. LANGEVIN (for himself, Mr. MARINO, Ms. BASS, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARTWRIGHT, and Mrs. DINGELL):

H.R. 5364. A bill to provide States with flexibility to use Federal IV-E funding for State child welfare programs to improve safety, permanency, and well-being outcomes for all children who need child welfare services; to the Committee on Ways and Means.

By Mr. MULLIN (for himself and Mr. KENNEDY):

H.R. 5365. A bill to amend the Professional Boxing Safety Act of 1996 to include fighters of combat sports in the safety provisions of such Act; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Florida (for himself and Mr. FITZPATRICK):

H.R. 5366. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income for seven years amounts earned from the sale of drugs that demonstrate breakthrough therapies for treating Alzheimer's disease; to the Committee on Ways and Means.

By Mr. NORCROSS:

H.R. 5367. A bill to amend title II of the Social Security Act to provide for cost-of-living adjustments indexed to the Consumer Price Index for the Elderly, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 5368. A bill to direct the Department of Transportation to issue regulations to require enhanced security measures for shipments of security sensitive material, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Ohio (for himself, Mr. YARMUTH, Mr. JENKINS of West Virginia, Mr. CONYERS, Ms. JACKSON LEE, Mr. HASTINGS, Mr. QUIGLEY, Ms. MOORE, Mr. CUMMINGS, and Mrs. DINGELL):

H.R. 5369. A bill to amend the Public Health Service Act to reauthorize the Healthy Start for Infants Program; to the Committee on Energy and Commerce.

By Mr. SHERMAN (for himself and Mr. FORTENBERRY):

H.R. 5370. A bill to provide for restrictions related to nuclear cooperation with the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TSONGAS:

H.R. 5371. A bill to revise repayment terms for certain loans made under the Lowell National Historical Park Historic Preservation Loan Program; to the Committee on Natural Resources.

By Ms. LEE (for herself, Mr. HINOJOSA, Ms. JUDY CHU of California, Mr. HONDA, Mr. GRIJALVA, and Mr. BUTTERFIELD):

H. Con. Res. 134. Concurrent resolution expressing the sense of the Congress regarding the need for increased diversity and inclusion in the tech sector, and increased access to opportunity in science, technology, engineering, arts, and mathematics (STEAM) education; to the Committee on Education and the Workforce.

By Mr. JONES:

H. Res. 755. A resolution amending the Rules of the House of Representatives to observe a moment of silence in the House on the first legislative day of each month for those killed or wounded in United States engagements in Iraq, Afghanistan, and other countries where Americans are serving in harms way; to the Committee on Rules.

By Ms. BONAMICI (for herself, Mr. RODNEY DAVIS of Illinois, Mr. SCOTT of Virginia, Ms. FUDGE, Mr. COSTELLO of Pennsylvania, Mr. CURBELO of Florida, Ms. STEFANIK, and Mr. JEFFRIES):

H. Res. 756. A resolution expressing support for a whole child approach to education and recognizing the role of parents, educators, and community members in providing a whole child approach to education for each student; to the Committee on Education and the Workforce.

By Ms. JUDY CHU of California:

H. Res. 757. A resolution recognizing the significance of Asian/Pacific American Heritage Month in May as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Ms. SCHAKOWSKY, Ms. MATSUI, Ms. CLARKE of New York, Ms. KAPTUR,

Ms. WILSON of Florida, Mr. COHEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. DEFazio, Ms. VELÁZQUEZ, Ms. MENG, Mrs. DINGELL, Mr. GARAMENDI, Ms. PINGREE, Mr. LANGEVIN, Mr. POCAN, Ms. BONAMICI, Ms. TITUS, Mrs. CAROLYN B. MALONEY of New York, Mr. GALLEGO, Mr. MURPHY of Florida, Mr. SERRANO, Mr. KEATING, and Mr. GRIJALVA):

H. Res. 758. A resolution amending the Rules of the House of Representatives to establish a Permanent Select Committee on Aging; to the Committee on Rules.

By Mr. FOSTER:

H. Res. 759. A resolution expressing the sense of the House of Representatives in support of the International Atomic Energy Agency's (IAEA) nuclear security role; to the Committee on Foreign Affairs.

By Ms. LEE (for herself, Ms. CLARKE of New York, Mr. BISHOP of Georgia, Mr. RUSH, Ms. BROWN of Florida, Ms. NORTON, Mr. ENGEL, Mr. MEEKS, Ms. MAXINE WATERS of California, Ms. WILSON of Florida, Ms. MOORE, Mr. HASTINGS, Mr. VAN HOLLEN, Mr. LEWIS, Ms. JACKSON LEE, Mr. SABLON, Mr. CONYERS, Mr. AL GREEN of Texas, Mr. DEUTCH, Ms. HAHN, Mr. GUTIÉRREZ, Ms. MENG, Mr. GRIJALVA, Mr. COHEN, and Mr. PAYNE):

H. Res. 760. A resolution recognizing the significance of National Caribbean American Heritage Month; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 761. A resolution recognizing the lack of full voting rights in Congress for active duty service members, National Guard members, reservists, veterans, and their families who are District of Columbia residents; to the Committee on Oversight and Government Reform.

By Ms. SLAUGHTER (for herself, Mr. COLE, Ms. NORTON, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Mr. HECK of Washington, Ms. DELAUNO, Ms. EDWARDS, Ms. WILSON of Florida, Miss RICE of New York, Mr. HASTINGS, Ms. TITUS, Mr. AMODEI, Mr. MICA, Ms. MCCOLLUM, Mr. NADLER, Ms. CLARKE of New York, Mr. HONDA, Mr. JOHNSON of Georgia, Mr. TONKO, Mr. PRICE of North Carolina, Mr. GRIJALVA, Mr. TED LIEU of California, Mr. CÁRDENAS, Mr. MOULTON, Mr. CALVERT, Mr. ROKITA, Mr. SIMPSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MILLER of Michigan, Mr. VAN HOLLEN, Mr. FRELINGHUYSEN, Ms. PINGREE, Mr. ISRAEL, Mr. JOYCE, Mr. LANCE, Mr. KILMER, and Mr. JENKINS of West Virginia):

H. Res. 762. A resolution recognizing the 75th anniversary of the opening of the National Gallery of Art; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. ELLMERS of North Carolina:

H.R. 5336.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. O'ROURKE:

H.R. 5337.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof".

By Mr. KATKO:

H.R. 5338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—"To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

By Mr. PRICE of North Carolina:

H.R. 5339.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation under Article 1 Section 8, Clause 1 ("[To] provide for the common Defense and general Welfare of of the United States") and 10 ([t]o define and punish...offense against the laws of Nations.")

By Mr. DEFazio:

H.R. 5340.

Congress has the power to enact this legislation pursuant to the following:

Clause I, Section 8, of Article I of the United States Constitution

By Mr. MICA:

H.R. 5341.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NOLAN:

H.R. 5342.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution.

By Mrs. DINGELL:

H.R. 5343.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 5344.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. YOUNG of Iowa:

H.R. 5345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. YOUNG of Iowa:

H.R. 5346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5347.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. SCHAKOWSKY:

H.R. 5348.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. KNIGHT:

H.R. 5349.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HONDA:

H.R. 5350.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mrs. WALORSKI:

H.R. 5351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution. "To provide for the common defense," "to raise and support Armies," "to provide and maintain a Navy," and "to make rules for the government and regulation of the land and naval forces."

By Mr. GRAYSON:

H.R. 5352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. REED:

H.R. 5353.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5354.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. ASHFORD:

H.R. 5355.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. BRADY of Texas:

H.R. 5356.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7: "The Congress shall have power . . . to establish Post Offices and Post Roads." [Page H1802]

By Mr. CARSON of Indiana:

H.R. 5357.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of Article I of the Constitution.

By Mr. CLYBURN:

H.R. 5358.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. HUFFMAN:

H.R. 5359.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. JORDAN:

H.R. 5360.

Congress has the power to enact this legislation pursuant to the following:

The bill makes specific changes to existing law in a manner that returns power to the States and to the people, in accordance with Amendment X of the United States Constitution.

By Mr. KELLY of Pennsylvania:

H.R. 5361.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution.

By Mr. KENNEDY:

H.R. 5362.

Congress has the power to enact this legislation pursuant to the following:

Article 8, Section 8—to provide for the general welfare and to regulate commerce among the states.

By Mr. LANCE:

H.R. 5363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Clause 1, of the United States Constitution

This states that "Congress shall have power to . . . lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States."

By Mr. LANGEVIN:

H.R. 5364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. MULLIN:

H.R. 5365.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. MURPHY of Florida:

H.R. 5366.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. NORCROSS:

H.R. 5367.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the US Constitution

By Ms. NORTON:

H.R. 5368.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. RYAN of Ohio:

H.R. 5369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SHERMAN:

H.R. 5370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the commerce clause.

By Ms. TSONGAS:

H.R. 5371.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. GRAVES of Missouri and Mr. JENKINS of West Virginia.

H.R. 194: Mrs. BROOKS of Indiana, Mr. DIAZ-BALART, Mr. HILL, Mr. DUNCAN of Tennessee, Mr. WESTMORELAND, Mr. BUTTERFIELD, Mr. WALDEN, Mr. YODER, Mr. KLINE, and Mr. COLE.

H.R. 266: Mr. FINCHER.

H.R. 448: Mr. LARSEN of Washington.

H.R. 662: Mr. CARTER of Georgia.

H.R. 738: Mr. PERLMUTTER.

H.R. 775: Mrs. LOVE.

H.R. 827: Mr. POSEY.

H.R. 923: Mr. WOMACK.

H.R. 1218: Mr. LOWENTHAL, Mr. TED LIEU of California, Mr. RYAN of Ohio, Mr. AUSTIN SCOTT of Georgia, Mr. REICHERT, and Mr. CARTWRIGHT.

H.R. 1266: Mr. JODY B. HICE of Georgia.

H.R. 1342: Mrs. ELLMERS of North Carolina.

H.R. 1399: Mrs. DINGELL and Mr. WITTMAN.

H.R. 1453: Mr. BUTTERFIELD.

H.R. 1549: Mr. GUINTA.

H.R. 1859: Ms. KUSTER.

H.R. 1962: Mr. GRIJALVA.

H.R. 1963: Mr. CARTWRIGHT.

H.R. 2058: Mr. BILIRAKIS.

H.R. 2087: Ms. GRAHAM and Mrs. WATSON COLEMAN.

H.R. 2315: Mr. WILLIAMS.

H.R. 2350: Mr. NEWHOUSE and Mr. PETERSON.

H.R. 2368: Ms. MCCOLLUM.

H.R. 2449: Mrs. DINGELL, Mr. TAKANO, Ms. LINDA T. SANCHEZ of California, and Mr. RYAN of Ohio.

H.R. 2450: Mr. BEYER and Ms. MCCOLLUM.

H.R. 2477: Mr. PAULSEN.

H.R. 2638: Mr. COHEN.

H.R. 2694: Mr. LEVIN.

H.R. 2698: Mr. MICA.

H.R. 2712: Mr. BOUSTANY.

H.R. 2737: Mr. CLAY, Ms. LORETTA SANCHEZ of California, Mr. FATTAH, Mr. SIREs, Mr. KIND, Mrs. KIRKPATRICK, Mr. KILDEE, Mrs. DINGELL, Mr. KENNEDY, Mr. MOULTON, Mr. GRAVES of Louisiana, Mr. BISHOP of Georgia, Ms. SINEMA, Ms. DELAURO, Ms. KUSTER, and Mr. AGUILAR.

H.R. 2948: Mr. KING of Iowa, Mr. PETERSON, and Ms. PINGREE.

H.R. 2992: Mr. TIPTON, Mr. RICE of South Carolina, Mr. MURPHY of Pennsylvania, Mrs. LUMMIS, Mr. COFFMAN, Mrs. BLACK, Mr. BARTON, Mr. SIMPSON, Mr. WOMACK, Mr. LUETKEMEYER, Mr. WALBERG, Mr. FARENTHOLD, Mr. MICA, Mr. REED, Mr. WALDEN, Mr. MULLIN, Mr. WOODALL, Mr. CRENSHAW, Mr. BUCHANAN, Mr. YOUNG of Iowa, Mr. FORBES, Mr. WITTMAN, Mr. RIGELL, Mr. RIBBLE, Mr. JOYCE, Mr. FRELINGHUYSEN, Mr. NUNES, Mr. DONOVAN, Mr. ROUZER, Mr. GIBBS, Mr. MARINO, Mr. YOUNG of Alaska, Mr. HARPER, Mr. GROTHMAN, and Mr. MASSIE.

H.R. 3012: Mrs. LOVE.

H.R. 3080: Mr. MEEHAN.

H.R. 3094: Mr. CARTER of Texas.

H.R. 3164: Ms. KAPTUR.

H.R. 3220: Mr. PAULSEN.

H.R. 3238: Mr. FARR, Mr. MCGOVERN, Ms. LEE, Ms. MCCOLLUM, Mr. ASHFORD, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESHOO,

Mr. POCAN, Mr. PERLMUTTER, Ms. DELAURO, and Mr. BEYER.

H.R. 3255: Mrs. ELLMERS of North Carolina.

H.R. 3308: Ms. CASTOR of Florida, Mr. CUELLAR, Mr. KILDEE, Mr. PETERS, and Ms. SPEIER.

H.R. 3323: Mr. COLLINS of New York.

H.R. 3515: Mr. WENSTRUP.

H.R. 3550: Mr. COHEN.

H.R. 3798: Mr. EMMER of Minnesota.

H.R. 3815: Mr. CROWLEY, Mr. GIBSON, Mr. COLLINS of New York, and Mr. POLIQUIN.

H.R. 3880: Mr. PITTENGER.

H.R. 3884: Mr. NUGENT and Mr. CALVERT.

H.R. 3885: Mr. CALVERT.

H.R. 3929: Mrs. DINGELL, Mr. BARLETTA, Mr. BYRNE, Mr. HULTGREN, Mr. MCCLINTOCK, Mrs. MCMORRIS RODGERS, Mrs. NOEM, Mrs. MILLER of Michigan, Mr. REED, Mr. ROTHFUS, Mr. WALDEN and Mr. LIPINSKI.

H.R. 4062: Mr. KIND and Mr. ALLEN.

H.R. 4065: Mr. CURBELO of Florida.

H.R. 4166: Mr. HILL.

H.R. 4352: Ms. SINEMA, Mr. YOUNG of Iowa, Mr. COLLINS of Georgia, Mr. YOHIO, Mr. HILL, Mr. SCALISE, Ms. SLAUGHTER, Mr. CRENSHAW, Mr. BENISHEK, Mr. MOOLENAAR, Mr. VAN HOLLEN, Mr. TED LIEU of California, Mr. GARAMENDI, Mrs. WALORSKI, Mr. COSTELLO of Pennsylvania, Mr. WILLIAMS, Mr. WALDEN, Mr. WILSON of South Carolina, Mr. CICILLINE, Ms. HAHN, Mr. DELANEY, Ms. SCHAKOWSKY, Mr. HIMES, Mr. VELA, Mr. GENE GREEN of Texas, Mr. AGUILAR, Mr. SWALWELL of California, Mr. NEAL, Mr. SANFORD, Mr. LAMALFA, Mr. ROKITA, Mr. BROOKS of Alabama, Mr. DUNCAN of South Carolina, Mr. TURNER, Mr. GRAVES of Louisiana, Mr. KINZINGER of Illinois, Mr. HUNTER, Mr. SMITH of New Jersey, Mr. RODNEY DAVIS of Illinois, Mr. STUTZMAN, Mr. FORTENBERRY, Mr. SMITH of Missouri, Mr. STEWART, Mr. ZINKE, Mr. DUFFY, Mr. STIVERS, Mrs. WAGNER, Mr. LUCAS, Mr. ROE of Tennessee, Mrs. HARTZLER, Mrs. MILLER of Michigan, Mr. WALKER, Mr. AMODEI, Mr. NEWHOUSE, Mr. TIBERI, Mr. ABRAHAM, Mr. BOST, Mr. JENKINS of West Virginia, Mr. CHAFFETZ, Mr. GUTHRIE, Mr. PALAZZO, Mr. CALVERT, Mr. BURGESS, Mrs. BLACK, Mr. RUPPERSBERGER, Mr. FARR, Mr. KIND, Mr. MCDERMOTT, Mr. SMITH of Washington, Mr. DEUTCH, Mr. PETERSON, Mr. BERA, Mr. MASSIE, Mr. DESAULNIER, Mr. NOLAN, Mr. COOPER, and Mr. HUELSKAMP.

H.R. 4365: Mr. RICHMOND.

H.R. 4428: Mr. BARR.

H.R. 4445: Ms. LOFGREN.

H.R. 4480: Ms. BROWNLEY of California.

H.R. 4488: Mr. CARTWRIGHT and Ms. PIN-GREE.

H.R. 4514: Mr. DESANTIS and Ms. WASSERMAN SCHULTZ.

H.R. 4559: Mr. DAVID SCOTT of Georgia.

H.R. 4592: Mrs. WATSON COLEMAN, Mr. NOLAN, Mr. PETERSON, Mr. BLUMENAUER, Mr. RUIZ, Mr. MACARTHUR, Mr. PIERLUISI, Mr. COSTELLO of Pennsylvania, Mr. CRAMER, Mr. STIVERS, Ms. TITUS, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mrs.

DAVIS of California, Ms. FUDGE, Mr. GARAMENDI, Mr. HOYER, and Mr. LARSEN of Washington.

H.R. 4606: Ms. MCCOLLUM.

H.R. 4613: Mr. DONOVAN.

H.R. 4615: Mrs. DAVIS of California.

H.R. 4620: Mr. BARR.

H.R. 4625: Mr. FRELINGHUYSEN.

H.R. 4662: Mr. CHABOT, Ms. DEGETTE, Mr. COHEN, Mr. BEN RAY LUJAN of New Mexico, and Mr. TONKO.

H.R. 4715: Mr. BARTON and Mr. GUINTA.

H.R. 4729: Ms. PINGREE.

H.R. 4740: Ms. MCCOLLUM.

H.R. 4760: Mr. DUNCAN of South Carolina.

H.R. 4764: Mr. BARTON.

H.R. 4770: Mr. LARSON of Connecticut.

H.R. 4773: Mr. SCHWEIKERT, Mr. BRIDEN-STINE and Mr. MCCLINTOCK.

H.R. 4794: Ms. BROWNLEY of California.

H.R. 4796: Mr. YARMUTH.

H.R. 4819: Mr. TIPTON.

H.R. 4938: Mr. FARENTHOLD, Mr. MEADOWS, and Mr. DOLD.

H.R. 4958: Mr. CARTWRIGHT.

H.R. 4959: Mr. WALBERG.

H.R. 5003: Mr. KLINE.

H.R. 5027: Mr. SMITH of Texas.

H.R. 5044: Ms. FUDGE, Mr. PETERS, Mr. CLYBURN, Mr. POLIS, Ms. SPEIER, Ms. KELLY of Illinois, Mr. HINOJOSA, Mr. LYNCH, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. DAVIS of California, Mrs. KIRKPATRICK, Mr. DESAULNIER, Mr. LARSON of Connecticut, Mrs. BEATTY, Mr. SEAN PATRICK MALONEY of New York, Ms. WILSON of Florida, Ms. BORDALLO, Ms. SEWELL of Alabama, Ms. HAHN, Mr. ASHFORD, Mr. TAKANO, Ms. SLAUGHTER, Mr. LARSEN of Washington, Ms. KUSTER, Mr. THOMPSON of California, Mr. TED LIEU of California, Mr. LOEBSACK, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. MOULTON, Mr. HECK of Washington, Mr. PERLMUTTER, Ms. CLARKE of New York, Mr. CARSON of Indiana, Mr. SABLAN, Ms. DELBENE, and Mrs. BUSTOS.

H.R. 5067: Mr. CLYBURN, Mr. MEEKS, Ms. WILSON of Florida, Mrs. WATSON COLEMAN, Mr. CROWLEY, Mr. MCGOVERN, and Mr. THOMPSON of California.

H.R. 5076: Mr. WITTMAN and Mr. TIPTON.

H.R. 5090: Mr. DESAULNIER, Mr. BISHOP of Georgia, Mr. FOSTER, Mr. KILDEE, Mr. CARTWRIGHT, and Ms. WILSON of Florida.

H.R. 5094: Mr. MEEHAN.

H.R. 5121: Mr. CARTWRIGHT.

H.R. 5124: Ms. WILSON of Florida, Mr. COHEN and Mrs. LAWRENCE.

H.R. 5129: Mr. NEWHOUSE.

H.R. 5131: Mr. GRIJALVA.

H.R. 5143: Mr. EMMER of Minnesota.

H.R. 5149: Ms. DELAURO.

H.R. 5166: Mr. YODER, Mr. SAM JOHNSON of Texas, Mr. BLUMENAUER, Mr. JOYCE, Mr. VALADAO, Mr. TIPTON, Mr. DONOVAN, Mr. PITTENGER, Mr. BLUM, Mr. NEWHOUSE, Mrs. MCMORRIS RODGERS, Mr. WALBERG, Mr. MASSIE, Mr. GARRETT, Mr. MESSER, Mr. WILSON of South Carolina, Mr. SMITH of Texas, and Mr. DUNCAN of Tennessee.

H.R. 5168: Mrs. MCMORRIS RODGERS and Mr. VAN HOLLEN.

H.R. 5180: Mr. KELLY of Mississippi, Mrs. ELLMERS of North Carolina, Mr. ISSA, and Mr. VEASEY.

H.R. 5224: Mr. WILSON of South Carolina.

H.R. 5240: Mr. KING of Iowa, Mr. YOUNG of Iowa, and Mr. GUTHRIE.

H.R. 5258: Mrs. DINGELL and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 5263: Ms. BONAMICI, Mr. RUSH, and Mr. YARMUTH.

H.R. 5275: Mr. CRAMER and Mr. ALLEN.

H.R. 5276: Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. NEUGEBAUER, Mrs. WALORSKI, Mr. ROUZER, and Mr. WEBER of Texas.

H.R. 5294: Mr. PITTS and Mr. MARCHANT.

H.J. Res. 94: Mr. MCGOVERN.

H. Con. Res. 40: Mr. HANNA, Mrs. CAROLYN B. MALONEY of New York, Mr. SERRANO, and Mr. LIPINSKI.

H. Con. Res. 89: Mr. ISSA.

H. Con. Res. 128: Mr. ROKITA.

H. Con. Res. 129: Mr. MURPHY of Florida and Ms. VELÁZQUEZ.

H. Res. 220: Mr. JOYCE, Mr. COOK, Ms. JUDY CHU of California, and Mr. WELCH.

H. Res. 251: Mr. LEVIN.

H. Res. 289: Mr. MEEKS.

H. Res. 343: Mr. PRICE of North Carolina.

H. Res. 360: Mr. FARENTHOLD.

H. Res. 377: Mr. MCGOVERN.

H. Res. 591: Mr. DUNCAN of South Carolina, Mr. FARENTHOLD, Mr. FINCHER, Mr. DESJARLAIS, Ms. PLASKETT, and Mr. ALLEN.

H. Res. 667: Mr. RYAN of Ohio, Mr. JOYCE, Mr. COSTELLO of Pennsylvania, Mr. CICILLINE, Ms. SPEIER, Mr. BEYER, Mr. YOUNG of Indiana, and Mr. KILMER.

H. Res. 694: Mr. KEATING and Ms. NORTON.

H. Res. 712: Mr. KEATING.

H. Res. 717: Mr. COLLINS of New York and Mr. COHEN.

H. Res. 729: Ms. BROWNLEY of California, Mr. BISHOP of Michigan, Mr. SALMON, Mr. ROGERS of Alabama, Mr. LARSON of Connecticut, Mr. OLSON, Mr. ASHFORD, Mr. BYRNE, Mr. TAKANO, Mr. MCCLINTOCK, Mr. LUETKEMEYER, Mrs. ELLMERS of North Carolina, Mr. HOLDING, Ms. JUDY CHU of California, Mr. HIMES, Mr. MICA, Mr. HASTINGS, Mr. WOMACK, Mr. BISHOP of Georgia, Mr. DESANTIS, and Mr. GENE GREEN of Texas.

H. Res. 730: Mr. KEATING.

H. Res. 746: Mr. YARMUTH.

H. Res. 749: Mr. KENNEDY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H. Res. 752: Ms. LEE.

SENATE—Thursday, May 26, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Dr. Benny Tate, senior pastor of Rock Springs Church in Milner, GA.

The guest Chaplain offered the following prayer:

Let us pray.

Our most kind and gracious Heavenly Father, as we bow our heads and hearts before You, we come with a grateful heart. I lift this esteemed body of individuals to Your care and blessing. My prayer is that You will illuminate their understanding because, as Ben Franklin reminded us, You are the Father of lights. I pray for every Member that they would follow the direction of President Abraham Lincoln and be driven to their knees by an overwhelming conviction that they had nowhere else to go. God, give our leaders direction and guidance. I ask You to unify the hearts of the men and women serving in this body, for unity is where You commanded the blessing. May every Member remember the goal is more important than any role, and our Lord teaches us that the greatest of all is the one who serves, and anyone can be great because anyone can serve.

We pray this prayer, respecting all faiths, but we pray this prayer in the Name of our Lord and Savior, Jesus Christ.

Until You come, we pray. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Georgia.

WELCOMING THE GUEST CHAPLAIN

Mr. PERDUE. Mr. President, I want to take just a moment today to recognize Dr. Benny Tate of Rock Springs Church in Milner, GA, for being here with us to deliver this morning's opening prayer.

Benny is my personal pastor, my dear friend, and inspiration for both my wife and me. He offered us constant prayer and support as I entered this political journey and continues to do so today.

Before I was sworn in to the Senate, we joined Benny on a personal mission trip to Haiti. It was a life-changing trip. We went to a community that had been stricken by the earthquake in 2010. We saw kids who were still sleeping and eating on the ground in tents. Yet we saw hope, and that is hope I will carry with me the rest of my life because of this man, Benny Tate.

Thank you, Brother Benny, for your faith, your life, and your service. We are all honored to have you here today.

Mr. President, I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, here is the headline too many Kentuckians had to wake up to this morning: "Health insurance rate hike requests average 17 percent in [my home State]."

The story noted that these double-digit premium increases continue a national trend of hefty hikes as insurers adapt to a market reshaped by President Obama's signature health care law—in other words, more unaffordable premium increases, thanks to ObamaCare.

It was unfortunate to hear some of ObamaCare's defenders try to pretend otherwise and blame these rates on something like uncertainty over Kynect's future. As the story notes, "the only company that will offer plans statewide on the exchange next year said the requested rate increase has nothing to do with the end of Kynect." Yesterday I shared stories from Kentuckians who continue to suffer under this law.

Thanks to what we learned last night, I am afraid we will be hearing even more. ObamaCare's defenders need to own up to what their partisan law is doing to the middle class and not waste another moment trying to deflect attention elsewhere. They need to work with us to relieve the pain of ObamaCare and start over with real care.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, the men and women who sign up to defend our Nation don't ask for much, but our Nation certainly asks a lot of them. They sacrifice on our behalf every day.

They deserve the kind of support that the National Defense Authorization Act before us can provide. It will honor commitments to veterans, servicemembers, and their families. It will authorize raises, support Wounded Warriors, and improve military benefits and health care. We need to pass it. The Democratic leader needs to stop preventing us from doing so.

Yesterday in his opening remarks, he claimed he was holding up the bill because he hadn't had the chance to read it—then talked about a new book he is reading.

Today in his opening remarks he will surely make more excuses for Democrats not to do their jobs—then head to a press conference titled "Do Your Job."

You can't make this stuff up. But it is not funny.

Look, we get it. Democrats want to run TV ads claiming the Senate can't get anything done. They know that is a really tough sell. They know the only chance to make it work is by slow-walking bills they actually support.

Democrats don't actually want to be on record opposing our troops before Memorial Day, so they support the bill in public then bog it down in private and cover with one embarrassing excuse after the next: We haven't read it. It was written in secret. The dog ate it. It is just embarrassing.

As the chairman of the Armed Services Committee said, "We need to move forward with this legislation. We need to move forward with it now, for the sake of our men and women who are serving and defending this Nation and putting their lives on the line." He is right.

So here is an idea. How about Democrats skip talking about doing their jobs at a press conference and actually do their jobs instead? They can follow the lead of this Republican majority—a majority that continues to do its job—and show how important things can be accomplished for the American people as a result. So no more needless delays, no more embarrassing excuses, and no more blocking benefits for the men and women of our military. Let's work together to get this done. We have already seen what is possible in the Republican-led Senate when we do.

THE REPUBLICAN-LED SENATE

Mr. MCCONNELL. Mr. President, so much has changed since the American people elected a new Republican majority to get the Senate back to work. Americans have told us to break

through the gridlock and get the Senate focused on real solutions again. We have, and we are.

This doesn't mean our colleagues across the aisle will always cooperate; we have certainly seen an unfortunate example of that this particular week. But what is clear is how the underlying fundamentals have changed: Committees are now functioning; legislative processes are now working; we now continue to get important things done for the people who sent us here.

It all started with a simple philosophy: Give Senators and the people they represent more of a say in the legislative process, and they will take more of a stake in the legislative outcome, regardless of party. So we did, and the results have been encouraging. This is how we have been able to transform gridlock into progress and dysfunction into solutions.

To give an example of what I mean, we recently took as many rollcall votes on one bill, the Energy Policy Modernization Act, as the Senate took in all—all of 2014 under the previous majority. It is remarkable how far we have come in such a short time.

Consider what we were able to achieve for our constituents in 2015 alone. Some said Congress could never break old traditions of short-term fixes and patches and punts, but we repeatedly proved them wrong with meaningful and substantial reforms instead.

That is certainly true of the new education reform law we passed. It replaced No Child Left Behind with "the largest devolution of federal control to the states in a quarter-century." It is a hugely important reform that empowers parents and prevents Washington from imposing Common Core. That is a notable conservative achievement.

The same could be said of the decisive action we took to enact permanent tax relief for families and small businesses or to bring an end to a job-killing energy embargo from the 1970s or to place on President Obama's desk a bill that would finally end ObamaCare's cycle of broken promises and pain for the middle class.

We secured pay raises for our troops, help for our veterans, and hope for the victims of human trafficking. We passed a landmark cyber security law that will help safeguard America's personal information. We achieved the most significant transportation solution in years, one that will finally allow us to rebuild roads, bridges, and crumbling infrastructure without raising taxes by a penny.

We got a lot done for the American people in 2015. We are continuing to get a lot done for the American people in 2016.

In just a few months, the Republican-led Senate has passed legislation providing real solutions on a range of issues: Addressing the prescription opioid and heroin epidemic that is rav-

aging our country with critical, comprehensive legislation; modernizing American energy with the first broad energy bill since the Bush administration; improving airport security and consumer protections with the most pro-passenger, pro-security FAA reauthorization in years; deterring North Korea's growing aggression with comprehensive sanctions; keeping the Internet open and accessible by permanently banning government from taxing your access to the Internet; supporting American manufacturing by reducing tariffs that make it harder for American businesses to compete and to grow; defending American innovation and entrepreneurship protections against the theft of intellectual property; and just this week, combating sexual assault and human trafficking with new protections for victims and enhanced tools for law enforcement.

These are just some of the things we have been able to accomplish the past few months alone. But we are not finished. None of this would have been possible without functioning committees and capable leaders to guide them. Those chairs often choose to focus on ideas where Republicans and Democrats can agree, not just where the two parties disagree, and we have gotten some really important legislation passed as a result.

We have seen some truly notable anecdotes, too, like the fact that the Finance Committee has approved more bills to date in the 114th Congress "than any single Congress since 1980"; like the fact that we got the appropriations process started this year at the earliest point in the modern budgeting era—in other words, in about 40 years; like the fact that we passed the first of these three appropriations bills at the earliest point in the modern budgeting era as well.

It is good to see the appropriations process finally getting back on track after so many years of dysfunction. It is incredibly important for the Senate, it is definitely healthy for the democratic process, and it will certainly allow us to address a variety of funding issues in a more thoughtful and deliberative way.

Take Zika, for instance. Combating the spread of the Zika virus has been a priority for both parties, so Republicans and Democrats deliberated and forged a compromise in committee. Senators debated that compromise out here on the floor and voted to pass it. Now Members of the Senate and the House are preparing the process of going to conference so we can get this measure down to the President. That is how you get good legislation to the President. That is what is known as doing your job around here.

Of course, it will not be easy to get the appropriations process back on track completely after so many years of dysfunction, but we are committed

to doing all we can. We have clearly demonstrated strong and steady progress already, and that is something that benefits both parties. It means more Members get a say. It means more scrutiny is brought to bear on the funds that are spent. It means more regular order and more of a Senate that functions even better for everyone.

I am proud of all we have accomplished in such a short time. We have put the Senate back to work, we have continued to get our jobs done, and that has allowed us to pass important legislation for the American people who, after all, sent us all here.

I thank Senators from both sides who have worked with us to restore this Chamber to a place of higher purpose. I know there is more we can accomplish together, so let's keep working to ensure that we do.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ISSUES BEFORE THE SENATE

Mr. REID. Mr. President, it is not necessary to go into great detail about the past, but it is important to talk about the past so we understand what is going on now and what the future holds.

The biggest change coming from the Republican majority is what the Democratic minority has done. We have cooperated. We are not in the business of filibustering everything. During the first 6 years of the Obama administration, the Republicans initiated more than 600 filibusters. They filibustered everything. As an example, we tried to do the Energy bill for 5 years. Each time we tried, it was brought to a standstill by the Republicans.

We have a Republican bill that we worked on. It is the same bill we did with Senator SHAHEEN in the past with some additions to it. What happened to that bill is that it has gone to the dark hole in the House. They have stripped everything out of it that we had done. It is gone. We have done our utmost to cooperate.

For my friend to talk about this Republican Senate that has done so much, he would have tremendous difficulty finding any one thing that we didn't try to do—any one thing. I talked about energy. It doesn't matter what it was, it was filibustered—I repeat—more than 600 times. The record will never be broken, I hope, as it has been a real detriment to our country and the U.S. Senate. For my friend to come and talk about how great the Senate is, is really absurd.

I don't know if he is taking the pages from Donald Trump—if you say enough that is wrong, people will say: Well,

maybe it is not that bad. This Republican Senate is a do-nothing Senate. He talked about opioid legislation. There isn't anyone—not anyone from the Centers for Disease Control and Prevention, any of the public health agencies around the country—who thinks what happened in the Senate helped them. Why? Because there is no money. They shuffled things around. There is no money. Opioid legislation needs money. They have refused to fund it.

I don't know how long it has been, but it has been at least 4 months since the people of Flint, MI, came to the realization that they had been poisoned—their children had been poisoned with lead. We tried so many different ways to get the Republicans to help that beleaguered city, but, no, not a chance. The people of Flint, MI, are still drinking and bathing with bottled water. The children are still suffering the awfulness of lead. It is so detrimental to little brains.

He talks about the Zika virus. How sad that he would think that giving no money to this program is a good deal. I will talk about that in a little more detail. The Zika virus is extremely serious. It could affect as many as 39 of our United States. There is no money. The President has said, and I will say right now, we should not go on recess while there is no money for Zika. The way things are set up under his great plan, the Zika virus will be funded sometime this fall. The mosquitoes will be dead or gone home—wherever that home is—by that time, and the American people will be infected.

There was a mistake made by his staff dealing with renewable tax credits, which is so important to the Presiding Officer's State and other States, and there have been efforts made to correct that mistake. That hasn't been done yet.

The House of Representatives, led by the Republicans, can't pass a simple budget. This great Senate that he talks about couldn't pass a budget. We don't have a budget. We have no district court nominations. We have emergencies all over the country because there are too many people in trouble who want to litigate, and there are no judges to do that. No, we are not going to move on judges because Barack Obama, in their mind, is an illegitimate President, and they have created Donald Trump—what has happened the last 7½ years, the Republicans opposing anything that President Obama tried to do. They have created Donald Trump. They are not only failing us on district court nominations, circuit court nominations, we have a Supreme Court that has been bare. We don't have a full complement of Supreme Court Justices. For my friend to stand here and say we are doing our job is absurd.

If he wants to talk about the Defense authorization bill, we will be happy to

do that. Here is a quote from MITCH MCCONNELL, which is basically what today's vote on the Defense authorization bill is all about: "The Defense authorization bill requires 4 to 5 weeks to debate." That is what he said. Now he is changing his tune. I am not saying it is 4 to 5 weeks, but this bill is almost 2,000 pages, which we received the night before last at 5 o'clock. Shouldn't Members and their staff be able to read these 2,000 pages before we dive into litigating and offering amendments?

I will say, again, the chairman of the committee, the senior Senator from Arizona, has said: I am going to violate the budget agreement we have by bringing in \$18 billion more for defense. The budget agreement says he can't do that unless you equally fund non-defense. Shouldn't we take a look at that? Shouldn't we take a look at a 2,000-page bill—actually, 1,660 pages, not counting the annex that came on board Wednesday night as part of the bill? Shouldn't we take a look at that? There are all kinds of earmarks, little goodies in that bill. We need to take a look at it. Is there anything wrong with that? I don't think so.

We look forward to considering this legislation. We did much better than the Republicans. If you want to go back, another little insight into history—they not only fought going onto the bill, once we went on it, they wouldn't let us get off the bill. That is not where we are coming from.

We have a lot of things to do. We have to do TSCA. I hope he would find time in his busy schedule, his great accomplishments, to work on a bill we have been trying to complete. I worked on this bill for the first time 28 years ago in the Senate. I was chairman of the subcommittee in the Senate. I did my best to take on the chemical industry, and I am sorry to report they won and America lost, but now we have an opportunity to have the American people winning for a change. What is the holdup in doing that bill? It is a conference report.

Four weeks ago, I stood on the floor and said we shouldn't go on break without having giving President Obama the \$1.9 billion he needs to fight the Zika virus. Four weeks later—we are still off next week—we are not going to worry about those pesky mosquitoes. The Senate is going to recess for another week. We are going to come back for 4 weeks and then we are out for 7 weeks. This great plan of my friend, the Republican leader, is somewhat misleading. Anything he has been able to get done and tried to boast about are things they held us up from doing for 6 years.

Last Friday President Obama said we should not leave today without having given public health officials the resources they need to combat the spread of Zika in the United States. Research-

ers, doctors, and health officials—not only in the United States, all over the world—need this money. This money will be spent in America, but there will be a lot of effects around the world. There will be a lot of problems in Central and South America that we will be able to help. If we do it the right way, they can develop a vaccine at NIH, the Centers for Disease Control. They can't do it without money. Again, there is no money. They shift things around. They say they have a plan. Don't worry about Ebola, which was 18 months ago—a ravaging fear in the American people. It is still there, once that disease pops up again, that condition pops up again in Africa, because it infects Americans who are there. But they have taken most of the money from Ebola, and the House is going to take all of it in this great plan he has. They need this money. They need it to prepare for this public health threat, which is here.

To leave now without putting an emergency spending bill on the President's desk is the height of irresponsibility. No matter how you boast about that, that is a fact.

As was reported by the Washington Post this morning, the New England Journal of Medicine released findings from the study of the Zika virus. Here is what they found: Women infected with Zika early in their pregnancies may have as high as a 13-percent chance of having a baby with microcephaly. What is that? The brain doesn't grow. The skull caves in. It is a devastating birth defect, involving very small heads and incomplete development of the brain.

Mosquitoes have caused problems in the world for generations—many generations—but we have never had a report that the mosquito would transmit a virus that would cause 13 percent of pregnant women to have these deformed babies.

The Republican leader only needs to keep the Senate in session next week so we can pass a stand-alone Zika funding bill that gives our country what it needs now, not this fall. We need to act before local transmission starts occurring in the continental United States. That is going to be soon. Late this fall will not do the trick. This fall is too late. It is time to act, not take a break. The Republican leader should not send the Senate out of session until we have done all we can to protect the American people from the threat of this horrible virus.

It doesn't take into consideration the other things we are just leaving: Flint, MI, opioids. There are so many things we are walking away from in this institution.

OBAMACARE

Mr. REID. Mr. President, I am so happy to have my friend talk about

ObamaCare. I am happy to have him talk about that because he is making himself not look very good, and that is a gross understatement. Yesterday the Commonwealth Fund released its fourth survey of ObamaCare. Here is what they found: Since the enactment of the Affordable Care Act, 28 million people have gained coverage either through marketplaces or Medicaid. In the last 3 years, the number of uninsured Americans have been reduced by 13 million people. Those are 13 million more people who have insurance now than they had 3 years ago, and 82 percent of American adults enrolled in private plans or government coverage said they were satisfied with their plans.

Those numbers are further evidence the Affordable Care Act is helping the American people. It is getting people insured, many for the first time in their lives. Yesterday a woman came to me and said: Thank goodness. I—a diabetic—have been able to buy insurance because of ObamaCare.

It is giving families important subsidies so they can afford the plan they need, and it is providing options, allowing Americans to cater their health insurance plans to their needs. Much has been made recently about premiums. My friend has made a big deal about premiums, especially by Republicans looking for any opening to spread misinformation, falsehoods. They love to come and talk about ObamaCare, how horrible it is for the American people. Allow me to set the record straight again. At this point, we are all looking at proposed increases. This, of course, is preliminary information.

Let's consider Arkansas as an example. I picked Arkansas because one of the Senators from Arkansas is usually presiding, and I want him to hear this. Three out of the four companies that offer policies on Arkansas' health insurance marketplace proposed high premium increases for their enrollees. All of these increases were hikes of at least 10 percent. Fortunately, for the people of Arkansas, the Affordable Care Act helps. For starters, the vast majority of enrollees in Arkansas are protected from premium increases. Why? Because ObamaCare tax credits actually cap health insurance premiums for 85 percent of consumers. In Arkansas, 87 percent of consumers receive tax credits that help make coverage affordable; 62 percent of Arkansas enrollees had the option to select plans as low as \$75 per month after tax credits. There are other ObamaCare provisions that safeguard against these rates that are out of line. Thanks to a provision within the law, State leaders have the resources to conduct a thorough review of the proposed rate increases. In Arkansas' case, the State received \$9.2 million to study proposed premium increases. Now it is up to Arkansas' Governor and insurance commissioner to

do the job and examine their rate proposals. State leaders have until August 23 to approve final rates for the 2017 exchange plans.

The Arkansas insurance commissioner, Allen Kerr, already made it clear that he and the Governor are opposed to the hikes. Governor Hutchinson is a well known, fine man. I served with his brother and him in Congress. His brother was in the Senate.

Allen Kerr said:

Governor Hutchinson and I do not believe there is substantive justification for these rate increases. For that reason, we expect to take action to deny the requested rate increases until there is sufficient justification to properly consider any rate increase.

Before we passed the Affordable Care Act, Americans in the individual insurance market were hit with double-digit health premium increases every year without any exception. Back then, if the insurance company said you need to pay more, you either paid up or lost your insurance. Consumers had no recourse. And they were charged more because they had an illness the previous year. They were charged more for all kinds of reasons. And insurance companies could deny covering certain conditions all together—one is if you were a woman.

Now that Americans have ObamaCare in their corner, insurers can no longer charge more because you are sick or deny coverage to someone who has a certain illness. All conditions are covered, period. When insurance companies want premium increases, States have resources to fight back just like Arkansas, and when consumers decide that a plan is no longer working, they can—and should—shop around. In fact, everyone should do all they can to ensure that they are getting the best deal possible. That is what these marketplaces are for—to give the American people options.

The Republican leader should be embarrassed by what he said this morning. For all this misinformation said on the Senate floor almost every day, the truth can't be hidden: The Affordable Care Act is keeping Americans insured and providing them options to find health coverage that meets their needs.

I say to my friend the Republican leader, that is why today America has the lowest uninsured rate in the history of the country. The uninsured rate is at 9.1 percent. That is the lowest rate ever. The facts are undeniable. The Affordable Care Act is working.

Will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. Rounds). Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, I am back here for the 44th edition of "Waste of the Week." I am starting to enjoy this, and I hope someone else is, but what we don't enjoy is the fact that the government is wasting taxpayer money. We have been documenting this for 44 weeks now, and we have come up with a significant total that is approaching \$200 billion of waste.

People get up every morning, go to work—put in a hard-day's work if they have a job—try to save money so they can get the mortgage paid each month, get the insurance covered, get the gas tank filled up in the car, and hopefully save a little money for their kids' education. But every time they get a paycheck at the end of the week, they look at it and see deductions for this, that, and everything, such as State taxes, Federal taxes, sales taxes, excise taxes, such as the tax at the pump, and on and on it goes. You can't go to a grocery store, clothing store, or any retail store without getting a tax slapped on everything you buy. That money comes to Washington as a Federal tax, and at the very least, the taxpayer is due careful use of their hard-earned tax dollars to fund the Federal Government. There are essential functions that the Federal Government and only the Federal Government can deal with—States participate with the payment of interstate highways, along with some Federal support—and one of those functions is national defense.

The minority leader was just talking about delays, delays, delays, and how we are not getting anything done. My colleagues and I have been standing around here all week waiting to move on to one of the essential functions of government that has to be done every

year, and that is funding for our national security and national defense. Through the use of parliamentary maneuvers, the minority leader, who was just talking about not getting anything done, is the reason we are not getting it done.

I can understand that there is an issue that the other side doesn't think should go forward and they want to use senatorial privileges and procedures to stop it from going forward. I mean, that happens on both sides of the aisle. But national defense is something for which we have bipartisan support. In the end, this bill will probably pass 98 to 2 or 100 to nothing.

What the minority leader didn't say is that every Democrat on the defense committee, after spending hundreds of hours putting this together, supported it.

The minority leader comes down here and says: We don't know what is in it. His own people wrote this legislation, along with Republicans, and in the end, the committee sanctioned it by voting for it. Every Democrat on the committee voted for this bill, and now the minority leader comes down to the floor and says: We don't know what is in it. Why don't you talk to your own people? Why not talk to the people you have assigned to this committee?

I can understand why he doesn't want to read every word of this bill—I don't think he reads every word of any bill—but I don't understand why he is using that tactic to keep us from going forward with something the Federal Government must provide for—our defense—at a time when threats are as high as we have ever seen. The world is on fire, and we need a strong national defense. Both Democrats and Republicans understand that, and yet we have wasted an entire week because the minority leader has used procedural motions to keep us from even talking about the bill. This isn't passage of the bill; this is not amending the bill; this is about the ability to come here and start talking about the bill.

I didn't come down here to discuss this particular issue; I came down here to talk about how money that is sent here by taxpayers is used and the waste and misuse of that money. But you can't sit here very long and listen to the minority leader without some response to his nonsensical approach on this issue. The only good news is that very few people were watching, so what difference does it make? I am here to talk about the waste of the week. I hope the pages enjoy this one. You can't make up some of this stuff.

The Government Accountability Office has the accountability of what we do with taxpayer dollars, and they keep pouring stuff out of here through the inspectors general, whose job it is to make sure the taxpayer dollars are spent accordingly for what they need

to be spent for, and they have a category called waste, fraud, and abuse.

I have just been scratching the surface of the waste, fraud, and abuse of hard-earned taxpayer dollars. Those dollars ought to go into the savings of our taxpayers and not sent here to Washington to be wasted. I have been down here 44 times talking about separate wastes of the week, and it is outrageous. If this body does anything, we should take the word of those in the government who have pointed at agencies that have incorporated waste, fraud, and abuse and deal with it.

Here we go with "Waste of the Week" 44. It is called the solar field of death. It sounds like a movie—solar field of death. This week we are looking at a solar powerplant that puts taxpayers on the hook for \$1.5 billion.

Here is the history. In 2011 the Department of Energy provided a \$1.5 billion loan guarantees for the development of a solar thermal field in California called Desert Sunlight. We all know there is a lot of sunlight in the desert. It is one of the largest solar fields in the world. But most of us understand—and we see these solar fields and solar panels on top of some houses and commercial buildings—that these solar panels absorb sunlight and turn it into energy, and that is an alternative energy to what we usually get from a powerplant burning coal, gas, or whatever.

Environmentalists like this because it doesn't use coal. There has been a war on Coal and a war on fossil fuels, but what really surprises me is the war on natural gas, which has just a fraction of the carbon emissions that come out of fossil fuel. Nevertheless, alternative energy is something the government has been pursuing, but we would like them to pursue that in a way that is economically feasible and doesn't put the taxpayer at such great risk.

Well, the Obama administration essentially, in its war on coal, has said: Look, go on out there, and we will put up loan guarantees. Do your thing. Experiment, et cetera, et cetera, et cetera, and if it fails, don't worry—the taxpayer will back it up because we have given a guarantee to some of these companies with ideas.

Some of the ideas have worked, some have been cost-effective, but many fewer than people thought. This one was supposed to be the ultimate. They said: Let's go out in the desert. The Sun shines all the time, and we will not put solar panels out there, but instead we will put out mirrors.

Here is a picture of it out in the desert. There are literally hundreds of thousands of mirrors out there all directed at this tower. This tower then reflects the heat bouncing off the mirrors all directed in here toward the tower, which then boils water and then it produces through a steam turbine that energy and send it out over the

wires to light up homes, factories, and provide electricity for people in California.

That sounds pretty straightforward. Maybe it is a good idea. It probably would have been good if they tested it out before they put the mirrors out there. If they had done that, maybe they would have learned some things.

What was the first thing they learned? Nobody seemed to factor in that the Sun doesn't always shine in the desert because sometimes there are clouds. As it turns out, one-third of the power they thought they would get they don't get because it is cloudy. You would think somebody would have said before the government offered a \$1.5 billion guarantee: What about the cloudy days? They projected how much energy can be gotten to light up and provide electricity for California when the Sun is shining, but they are operating on the basis that the Sun is always going to be shining.

How about nighttime? How much light or heat are we going to get directed toward those mirrors from the Moon? Not very much, if anything. Clouds came to be a factor, and what we found out is that the plant is producing only about a quarter of the energy that was originally envisioned.

I am not a scientist, and I am not somebody who has a specialty in alternative energy, but I think I would have had the gumption to say: How about clouds? Are these projections that you have made regarding the kind of energy that is going to be produced going to be cost effective so that the taxpayer is not on the hook? Apparently, somebody didn't figure that out because we are only getting a quarter of what we thought we were going to get out of it.

What the company did is say: OK. We are not getting what we wanted, but we need an extension. We need extensions on payments to the Federal Government because the plant isn't generating the kind of energy needed and therefore not getting the kinds of profits from the users of electricity for us to pay back the loan. So the Obama administration said: Yes, we are for alternative energy. Go ahead. We will extend this. They did extend the payments. Earlier this year, the California Public Utilities Commission gave the plant a lifeline, giving it 1 more year to fix the problems.

Another problem was that while production improved, the average price for a megawatt hour of electricity from the plant was \$150. Compare that with the price for a megawatt, the same amount of energy, on natural gas, which is \$35. The customers said: Wait a minute. I am paying a utility bill at the rate of \$150 per megawatt hour of electricity, and if we were using natural gas, we would only pay \$35. So what is the deal here? It turned out that alternative energy, while it is alternative, also is not cost effective.

The assumption is that we are saving on carbon emissions. OK. Well, that didn't work either. For starters, it takes the boilers that they have to heat up because, of course, it is nighttime and the mirrors aren't reflecting any Sun that reflects heat that causes the water to boil and then to be used to turn the turbines to produce electricity. It takes 4.5 hours every day to get up to speed. Guess how they do that? They have to use natural gas to get it to the point where then the Sun can add more to it. Maybe somebody didn't figure that out, either.

In 2014, the plant emitted 46,000 metric tons of carbon—nearly twice the amount of carbon that power plants can emit under California State law. So the State said: Here's the limit of what you can emit in carbon, but thank goodness we have this solar field because that doesn't issue any. Well, it issues twice as much as what they were getting out of natural gas. That apparently didn't get figured in.

People say: Well, there is an environmental advantage here. This environmental advantage means we don't have to put carbon in the air, and it is going to be a much cleaner source of energy, and there will not be any adverse effects on the environment. They have to also factor in that there are birds that fly in the air—a lot more birds than you might think. The heat has killed over 3,500 birds each year. They fry to death because there is so much heat reflected from those mirrors, and it is a huge field. The birds are probably attracted to the light, and by the time they get into this field, it is like going into a deep fat fryer.

In Indiana there is a saying that if you can fry it, you can eat it. I have seen pictures of these fried birds. Trust me, we don't want to eat them. But \$1.5 billion in taxpayers' money has been spent for a solar field of death that kills thousands of birds each year, doesn't produce much energy, and then, finally, sets itself on fire. I am not making this up. They had the mirrors redirected the wrong way, so it hit the cables that were providing the source for the energy to go down, and the cables caught on fire. I had a picture with the tower on fire, but we didn't bring it down here.

What a boondoggle. I mean, look, is this interesting? Yeah. Is this funny? Yeah, but this is taxpayer money. This is a waste of \$1.5 billion of taxpayer-guaranteed money. This is money that people send to Washington after a hard week's work. So, while it is interesting to talk about fried birds and mirrors redirecting the energy to the tower that catches on fire, the clouds coming over, and so on and so forth, the serious issue here is it is yet another waste of taxpayer money.

Think what this \$1.5 billion could be used for if it could be left in the hands of the taxpayer for whatever use—to

pay the mortgage, send the kids to school—or if it could be used for common defense, protecting the American people from terrorist attacks or essential functions or repairing bridges or paving some roads.

It is like driving in a third world country here in Washington, DC. There are potholes one wouldn't believe—cracks in the roads. Bumping along, I see people's hubcaps flying off cars and people pulled over to the side because their tire is blown out. I blew out two tires a year ago for the same reason.

No environmental activist, fiscal conservative, or rational person should continue to support solar field of death. So I am labeling this as a waste of the week. The Obama administration continues to refuse to admit any of these half-baked—in this case fully fried—ideas that don't succeed. They are continuing to advocate for the solar field of death rather than put taxpayer money to better use.

So here we go, adding \$1.5 billion to a waste of taxpayer money, putting us to \$172 billion of accountable money spent through government agencies' waste, fraud, and abuse.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, are we in morning business?

The PRESIDING OFFICER. The Senate is postcloture on the motion to proceed.

Mr. HELLER. I ask unanimous consent to speak as in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEMORIAL DAY

Mr. HELLER. Mr. President, every day that I drive into Washington, DC, coming here to work, I pass by the Iwo Jima Memorial and Arlington National Cemetery. It is a humbling reminder of the valiant men and women from across this Nation who have answered the call of duty in two world wars, the wars in Korea, Vietnam, the Persian Gulf, Iraq, Afghanistan, and numerous other conflicts waged to keep America free. It constantly reminds me that the ongoing fight to care for our Nation's veterans is my duty and my responsibility as a Member of the U.S. Senate.

These fearless warriors had moms and dads of their own. They had sons, daughters, loved ones, neighbors, and friends, but they selflessly made the ultimate sacrifice for all of us.

They stood against tyranny, fought oppression and injustice, defended liberty with the highest measure of honor, valor, and courage. They demonstrated the greatest love a person can have by laying down their lives for our country.

The greatest honor we can bestow on our men and women in uniform and their families is to remember their im-

measurable sacrifice. While we carry on the tradition of Memorial Day, let us never forget that every day is a chance to thank and honor our patriots in uniform.

Last week I had the honor of attending the final sendoff for two of Nevada's very own at Arlington National Cemetery. I would like to speak about one of them. His name is Bob Wheeler.

Bob Wheeler was a patriot in every sense of the word. He joined the U.S. Air Force in November of 1962, serving in the pararescue career field. He was recognized as a true innovator in his leadership position, opening the door for free-fall parachuting and combat tactics. He led by example, working diligently and earnestly to help those around him and to protect our country.

Bob was credited with saving 28 lives throughout his career, including vulnerable aviators who had crashed and distressed seamen in the Vietnam war.

He received the Distinguished Flying Cross for Valor, the Airman's Medal, numerous commendation medals, 17 Air Medals and SEA Service ribbons. His 20 years of service and bravery will never be forgotten.

These are the types of men and women our armed services are made up of, and they live across this Nation in each and every State representing us in this body.

I had the pleasure of working with Bob Wheeler personally. He served on my Nevada Veterans Advisory Council. We worked as a team along with the rest of the council to help improve resources for Nevada's veterans community. His firsthand knowledge of combat and veterans' needs cannot be replicated. He was one of a kind, and I am thankful to have had him as an ally helping Nevada's veterans.

That is why I am disappointed to hear the head of the VA, Secretary Robert McDonald, comparing the wait times veterans experience at the VA for health care appointments to the wait times at Disney theme parks. It is totally inappropriate, and it is inexcusable. It shows there is still a culture and attitude inside the VA that needs to be changed. The mission of the VA should be serving the veterans, not finding ways to avoid accountability.

With the words "To care for him who shall have borne the battle and for his widow, and his orphan," President Lincoln affirmed the government's obligation to care for those injured in war and to provide for families who gave the ultimate sacrifice. Congress will do this by working diligently on behalf of those who served and survived, which is why one of the greatest privileges of serving Nevada in this body is the opportunity to sit on the Senate Veterans' Affairs Committee.

Recently I joined my colleagues to introduce the Veterans First Act. It focuses on improving the delivery of care and benefits to our Nation's veterans

and their families. Specifically, I championed causes that reform the VA disabilities claims process and create a system that can withstand surges in disability claims without generating another claims backlog.

I also sought to implement a new, voluntary 5-year pilot program to help reduce the large backlog of appeals at the Veterans Benefits Administration. I want to establish a new channel whereby veterans can expedite their appeal instead of having to wait 2 to 4 years for a decision by the Board of Veterans Appeals.

Finally, I want to ensure that all those veterans and their families are cared for, which is why this bill includes provisions to reimburse VA-funded shelters for the care of children of homeless veterans.

On behalf of the State of Nevada, the U.S. Senate, and the United States of America, I express my sincere gratitude to the families of all Nevadans who have given their lives in the line of duty. I assure you that your loss will never be forgotten, and I thank and commend each of the brave Nevadans currently serving in our Armed Forces, as well as their families, for their sacrifice. But my gratitude extends across the Nation to all veterans and their families. We owe all of you a debt of thanks that can never be repaid.

May God bless our troops, and may He continue to bless this great country.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mrs. BOXER. Mr. President, we are working behind the scenes to allow a vote on H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. My understanding of the status of this vote is that we are fine on the Democratic side, but there is an objection to moving to it on the Republican side. I am hopeful this can be resolved because this bill has been the most complicated, difficult, and emotional journey that I have ever had in the Senate.

The fact that we have reached agreement—the vast, vast majority of us—showed in the House vote, where I think there were only about 1 dozen “no” votes. I think it is ripe for a vote. When you talk about regulating chemicals—toxic chemicals—it is not just an academic discussion. It has real-life consequences. When you name a bill after Senator Frank Lautenberg, who fought for the environment all of his life, it better be a bill worthy of his name.

The cost of toxic chemicals to society is enormous. It is not only in terms of dollars but in terms of pain and suffering. They have extracted a very, very high cost on our people.

Let me give you a few examples, because sometimes we talk in technicalities. I want to talk in realities. Asbestos is one of the most harmful chemicals known to humankind. It takes 15,000 lives a year. It is linked to a deadly form of lung cancer called mesothelioma. That is when microscopic asbestos fibers, which are invisible and stay suspended in the air, get deep into the lungs of so many people, including children. They breathe these fibers deep into the lungs, where those fibers cause serious damage.

Another example brought to me by my brave firefighters in San Francisco is flame retardants. That is another category of dangerous chemicals that has been linked to a wide array of serious health problems, including cancer, reduced IQ, developmental delays, obesity, and reproductive difficulties. These harmful chemicals have been added to dozens of everyday items such as furniture and baby products.

Now, we know there are flame retardants that are way safer. We know we can do better than we have done so far. Again, I want to say that the San Francisco firefighters who gave testimony in my EPW Committee when I was chairman about the cancer rates they are experiencing believe it is directly related to flame retardants.

So, again, reforming TSCA, which is the Toxic Substances Control Act, is not about a theory. It is about our families. It is about being a part of a cancer epidemic that we have to get under control.

Now, we know that the TSCA bill, as it was written so many years ago—in the 1970s—was very weak. It was impossible for the EPA really to regulate any chemical because the standard was so weak. They could not prove that it needed to be regulated.

Therefore, that bill has needed to be reformed for so many years. When the Federal Government, in essence, had no program or very little program, the States stepped in to fill the void. My State, thankfully, was one of the States that stepped in to fill the void. Several States did so. About a dozen States, roughly, had strong programs to regulate these chemicals.

So I knew that these States were doing a good job. I knew if we were to pass a Federal bill, we had to allow the States to continue their good work. But when the Lautenberg-Vitter TSCA bill was first introduced, shortly before Frank Lautenberg passed away in 2013, something was terribly wrong. There was total preemption of State action.

The standard for the Federal bill was so weak that we would just have nothing going on. We would have a bill in name only, a law in name only. Nothing would be able to be regulated. Now, I had worked previously with Frank Lautenberg on four TSCA bills dating back to 2005. Every one of those bills before that 2013 Lautenberg-Vitter bill

was strong and took the side of the American people, not the chemical companies. It never preempted the States.

What it basically said is that we will set a floor, as we do in most environmental laws. If the States want to do more to protect their people—whether your State is California, North Dakota, South Dakota, Washington, Massachusetts, or New York; it does not matter—the States would be free to do more if they felt a particular chemical was harming their population.

I always thought that States' rights were big around here. Well, when you read that bill, in 2013, I will tell you, it looked like it was written by the chemical companies. I could never support it. That bill was a travesty. It was a disaster. I fought it every step of the way. Again, there was sweeping preemption of my State's ability and every State's ability to protect citizens from harmful chemicals.

Again, it was a very weak standard for evaluating chemicals. The way it worked was really incredible. If a chemical was just being looked at by the EPA, States were out of the picture—out of the picture. So, S. 1009, in my opinion and in the opinion of many experts who helped me throughout all this—the nurses and doctors who cared, all kinds of wonderful environmental groups, and the Breast Cancer Fund; and I will list those later—they helped me. I realized again that that bill—that original bill—would have had no controls whatsoever and given the chemical companies the green light to do whatever they wanted regardless of its impact on the health of our people. Again, the States were left completely out of the picture the minute the EPA announced they were looking at a chemical. That situation, I could never have allowed to continue.

I stopped the bill from moving forward while I negotiated to get rid of its flaws. Now, this is the first time I have ever stood here and said I stopped a bill. I am known as a legislator. I want to find the sweet spot. But we didn't find the sweet spot until just recently, I am happy to say. But it was a very lonely battle at times—just a couple of people working with me here. One person even said I was the most unpopular person because I was not getting out of the way. But that is not why I am here. I can't get out of the way of a bad bill.

Now, when the Republicans took the gavel of EPW, the Environment and Public Works Committee, a new bill, S. 697, was introduced by Senators UDALL and VITTER. I looked at that bill. I swear, I said it looked like it was written by the chemical companies. Again, I was heartbroken. Sure enough, a story broke in the Hearst newspapers entitled: “Questions raised on authorship of chemicals bill.”

I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Hearst Newspaper, Mar. 16, 2015]

QUESTIONS RAISED ON AUTHORSHIP OF
CHEMICALS BILL

(By David McCumber)

WASHINGTON.—It's certainly well-known in Washington that when it comes to the making of the sausage, lobbyists frequently have their thumbs in the pork. But usually, they don't actually leave their electronic signatures on bills.

The elaborately titled Frank Lautenberg Chemical Safety for the 21st Century Act makes its debut at a Senate Environment and Public Works Committee hearing Wednesday. It's a high-stakes bill: If it becomes law, it would be the first update in 39 years of federal regulation of toxic substances like asbestos, formaldehyde and hundreds of other chemicals.

In recent days, a draft of the bill—considered the product of more than two years of negotiation and collaboration between Sen. David Vitter, R-La., Sen. Tom Udall, D-N.M., and both chemical industry and environmental groups—was circulated by Udall's office ahead of the hearing. The draft bill, obtained by Hearst Newspapers, is in the form of a Microsoft Word document. Rudimentary digital forensics—going to “advanced properties” in Word—shows the “company” of origin to be the American Chemistry Council.

The ACC, as the council is known, is the leading trade organization and lobbyist for the chemical industry. And opponents of the Vitter-Udall bill have pounced on the document's digital fingerprints to make the point that they believe the bill favors industry far too much.

“We're apparently at the point in the minds of some people in the Congress that laws intended to regulate polluters are now written by the polluters themselves,” said Ken Cook, president of the Environmental Working Group, who will testify against the bill at Wednesday's hearing.

“Call me old-fashioned, but a bill to protect the public from harmful chemicals should not be written by chemical industry lobbyists. The voices of our families must not be drowned out by the very industry whose documented harmful impacts must be addressed, or the whole exercise is a sham,” Sen. Barbara Boxer, D-Calif., said Monday.

Boxer, who chaired the committee when the Democrats held the majority, and Sen. Edward Markey, D-Mass., have introduced an alternative version of the bill with much more stringent regulatory provisions.

Udall's office was a little indignant and somewhat embarrassed Monday. “That document originated in our office,” said Udall's communications director, Jennifer Talhelm. “It was shared with a number of stakeholders including at least one other senator's office. One of those stakeholders was the ACC.”

“We believe that somebody at the ACC saved the document, and sent it back to us,” Talhelm said, accounting for the digital trail. “Sen. Udall's office has been very, very engaged with bringing various stakeholders to the table as part of the process of writing the best possible bill,” Talhelm added. “This is just one example.”

Earlier this month, a New York Times story detailed Udall's alliance with the chemical industry on the bill. In that story, ACC President Cal Dooley, a former California Democratic congressman, said “the

leadership (Udall) is providing is absolutely critical” to the industry.

On Monday, ACC spokeswoman and vice president Anne Kolter said, “It doesn't mean the original document was generated here. Anyone could have put that (digital signature) in there. You could change it.”

Asked if that meant she was denying ACC wrote the document, she said, “I have no idea. . . . There's no way for anyone to tell.”

“You're not the first reporter to ask about this,” she said. “We've been able to raise enough questions” that nobody else has written about it, she added.

Cook of the Environmental Working Group said the copy of the draft he received bore the same electronic signature, and a Boxer staffer on the committee confirmed that their copy did as well. A Senate IT staffer told Boxer's office, “We can confidently say that the document was created by a user with American Chemistry Council. Their name is specified as Author and their Organization is specified as American Chemistry Council.”

The Vitter-Udall version of the bill is expected to gain enough bipartisan support to pass out of committee to the Senate floor.

The bill's fate from there is uncertain, and some of the Boxer-Markey provisions could possibly be included in the final bill.

In its current form, the bill is opposed by many environmental, health and labor organizations and several states, because it would gut state chemical regulations.

Mrs. BOXER. According to this story:

[T]he draft bill, obtained by Hearst Newspapers, is in the form of a Microsoft Word document. Rudimentary digital forensics . . . shows the “company” of origin to be the American Chemistry Council.

Imagine: The bill that was being circulated came right out of the computer of the American Chemistry Council. How could anyone believe it was a fair and just bill that protected the public? That document was not simply a set of comments by the chemical industry. It was circulated as the most current draft of the bill at the time. Everyone will see the story, and I commend the reporter for doing this deep investigation. But I never gave up on the bill. I continued to negotiate with my colleagues.

I commend Senators WHITEHOUSE, MERKLEY, and BOOKER. They went forward and negotiated some significant fixes to that disastrous bill as it moved through the EPW Committee. Their improvements were very important but still many serious flaws remained. My State of California and other States that had programs to regulate chemicals and all these public interests—probably 450 public organizations that protect the health of our children, of our families, of our elderly, of our disabled—were all strongly against it.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of letters from States and many organizations demonstrating the opposition to and concern with the bill.

You can see what the opposition was, and still colleagues said: No, no, no, Senator BOXER, you are unreasonable. Well, really, was I unreasonable when we had letters against the bill and let-

ters expressing concern from the Massachusetts attorney general; letters from the attorneys general of New York, Iowa, Maine, Maryland, Oregon, and Washington; a letter from the Office of the Attorney General of California; the California Environmental Protection Agency; the Washington State Department of Ecology; the Vermont attorney general; a letter from Safer Chemicals, Healthy Families; the American Association for Justice; the Asbestos Disease Awareness Organization; a letter from the Breast Cancer Fund; the American Sustainable Business Council Action Fund; the Environmental Working Group, which opposed it; 25 law professors; health care organizations; the Union of Concerned Scientists; the Environmental Health Strategy Center; Safer States; Earthjustice; Seventh Generation; a reproductive health letter; and a letter from the Center for Environmental Health? They are all in here.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTERS OF CONCERN ON S. 697

Letter from Massachusetts Attorney General Maura Healey

Letter from the Attorneys General of New York, Iowa, Maine, Maryland, Oregon, and Washington

Letter from Brian E. Nelson, General Counsel, Office of California Attorney General

Letter from the California Environmental Protection Agency (Cal EPA)

Letter from Washington State Department of Ecology

Letter from Vermont Attorney General's office

Letter from Safer Chemicals, Healthy Families

Letter from American Association for Justice (AAJ)

Letter from Asbestos Disease Awareness Organization

Letter from the Breast Cancer Fund

Letter from the American Sustainable Business Council Action Fund

Letter from the Environmental Working Group

Letter from 25 Law Professors

Letter from Health Care Organizations on S. 697

Letter from the Union of Concerned Scientists

Letter from Environmental Health Strategy Center

Letter from Safer States

Letter from Earthjustice

Letter from Seventh Generation

Reproductive Health Letter

Letter from Center for Environmental Health.

Mrs. BOXER. The history of this bill must be made permanent in the record. It started out as a disaster, and it got to a point where it is better than current law. That makes me very happy. The negotiations on the bill continued. Again, several Members helped us, and we still had problems with the bill.

We tripled our efforts to improve it. I want to say that the 450 organizations that were part of the Safer Chemicals, Healthy Families coalition worked

with me. They were the wind at my back.

My staff, the EPW staff director and chief counsel, Bettina Poirier, and my senior policy adviser, Jason Albritton, were incredible.

I also thank the Asbestos Disease Awareness Organization.

As I said before, asbestos is one of the most dangerous chemicals in existence today. It is the poster child for the failure of the old TSCA law that we are reforming.

These organizations and States stood strong despite enormous pressure. They took a lot of heat. I am so grateful to them for their persistence because—let's be clear—without their persistence, without just a few lawmakers who had the courage to stand up to the special interests, we never ever would have been able to negotiate improvements to this bill—so many improvements to this bill.

I want to be clear that a lot of these organizations still think the bill is too weak and still would like to see it stronger, and so would I.

If I could write this bill myself, I would use the usual formula we have for environmental laws. We set a standard. We set a floor. People have to abide by it. But if the States feel they can do more, they should be able to.

In this bill, although the States now have a tremendous amount of leeway, they don't have 100-percent leeway. That is why there is still opposition—not so much in the Senate but with some of the organizations. But I have to say to them that this is a bill that I believe is better than current law.

There was a 24/7 commitment from my staff. They worked Friday nights, Saturdays, Sundays—constantly. They constantly worked well with Senator INHOFE's staff to get the best bill we could.

My staff, as do all of us, have strong family obligations and responsibilities. So I just wish to take a minute to thank their families for sharing them with us, because they missed family time. They did it for the good of all of the children in the country, because when we control these toxic chemicals and we protect our children, it is going to help everybody.

I am for this bill because we made amazing improvements to it, and I am going to highlight these improvements.

No. 1, the first major area of improvement is in the preemption of States. I said before that if I had written the bill, I would have no preemption. I would set the floor and let the States make it even better. We were unable to get that. But here is what the facts are. The States are free to take whatever action they want on any chemical, and there are many—thousands, tens of thousands. The States are free to take whatever action they want on any chemical until the EPA has taken a series of steps to consider

a particular chemical. That is the first thing. They are free on any chemical they want until the Federal Government announces that they are studying certain chemicals.

No. 2, when EPA announces the chemicals they are studying, the States are still not shut out. They have up to a year and a half to take action on these particular chemicals to avoid preemption until EPA takes final action. So if there is no chemical being studied, they can study any chemical in the States, and they can control any chemical. When EPA announces steps, they still have a year and a half to ban that chemical until we see the results of the Federal Government.

No. 3, even after EPA announces its regulation, the States can still have a waiver so they can still regulate the chemical. They will have to make the case. For example, if the EPA decides to do very little regulation of a chemical that is very present in one of our States because of perhaps the oil industry or fracking or something and if the State has a reason to do more, it can go get a waiver. We made that waiver a lot easier for States than when it originally came to us.

The first 10 chemicals that EPA evaluates under the bill are also exempted from preemption until the final rule is issued. This is very important because the EPA is already studying about 10 chemicals. State or local restrictions on a chemical that were in place before April 22, 2016, will not be preempted. So if any one of your States took action on a chemical before April 22, 2016, they will not be preempted.

The second area of improvement concerns asbestos. I fought hard to ensure that dangerous substances like asbestos are prioritized to get the attention they deserve from regulators. I talked about asbestos as one of the most harmful substances known to humankind. I believe it should have been banned a long time ago. I support an immediate ban and will introduce a standalone bill to do just that. But the prioritization in this bill is a start.

The third area of improvement includes cancer clusters. We added a provision—which was based on my bill with Senator CRAPO, the Community Disease Cluster Assistance Act, or Trevor's Law—that provides localities that ask for it a coordinated response to cancer clusters in their communities.

I wish to say to Trevor, who may be listening: Thank you, Trevor. He came forward and he told his story.

Fourth, persistent chemicals that build up in the body are a priority in this legislation.

Fifth, the bill ensures that toxic chemicals that are stored near drinking water are prioritized. Remember that in 2014 West Virginia lost their drinking water supply because there were chemicals stored right near that

drinking water supply, causing havoc and disruption.

I thank the two Senators from West Virginia for supporting me on that.

Sixth, the bill enables EPA to order independent testing if there are safety concerns about a chemical, and those tests will be paid for by the chemical manufacturer. The EPA, if they have concerns, regardless of their program, can go into a chemical company and say: We see that you have been using this chemical more, and we are worried about it. We order you to provide for us a very unbiased, independent analysis of whether it is safe.

I thank Members in the House for working hard with us on this important improvement, and that is Members on both sides of the aisle.

Finally, even the standard for evaluating whether a chemical is dangerous is better. The bill requires EPA to evaluate chemicals based on risk—not cost, risk—and considers the impact on vulnerable populations. This is very critical because the old law was useless. It was thrown out in court.

All of these fixes make the bill better than current law.

Looking forward, I think it is important to note that the new TSCA law—which I am so hopeful will pass today, if we can—will only be as good as the EPA is good. With a good EPA we can deliver a much safer environment for the American people, safer products, less exposure to harmful toxics, and better health for our people.

With a bad EPA that does not value these goals, not much will get done. But if there is no action—I want to underscore this—States will be free to act and that is a very important point. My message to the States is this: Do not dismantle what you have going. Rev it up because you still have the ability to be leaders on protecting your citizens from toxic chemicals.

Compared to where we started, the improvements in this bill provide a much better balance between the States and the Federal Government. But let me be clear again, in case I wasn't clear enough. If I had written this bill on my own, I would have modeled it after other environmental laws, such as the Clean Air Act and the Safe Drinking Water Act, where the Federal Government sets a floor and the States are free to set a higher bar. The bills that I worked on with Frank Lautenberg did not put an unprecedented ceiling on how much we could protect the people. Having said all of that, there are so many chemicals out there that are not being looked at or studied.

I believe a good EPA, working with the States, can make a major improvement if this bill is carried out with a sense of purpose and commitment. The journey to this moment has been the most difficult journey I have ever had to take on any piece of legislation.

I see the majority leader on the floor. He and I worked hard on the transportation bill, and that was a long and

winding road. This one was much more difficult.

But I can honestly say to you today that there were so many committed people in the Senate and House—Members of both parties. I really do have to give a shout out to Leader PELOSI, the Democratic leader, to STENY HOYER, to FRANK PALLONE, and to all of those on the House side who worked so hard, and to their counterparts in the Republican Party. In the Senate, there is Senator INHOFE, and there are Senators from my committee from both sides of the aisle without which we would not be here. To the staffs, to the public interest organizations, and to the States, we have scored a significant step forward for the American people.

I hope this bill will come before us today. If it does, I will vote yes. If it comes to us after recess, I will vote yes.

But I really wanted to make this statement because I think the history of this bill is clear to me. I think that history is being rewritten by some about this bill. And I wanted to make sure I put into the RECORD all the problems we had at the beginning and all the improvements we obtained at the end.

I thank the Chair for his patience, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

Mr. UDALL. Mr. President, recently we have had some very welcoming news out of the House of Representatives on the Toxic Substances Control Act. The House passed that in the last several days 403 to 12—a wonderful, large, bipartisan majority—and I am glad we are going to proceed to TSCA sometime soon and deal with the legislation on the Senate floor.

Mr. President, most Americans believe if they buy a product at the grocery store or a hardware store, the government has tested it and determined it is safe. Until now, that has not been true. We are exposed to hundreds of chemicals in our daily lives. In countless ways we can breathe, eat, and drink chemicals. They can be absorbed through our skin, even from common household items. Some are toxic, but almost none are regulated.

Let me cite now a couple of examples. There are flame retardants in your sofa and in other furniture that get up into the air when pressure is put on the furniture. There is formaldehyde in pressed-wood floors and carpets, glues and adhesives even in noniron shirts. There are the PFOA

compounds from the nonstick coating on your frying pans and bakeware. Most water bottles are BPA-free now, but you still find BPA in your credit card receipts. Some laser printers give off ultrafine particles like volatile organic compounds that can cause serious health problems. I could go on and on and on with the list of chemicals out there in our society that citizens are exposed to every day.

As a result of that exposure, we carry these chemicals around in our bodies, even before we are born, but we don't know the full impact they are having on our health because in the last 40 years only a handful have ever been reviewed for safety. The EPA lacks the ability to evaluate and the authority to regulate, even though some have linked many of these chemicals to various kinds of diseases, such as cancer, infertility, Parkinson's disease, diabetes, hyperthyroidism, and other diseases that are out there.

Infants, pregnant women, the elderly, and workers exposed to chemicals on the job are particularly at risk for chemical exposure. For example, we have seen an increase in cancer rates among firefighters who get exposed to chemicals from smoldering furniture in house fires.

That is why we must pass the Frank R. Lautenberg Chemical Safety for the 21st Century Act. It will be a working chemical safety law for the whole country—for our families, for our children. We will, for the first time, have a cop on the beat when it comes to safety and protecting our children and our communities from dangerous chemicals. For the first time in 40 years, we are going to have that cop out there working hard to make sure our families are safe.

Getting here has taken years—years of negotiations and collaboration, working with stakeholders across the country. Now, Congress can send the President a strong, bipartisan environmental reform bill, and he will sign it into law. There is no doubt about that from the statement put out by the administration on this bill. In fact, I think they called it landmark reform by the Congress.

The EPA has commented on the bill. They stated:

[This bill] is a clear improvement over current law and is largely consistent with the administration's principles for TSCA reform. Critically, the bill would address the fundamental flaws that have hindered EPA's ability to protect human health and the environment from chemical risks.

The administration has also put out a statement of policy saying that it "strongly supports" this legislation.

Americans have been calling out for this reform for decades. They understand we need a national solution to our broken chemical safety law because they have seen the impacts firsthand, like Dominique Browning, who

works with Moms Clean Air Force. She survived kidney cancer and now wants a safer place for her kids. When she asked her doctor what caused her illness, he said:

It's one of those environmental ones. Who knows. We are full of chemicals.

And Lisa Huguenin. Lisa is a Ph.D. scientist who has done work on chemical exposure at Princeton and Rutgers and at the State and Federal level, but it isn't what she saw at work that motivated her to work for reform. It was what she saw at home. Lisa's 13-year-old son Harrison was born with autism and other autoimmune deficiencies. Five years ago, Lisa testified before Senator Lautenberg's subcommittee on the need for reform. Since then, her husband Marc has undergone tests for a rare and newly discovered disease that wasn't even known to exist when she testified. So she is eager to see TSCA reform be signed into law.

Lisa recently wrote to me and said:

The concerns I expressed 5 years ago remain today. I have no way of knowing if the household products that I use or the toys my son plays with are really safe because the chemicals that make them up are not rigorously tested and there is little or no information regarding them. And if I, a person well educated in the field of human exposure to chemicals, cannot be confident that I am keeping my family safe, then neither can the average person.

My office has appreciated Lisa's emails and photographs of Harrison dressed as a broccoli for Halloween and of Marc playing his favorite guitar. They have inspired us to keep going, to recognize that this legislation has a tremendous impact on real people. Thanks to Lisa and Dominique and the many others who care about a safe environment, healthy kids, the safety of the clothes we wear, the pots and pans we cook with, and the substances we breathe, we finally have an opportunity to pass a law that will keep our kids safe from dangerous chemicals.

TSCA was enacted in 1967 and was one of the major laws of the 1960s and 1970s. That was when Rachel Carson and environmental leaders who worked with her opened our eyes. They showed us how air pollution, water pollution, and chemicals in our environment were affecting our health and changing ecosystems right in our backyards. TSCA was supposed to protect American families, but it didn't.

Since 1976, thousands of chemicals a year have been manufactured and released onto the market without a safety evaluation and without meaningful regulation. In over four decades, the EPA has been able to restrict just five chemicals and has prevented only four chemicals out of tens of thousands from going to market. It took 40 years to fix this broken system. Now we have historic reform—decades in the making and decades overdue.

Here are some of the ways we are reforming this broken law and replacing it with a working safety program:

Under the old TSCA, reviewing chemicals was discretionary. This new law requires that EPA methodically review existing chemicals for safety, starting with the worst offenders.

The old TSCA required that the EPA consider the costs and benefits of regulation and then study the safety of chemicals. This new law requires that the EPA consider only the health and environmental impacts of a chemical, and, if they demonstrate a risk, the EPA must regulate it. This new law states that when it considers the safety of a chemical, the EPA must evaluate how it would impact the most vulnerable—pregnant women, infants, the elderly, and chemical workers.

The old TSCA put burdensome requirements on the EPA. To test a chemical, the EPA had to show it posed a potential risk, and then it had to go through a long rulemaking process. Our new law gives the EPA new authority to order testing without those hurdles.

The old TSCA allowed new chemicals to go to market without any real review. An average of about 750 new chemicals flowed onto the market a year. This new law would require the EPA to determine that all chemicals are safe before they go to the market.

The old TSCA allowed companies to hide information about their products, claiming it is confidential business information even in an emergency. This new law will ensure that companies can no longer hide. States, medical professionals, and the public will have access to this information. It ensures that businesses must justify when they keep information confidential, and that will expire after 10 years.

The old TSCA underfunded the EPA, so it never had the resources to do the job. This new law creates a new, dedicated funding stream that requires industry to pay its share—\$25 million a year.

In addition, this new law ensures victims access to the courts if they are hurt, minimizes unnecessary testing on animals, and ensures States can continue to take strong action on dangerous chemicals.

We have spent a great deal of time on the right of States to act. My colleague, Senator BOXER, has said this is one of the hardest pieces of legislation she has ever worked on. I agree with her. Finding the right balance between State and Federal was not easy; there is no doubt about it. But we stayed at the table, we worked hard, and I believe we have a true compromise. It is a compromise that creates stronger Federal tools to test, review, and regulate chemicals, that ensures States can act when the EPA is not acting, that protects the work that States have already done, and that allows States to get a waiver when there is overlap with the EPA.

Some of our colleagues have said that, while they will support this bill,

it isn't a bill they would have written. I agree. If it were up to me, I would have written a different bill. But, if it were up to me, it also wouldn't have taken 40 years for us to get to reform. And it isn't up to me. It isn't up to any one of us. Legislating, especially on complex and difficult issues—issues that affect all aspects of health, environment, and commerce—takes work, it takes patience, and it takes compromise. This bill took all the hard work, patience, and cooperation we had. The end result is a stronger regulatory program to test and assess chemicals, a stronger program to ensure that our most vulnerable children and loved ones are protected, and a stronger program that ensures the public has access to important health and safety information on chemicals.

Our colleagues in the House supported this bill, as I said earlier, 403 to 12. That is two more votes than the Clean Air Act amendment got in 1991, so it shows strong bipartisan support. This is the largest margin for a major environmental bill in decades. I believe the Senate very soon will follow suit.

This probably isn't the place to do it. I have a long list of people I would like to thank in terms of the staff effort. One of the things that is absolutely clear is our staff—all of our staff that were involved in this—worked very hard and helped us reach that perfect spot where we had a good compromise, so I will do some of those thank-yous at a later point.

But I want to say, it is very important that we realize why we named this law after Frank Lautenberg. He started us on this path. It was Frank Lautenberg. I have a picture of him here with his grandchildren. The picture was taken by his wife Bonnie Lautenberg, who is a wonderful photographer.

Frank was always motivated. He was always motivated by his children and grandchildren. He used to sit in committee, and I will never forget him asking questions very specifically: How does this impact future generations—children, grandchildren? What impact is this going to have?

He became very frustrated with the gridlock, with the problems that we were having in terms of the Environmental and Public Works Committee. So he teamed up with Senator VITTER, and almost immediately 12 Democrats and 12 Republicans joined in on that bill. I was one of the 12 Democrats.

Shortly thereafter, we lost Frank, so I decided this is something that should be picked up and continued. Frank had set such a great example, and we had some good bipartisan momentum. So Senator VITTER and I had dinner, and we decided we were going to see this through.

One of our greatest partners—and, really, our inspiration in helping us see this through—was Bonnie Lautenberg. She took her pain and agony and want-

ed to get something done; she plowed it into something positive. She has been absolutely terrific in terms of working with all of us in the House and in the Senate. I know Representative SHIMKUS in the House has said some very flattering things about her, all of which are true.

One of the things she did is help hold together Frank Lautenberg's staff, who had worked on the legislation for close to 15 years. They had various drafts over the years of chemical legislation. They knew the facts, they knew the evidence, and they knew what was out there and the dangers to the children and the grandchildren. So she worked with them, and she helped keep us on track.

It is wonderful to have her with us today in Washington, being able to see this happen hopefully today, maybe a little bit later in the day. I want to thank her so much and have her know that she really inspired us, kept us focused, and kept us on track.

I am hopeful that we are going to act very soon. I urge all of my colleagues to support this legislation. I urge the President to sign it. If we do that, we are going to be in a much better place as a country and as a society.

Mr. President, I see that my good friend Senator INHOFE, chairman of the committee, is here. They always say around here—and I know my good friend, PATTY MURRAY, told me this: You don't get a bill through this Congress without having a strong chairman, and there couldn't have been a stronger chairman than Chairman INHOFE.

Mr. INHOFE. Will the Senator yield? Before he leaves the floor, I want to get in on this because the Senator said a lot of really great things.

I don't recall at any time someone from the private sector like the Lautenbergs coming in and participating the way that she has. I really do appreciate it. I know she is around here somewhere.

But let me say this to the Senator: You came in when we lost Frank and where we all were at that time. I have to say publicly that you are the guy who jumped in there and filled the vacuum that was created by his loss. We could not have done it.

When I stop and think about all the people who are supporting this, in the years I have been here—I am talking about 22 years here in the Senate—I have never seen this happen before, where we have so much unanimity, not even on the highway bills or things we have done together. I want to make sure everyone knows that you are very much the reason where we are today. I hope we can finish this up today and make everyone happy.

I was talking to a group yesterday. In talking about this, we haven't really used the issue of jobs as we should have. They were talking about how

many—I will not name the companies—that are right now employing in places such as China, India, and other places because of the uncertainty of the definitions that we have in this country. This completely solves that. I don't think anyone has ever put pencil to how many jobs can be immediately recreated in this country, along with other things, that will be coming in the future. This could end up being the greatest jobs bill, not of the year, but of the decade.

Does the Senator agree with that?

Mr. UDALL. I very much agree with that. When it comes to innovation, when it comes to moving in the direction of creating products that are going to be sustainable over time, I don't have any doubt that this bill is going to have a huge impact. I think the thing that the Senator, as chairman, helped us do is—we always kept everybody at the table. Industry was at the table, environmental groups, public health groups. The EPA was giving us technical advice. We had the States and others. We stayed at the table and worked through the problems and created a piece of legislation that I think, when it becomes law, will end up helping to create jobs, make a safer environment, and protect our families and our children.

I will never forget when Senator VITTER and I came to you when you became the chairman at the beginning of this Congress. We told you of the bipartisan support we had, and you said right then: We are going to get on this. We are going to do this.

You have been true to your word. You have worked very hard on this. It has been an inspiration for me to work in a bipartisan way and have a strong chairman. We ran into bumpy times with the House for a while, but having a strong chairman really made a difference on this. So I thank the Senator so much.

Mr. INHOFE. I appreciate that—and personalities also. We had the far left and the far right. Everybody realized that this is something we all can agree on.

Do I understand from the Senator that Bonnie Lautenberg is here today?

Mr. UDALL. Bonnie Lautenberg is here with the Congress. We don't want to violate any of the rules. I think she is in the room with us here today. She came down today. As the Senator knows, we have a First Lady's Luncheon, and all the spouses attend that luncheon. Then in the night, all the Senators get together for the annual dinner. Bonnie Lautenberg has been here ever since then. She has been down here numerous times, as the Senator knows.

I don't know if the Senator was here earlier. I was remarking on what a great photograph this is of Frank Lautenberg. Look at the grandchildren. They all have wonderful smiles. As the

Senator knows, he always talked in committee about his grandchildren. She is a pretty incredible photographer. She took this picture.

Mr. INHOFE. Frank and I used to talk about that. I have 20 kids and grandkids. We used to compete with each other in exchanging pictures, one of the many things that we had in common.

I look forward to visiting. I look forward to making this a major accomplishment. It is so important to do it today because we have a recess coming up, the House has a recess coming up, and there are a lot of people and companies out there who are making decisions now as to what they are going to do, all predicated on their certainty that this bill is going to pass. So we will join together and just do the best we can to make that happen for the sake of a lot of jobs around the country.

Mr. UDALL. We sure will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ZIKA VIRUS

Mrs. MURRAY. Mr. President, it has now been months since President Obama first put forward a strong emergency funding proposal to respond to the Zika virus. We now know that more than 1,400 cases of Zika have been reported in the United States and territories. Just today, the Washington Post reported that according to a new study, the odds of having a child with microcephaly as a result of a Zika infection could be higher than even previously thought—as high as 13 percent for women who are infected early in their pregnancies.

The researchers who conducted the study urged health care systems to “prepare for an increased burden of adverse pregnancy outcomes in the coming years.” The CDC is already monitoring almost 300 expecting mothers for possible Zika infections. Those numbers are unfortunately only expected to grow. This is a public health emergency, and it demands action.

While it shouldn't have taken so long, Democrats and Republicans have been able to agree on a bipartisan downpayment on the President's proposal, which would get emergency funding into the hands of first responders and researchers right away. We passed that agreement last week and, unfortunately, it hasn't gone anywhere.

Senate Democrats have urged our Republican colleagues to work with us on sending our bipartisan agreement to the House for a vote, but they have said they will only agree to do that if we agree to Affordable Care Act cuts.

This is no time for quid pro quo politics or hostages. This is a time to protect our families. I am going to ask again that our Senate Republicans reconsider and join us to get this bill to the House. There, I hope that House Republicans will drop their partisan, underfunded billing and give our bipartisan agreement a vote. Then, I hope the President can sign it and we can get a serious response to this emergency underway.

Families and communities are expecting us to act. Parents are wondering whether their babies will be born safe and healthy. In Congress, we should be doing everything we can to tackle this virus without any further delay.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, sometimes I feel like our Democratic colleagues will not take yes for an answer. As the distinguished Senator from Washington knows, we have passed a \$1.1 billion appropriation to combat the Zika virus. It is something we all agree on, on a bipartisan basis.

What the Senator from Washington objects to is the fact that it happens to be attached to another appropriations bill, but the process is that now gets reconciled with the bill passed by the House and then sent to the President. The good news is, there is already \$580 million in unexpended Ebola funds that can be used as a downpayment to deal with the Zika virus.

The Presiding Officer and I have come from States where the mosquito which carries the Zika virus is present. We all appreciate the seriousness of this, and we are determined to act on a bipartisan basis. The Senator from Washington knows that, but that doesn't stop her and her colleagues from coming to the floor and making demands that we do this instantaneously.

Mr. President, to give you a sense of what is going on, we have been trying to get our Democratic colleagues to allow us to pass the Defense authorization bill all week. What we have been told is, no, they need more time to review it. Every Democrat in the Armed Services Committee voted for the Defense authorization bill. It has been posted online for some time now. Anybody who cares about what is in the bill has had plenty of time to read it. Even though the Senate voted unanimously yesterday to proceed to the legislation—which is not a word you hear often around here, “unanimous”—the bill has been stopped in its tracks by our Democratic colleagues. It is shameful because this is our primary vehicle to make sure our men and women in the military get the resources and equipment they need in order to defend the country. That is why Congress has been able to pass a

defense authorization bill every year for 50 years-plus. Taking care of our national defense is our No. 1 job in the Federal Government, but the Democratic leader and his colleagues, apparently with their complicity, have been doing everything they can to slow down this legislation. They know we are coming up on a weeklong Memorial Day recess, so they have delayed it another week before we can take it up when we return.

This also gives our men and women in uniform a pay raise, but apparently they are being used once again as a political pawn or football. It is shameful, and it is unnecessary. Somebody said: Well, it is just politics. It is one of the reasons the American people look with such disdain at what happens in Washington these days because these sorts of things—politics, partisanship—get put ahead of our duty to protect those who defend the Nation.

We will have a vote later on today to get on the bill. I know Senator MCCAIN, the chairman of the Armed Services Committee, is eager to get on this bill, to deal with the amendments. The majority leader has said the week we come back, we will not leave until we complete our work on the Defense authorization bill.

I think one of the reasons our friends across the aisle are dragging their feet on this legislation is because they are getting a little worried at the contrast between the productiveness of the 114th Congress compared to the 113th Congress when they were in charge. We know what happened then, after a disastrous election, which many incumbent Democrats lost the election because they didn't have anything to point to as a record of accomplishment because of the failed strategy of the then-majority leader from Nevada. Even Senators in the majority party didn't have records of success they could point to, to commend them to the voters for their own reelection. It was a devastating loss. The majority became the minority, and new management was put in charge.

Senator MCCONNELL, the majority leader, said he thinks it is important for the Senate to return to its regular role, considering and building consensus to pass bipartisan legislation, and that is exactly what we have done. Ironically, many of our Democratic friends, who are now in the minority, have had a greater opportunity to participate in passing legislation as Members of the minority more so than they did when they were in the majority, essentially when Senator REID shut down the U.S. Senate.

We have seen a productive Senate this year and last, notwithstanding the efforts to shut down the Defense authorization bill. For example, last week the Senate passed three bills. It passed an appropriations bill, it passed the POLICE Act—to make sure our law

enforcement officials get the training they need to, to deal with active shooter training—and we passed a bill called the Justice Against Sponsors of Terrorism Act. They all had strong bipartisan support. That last bill is making sure families who lost loved ones in 9/11 get justice—the justice they deserve, wherever the facts may lead.

The bottom line is, we are doing our dead-level best, despite the dead weight of the other side, on occasion—such as the Defense authorization bill—to stop us from making progress. I think it is pretty clear what is going on, so I will not dwell on that any longer, but my response to them is to simply stop playing politics with our men and women in uniform and drop the stall tactics. It is blatant, it is obvious to everyone with eyes in their head, and it is absolutely shameful.

COAST ACT

Mr. President, in less than a week, hurricane season will be upon us. The Presiding Officer knows that well, coming from Florida. Residents along the gulf coast will be preparing for all that a major storm might bring, including flooding, storm surges, and high winds. The hundreds of miles of Texas coast and the State's location along the Gulf of Mexico make it particularly vulnerable to hurricanes and storms. That would be Texas. Because the area is so densely populated—Houston, TX, for example, right there in the middle of the Texas gulf coast—and includes one of our Nation's busiest ports and energy hubs, the potential for major damage along the Texas coast could have significant ramifications, not just for the region but for the rest of the country as well.

When Hurricane Ike made landfall in 2008, we got a glimpse of how bad it could be. The storm caused a tremendous amount of damage as it made its way through the Caribbean, from Haiti to the Dominican Republic and Cuba. Storm surges in parts of Texas were estimated to be as high as 20 feet. Ike was the second costliest U.S. hurricane on record, causing billions of dollars' worth of damage. Sadly, it took the lives of dozens across the Caribbean and the United States.

As the hurricane season gets underway, I know many Texans have been reminded of that terrible storm and many worry about the potential damage another big storm coming through our coastline would bring. It is not a question of if, it is a matter of when that is going to happen. We need to make sure we are doing what we can to protect those on the coast and to protect our economy from the next Hurricane Ike.

I have been encouraged to see many efforts underway at the State and local level in Texas on how to develop the best plan to approach the problem. Several groups in the State are currently studying the coastline and de-

termining where Texas is most defenseless against a major storm.

In Congress, I have joined with other members of the Texas delegation to authorize the U.S. Army Corps of Engineers to assess the vulnerabilities and to propose how we can best mitigate future damage, but there is room to do more because we know this process is simply too slow. It is not as fast as it needs to be, which is why I introduced something I call the COAST Act, which stands for the Corps' Obligation to Assist in Safeguarding Texas. It is pretty straightforward.

This legislation would require the Corps of Engineers to use the data in other studies that are sound science and already completed for their planning at the State and local level. In that way, the Corps of Engineers is not just duplicating efforts and burning the clock when we can't afford to do that. So we can speed up the process so the Texas coast can get the protection it needs sooner. It would also let the final recommendations of the Corps proceed without going through numerous and unnecessary bureaucratic hurdles. In other words, once the Corps determines the best course of action to keep Texans on the coast safe, they will not have to wait for another congressional approval to authorize it. The COAST Act is a lesson in streamlining the Federal Government—something we could use more of—so that folks who may be in harm's way can get what they need faster. I want to particularly express my appreciation to Congressman RANDY WEBER on the other side of the Capitol, who has introduced a similar bill as well. I hope that as we prepare for the upcoming hurricane season, we can get this legislation passed.

CALLING FOR APPOINTMENT OF A SPECIAL COUNSEL

Mr. President, on one final matter, yesterday the inspector general's office at the State Department released a 70-plus-page report telling us what many people suspected all along. That report criticized then-Secretary of State Hillary Clinton's use of a private, unsecured email server while she was our Nation's top diplomat and having access to and processing highly classified information—some of our Nation's most confidential and classified secrets. Some people have wondered why recent poll numbers have not been kind to Mrs. Clinton when it comes to her trustworthiness. A Washington Post-ABC News national poll found that just 37 percent of the people who responded to that poll believe Hillary Clinton is honest and trustworthy, while 57 percent said they don't think she is. This is a serious problem, not just for Mrs. Clinton but for the country.

There are those who wonder why people are so upset with Washington. What they see is a culture of corruption that doesn't address some of these fundamental issues. Well, time and again we

have heard Secretary Clinton and her allies say that her use of a private email server was wholly consistent with State Department policy. But, of course, the report that was just released by the inspector general yesterday says otherwise and revealed a host of other inconsistencies.

First, the report indicates that Clinton's email use was not in accordance with State Department standards, and, more than that, the former Secretary of State neglected to get the formal approval she needed in order to use her private server.

Second, Secretary Clinton and her supporters, including the President, have maintained that her server was not a security risk, while others, such as former Secretary of Defense Bob Gates, said they were confident that our Nation's adversaries—China and Russia, well known for their cyber attacks—were taking full advantage of an unsecured server and using and gaining access to classified information which was now—in the words of Representative POMPEO, who serves on the Intelligence Committee in the House—like putting intelligence on Twitter. In effect, that is what Mrs. Clinton did. But, of course, the report from the inspector general calls all of this into question and asserts that when some of Clinton's staffers raised concerns about a potential breach to the system, the relevant security officials at the State Department were not alerted. They just weren't alerted in accordance with State Department policy. Even though Secretary Clinton has maintained that she has been fully complying with every request related to an investigation of her use of the private server, the inspector general report makes clear that the Secretary and her staff refused to be interviewed. That is not cooperating with the authorities. She can't refuse to talk to the FBI, and a number of her staffers have been, and she said she will make herself available. I bet she will because she really doesn't have any choice. But to say she is cooperating with an investigation by the inspector general at the State Department and then refusing to be interviewed is just—well, let's call it what it is—a lie.

Similarly, the report reveals that Secretary Clinton didn't turn over all of her work-related emails upon leaving office, like she said she did. She only did so almost 2 years after leaving, and the State Department basically had to demand it, even then we know she deleted—she told us this—thousands of emails before turning over those she deemed work related. I suspect the forensics experts at the FBI have been able to recover a lot of the emails that she deleted. We all know if you delete emails, they remain on the server in a digital format. The truth will come out sooner or later, but I just have to say the conduct of the

former Secretary demonstrates why people just don't trust her. Of course, the recent contradictions are just outrageous and indicate that rather than cooperation, her intention has been to obstruct the public's right to know.

This report underscores why I believe we need an independent investigation into this matter. I called for the appointment of a special counsel because it is clear that the Attorney General, who serves at the pleasure of President Obama, is going to have very little incentive or intention to pursue the appropriate investigation. So I have asked Attorney General Lynch to appoint a special counsel to provide some modest level of independence so the public can know that we have gotten to the bottom of this despite Secretary Clinton's denials and obfuscation and statements of untruth. We need to get to the bottom of it. It is absolutely critical that we do so.

I hope Attorney General Lynch reconsiders my call for a special counsel. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

OPIOID EPIDEMIC

Mr. MANCHIN. Mr. President, we have come to a crisis point in our country. In 2014, 18,893 people died due to a prescription opioid overdose. On average, 51 people die every day. What we are talking about is legal prescription drugs that are basically produced by pharmaceuticals, which are great companies. They are approved by the Food and Drug Administration, which is supposed to look out for the well-being and welfare of all the citizens of this great country. They are prescribed to us by our doctors, the most trusted persons outside of our family. Now it has become an epidemic. It is doing more harm to people than anything I know of right now.

When I talk about an epidemic, we have lost over 200,000 people since 1999, and not to raise this to the level that we should so we can fix this is ridiculous, and the trend is still going in the wrong direction. Some 16 percent more people died in 2014 than died in 2013. We have lost almost 200,000 Americans to prescription opioid abuse since 1999, as I said, and we must take action to stop the epidemic. Unfortunately, a major barrier that those who are suffering from opioid addiction face is inefficient access to substance abuse treatment.

There is not one of us in the Senate or in our States, who doesn't have somebody in their immediate or extended family or a close friend that has not been affected either by legal drug abuse or illicit drugs. If you talk to those without any means, you know they have nothing. They have nowhere to go. There are no treatment centers, and we haven't stepped up to the plate.

All of the States' budgets are taxed, if you will. Every time we do something with the Federal Government's

budget, we have to have a pay-for. We have been looking for ways to do something to make sure that every State has a sufficient amount of treatment centers to help those who need it. In fact, between 2009 and 2013, only 22 percent of Americans suffering from opioid addiction participated in any form of addiction treatment. We talked about addiction treatment. For so many years, we all looked at any type of drug use as being the crime, and we put them away. We put them in jail. We spent \$450 billion in the last 20 years for incarceration. Not one time did we look at this issue and say: This might be an illness, and an illness needs treatment, and a treatment can actually cure somebody. We haven't thought along those lines, and it needs to change.

In 2014, in my State of West Virginia, 42,000 West Virginians, including 4,000 children, sought treatment for legal drug abuse but failed to receive it. They needed treatment. They said: Please help us. Think about this. A family who has done everything, including exhausting all of their resources, has to have their child arrested and convicted with a felony so that child can go to drug court and get the treatment he or she needs. Isn't that a sad scenario? The largest long-term facility in West Virginia with more than 100 beds is Recovery Point, in Huntington. It has a waiting list that is 4 to 6 months long. This is the most successful treatment center, and it is run by former addicts. These are people who hit rock-bottom. They know what it takes. They have all come back and have been keeping themselves clean and mentoring other people. They have more of a success rate than anyone I know of in my State.

In 2014, about 15,000 West Virginians received some form of drug or alcohol abuse treatment, but nearly 60,000 West Virginians were identified as in need of substance abuse treatment and couldn't find help.

Based on conversations with West Virginia State Police, 8 out of 10 of all of their calls are drug related. Imagine if the Presiding Officer, who is from the beautiful State of Florida, should ask his law enforcement how many calls they get that are drug related. It is unbelievable. The costs are prohibitive as far as what we are spending now and how much is being taken out of our economy. These are people who have recognized they needed help and were turned away because there were not enough facility beds or health care providers in their community or they couldn't afford the pricey high-end facilities out there.

That is why I joined my colleagues this week to introduce the Budgeting for Opioid Addiction Treatment Act. This Life BOAT Act would establish a steady, sustainable funding stream to

provide access to substance abuse treatment. This is a difficult thing for a lot of my colleagues and friends on the other side of the aisle. Somehow, we have to step up to the plate and not worry about this being a tax. There are those who have said that we can't take out another tax and have pledged: I won't go for a new tax.

How about voting for treatment? How about voting to help people? How about voting to put people back in the economic mainstream to be a part of this great country of ours? How about taking them out of the prisons and not incarcerating people who don't have violent or sexual crimes and can basically be rehabilitated? We have a tax on cigarettes because we know it is harmful to you. We have a tax on alcohol because we know it is harmful for you. We have nothing on opioids. I have a piece of legislation—and we are looking for more and more sponsors all the time—that would tax 1 penny for every milligram of opioid that is prescribed. We know opioids are addictive. We were led to believe that they weren't addictive.

When opioids first came out in 1980, the pharmaceutical companies said this is a wonder drug with 24-hour relief from severe pain, and it is non-addictive. Guess what. The genie is out of the bottle, and we lost 200,000 citizens. But we have doctors prescribing them.

We prescribe more opioids than anyone in the world. We consume more painkillers than anybody in the world. I am talking about the entire world. There are only 330 million in our country. When we look at the population of the world, which consists of 7 billion people, and we consume over 80 percent of all opioids produced in the world. We only have 5 percent of the world's population. Something is dead wrong. That 1 penny will generate—if you can believe this—\$1.5 to \$2 billion a year. This is what we call the penny of gold. We can help people. We can go back to every community and every State in this great country of ours and help people get their lives back. We can help people get clear and clean and working again.

Every week I come to the floor and read a letter. I read letters from all over the country. I read letters of those from my State who have been affected. The legal drug abuse of opioids has been a silent killer. We haven't talked about it enough. We have had someone in our family—whether it is your child, mother, father, aunt, uncle, or cousin—and we were ashamed. Guess what. We continue to lose more and more people. Now they are coming forward.

I want to read another letter. These letters have a common theme. They mention how hard it is to get themselves or their loved ones into treatment. Sometimes it takes months, and sometimes it never happens. This prob-

lem stems from our lack of systems to help those who are looking for help. We need permanent treatment facilities to help people get clean and stay clean.

I say to all of my colleagues: This is not a Democratic or Republican problem. This is an American epidemic, and I don't believe one person—whether Democrat or Republican—can argue against voting for 1 penny to try to help cure people who have been affected by this epidemic. It won't cost anybody one vote—not one vote. I hope they will consider that.

Today I am reading an anonymous letter from a veteran in West Virginia about his struggle to get his sons into one of the treatment facilities they desperately need.

He says:

I'm sure many have heard my story before. I have a 34-year-old son that first got addicted to Oxycontin while residing in Wyoming County. He had been in trouble with the law for stealing everything from ATVs or whatever he could get his hands on.

Most addicts, as you know, basically commit a felony. First, they steal from their families or friends of their family. When they run out of people who won't turn them in, they steal from anyone's home they can break into—anything they can do to get the money that gives them the fix they need for their addiction. Then they end up with a felony, and the system basically spirals down.

This young man stole everything he could get his hands on. They went to a methadone clinic. They have methadone and Suboxone. These are wonder drugs that are supposed to help an addict wean off drugs, but they never do. Methadone and Suboxone still have the heroin effect in them. And people get on those and they can't get off of them either.

Well then a Methadone Clinic was opened in Beaver, WV. He went to this clinic. I'm not sure what dosage he started at but I know till here recently he was on 120 milligrams a day.

And 120 milligrams a day is a lot.

He had lost his take homes—

Which is what they give him to self-medicate.

—so he had to drive from Mercer County to Beaver, WV, everyday. He had trouble holding down jobs, so if he didn't have the money he couldn't go or get dosed. The clinic there only takes cash or credit card.

I helped my son finance his home, cars, and lots of time I wasn't getting paid, I would pay these to protect my credit but I might not get my money back.

This is the father's and mother's credit.

So here recently I started to stop paying things.

Cut him off cold turkey.

Now he has pawned most of what he had in his house for cocaine, he says it's to help him with methadone withdrawals, I'm not sure. But his wife is getting ready to leave him, their son has been living with me since November of 2015.

My wife and I called and tried to find him a detox and inpatient treatment, but since he hasn't weaned down at the clinic they say he don't meet their criteria. My son hasn't had methadone to the best of my knowledge since May 8th, 2016.

I have told him he can't live in his house if he can't pay the bills. He says he will accept treatment at a detox, the only place I found that may take him is a behavioral health at Appalachian Regional in Beckley for his depression and bipolar and they will help him to be safe while going through withdrawals.

We don't have the money to afford private care, he is on WV Medicaid. Most places he can go is out of state and WV won't pay for it. I'm so afraid that I'm going to lose my 34 year old son to this dilemma. I hope there is someone out there that can hopefully get him free of his addictions, so he can live and prosper.

He said that is only one son.

That's one son, my other son, is 30 and he too has some addictions and mental health issues. I paid his rent for 2 months to remove him from my home because he was so disruptive and searching for alternatives, such as he has been going to southern highlands for over 4 years for [his] bipolar [treatment].

He has been seeing the same physician. He has checked himself into the Pavilion in Mercer County several times but checks himself out he says its [be]cause they won't give him his medications that he wants.

This is another problem we have. A lot of people who go to the hospitals or clinics, if they don't get what they want, they give a bad report to the doctor or medical facility, and it hurts them on their reimbursement for Medicare and Medicaid. We have a piece of legislation to change that also.

He has been prescribed clonopins and Neurontin's. He prefers to either take them all at once per day or more than prescribed, since I moved him out of his apartment, I hear he diverts them for other drugs. He hasn't had a job in years.

I don't know what to do to help my two sons. I know the system hasn't seemed to benefit them at all but they still get their medications and etc.

It kind of keeps their addiction going on.

If they don't get the prescribed ones they search for street drugs and they will sell their own soles and [even] mine to get them. What is a parent to do?

For mothers it's hard to see your child in pain and maybe more willing to give them money and so forth but I have learned that is only enabling them. But there is so many ones out there it's too easy for them to get the drugs or divert them.

I feel we need to do a few things. One, we must either put strict controls on methadone clinics—

And I can assure that methadone clinics do not work and shouldn't be prescribed to everyone, and there should be professionals who prescribe methadone and it should be closely regulated—

and not let them keep our families hostage for their life.

What they mean by that is that once they go to these clinics, they never let them go. They are with them for life.

Two, counselors and physicians need to try and understand what is a success in treatment or failure. If our children can't function in normal society, hold down a job, take medications as directed, that plan of treatment isn't working, let's do something else . . . don't keep doing the same thing to get them out of the office.

Why keep them in the same type of program to give them the fix they are looking for when they are never going to be cured? Don't keep going to the same thing and expect a different result. Let's get them out of this type of situation.

It's not working, what is next?

People are asking and begging for help. They truly are, in West Virginia, in the Presiding Officer's beautiful State, and every State. It is atrocious what is going on.

We have legislation, and I think we can put our politics aside. This is not Democratic or Republican. I have said it over and over. This doesn't have a home. This is a killer. It is epidemic—200,000 have died. In my State of West Virginia last year, 630 West Virginians died of legal prescription overdoses—legal. This is not counting illicit overdoses—legal prescription overdoses.

So I am committed to fighting this with every breath I have in my body. I hope we will consider legislation we can work on, that is bipartisan and that will help every person in every State in America.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Florida.

Mr. RUBIO. Madam President, we are on a motion to proceed to the National Defense Authorization Act, and there are so many different aspects of national security and defense that we touch upon. The Senator from West Virginia actually touched on one of them. A lot of people may not consider it that way, but the threat posed to the United States by transnational criminal groups operating out of Mexico and other parts of the hemisphere are a direct threat to the security of our people.

We had a hearing earlier today in our subcommittee, the Western Hemisphere Subcommittee, and we heard testimony from government officials and the administration talking about the threats being posed.

Here is the bottom line. You have these multibillion dollar, multinational entities operating south of our border. We all heard about El Chapo Guzman and the Sinaloa Cartel, but there are others as well, and they are both growing poppy opiates, but they are also manufacturing synthetic fentanyl. There is a prescription version of fentanyl, but this is a synthetic, nonpharmaceutical version, and all of it, basically 100 percent of the stuff they are growing, is being trafficked directly to the United States.

There is not a State in the Union or territory in our country or jurisdiction represented by any Member of the Senate which has not been deeply impacted by this war they are waging against us. So it was an insightful hearing and I think reminds us that on the one side we need to deal with treatment aspects because people who are dependent on an opiate substance are sick and they need help as if it is a disease, not a crime.

The other aspect of it is the people pushing the stuff into our country, deliberately targeting us. They are murderers. They are not just killers because they kill each other and innocent people, they are killers because they know the people they are selling these drugs to, they are deliberately trying to hook them on these drugs and they read and know the overdose deaths we have seen. There is an extraordinary growing military-to-military relationship between the national defense parts of our government and our partners in Mexico and other countries and will continue to be. There has to be because these groups need to be defeated or they will continue to spread their poison and death into cities, towns, and our States.

HUMAN RIGHTS

Madam President, another aspect of national defense that people don't think about when people think about national defense is the issue of human rights. So much of the instability that is happening around the world that we have to respond to militarily out of our national security interests are driven by the violation of human rights.

Oftentimes our soldiers, sailors, our service men and women, when called to engage militarily or be present militarily in any part of the world, are also having to deal with the consequences of what is happening from a human rights perspective. Where it gets difficult is in many cases some of the countries that are violating the human rights of their people and others happen to be military allies of ours. It is always a balance that people argue, but no matter what our arrangements may be with any potential military partner anywhere in the world, we should never back away from the cause of human rights, for not only is it the right thing to do, which speaks to our values as a people and nation, but human rights is also a leading cause of instability. The violation of human rights leads to this instability. It is what causes people to take to the streets to try to get rid of their governments and their leaders.

So I come to the floor today to bring to your attention an ongoing human rights issue that weighs heavily on me and should weigh heavily on all of us. Every day people are unjustly detained, tortured, publicly shamed, and murdered, often at the hands of their own government. Here is what their crimes are: simply disagreeing with the

government—disagreeing through journalism, blogging, peaceful organizing, or for simply being in a different religion. In jail cells all around the world, there are innocent men and women who wanted nothing more than to freely express themselves in the society in which they live.

The vast number of political prisoners held by repressive regimes is a sobering reminder of how much work remains to uphold basic human rights and advance democratic values. From Cuba to China, from Turkey to Saudi Arabia, people are suffering for exercising freedoms that our Creator gave them.

I say the phrase "political prisoners," but I remind you that these prisoners oftentimes are ordinary people like us—people who dream of a greater future for their country, people who envision a better life for their families and loved ones. They are journalists, bloggers, many are human rights activists, educators. Some are politicians. We also have pastors, mothers and fathers and students.

America traditionally has been a voice for those oppressed. We as a country and as a people have engaged in what Ronald Reagan once described as "the age-old battle for individual freedom and human dignity." It is unacceptable for America to forsake this legacy today, to turn its back on our fellow human beings who are losing their lives or being imprisoned for exercising their fundamental, God-given freedoms.

This is why last September my office launched a social media campaign we call hashtag "expressionNOT oppression." Each week we highlight a different political prisoner or prisoner of conscience in an effort to put a human face on the many who suffer from oppressive regimes around the world.

Today I come to share the stories of some of the people we have championed in the past year.

In 2014, Tibetan writer and blogger Dawa Tsomo was detained for breaking China's cyber laws by publishing articles that the government considered "politically sensitive." To this day, she is missing. Today, China is one of the most repressive countries in the entire world.

In Cuba, matters are just as serious, if not worse. Beatings, public acts of shame, and termination of employment are well-known consequences of disagreeing with the Castro regime. The Castro regime has rearrested almost all of the 53 political prisoners it released as part of the supposed normalization of relations that President Obama undertook at the end of 2014.

Remember the 53 names on the list of people they were going to let go as part of the normalization? Virtually all 53 of them have since been rearrested.

The Cuban people know they deserve better. Groups throughout the island

have continuously stood up against oppression. One of the most prominent is the group the Ladies in White or, in Spanish, Damas de Blanco. Many of those who make up this group are the wives and relatives of jailed dissidents protesting the unlawful imprisonment of their husbands, sons, brothers, and fathers. So each Sunday following Catholic mass, the Ladies in White take to the streets in a silent march. They are often harassed, arrested, and even beaten by the Cuban Government.

In fact, this last Sunday, the leader of the Ladies in White was arrested. She will soon be placed on trial and can face between 3 months and 5 years in prison, but this sort of treatment hasn't stopped them. Week after week, these women continue to protest the Castro regime and fight for the freedom of their nation and of their loved ones.

In the disaster that has become Venezuela, due to its incompetent tyrant leader, Nicolas Maduro, a tyrant who is an incompetent clown, we have seen one of the most prominent opposition leaders, Leopoldo Lopez, arrested and sentenced to 13 years 9 months in prison on charges of terrorism, murder, and grievous bodily harm and public incitement—sounds like pretty serious charges. Here is the reality. Leopoldo Lopez, who was the Governor of a prominent state in the country, was imprisoned for advocating for a constitutional democratic and peaceful change in the Venezuelan Government. That is why he is in jail.

Since the Venezuelan Government's crackdown on opponents began in February of 2014, dozens of innocents have been killed, thousands have been beaten and targeted for intimidation, and hundreds more have been jailed, not to mention that most of these political prisoners in Venezuela are men.

Do you know what happens to the wives of these men in jail when they go visit their spouses in prison? They are often stripped-searched by male guards in front of their families as the act of ultimate humiliation. This is what we are dealing with in Venezuela.

In late March of this year, the Venezuelan National Assembly passed a law that would extend amnesty to more than 70 prisoners in Venezuela because they had an election. Even though the Maduro government always steals the elections in Venezuela, the loss was so overwhelming they couldn't steal this election. So the opposition won control of the Venezuelan National Assembly, and they passed a law that extended amnesty to more than 70 political prisoners who are in Venezuelan jails simply because they opposed Maduro, not because they committed a crime.

To no one's surprise, the tyrant Nicolas Maduro promised to block it. He claimed it was unconstitutional. Only a few weeks later, he sent a law to the

supreme court and urged them to overturn it. Four days after his request, the supreme court—a supreme court which is illegitimate because it is completely stacked with his cronies—granted him his wish and declared the law unconstitutional.

So that is why there has been a coup d'etat in Venezuela. That is why democracy has been canceled and why there is now tyranny. You have an elected national assembly being ignored, and you have a supreme court being stacked with cronies who are basically a rubberstamp for the tyrant. The result is the gross violation of human rights, most prominently of Leopoldo Lopez.

In Pakistan, we have seen proponents of religious freedom murdered for criticizing blasphemy laws. In March of 2011, Shahbaz Bhatti, Pakistan's Federal Minister of Minority Affairs—and, by the way, the only Christian to serve in Pakistan's Cabinet—was shot to death by the Pakistani Taliban outside of his mother's home. Five years have passed. The Pakistani Government has failed to bring his murderers to justice and have failed to reform the blasphemy law that continues to encourage violence, murder with impunity, and the marginalization of religious minorities. As a result, numerous other prisoners of conscience in Pakistan suffer behind bars.

Finally, as President Obama visited Vietnam this week, a Vietnamese blogger and human rights activist named Nguyen Huu Vinh was languishing in a state prison for having voiced the wrong opinions about his government.

These example are just a tiny window into the world of political oppression that exists today. Their cases are only a few that we have highlighted in our hashtag “expressionNOToppression” campaign.

I ask unanimous consent to have printed in the RECORD a list of additional political prisoners we have featured.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The list is as follows: Danilo Maldonado of Cuba, Jason Rezaian of the United States—held in Iran, Bao Zhuoxuan of China, Sawan Masih of Pakistan, Raif Badawi of Saudi Arabia, Ko Htin Kyaw of Burma, Arif and Leyla Yunus of Azerbaijan, Luaty Beirão of Angola, Atena Farghadani of Iran, Ismail Alexandrani of Egypt, the Todos Marchamos group in Cuba, Eskinder Nega of Ethiopia, Erdem Gül of Turkey, Can Dündar of Turkey, Vladimir Kara-Murza of Russia, Mikhail Kasyanov of Russia, the SOS Venezuela group in Venezuela, Sombath Somphone of Laos, Boris Nemtsov of Russia, who was murdered, the Ladies in White in Cuba, Zainab Al-Khawaja of Bahrain, Osvaldo Rodriguez Acosta of Cuba, Mohammed Zahir al-Sherqat of Turkey, Waleed Abu Al-Khair of Saudi Arabia, Khadija Ismayilova of Azerbaijan, Nguyen Van Dai of Vietnam, and Youcef Nadarkahni of Iran.

Mr. RUBIO. They span the globe from Angola to Laos, from Iran to Burma. All of these men and women were seen as a threat to the leaders of their nations. But I—and I agree the Presiding Officer as well—see them as heroes. Just because they aren't fighting on a battlefield doesn't mean they aren't putting their lives on the line for the greater good of their people and their nation.

In a country where we are free to express ourselves, it is hard to grasp this risk. It is difficult to imagine a prominent journalist in the United States fearing for his or her life solely for doing their job or to fathom a popular blogger facing the death penalty solely for expressing their thoughts. Well, this should be just as unimaginable, to jail independent journalists in the rest of the world.

The families of the prisoners I mentioned today have also paid a price. Most of these families spend their days and nights unsure if they will ever again see their loved ones. There are no visiting hours. There are no phone calls. In the cases of many on death row, their families often find out they have been executed on the state-run media. Children are being left to grow up on their own, wondering where their mother or their father has gone, wondering if they will ever feel their embrace again.

But there are reasons to be hopeful, for when free people speak out, it can make a difference in the lives of the oppressed. As a result of numerous international efforts, including our hashtag “expressionNOToppression” campaign, some prisoners of conscience have been released from jail and reunited with their families, although they may not be able to return to their home country. We saw it in the case of the Cuban street artist known as El Sexto, who was freed last October after 10 months in prison. We saw it in the case of prominent Azerbaijani human rights activist Leyla Yunus and her husband Arif, who were released from jail only on the grounds of deteriorating health but have since been allowed to travel to the Netherlands for medical care and to be reunited with their daughter. Once released, many have agreed that our advocacy on their behalf was a great encouragement to them and their families and, by the way, likely resulted in better treatment or even a speedier release.

A few years ago, famed Soviet dissident Natan Sharansky testified on Capitol Hill. He said of himself and fellow prisoners of conscience in the USSR that “we could never survive even one day in the Soviet Union if our struggle was not the struggle of the free world.” We should take to heart this sentiment he expressed and embrace the struggle of political prisoners who languish unjustly as I speak.

We must do everything we can to raise awareness of the brutality taking

place in repressive regimes around the world. We must not forget the hundreds of people who are being tortured or being deprived of their lives for trying to bring freedom to their land while illegitimate governments desperately cling to power.

Even with our strategic allies, such as Saudi Arabia, we can never stop insisting that they show respect for women, for all human life, and for the God-given fundamental rights of all people.

Oppressed peoples do not stay oppressed forever. Oppressive governments do not stay in power forever. Inevitably, the human yearning to be free and to achieve a better life for one's self and one's family eventually cannot be restrained.

Today, I pray for those who are victims of their own government. I pray for the release of prisoners of conscience and their families. I pray that our own country stands firmly by its principles by calling for the sacred right of every man and woman and child to be free.

TRIBUTE TO MAGGIE DOUGHERTY

Lastly, Madam President, on a point of personal privilege, I would like to take a moment to thank Maggie Dougherty, who has been a valuable member of my legislative team for the past 5 years and specialized in issues of human rights around the world.

Her expertise and, just as importantly, her passion on these issues have been invaluable to me and to my staff. Her service to our country, to the people of Florida, to the Senate, and to many individuals and families like the ones I just mentioned who suffer around the world will not be forgotten.

I thank you for your service, Maggie. I wish you the best of luck in your future endeavors.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. MERKLEY. Madam President, today I rise to discuss the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This is landmark legislation that will honor the legacy of our dear colleague Frank Lautenberg. I had the privilege to serve with Frank for a number of years and know how passionately he wanted to undertake this challenge of the toxic substances that are in our everyday products, our household products, that are causing cancer and causing other diseases because we have completely failed to regulate them. I so much appreciate that

Frank Lautenberg took on this cause, pushed it forward, and presented it in a bipartisan fashion—a fashion that continued following his death.

In this Congress, this bill is the equivalent of a unicorn, as the phrase goes, a bipartisan, bicameral compromise that majorly reforms a badly broken law. It has brought Democrats and Republicans together to take action to protect public health. I felt honored and privileged to be a part of this coalition that has worked toward a final bill for over a year. This process has not been easy, but things that are worth doing rarely are easy.

I think it is important to recognize some of the champions in this process. Of course I recognize Frank Lautenberg and all he did to put this in motion.

Following his death, Senators TOM UDALL and DAVID VITTER deserve a tremendous amount of credit for having the bold vision to come together and to carry the torch of bipartisan compromise after his passing. Their persistence and their dedication in this effort through thick and thin have been remarkable.

Chairman INHOFE also deserves a great deal of credit for his work to shepherd this bill through the Environment and Public Works Committee.

Hopefully, we will get it through the floor of the Senate. Certainly the result of the bicameral negotiations that have been completed—the bill has now gone through the House and is coming back over here.

I commend Ranking Member BARBARA BOXER for her leadership and her determination to make this the strongest bill it could possibly be. Her determination to make sure of the ability of States to act was not compromised, knowing that her State, California, has been a major leader—one of the few States that really have gone after toxic chemicals and set an example for the country. Her tenacity unquestionably has led to a stronger bill.

Senator MARKEY, as the subcommittee ranking member, brought enormous depth of knowledge and leadership to this process and was instrumental in the negotiations.

Finally, I especially want to thank Senators WHITEHOUSE and BOOKER, who teamed up with me to push for important changes before the markup in committee and who have been tremendous partners through the process.

There are many others, of course, in the Senate and in the House, on the Republican side and the Democratic side, who have played a role in getting this bill to where it is now—a few small steps from being signed into law.

I would like to specifically thank the Environmental Defense Fund. On any project like this, you need forces inside the building, but you also need forces outside the building marshaling expertise, creating a conversation among

grassroots proponents, and bringing their expertise and their insights to bear. Their lead senior scientist, Richard Denison, played an instrumental role in the preparation of this bill.

Many Americans don't know that the chemicals in their household products are completely unregulated. It has been 40 years since the last major reform to our Federal chemical laws took place. There has been absolutely no action of any kind since 1991, when there was a failed effort to regulate asbestos, which, again, citizens believe must surely be regulated given its incredible impact on the public health of our Nation.

But for 40 years the law has been badly broken, and for 40 years generations of Americans have been exposed to unsafe chemicals and the Federal Government has been powerless to act. That is four decades too long.

The most powerful Nation on the Earth should not be powerless to regulate toxic chemicals in our everyday products. Now we are on the cusp of passing a historic bill that will change all of that.

How bad is this problem? Last year I partnered with the Environmental Defense Fund and with researchers at Oregon State University to find out just that. The Oregon State University researchers developed a small silicone wristband that picks up toxic chemicals that each of us is exposed to every day, in the air and water around us, in our furniture, and in our household products. Twenty-five participants wore one of these silicone wristbands for a week, and then the wristbands were taken to a laboratory to analyze what the individual had been exposed to. The results were sobering. Each participant had been exposed to at least 10 potentially dangerous chemicals.

Beth Slovic, a reporter for Willamette Week who wore one of the wristbands, described scouring labels in her household after her results came back, trying to find out which products were the culprits so she could get rid of them, but largely she couldn't find the source.

She wrote:

Even if I had [found the source], I wouldn't have been safe from worry. You can try to avoid certain synthetic chemicals in your own home, but try avoiding them at work or on the bus. Products with industrial chemicals, such as those sprinkled in carpets and cushions supposedly to keep them from bursting into flames, break down and are in our dust.

As the information packet for the [wristband] experiment explained, "You can't shop your way out of the problem."

Beth mentioned the issue of industrial chemicals that are put into our carpets, supposedly to keep them from bursting into flames. There is quite a story behind these flame retardants in our carpets, in our upholstery, in our foam cushions, and it is not a story

that will make any of us feel good. It will make all of us feel we need to have this bill passed, however.

Here is the challenge: These flame retardants are cancer-causing. The chemical industry got a bill passed requiring them to be put into household products such as foam, upholstery, and carpets.

Imagine that you are a new mother or a new father and your little baby is down there on the carpet, their nose 1 inch from the floor, and then you read about the fact that carpet is permeated with cancer-causing chemicals, that those chemicals cling to the dust that comes from the carpet as it is worn out, walked on and so forth, and that virtually every child gets exposed in this fashion, increasing their risk of cancer. Wouldn't you as a mother or father say: That is outrageous. Why doesn't Congress do something about that?

We are now poised to do something about that, to regulate cancer-causing toxic chemicals in our household products. It is way past time, but we have to seize this moment and make it happen.

Right now Americans are powerless to protect themselves from chemicals that hurt pregnant women, chemicals that hurt young children, chemicals that can hurt their child's development, and chemicals that could cause cancer.

Since TSCA passed in 1976, over 4 million babies have been born with birth defects and 15 million babies have been born preterm. Since 1976, 21 million people in the United States have died of cancer. And just since the Fifth Circuit case that struck down the Environmental Protection Agency's ban on asbestos in 1991, about 375,000 Americans have died from mesothelioma, a disease directly linked to asbestos exposure.

Clearly we need to change our law and replace a dysfunctional law with one that will work. This bill is set up in a fashion that it will take on the most serious, high-risk products that are already in our environment—the high-risk molecules—and have a thorough process for studying them and then acting appropriately in the cases where citizens are exposed to those products. This bill provides a process for looking at future chemicals before they are put into our products, before they cause health problems for Americans, before they cause disease, before they cause cancer, before they cause birth defects, and before they are attached to dust that gets into the lungs of our little babies crawling on carpets. That would be a tremendous improvement. We will make sure everyday products are safe before they are in our classrooms, before they are in our workplaces, and before they are in our homes.

Because of this bill, the EPA will have the tools and resources needed to

evaluate all of the dangerous chemicals that are already in the market, and they will have the muscle to eliminate unsafe uses. There is nothing more important than helping the health and well-being of Americans now and for generations to come.

One key element of this dialogue has been on whether it compromises the ability of States to act when they detect chemicals they are concerned about. This bill has been specifically constructed to make sure States have that power. Any law written before April 22 is grandfathered. Certainly any bill that was written to control lead pipes in homes, that was written in the past, is grandfathered. You don't have to worry about any sort of pause or preemption of State authority.

Anytime the Federal Government says there is a high-priority chemical—one they are going to take a close look at—there is a period of time called scoping. In that period of time, any State that proposes a rule—all action on that rule is grandfathered; it can go right ahead. If the State has passed a law in that period, the law is grandfathered.

Then, during the period of time which is referred to as risk evaluation following the scoping and determining what particular forms of exposure are ones that create a risk, during that time, the only thing that would cause a State to be unable to act is if it was exactly the same chemical in exactly the same use out of the hundreds of thousands of chemicals in the world.

Furthermore, even then, there is a waiver that says the State can act if they show there is a scientific paper that shows that chemical is a risk, if they are not violating the supremacy clause of the Constitution and if they are not violating the commerce clause of the Constitution. So, in fact, States have full power to operate throughout these phases as a result of these various clauses.

The bipartisan team that has worked on this has run a marathon together. Now, after many miles, innumerable meetings, and late nights, we are just inches from a momentous improvement over current law. Current law has been completely, 100 percent dysfunctional for decades, leading to the exposure of our children, our babies, ourselves, and everyone in America to a huge list of toxic chemicals.

Senators in this Chamber will get a lot of attention for their work on this bill, but I wish to note that behind the scenes, the staff has labored day and night—a bipartisan team of staff. They worked many late nights and they had many sleepless moments while trying to figure out and finesse good policy and a path that would keep this bipartisan effort rolling forward.

I especially wish to thank my staffer who has taken the lead on this issue. Adrian Deveny has done a tremendous

job. He has put in an enormous amount of time contributing substantial expertise and has worked hard to reach out to other staff members and other offices to listen and understand the challenges and the many perspectives and find a way forward. He made sure that when things were tense, lines of communication stayed open.

Because people stayed in the room and listened to each other, the staff and the Senators, on a bipartisan, bicameral basis, remained committed to the vision laid out by Frank Lautenberg that we will no longer allow Americans to be routinely exposed to toxic chemicals in their household products. That means taking on the existing chemicals, and that means having a process for new chemicals before they are introduced and making sure they do not pose a new challenge, a new disease, a new risk.

The finish line is within sight, and it is up to all of us to get there for the safety and health of every American. Let's get it done.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, are we in morning business?

The PRESIDING OFFICER. We are postcloture.

Mr. WICKER. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Madam President, let me congratulate my friend from Oregon for his remarks and simply point out to the Chair and to my fellow Members that this is another example of bipartisan accomplishments in the Senate and in the House. This represents a lot of work on both ends of the building, Republicans and Democrats coming together. As my friend said, it is about to get done.

When we put this on top of a number of accomplishments, including education, including dealing with the Zika virus, including dealing with the drug problem and so many other things, we have actually been able to get legislation done and sent to the President and signed into law to help make our country better, stronger, and better protected.

I appreciate what my friend said about the TSCA bill. I am also optimistic about it.

Madam President, switching gears to the National Defense Authorization Act, I am also optimistic about that. Obviously, we had hoped to pass the bill before Memorial Day as a tribute to the people who have gone before us and paid the ultimate sacrifice for the freedom we enjoy as Americans. Obviously, the bill has taken longer than I hoped it would and for reasons that are hard for me to understand. Nevertheless, we are going to get to it. We are on the bill now, and we are going to

hopefully finish it the week after the Memorial Day recess.

I very much appreciate the fact that we are going to pass another bipartisan NDAA bill, which will be signed by the President. It is going to give our troops the opportunity to have the tools and resources they need in a very dangerous world.

It funds the Defense Department at \$602 billion. Our friends should know and the public should know that this \$602 billion is the figure requested by the President of the United States, so we are coming with a bipartisan number. We have had some questions on the part of our friends on the other side of the aisle about spending elsewhere, but we should be clear—and there is no question about it—the President requested \$602 billion for defense, and this bill gives our troops and the President that \$602 billion. It deals with such important issues as preserving the progress we have made in Afghanistan, continuing our fight against the Islamic state, bolstering readiness against an aggressive Russia, standing up on behalf of one of our most important allies, the state of Israel, in a very troubling time.

Earlier this year, Director of National Intelligence James Clapper said it correctly. He reiterated the reality of unpredictable instability. And that is what we are facing, Madam President. So this bill is designed to address that.

Also, I would mention it is designed to alleviate some of the shortages caused by the Budget Control Act when it was passed in 2011. The world is a lot different today than it was in 2011. As a last resort, the law put in place across-the-board defense cuts that were really never intended to take place. Collectively, we should have addressed the mandatory programs where the spending problems actually are, but instead, over the past 6 years, the Budget Control Act has required almost \$200 billion in defense cuts. Sequestration remains the law of the land and will return unless Congress acts in 2018.

The Army now has 100,000 fewer soldiers than it did 4 years ago. The Marines will be nearly 5,000 below their optimal force. Our Air Force is the smallest it has ever been in the history of the Air Force. And with 272 ships in the fleet, the Navy is well below its requirement of 308 ships.

I am pleased to serve as chairman of the Subcommittee on Seapower of the Committee on Armed Services. As such, I was happy to work with other members of the subcommittee on the Navy and seapower title to this bill. I want to thank my colleague Senator HIRONO of Hawaii, the ranking Democratic member of the subcommittee, for her leadership.

As I said, we are years away from achieving the Navy's ship requirement of 308 ships. There is also no plan to

meet the National Defense Panel's recommendation for more ships—either 323, at a minimum, or up to 346 ships. So we are well away from where we really need to be to protect America and our freedom of movement around the globe. Meanwhile, the Navy has significant budget constraints. Its 2017 request is \$8 billion less than the 2017 value presented in last year's budget.

Nonetheless, we worked on a number of items to do the best we can with the money we have. First, we looked at the viability of the 30-year shipbuilding plan. Secondly, we worked to ensure that limited taxpayer dollars are used wisely. Thirdly, we looked forward to the future and what should be required of our future surface combatant ships and what costs might constrain the budget. And fourthly, we worked to ensure that the Navy and Marine Corps can continue to provide force protection around the world.

So thanks to the members of my subcommittee and my ranking member Senator HIRONO for that.

But seapower is only one part of the bill. It may be the one I have worked on more carefully, but there are other parts of the National Defense Authorization bill. As you know, Madam President, there is no authorization in the bill for another round of base closings. I very much support that provision and believe that no further base closing rounds should be authorized, and we don't.

Also, there is an extension of prohibitions on the closing of Guantanamo Bay and a prohibition of the transfer of any detainees from there. There is also support for the recommendation of the National Commission on the Future of the Army regarding aviation force structure. I advocated the creation of this commission, along with my colleague Senator GRAHAM, in the wake of unvetted proposals to cut the size of the National Guard and reallocate Apache helicopters. So I am glad we have addressed that problem and are on the way—hopefully week after next—to passing this important bill.

It is fitting that Americans will gather on Memorial Day in the next few days, remembering the patriots who made the ultimate sacrifice and honoring the patriots who are today voluntarily stepping forward to make our country strong and great and helping all our citizens enjoy the freedoms we have today.

I am glad to be part of this bill. I congratulate the leadership of the committee and the Senate, and I look forward to passing this Defense bill without further delay.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Madam President, I ask unanimous consent that on Monday, June 6, notwithstanding rule XXII, following morning business, the

motion to proceed to S. 2943 be agreed to and the Senate proceed to the consideration of S. 2943 and Senator FISCHER, or her designee, be recognized to offer her amendment No. 4206; further, that the time until 5:30 p.m. be equally divided between the managers or their designees, and that at 5:30 p.m. the Senate vote on the Fischer amendment, with no second-degree amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Now, Madam President, I ask unanimous consent that at 1:30 p.m. today, the Senate proceed to executive session for the en bloc consideration of Calendar Nos. 462 and 463; that there be 15 minutes for debate only on the nominations, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nominations in the order listed without intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Michigan.

ZIKA VIRUS

Ms. STABENOW. Madam President, we are here just a few days before Memorial Day, when all across the country, Americans are going to go to parades to pay tribute to troops who made the ultimate sacrifice. They will invite friends and family over and fire up the grill. I think we all look forward to those family gatherings.

At least that is what Americans usually do over this holiday weekend. This year, they might have second thoughts. I know I am getting asked a lot of questions by my family, not because of rain but because of something more frightening. Since the beginning of the year, public health experts have been warning us about a severe threat to moms and babies—the Zika virus. It causes severe damage to fetal brains, birth defects, and even death.

Zika is not just coming to the United States; it is already here. People are concerned, and they want us to act. There are already more than 150 pregnant women in the United States who have been infected, and we are hearing of more every day. We have four in Michigan so far, and the threat is growing.

We are fortunate to have doctors and scientists at the Centers for Disease Control and Prevention and the National Institutes of Health who have

the skills and the knowledge to get Zika under control. I have great confidence in their ability to create a vaccine, to do what needs to be done on testing, and to get the information we don't have right now on the full impact of the Zika virus.

These brilliant minds are ready to go to work in the lab to find a treatment, to develop a vaccine that can help protect the health of babies, of pregnant moms, and of women of childbearing age. We are now hearing about a different kind of reaction to the Zika virus in men, as well, so we are still learning every single day. But that work will be costly. Specifically, these doctors and scientists asked for \$1.9 billion, and they included an extremely detailed action plan for where the money would go and the work that would be done.

Unfortunately, we have not yet sent an appropriation to the President of the United States to sign so they can get to work. Republicans in Congress have said no to the full request. Senate Republicans have agreed to \$1.1 billion. I am glad we have been able to get agreement to move something forward as a first step, even though it is not what the scientists and doctors have said needs to happen. But I signed on because it was the best we could get at the moment, and we have to get started.

What is incredibly concerning is that the House of Representatives was even more shortsighted. They gave researchers only one-third of what they asked for—one-third of what they say they need to go into the lab and develop the vaccines that will protect our children, will protect pregnant moms, and protect all of us who may be impacted in some way.

On top of that, in the House, they are using gimmicks to disguise the fact that they are raiding one public health fund to pay for another. So it is as if there is a fire, and you send a fire engine out. Then another fire starts on the other side of town. And instead of sending a different fire engine out, you just take the one and send it to the other fire. Well, wait a minute. People wouldn't put up with that in the community, and they certainly aren't going to put up with what we are seeing coming from the Republicans in the House. So they are playing games and denying doctors and researchers the money they need to keep us safe.

Many of these Members talk tough about keeping Americans safe, but right now we have a frightening virus that is getting more severe every passing day. Yet Republican colleagues, particularly in the House, have no sense of urgency. We haven't seen a sense of urgency to take the Senate compromise out of an appropriations bill, put it into an emergency bill, and send it to the President.

Madam President, I can't imagine how scary this must be for a pregnant

woman right now—even for women in Michigan, where the threat is far less severe than in other parts of the country. Yet when my own family members, when others across Michigan—friends I talk to, the others I have had a chance to talk to in the last couple of weeks—turn on the television, they have to hear from Republicans in Washington who refuse to take this threat seriously.

We have to take this seriously. Make no mistake, this is a major public health emergency. These mosquitoes are not picking and choosing whether they are going to bite Democrats versus Republicans. The reality is that this is a public health emergency for all Americans, and we need to treat it as that.

For Republicans to go home for Memorial Day without dealing with this threat is incredibly insensitive and irresponsible. We have work to do. This is another case where we need to make sure we are doing our job. We are here; we are willing to do that. We must equip our doctors and medical researchers with the tools they need to keep our families safe.

For a threat of this scale, we should not be delaying in any way, and we can't do this on the cheap. We can't only do part of it. We have to do what needs to be done with the doctors, the researchers, and the people we trust in our country. We have the most brilliant minds in the world. They are telling us what needs to be done, but they need the resources to get it done.

The richest Nation in the world can't afford to take the steps necessary to defeat the world's most urgent public health crisis. Really? I don't think so. It is time to act.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Madam President, I ask unanimous consent that since Senator INHOFE and I will speak on the same important topic, we speak back to back for up to 15 minutes total.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. VITTER. Madam President, we rise together with so many other Members of the Senate on a bipartisan basis to strongly support the chemical safety bill which passed the U.S. House of Representatives with enormous bipartisan support and is ready to pass here in the Senate.

This is a long day coming. First, this is an element of Federal law that has

been in dire need of updating. All stakeholders—left, right, and middle—have said that for decades. Secondly, we have been working on this specific bill, this solution to that problem, for over 5 years.

I started over 5 years ago with what I think we would reasonably characterize as a Republican proposal, in contrast to a clearly Democratic proposal by then-Senator Frank Lautenberg. We had these competing partisan proposals for some time, but in early 2013 we made a very determined effort to try to bridge that divide and come up with a strong bipartisan proposal to achieve two absolutely necessary objectives: one, to make sure we fully protect the health and safety of all Americans with regard to chemicals that are in products we use every day—that is paramount, and that has to happen—and two, to make sure we do it in a way that allows American companies to remain science and innovation leaders in this important sector of our economy.

I have to say that when we started these discussions in early 2013, I think both Frank Lautenberg and I were very cynical about our chances of success. We were miles apart, but we were determined to get this done. We met and negotiated and discussed in good faith. Our staffs did as well. That led to a real breakthrough in 2013—a bipartisan bill to update this area of environmental law with regard to chemical safety.

In 2013 we introduced the first bipartisan proposal with regard to that. Sadly, Frank Lautenberg passed shortly after we completed that work and introduced that bill. But I am very happy that many others took up the cause, led on the Democratic side by TOM UDALL of New Mexico. Many others were involved. I see Senator BOOKER here, Frank Lautenberg's successor in that New Jersey Senate seat. He has been involved. Certainly the chair of our committee, JIM INHOFE, has been extremely involved and in the weeds in a positive way and supportive. Over the 3 years since the introduction of the first version of the bill, that led to this strong bipartisan bill we have before us that passed the House with overwhelming support.

Not many things pass the U.S. House of Representatives with that sort of overwhelming support—I think there were a total of 12 “no” votes. Not many things come to the U.S. Senate with this sort of near unanimous or unanimous support. Nothing in the last several decades in the category of major environmental legislation has done that.

This is a major achievement, and it is a positive achievement when we look at the substance of the legislation. It ensures the proper protection of health and safety for all Americans because these are chemicals in products that we use and touch every minute of every

day and that enhance our lives and quality of life, and it is a workable regulatory regime that does it in a workable way so that American companies in this sector—and a lot of them, I am proud to say, are in Louisiana—can remain science and innovation leaders. That is why it has widespread industry support. That is why it has widespread support among many other groups, including environmental groups. That is why it garnered such an overwhelming bipartisan vote in the U.S. House of Representatives. And that is why it has overwhelming bipartisan support here in the Senate. The Senate version of this bill passed by voice vote. There were no articulated objections to it. It passed by voice vote with very strong support. That remains the base of this bill. That remains the heart and soul of this bill.

The final version—the bill we are considering now—has been posted online for almost a week. Under the House rules, that needed to happen. That happened late last week, and it has been publicly available for some time, certainly enough time for all Members to dissect and digest it. So I encourage final positive action on this bill to move us forward in a significant way.

Madam President, with that, I yield to the chairman of the committee, who has been a great leader to advance this cause.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first, let me thank the Senator from Louisiana. It has been a long fight for a long time. Of course, I understand that Bonnie Lautenberg—who has been a very significant part of the discussion as we have gone along—is here today, and she is living this historic day with us. I say “historic day” because the Senate can take the final steps necessary to send the Frank R. Lautenberg Chemical Safety for the 21st Century Act to be signed into law. That can happen today. Today the Senate can pass a bill with a tremendous amount of support. I think the Senator from Louisiana articulated it very well. We had individuals from the far right and the far left all in agreement.

I would add to that that we have an impressive list of groups that are supporting this: the Obama administration, American Chemistry Council, Environmental Defense Fund, U.S. Chamber of Commerce, Humane Society, National Association of Manufacturers, March of Dimes, American Petroleum Institute, National Wildlife Federation, Alliance of Automobile Manufacturers, Americans for Tax Reform, National Association of Chemical Distributors, and American Fuel & Petrochemical Manufacturing. Everybody. We are talking about labor unions and manufacturers. It is very rare.

I agree with the Senator from Louisiana. I don't recall, in my experience

here, ever having the array of support from organizations and people that we have with this. I have been working along with that group since 2012, and then Senator Lautenberg approached me and asked for my help. I think that was the time Republicans became a majority—no, we were still a minority at that time. But he wanted to have everyone involved in this from the different parties and different philosophical realms, and that is exactly what happened.

I know my friend Bonnie Lautenberg, as I mentioned, is here today. I have never seen a bill in process that has garnered the support of someone like, in this case, the widow of Frank Lautenberg. She is there all the time, making sure this proper tribute we are going to make today becomes reality.

I think the key provisions have been covered by my friend from Louisiana. Let me join him in thanking all our friends from the left and friends from the right for joining together on something that is really good for America.

One thing that hasn't been talked about very much is the number of jobs. I talked to a large group of manufacturers yesterday, and they said we never talk about jobs. There are jobs overseas today because of the uncertainty here in terms of how we are treating chemicals in this country. They can't put forth the money and resources necessary unless they know there is certainty that they are going to be able to use whatever chemicals they have to use to produce whatever they are producing. Where are they now? They are in China, India, Mexico—places where they don't have to deal with this problem. So that is a major thing that is happening.

UNANIMOUS CONSENT REQUEST—H.R. 2576

Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Chair lay before the Senate the message to accompany H.R. 2576; further, that the majority leader or his designee be recognized to make a motion to concur in the House amendment to the Senate amendment; that there be no other motions in order and there be up to 3 hours of debate equally divided between the two leaders or their designees on the motion; finally, that upon the use or yielding back of time, the Senate vote on the motion to concur in the House amendment to the Senate amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, one of the pledges I made to the people of Kentucky when I came here is that I would read the bills. This bill came here on Tuesday. It is 180 pages long. It involves new criminalization—new

crimes that will be created at the Federal level. It includes preemption of States. It includes a new Federal regime which would basically supersede regulations—or lack of regulations—in Louisiana or Texas or Oklahoma. I think it deserves to be read, to be understood, and to be debated, so I object to just rushing this through and saying: Oh, you can't read the bill.

I told people—everybody involved in this—I just want to read the bill. We have been working on it now for 2 days, looking at the bill. We have been talking to people who worked on the bill. Is it not unreasonable to ask that we have time to read a bill?

Here is the other problem: Every day in my office, business comes into my office. And what do they say? We are regulated to death. We are sick and tired of regulators from the executive branch who are out of control.

So what does this bill do? It takes the power away from the States and creates a new Federal regulatory regime.

Here is the whole problem: People are now saying “Please regulate us,” and when they get overregulated, they say “Please stop overregulating us.”

We should think through how we are going to do things around here. We should take the time to read the bills. We should take the time to understand the bills.

I will continue to object until we have had time to look at the bill thoroughly. With that, I object.

The PRESIDING OFFICER (Mrs. ERNST). Objection is heard.

The Senator from Louisiana.

Mr. VITTER. Madam President, let me say that I regret an objection to this very reasonable path forward. No one objects to all Members of the Senate reading the bill. I encourage all Members of the Senate to read the bill. There has been and is continuing opportunity to do that.

As you heard, that unanimous consent request wasn't rushing through anything; it was a 3-hour debate and a rollcall vote.

The final version of the bill has been publicly available for everyone to read, dissect, and digest for about a week. It is largely similar to the Senate version that passed months ago and to which there was no objection raised. That passed by voice vote. So there is no impediment to everyone having adequate time to read and digest the bill. The final version has been available for that purpose for about a week.

I think it is unfortunate that we can't move forward in this sort of clear, reasonable, and straightforward way, but we certainly will in the near future, and I look forward to that.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I regret that the Senator from Kentucky has left the Chamber because the two

things he mentioned were the criminal provisions and the preemption. The criminal provisions and the preemption have been with us for 6 months—not for 2 days, not for 3 days, but for 6 months. That is exactly what we voted on in December. You can't ask for more time than that to consider the provisions of a bill.

The other thing is that we are all supporting the two components of the bill—that is, the criminal provisions and the preemption. Again, they have been here for 6 months.

I ask that we have a chance to reconsider. We know this is going to pass. We know that when we get back, it will pass. It will pass because we have to go through all the procedures of a cloture vote on the motion to proceed and all that. So we know it is going to pass. That is not the issue. It is just that if we could do it now instead of 2 weeks from now. There are people making decisions today as to what they are going to be doing and what products they are going to be manufacturing and where they are going to do it. And to put that off for 2 more weeks after we have been working on this for 6 months is not a fair way to conduct business.

I hope that later on today we will have an opportunity to get this done. There is no reason not to do it. Everyone is for it. Every group I mentioned is for it. Every Democrat, Republican, liberal, conservative is all for it. This is our opportunity to get it done. There is still time today to do that. I hope that between now and 1:45, which is the scheduled time for our vote, that will be a reality.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Madam President, I am very grateful that my chairman of my committee, Environment and Public Works, spoke so eloquently about the issues surrounding this bill. I am new to the Senate—at least in Senate terms—because I have been here for 2½ years, but I have never seen such a broad-based coalition involved in supporting a bill—a coalition that extends from the far right to the far left, a coalition that brings industry and activists together, a coalition that brings environmentalists together, as well as those who seek economic growth. This is a tremendous coalition. But even more so for me as a relatively new Senator, it has been one of the greatest privileges I have had in the Senate to work together in such a cooperative way to bring about legislation for which you really could build such a broad base of support.

I applaud my colleagues, and I applaud the chairman and the ranking member. I applaud all the members on the EPW Committee and others for working on a bill that does earn, in my opinion, speaking as a man from New Jersey, the right to have the name of

my predecessor Frank Lautenberg on it.

Senator Lautenberg was a giant in New Jersey. He served this country with distinction. He was a veteran. He was a public servant. He actually ran a business and grew it to be a mighty one in my State and beyond. You cannot truly begin to appreciate the void that was left by him, but the great thing about this champion of transportation, of infrastructure, of consumer safety, of fighting for his fellow citizens, this champion's work, where he began working in partnership with Senator VITTER to try to move this forward and then sadly died—this is one of his great legacies. One of his great contributions was his effort to begin what has now been a multiple-year effort to reform the toxic hazardous chemical law. Senator Lautenberg's efforts were the investigating factor, the ignition of this success that we are having today of such a broad-based bill, of such broad-based support. It reflects his work, his efforts, and his legacy.

I am very proud I had the honor of finishing Senator Frank Lautenberg's term in the Senate last year. During that time and still today, I see on a daily basis the urgency around his efforts.

I know that after Senator Lautenberg passed, his spirit was still very much manifest in this area when his wife, Bonnie Lautenberg, took up the important cause and served as one of the fiercest champions in strengthening this bill we are talking about now. She was here working, lobbying, nursing, pushing, cajoling, convincing, making sure we got to this day.

I am very proud that during my 2½ years, I was able to enter into the work to get this legislation to where it is today. I saw Senator TOM UDALL's leadership, and I want to praise that. I saw how tireless he was working on this. I am grateful for Senator UDALL's, Senator VITTER's, Chairman INHOFE's, and everyone's staff, as they worked together to get this bill to where it is today.

At the beginning of 2015, my colleagues, Senator WHITEHOUSE and Senator MERKLEY, and I began by negotiating with Senators UDALL and VITTER to make what we saw as urgently needed improvements to this bill. Working together, I am proud we were able to make those improvements to the preemption provisions that were involved in some of the things my colleague from Kentucky was just talking about—making sure that States still have a role in the process, still have power and authority in this process, and have the ability now to co-enforce with the Federal Government around this bill.

I was also very proud of a provision in this bill that will significantly minimize new animal testing and potentially save tens of thousands of animals from unnecessary suffering.

I am proud that the revised bill passed out of the EPW Committee with strong bipartisan support. I am also proud that since the EPW Committee has improved this bill, Senators UDALL and VITTER have stayed at the negotiating table and continued to take input from folks on both sides of the aisle, continuing to make this a better bill.

Senators MERKLEY, DURBIN, BOXER, the bill's sponsor, and others have made additional changes to make this bill strong.

We would never have gotten this strong of a TSCA reform bill if it weren't for the work of people on both sides of the political aisle, if it weren't for the work of people within industry, if it weren't for the work of advocacy groups, and if it weren't for groups I have come to respect a tremendous amount, such as the Environmental Defense Fund, whose early engagement and constant pressure played such an important role.

This is one of those rare moments where you have a full court press, both sides of the aisle and individuals who are representing multiple sectors all coming together to make a strong bill. They are making a strong bill because everyone was in agreement that the legislation we had—decades' old, the TSCA bill—was broken. It was broken in that it did not protect consumer safety. It was broken in that it did not give predictability and certainty to the industry. It was broken because it put America's health at risk. Whether it was children or our seniors, it created an environment where people could get sick. It had no teeth. It had no strength. When this bill becomes law, it will protect American families, it will protect our children from dangerous chemicals, and it will give industry the certainty it needs.

I urge my colleagues to pass the Frank Lautenberg bill today. I want to thank everyone again. This is a result of a tremendous coalition of efforts, a symphony of focus and work, of people coming together to do something that many people think is rare in the Senate—that we all can work together across partisan lines to make good legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TRIBUTE TO DAVID MCBEE

Mr. COTTON. Madam President, I want to recognize today David McBee of Gassville, AK, as this week's Arkansan of the Week for his charitable contributions to his North Arkansas community. By day, David is the regional manager at Arvest Bank's Yellville branch, but he spends much of his free time after work and on the weekends volunteering for several causes in the area.

Last year, David's leadership helped his Arvest branch become the top fundraiser in the State for the Cotter Backpack Program, a local charity that provides backpacks of food to schoolchildren in need. His efforts led to Cotter schools receiving the Spirit of Arkansas Award 2 years in a row.

David also spends countless hours organizing the annual Cotter Warrior 5K Color Run each fall. Earlier this year, David planned a community Feed the Pack Day, where volunteers collected change at intersections and various other sites around the Mountain Home and Gassville area and donated the proceeds to fight hunger in the region.

On the weekends, you can find David at the football field, where he is one of the voices of the Arkansas Tornados, a local semiprofessional football team. I think Cotter High principal Amanda Britt said it best when she wrote in her nomination of David, "He is always willing to step in and help for anything we need."

David's tireless dedication to his community is Arkansas at its very best, and I am proud to recognize his many contributions in this small way.

David, on behalf of all Arkansans, thank you for all you do to make our home State a better place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I ask unanimous consent that the Senate now proceed to executive session for the consideration of the nominations previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session for the en bloc consideration of the following nominations, which the clerk will report.

The bill clerk read the nominations of Laura S.H. Holgate, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador; and Laura S.H. Holgate, of Virginia, to be the Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

The PRESIDING OFFICER. Under the previous order, there will be 15 minutes equally divided for the consideration of these nominations.

The Senator from Ohio.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. PORTMAN. Madam President, I rise today to talk about an issue that affects all of us in this Chamber and all of the communities we represent. I also

rise on behalf of the 200,000 Ohioans who are currently struggling with an addiction to prescription drugs or opiates.

Heroin and prescription drug addiction has gripped our country. Unfortunately, we are facing an epidemic now, and I want to rise today to talk about how we can do a better job to address that. This is the seventh time I have come to the floor of the Senate to speak on this issue since the Comprehensive Addiction and Recovery Act passed the Senate on March 10. That vote was 94 to 1, showing that Members from every single State are affected by this and want to address it. The Comprehensive Addiction and Recovery Act, CARA, is a good start and will make a big difference because it is comprehensive and it addresses every aspect of the issue, from education and prevention through treatment and recovery, and helps our law enforcement folks and helps get these prescription drugs out of our communities. It is a good piece of legislation that I hope we will be able to get to the President's desk for his signature.

For the first 5 weeks I came to the floor, I talked about the fact that I hoped the House would act. I urged the House to act quickly on this emergency that is affecting our communities. Last week I came to the floor to say thank you to the House because they did act. They voted on 18 separate bills. Combined, they were a response to this epidemic, and I think that was a very important step forward.

I am encouraged that now the two Chambers, the House and Senate, are trying to figure out a way to come together with a conference to come up with one bill that can be sent to the President for his signature. I do believe the legislation we passed in the Senate is more comprehensive, and I hope the House will be willing to take some of our measures, particularly in the area of prevention, which was left out, because I think preventing this addiction in the first place and keeping people out of the funnel of addiction is incredibly important.

It has been 77 days since the Senate passed CARA, and we lose about 120 Americans a day to drug overdoses or about 1 every 12 minutes. This means we have lost about 9,000 Americans to drug overdoses since the Senate passed this legislation back on March 10. About 300 Ohioans have lost their lives to heroin and prescription drug overdoses.

We were told by the Centers for Disease Control and Prevention that in 2014 Ohio had the second most overdoses of any State in the Union and fifth highest, overall, overdose death rate.

I have seen the consequences of this every time I go home. I will be home tomorrow and will have the opportunity to visit with some people who

are trying to help on this issue, but everywhere I go I hear about it.

Last night I had a tele-townhall meeting. We have about 25,000 Ohioans on the phone at any one time at these tele-townhall meetings. Somebody called in to talk about our legislation, CARA. His name was Joe. He is from Delta, OH, and he was very open about his situation. He said he had been a heroin addict for 15 years. He said he was 33 years old. He said he had a stroke when he was 25 that was related to his use of heroin. He said he had been in and out of treatment programs. He was clean now, but he was tired of going to funerals. He said he had been a pallbearer at about 20 funerals of friends of his who had died from overdoses. He said he was ready to straighten out his life and get back on track. He also talked about how tough that is; that the grip of this addiction is so strong, it is very difficult to go through a treatment program and into recovery and come out clean. He said he likes our legislation because he believes there should be more treatment out there. He said many people who want to go to treatment cannot get the treatment they need. We also talked about the stigma that is attached to addiction. That many people don't go forward to even tell their families, much less get into treatment, because of the stigma around this disease.

Unfortunately, stories like Joe's are in the headlines every day. Just since I spoke on the floor last week, more headlines are coming out of Ohio. It is everywhere, by the way. It knows no ZIP Code. It is in the inner city, it is in your community wherever you live, it is in suburbs, and it is in our rural areas. In fact, the per capita use in rural areas may be higher than it is in the inner city.

This week the Cleveland Plain Dealer began a series of stories on those whose lives have been cut short by this epidemic, and I applaud them for that. By raising awareness of this issue, I think that will help in terms of the prevention side of this, and I think it will also help people to be able to seek treatment.

The stories the Cleveland Plain Dealer is featuring includes a fentanyl overdose death of an 18-year-old named Nicholas DiMarco, who was an honor student at North Olmsted High School. They include the story of Patrick O'Malley, a bright, young graduate of Ohio University. Patrick used prescription painkillers—drugs we all know the names of, like Vicodin and Percocet. He abused them and became addicted. Money started being missing from his mom's wallet. Laptops, televisions, and other items went missing from their home. He told his brother he didn't want to keep using. He wanted to stop. He said he had a disease, and it is a disease. He sought treatment and went into rehab at the Free Clinic in Cleveland, OH. I have been there and have

seen the good work they do. Sadly, he relapsed, and just 2 weeks later his brother found him dead in his bedroom with a needle stuck in his arm. He was 25 years old.

Unfortunately, these stories continue to be told because this is what is happening in our communities. Mary Jo Trocano was a grandmother who had chronic pain. She was prescribed painkillers to deal with her chronic pain, and like so many others, she became addicted to them. When she ran out, this grandmother switched to heroin. It is less expensive and more accessible. She fought this addiction for 10 years, but Mary Jo was found dead in the backyard of an abandoned house in the west side of Cleveland recently in her late fifties.

These are just stories from one town, Cleveland, but they can happen in your hometown. Again, no ZIP Code in the country is safe from this strong grip of this particular addiction.

Just last Friday, police in Niles, OH, seized \$100,000 worth of heroin from one man. Three days later, a prison guard in Athens, OH, pled guilty to assisting the drug traffickers and getting drugs into the prison system.

In Columbus, a mom pled guilty to involuntary manslaughter after her daughter, Annabella, who was just 14 months old, ingested fentanyl-laced heroin at a drug house. Annabella died of an overdose and her mom is now facing up to 11 years in prison. Fentanyl, by the way, is a synthetic form of heroin. It has similar qualities except it is much stronger—often as much as 50 times stronger than heroin. Unfortunately, many of the overdose deaths in Cleveland are due to the fentanyl that is often laced with the heroin. In fact, there have been more deaths in Cleveland, OH, in this first quarter than ever. In fact, we are looking at probably doubling the number of overdose deaths if we continue on this pace in Cleveland, OH, compared to last year. This is how serious it is in my State and your State, wherever you live.

On May 9, Ohio State troopers seized \$20,000 in heroin on Route 23 in Marion County, a rural area. Just 3 days later, three people died of drug overdoses in Marion County in a 24-hour period.

Every one of these victims had family, friends, or classmates who are now suffering themselves. It shouldn't be this way, but unfortunately that is just the tip of the iceberg. In addition to the 9,000 Americans we have lost since this legislation passed the U.S. Senate—think about this—there are hundreds and thousands more who are wounded. They have lost their jobs, been driven to theft or fraud, gone to jail, broken relationships with loved ones because the drug is everything. This is what I hear and what I heard last night in the tele-townhall. What I hear from other recovering addicts is that the drug becomes everything.

Therefore, the families are torn apart and therefore the job means nothing. They turn to theft when they had never before crossed that line of committing a crime. That is the status quo today.

Getting a comprehensive bill to the President's desk for signature and getting it to our communities will help. It has to be comprehensive because we know it is not going to work if it just addresses one side of the issue or another.

There has been a debate over funding for this legislation. Some have said more funding is the answer to all of our problems. Unfortunately, some have tried to politicize this a little bit, and I suggest what they are doing is not going to help because what we need to do is get a comprehensive bill out there that talks about providing funding—and I believe there should be more funding—that goes to the evidence-based programs we know work, and that is what this legislation does. It is based on 3 years of work. We brought experts in from all over the country. We had five conferences in Washington, DC. We had conferences about how to help our veterans, pregnant moms, addicted babies, and ensure that we have more people who are given the right kind of treatment—medication-assisted treatment—to be able to get back on track.

Yes, I have supported more funding, and we should continue to try to get more funding to address this problem, but it is not just a matter of putting more money into it, it is also a matter of spending that money wisely. That is what this legislation does. Yes, there is more money. It has \$80 to \$100 million in additional funding, but it also has funding that will be used for what we know works.

We need to be sure we do this soon because, again, this epidemic is growing. CARA, Comprehensive Addiction Recovery Act, insists that we are targeting this funding toward evidence-based education, treatment, and recovery programs. There are 130 national anti-drug groups that support this legislation because of the fact that they were part of putting it together. They know what works out there and what doesn't work. This is a national effort. It is one that will save lives and will make a difference in so many other people's lives and will begin to actually turn the tide on this epidemic.

Again, this legislation is one that 94 Senators supported. Only one Senator opposed it. Again, that shows how this has become an issue in every single State that has to be addressed because it is affecting everybody in every community. CARA has a number of things on prevention education that are incredibly important to keep people out of the funnel of addiction and help people make the right decisions, particularly for teens, parents, other caretakers, and aging other populations. It

does more in terms of making people aware of this connection between prescription drugs and heroin. Probably four out of five heroin addicts in Ohio today started out with prescription drugs, and for people to know that, it helps them avoid being in the situation they are, like the grandmother in Cleveland I talked about who was exposed to more and more painkillers and became addicted to them.

CARA also improves treatment by expanding the availability of naloxone. This is the miracle drug that can actually stop and reverse an overdose. Law enforcement agencies and first responders support our legislation because they appreciate the fact that there is more funding for naloxone, also called Narcan, and also because there is more training in our legislation so people have the training to be able to save lives and reverse these overdoses.

It also expands treatment for prisoners who are suffering from addiction disorders. With evidence-based treatments, we can break this cycle of addiction and crime. Prosecutors have told me that in some counties in Ohio, more than 80 percent of the crime is now directly related to this opioid addiction. We are told that 95 percent of the people who are in jail or prison will be released someday and about half of them will end up back in jail within 2 or 3 years. Much of the recidivism, this revolving door in the prison system, has to do with this drug abuse issue. Families are torn apart when people go back and forth in the prison system. One of the reasons for the increase in crime, and why many crimes are committed, is to pay for an addiction. Breaking that cycle will help ex-offenders stay out of prison and help them to live out that God-given purpose.

CARA also expands disposal sites for unwanted prescription medications to keep them out of the hands of our kids. It would strengthen prescription monitoring programs to allow the States to monitor what goes on in their own State and to also know what is happening in the State next to them. If somebody is monitored for overusing prescription drugs in one State but can simply cross the line into another State and get those drugs, that doesn't help solve the problem. This legislation provides the ability to have a drug monitoring program that is inoperable between the States.

These are critical policy improvements, and they are part of a comprehensive approach to an epidemic that is devastating communities across the country. Yes, we need more funding, but we also need some of these changes in law to be able to spend the money more effectively.

I know these statistics about drug abuse are heartbreaking and can be very discouraging, but there are also

many stories of hope we should not forget, and those stories are inspiring. It is about those who are struggling and find a way to get their lives back together.

Ashley Bryner of Newton Falls, OH, which is near Youngstown, started using drugs when she was 13 years old. By 16 she had gone to cocaine and by 18 she was addicted to painkillers. When she was 24, she switched to heroin when the painkillers became too expensive and too hard to get. Again, heroin is less expensive than prescription drugs today in my State of Ohio.

She said:

When I was in addiction, I was living in hell. It just takes over your mind. . . . Everything I did when I was using was all to feed my addiction.

The drugs became everything. Then she decided to get help. She was ready. She didn't want to live like that anymore. She checked into Trumbull Memorial Hospital in Trumbull County. It took her 18 months to recover.

She said:

I had to re-learn to walk, talk, everything, without dope. It was like being born all over again.

Four years later, she is clean and has full custody of her three sons. She is working for the Trumbull County Children's Services. She is helping others fighting addiction and excelling at her job. She is beating this.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PORTMAN. Madam President, I hope we can send this comprehensive legislation to the White House as soon as possible, to give more people hope, to be able to reverse the tide of this addiction and allow those Americans to live out their God-given purpose.

I yield back my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, shortly we will be voting on Laura Holgate for the nomination to the position of Ambassador and U.S. Representative to the Vienna Office of the United Nations and the International Atomic Energy Agency, IAEA.

I urge my colleagues to vote for her confirmation. She came through the Senate Foreign Relations Committee and is strongly recommended by that committee.

Ms. Holgate's extensive experience makes her uniquely qualified to serve in this position. She has served in senior positions in the Department of Energy and the Department of Defense for 14 years, building and leading global coalitions to prevent States and terrorists from acquiring and using weapons of mass destruction.

She currently serves as the Senior Director for Weapons of Mass Destruction, Terrorism and Threat Reduction on the National Security Council. Having this post filled with a highly qualified nominee has never been more crit-

ical. The position of the U.S. representative to multiple U.N. agencies as well as the IAEA includes the U.N. Office on Drugs and Crime, the United Nations High Commissioner for Refugees, and the International Monetary Money Laundering Information Network, among many others.

This position covers a range of other issues at the IAEA, including North Korea. The International Atomic Energy Agency in the coming years will be responsible for monitoring and verifying the nuclear agreement with Iran, confronting North Korea's continued violations of its nuclear obligations, and dealing with a variety of other nonproliferation threats. We need Laura Holgate in this position to represent U.S. interests and for our national security, and I urge my colleagues to support her nomination.

I yield the floor.

VOTE ON HOLGATE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Holgate nomination?

The nomination was confirmed.

VOTE ON HOLGATE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Holgate nomination?

Mr. CARDIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. HOEVEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 29, as follows:

[Rollcall Vote No. 88 Ex.]

YEAS—67

Alexander	Franken	Mikulski
Baldwin	Gardner	Murkowski
Bennet	Gillibrand	Murphy
Booker	Graham	Murray
Boxer	Grassley	Nelson
Brown	Hatch	Paul
Cantwell	Heinrich	Perdue
Capito	Heitkamp	Peters
Cardin	Hirono	Reed
Carper	Isakson	Reid
Cassidy	Kaine	Rounds
Coats	King	Schatz
Cochran	Klobuchar	Schumer
Collins	Leahy	Shaheen
Coons	Manchin	Shelby
Corker	Markey	Stabenow
Cornyn	McCain	Tester
Donnelly	McCaskill	Tillis
Durbin	McConnell	Udall
Ernst	Menendez	
Feinstein	Merkley	

Vitter	Warren	Wicker
Warner	Whitehouse	Wyden

NAYS—29

Ayotte	Fischer	Risch
Barrasso	Heller	Roberts
Blunt	Hoeben	Rubio
Boozman	Inhofe	Sasse
Burr	Johnson	Scott
Cotton	Kirk	Sessions
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Moran	Toomey
Enzi	Portman	

NOT VOTING—4

Blumenthal	Flake
Casey	Sanders

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Arkansas.

MORNING BUSINESS

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Washington.

URGING THE UNITED STATES SOCCER FEDERATION TO IMMEDIATELY ELIMINATE GENDER PAY INEQUITY

Mrs. MURRAY. Mr. President, I am delighted to be here today with the senior Senator from Maryland, a longtime champion for women in this country and their access to equal pay, because in our country, women in the workplace—no matter where they live, no matter their background, no matter what career they choose—on average earn less than their male colleagues. That wage gap even exists and extends to Olympic gold medalists and World Cup champions who are playing for our U.S. women's national soccer team.

Today we are on the floor to show support for the women's national soccer team and to affirm the sense of the Senate that we support equal pay for equal work for all women in our country.

Just last year we all cheered on the women's national soccer team as they beat Japan 5 to 2 to win the World Cup. In the past three Olympics, our women's team has brought home the gold, and their team is ranked first in the world.

But despite all of those tremendous successes, these players do not get paid

on par with their male counterparts. Think about the young girls who are watching who see these players at the top of their game valued less than men. These are some of the most visible athletes in the world.

In 2015, 750 million people in the world tuned in to watch the Women's World Cup. Twenty-five million of those viewers were here in the United States. So this isn't just about the money. It is about the message it sends to women and girls across our country and the world.

The pay gap between the men's and the women's national soccer teams is emblematic of what is happening across our country. On average, women get paid just 79 cents for every dollar a man makes. This is at a time when women more than ever are likely to be the primary breadwinner of their family. The wage gap isn't just unfair to women. It hurts our families, and it hurts our economy.

Carli Lloyd is a cocaptain of the U.S. women's national soccer team. Last year she scored three of the five goals in the final World Cup match. A few months ago, she was one of the players who filed a wage discrimination case with the Equal Employment Opportunity Commission.

Shortly after the news of that have case broke, Carli Lloyd said: "We are not backing down anymore."

I know my Democratic colleagues won't back down in the fight for equal pay, but on the Senate floor today, we have a chance to show our support for women athletes and women in the workforce who get paid less than their male colleagues.

Two weeks ago, I, along with 21 of my colleagues, introduced S. Res. 462 to make clear that pay discrimination is wrong. This resolution urges U.S. Soccer to end pay disparities and treat all athletes with respect and with dignity, and it expresses our strong support to end the pay gap and strengthen equal pay protections.

We are here to give the Senate the opportunity to take a stand with the members of the U.S. Soccer women's team against the pay gap and wage discrimination and to support this legislation.

I will offer the resolution in just a minute, but before I do, I turn the floor over to my senior colleague. I hope that once this resolution is adopted, if we can get it adopted, we can support the equal pay for equal work that she has championed for so many years.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise today to join my distinguished colleague from Washington State, a long-standing advocate for women and children and, really, fundamental fairness.

Today I join her in urging that the U.S. Soccer Federation end the gender gap and stop kicking women around.

Women across our country are still paid less than men, just 79 cents for every \$1 a man makes. This wage gap is felt by all women, even champions playing for the U.S. women's soccer team.

These champions won the World Cup last year. They brought in \$20 million more in revenue than the men's team, but they are paid four times less.

When do we reward victory? When do we reward being a champion? How about equal pay for equal work? They belong on the same types of playing fields.

Those women are taking action by going to the EEOC Commission, and it is time to score one for equality. Equal pay for all must be our goal. We want equal pay for equal work, whether we are U.S. Senators, nurses, executive assistants, or whether we are professional athletes.

I stand with the women's soccer team and women across the United States in their fight for equal wages. They kick the ball around, but we are getting tired of being kicked around. Give us equal pay for equal work. Let's change the lawbook—the Federal lawbook—so that they can change their checkbook.

Why should our women go to the Olympics and go for the gold when they aren't paid the gold.

Let's pass this resolution. Let's show our support for the U.S. women's soccer team. Let's set an example for young girls, soccer athletes, daughters, nieces, and granddaughters. Let's pass the Paycheck Fairness Act, but today let's start with passing this resolution.

This is a real-world solution in support of them, but it really highlights the fact that we not only adopt resolutions, but we want to adopt solutions to finish the job that we started with equal pay.

I compliment the Senator from Washington State for bringing this resolution to the floor.

Mrs. FEINSTEIN. Last month, the national women's soccer team filed a complaint with the Equal Employment Opportunity Commission.

The complaint states that women are paid just 40 percent of what men are paid—despite the fact that our women's soccer team has long been one of the best in the world. The team has won four of the last five Olympic Gold Medals and three of the last seven World Cups.

However, the wage gap between the men and women's team is stark. Women are paid \$3,600 per game while men are paid \$5,000 per game. Women soccer players are awarded a win bonus of \$1,350 per game. In contrast, male soccer players are awarded win bonuses of between \$6,250 and \$17,625 per game.

That is up to 13 times more. This differential is so significant that a woman player who wins all 20 exhibition games would still make \$1,000 less than a male player who lost all 20 exhibition games.

Women soccer players are even given smaller per-diems when they travel. Women receive \$50 per day, while men receive \$62.50 per day. These examples represent the pervasiveness of wage discrimination in this country.

The most successful women's soccer team in the world still earns just 40 cents for every dollar earned by men, and that needs to change. The Senate should stand in solidarity with the national women's soccer team and pass this resolution.

Of course, what is happening to the women's soccer team isn't an isolated event. It is indicative of a much broader, entrenched problem in this country.

Women are still paid just 79 cents for every dollar earned by men. This means that every woman who works full time is paid \$10,700 less—every year.

This gap has a significant effect on the economic security of working families—40 percent of women are the primary or sole breadwinners in their families.

That means 40 percent of families depend on women's wages to pay the bills. Every dollar women lose to the wage gap makes a difference.

Here are just a few examples of what the wage gap costs families: \$10,700 is more than 1 year's worth of groceries for a family of 4, 7 months of mortgage and utility payments, or 11 months of rent.

The wage gap is even bigger for African-American and Latino women. African-American women are paid just 60 cents. Hispanic women are paid just 55 cents. We can't allow this discrimination to continue.

The wage gap is a national problem. It affects all women, and the Senate must take action. The Paycheck Fairness Act is a good place to start.

I have long supported this bill, which is sponsored by Senator BARBARA MIKULSKI. The Paycheck Fairness Act would protect women from retaliation if they ask about wages and require employers to justify paying women less than men for the same job.

Women often don't know they are being paid less than men, and making the system more transparent will help reduce the wage gap. The bill would also make it easier for women to take legal action under the Equal Pay Act, including class action lawsuits.

Under current law, it is significantly easier to recoup lost wages if they were denied through other discriminatory practices, like failure to pay overtime. Lastly, the bill would create a training program to help women negotiate their salaries.

This is a commonsense bill and one that is long overdue. President John F. Kennedy signed the Equal Pay Act in 1963. At the time, women made 59 cents for every dollar earned by men. In 53 years, we have only closed the gap by 16 cents.

At this rate, it will not be eliminated until 2059. Women and their families deserve better, and they can't afford to wait that long. I strongly urge the Senate to pass the Paycheck Fairness Act and the resolution before us today.

In closing, the Senate has an opportunity to stand up for equal pay for the women's soccer team—and all American women—by adopting this resolution.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 462 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 462) urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. Mr. President, I know of no further debate at this time on this resolution and ask unanimous consent that the Senate now proceed to vote on adoption of the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there is no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 462) was agreed to.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 12, 2016, under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Wisconsin.

REMEMBERING MARY BABULA

Ms. BALDWIN. Mr. President, I rise today to celebrate the life and work of Mary Babula.

For 44 years, Mary was a tireless and passionate advocate for children and early childhood educators and a valued resource for policymakers.

I was fortunate to work closely with Mary throughout my time in local and State government and later as a Member of the House of Representatives. Beyond our professional work together, Mary was a friend and also a mentor.

I first met Mary in the 1980s when I was serving on the Dane County Board of Supervisors and concurrently in an appointed position on the Community Coordinated Child Care board of directors.

Mary was at once an advocate for children and for the predominantly female professionals who teach and care for them. She understood that our children would only have safe, stimulating, and nurturing experiences in childcare settings if we invested in their training, credentialing, and adequate compensation.

Those who are entrusted with the care of children while their parents are engaged in work or study deserve that high value. Mary was a passionate leader in that regard.

Mary Babula organized early childhood educators to be effective voices on their own behalf. Whether it was lobbying for tuition assistance funding for low-income parents to be able to afford high-quality childcare or rallying for worthy wages, Mary wanted early childhood educators to be seen, heard, and respected.

A Wisconsin native, Mary Babula attended the University of Wisconsin-Madison and graduated with a degree in social work, later receiving a graduate degree in continuing and vocational education. She began her work with children as a part-time volunteer at a Madison daycare center while in college. She later worked as a teacher and director at Christian Day Care Center in Madison.

In 1971, Mary began working with the Wisconsin Early Childhood Association, otherwise known as WECA, and later became the organization's executive director. During her years at WECA, Mary led the organization through a wide variety of instrumental changes. The establishment of the Federal child care and development block grant signaled new opportunities for WECA to increase its direct impact on childhood education and development. Through this program, WECA managed quality-improvement grants and established the Wisconsin Child Care Improvement Project. This project spurred the development of Child Care Resource and Referral agencies throughout Wisconsin, which provided parents a clear and responsible guide when selecting child care.

In the 2000s, WECA began to administer the REWARD Wisconsin Stipend Program, supported a mentoring program, and led efforts that resulted in the development and beginning of YoungStar, an important program that continues to serve as Wisconsin's childcare quality rating and improvement system. Her efforts and initiatives at WECA continue as her legacy.

Mary's passion for her children, caregivers, and educators extended well past the walls of WECA. She was eager to work with elected officials at the State, local, and Federal level to lend her expertise and knowledge. I had the privilege of working closely with Mary on numerous occasions and often sought her input on childcare issues as important legislation advanced through Congress.

Beyond her work with children, Mary brought her energy and dedication to numerous community groups, including Womonsong, Friendship Force, and the Wisconsin Women's Network.

I am fortunate to have known Mary as an advocate, as a friend, and as a mentor. I never let her small stature fool me. She had a soft yet powerful voice when it came to ensuring that the youngest and most vulnerable members of our community received a very strong start in life. Thousands of Wisconsin families can trace the early education of their children directly back to her advocacy. She leaves behind a huge and powerful legacy.

Mary Babula passed away late last year. She is survived by her life partner, Mary Mastaglio, her mother Miriam, and three sisters. Many family members and friends join in celebrating her life and legacy.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INSPECTOR GENERAL REPORT ON SECRETARY CLINTON'S NON-GOVERNMENT SERVER AND EMAIL ARRANGEMENT

Mr. GRASSLEY. Mr. President, the State Department inspector general has released findings regarding the State Department's email practices for the last five Secretaries of State. This report makes clear that Secretary Clinton has not told the truth to the American people about her nongovernment server and email arrangement.

As I have noted many times before, Secretary Clinton's nongovernment server arrangement prevented the State Department from complying with the Freedom of Information Act. She used the private server to avoid the law that requires archiving Federal records. It was designed to wall her email off from the normal treatment of a government official's email communications.

The inspector general found that Secretary Clinton failed to surrender all official emails to the Department prior to leaving government service.

The inspector general found that Secretary Clinton's email practices "did not comply with the Department's policies that were implemented in accordance with the Federal Records Act." In other words, she violated the law. The inspector general has made clear that Secretary Clinton neither sought nor received any permission to maintain her nongovernment server arrangement. Moreover, the report says

that if she had, that permission would have been denied.

These findings directly conflict with her many misleading public statements.

Secretary Clinton said on July 7, 2015, "Everything I did was permitted. There was no law. There was no regulation. There was nothing that did not give me the full authority to decide how I was going to communicate."

That statement is false.

Her staff also failed to comply with Department policy and records laws. They routinely conducted State Department business on personal email accounts.

After the controversy broke, they eventually turned over 72,000 pages of work related emails from those private accounts. These emails were not preserved in Department recordkeeping systems as required by Department policies and Federal records laws. In other words, her staff also violated the law.

Documents in those 72,000 pages were systematically withheld from Freedom of Information Act requestors and congressional oversight committees, including the Senate Judiciary Committee, which I chair. Based on the inspector general report, it appears that the Department failed to produce key documents to Congress from these personal email accounts.

For example, according to emails cited by the inspector general, we learned that Secretary Clinton's non-government server was attacked by hackers. One email the Department failed to turn over said that "we were attacked again so I shut the server down for a few minutes."

It is disturbing that the State Department knew it had emails like this and turned them over to the inspector general but not to Congress.

In another email the Department failed to turn over, the director of Secretary Clinton's IT unit warned her that "you should be aware that any email would go through the Department's infrastructure and subject to FOIA searches." Clearly, Secretary Clinton wanted to avoid the Freedom of Information Act at all costs.

That IT director who warned her about the transparency laws for State Department emails is named John Bentel. He has since retired from the State Department, and thus, the inspector general could not require him to testify.

He refused to speak with the inspector general. In fact, Former Secretary Clinton and several of her aides also refused to speak to the inspector general.

Mr. Bentel also refused to speak with the Judiciary Committee. According to his attorney, Randall Turk, Mr. Bentel knew nothing about the server at the time. In refusing to participate in a voluntary witness interview with the committee, Mr. Bentel's attorney

claimed that his client only learned of the controversial email arrangement after it was reported in the press.

He said another congressional committee "spent its entire interview . . . focusing on what the Committees' letter says you want to ask him about."

In a January 14, 2016, email to my staff, Mr. Turk noted that Mr. Bentel had "no memory or knowledge of the matters he was questioned about."

The inspector general report says otherwise. According to the report, two of Mr. Bentel's subordinates separately raised concerns back in 2010 about Secretary Clinton's private email usage, including concerns that it was interfering with Federal recordkeeping laws. That is 5 years before the news broke publicly.

Both of these State Department staff independently told the inspector general about similar conversations they had with Mr. Bentel about their concerns. According to these new witnesses, Mr. Bentel told them never to speak of Secretary Clinton's personal email system again.

It seems unlikely that two witnesses who told such similar stories independent of one another would be making it up. Plus, they knew they were under a legal obligation to tell the truth to the inspector general.

Without having spoken to these witnesses directly, the circumstances make their statement seem credible. And although Mr. Bentel has been given the opportunity to provide his side of the story, he has refused to cooperate.

But if what these two witnesses said is true, it is an outrage, and it raises lots of serious questions. Good and honest employees just trying to do their job were told to shut up and sit down. Concerns about the Secretary's email system being out of compliance with Federal recordkeeping laws were swept under the rug.

If those State Department employees had not been muzzled 5 years earlier, perhaps Secretary Clinton could have avoided this entire controversy.

Are these statements evidence of an intent to cover up Federal Records Act violations? Were the representations to the committee by Mr. Bentel's attorney that he didn't know about the private server false?

It seems from the inspector general report that Mr. Bentel in fact did have knowledge of Secretary Clinton's email arrangement, contrary to his attorney's assertions.

Not only that, he also was reportedly warned that it raised legal concerns about compliance with Federal records laws.

Secretary Clinton and her associates have refused to cooperate with the inquiries into this controversy. But it is becoming more apparent why she is not. The inspector general report makes clear that Secretary Clinton

and a number of other former Department officials have not been truthful with the American people.

And in pursuit of constitutional oversight on these very important issues, the Department of State is continuing to fail to provide relevant documents to Congress.

I will follow up to get to the bottom of these discrepancies because misrepresenting the facts to Congress is unacceptable. Simply said, the American people deserve better.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. PETERS. Mr. President, I rise today to speak in support of the Peters amendment No. 4138 to the National Defense Authorization Act. I would like to thank my colleagues, Senators DAINES, TILLIS, and GILLIBRAND, for joining me in filing this important bipartisan amendment.

We are a nation that takes care of our own, and we owe our veterans the highest possible level of care and support. The United States is home to over 2.6 million post-9/11 veterans—a number that is expected to increase by 46 percent by 2019. The improvements in medical technology have saved the lives of wounded warriors, who will receive the benefits and care these heroes deserve.

While scars, lost limbs, and other injuries are readily apparent to the eye, there are thousands of veterans coping with the invisible wounds of war. We have far too many servicemembers who are suffering from trauma-related conditions such as post-traumatic stress disorder or traumatic brain injury. Unfortunately, many of these have received a less-than-honorable discharge, also known as a bad paper discharge. These former servicemembers often receive bad paper discharges for minor misconduct—the same type of misconduct that is often linked to behavior seen in those suffering from PTSD, TBI, and other trauma-related conditions.

The effects of traumatic brain injury can include cognitive problems, including headaches, memory issues, difficulty thinking, and attention deficits. It is not difficult to see how these effects could lead to behaviors like being late to a formation or missing scheduled appointments—behaviors that can be the basis for a bad papers discharge.

In addition to combat-sustained injuries, PTSD and TBI can also be the result of military sexual trauma. Bad paper discharges make former servicemembers who are suffering from service-connected conditions ineligible for a number of benefits that they need the most. This includes GI benefits and VA home loans which they otherwise would have earned and which can significantly help them transition to civilian life. These discharges also put these servicemembers at risk of losing access to VA health care and veteran homelessness prevention programs.

This is completely unacceptable. We have a responsibility to treat those who serve their country with dignity, respect, and compassion.

Last year I introduced the Fairness for Veterans Act, which will help provide these servicemembers with a path toward obtaining these critical benefits. The Peters-Daines-Tillis-Gillibrand amendment is a modified version of this bill.

This amendment builds upon the policy guidance issued by former Defense Secretary and Vietnam veteran Chuck Hagel. The 2004 Hagel memo instructed liberal consideration to be given when reviewing discharge status upgrade petitions for PTSD-related cases at the military department boards for correction of military and naval records. The Peters amendment would codify the commonsense principles of the Hagel memo, ensuring that liberal consideration will be given to petitions for changes in characterization of service related to PTSD or TBI before discharge review boards.

In addition to codifying the Hagel memo at the discharge review boards, the Peters amendment clarifies that PTSD or TBI claims that are related to military sexual trauma are also included.

Our bipartisan amendment is supported by a number of veteran service organizations, including Iraq and Afghanistan Veterans of America, Disabled Veterans of America, Military Officers Association of America, the American Legion, Paralyzed Veterans of America, and Vietnam Veterans of America.

We also have bipartisan support in the House of Representatives, and I appreciate the work being done by Representatives MIKE COFFMAN of Colorado and TIM WALZ of Minnesota, who have introduced a companion stand-alone bill in the House and are supportive of this amendment.

Servicemembers who were subject to a bad paper discharge and are coping with wounds inflicted during their service should not lose access to benefits they have rightfully earned. That is why we must ensure that they get the fair process they deserve when petitioning for a change in characterization of their discharge. Peters amendment No. 4138 will do just that. This is

not a Democratic issue or a Republican issue; this is about doing what is right and about taking care of our own.

I appreciate Chairman McCAIN's and Ranking Member REED's leadership on the National Defense Authorization Act, and I look forward to continuing to work with them on this critical issue. I hope to see a vote on the Peters amendment No. 4138 as we continue the work on the NDAA, and I urge my colleagues to join us in fighting on behalf of our Nation's servicemembers.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY AND MEDICARE BOARDS OF TRUSTEES

Mr. HATCH. Mr. President, I rise today to speak about pending nominees for the Social Security and Medicare Boards of Trustees.

As most of us know, under the law these two Boards consist of the Secretaries of Treasury, Labor, HHS, Commissioner of Social Security, and two public trustees, one from each party.

One purpose of the Boards is to provide yearly reports on the operation of the trust funds and their current and projected status. Since 1983, when the two public trustee positions were established in the statute, the trustee reports for both trust funds have largely been devoid of partisanship or political influence. That, to me, has been a good thing. It means that the process generating the reports is free of political influence. It also means that the public can have confidence that the statements and assessments made in the reports—including those dealing with current and future financial conditions of the trust funds—are objective and not made to serve a particular agenda.

The inclusion of public trustees on the Boards is an important part of the structure that provides this type of certainty. Yet, by the time President Obama is out of office, the two Boards will have issued more reports with vacant public trustee positions than have been issued under any President since these two positions were created.

In a recent hearing, the Senate Finance Committee, which I chair, heard testimony from President Obama's nominees for the currently vacant public trustee positions, Dr. Charles Blahous and Dr. Robert Reischauer, both of whom have been renominated after serving one full term on the Boards.

Some members of the Finance Committee, as well as a few others in this

Chamber, have questioned whether having public trustees serve more than one term is beneficial. Their argument seems to be that the process of producing the trustees' reports should have "fresh eyes" every 4 years. However, to me, this argument is not all that persuasive. As the trustees go through the process of producing reports, there are many inputs and many participants, including a number of "fresh eyes." For example, there are numerous technical panels, composed of actuaries, economists, demographers, and others, who review the assumptions and methods used in the trustees' reports. Since 1999, 50 different people have served on these technical panels, weighing in on the reports and providing both fresh perspectives on the trustees' reports as well as a much needed check from what could otherwise be outsized roles played by various others, including the Chief Actuary of the Social Security Administration in guiding the contents of the reports.

In my view, there is value to having continuity in the public trustee oversight of the trust funds, particularly since the process that gives rise to trustee reports takes time to learn. For the most part, public trustees are unlikely to have fully learned the ropes until well into their 4-year terms, and their terms very likely expire very shortly after they have a complete understanding of this whole process. Ultimately, while there are probably some tradeoffs associated with term limits for public trustees, there is no real evidence to demonstrate that a single term is inherently superior or that the benefit of having public trustees with "fresh eyes," outweighs the cost of inexperience.

Whatever the case, Members are entitled to their individual preferences regarding term limits for public trustees, and if the issue is as important as some of my colleagues on the other side claim, a bill to impose those kinds of term limits would seem logical. However, such a bill has not recently been offered, and if the recent Finance Committee hearing on the current nominees is any indication, my friends have a different agenda altogether. If term limits were the real issue with these nominations, the committee could have had a reasoned debate and each Member could have weighed in on the matter and Members would obviously be free to base their vote on the substance and outcome of that recent debate.

Sadly, a reasoned debate is not what occurred in our committee. What we got instead was a coordinated attack—pretty much from the ranking member all the way down the Democrats' side of the dais—focused squarely on the Republican nominee, Dr. Blahous. Throughout the course of the hearing, the Democrats never claimed that Dr.

Blahous lacked the appropriate credentials to be a suitable trustee. They never provided any evidence that he had acted inappropriately or exercised some kind of nefarious influence in the process of compiling reports. Instead, my colleagues attacked the nominee for expressing policy views they happen to disagree with. He has never worked to change any Social Security or Medicare policies in his capacity as a public trustee because, given the very specific mission of the boards of trustees, he doesn't have any real opportunity to influence or enact any policy changes in any official capacity.

The Democrats' current position seems to be that if a nominee has ever said anything they happen to disagree with—even if the statements represent reasoned policy views and are supported by objective analysis—they are unfit to serve as public trustees. During the course of our hearing, not only did the Democrats publicly subject its nominee to this preposterous standard, they did so with comments and arguments that were misleading, inconsistent, and in some cases blatantly false. In the end, their onslaught amounted to little more than partisan character attacks.

The Republican nominee was referred to as “hyperpartisan,” even though you would be hard-pressed to find any credible and reasonable Social Security and Medicare analyst from either party who would agree with that label. He was accused of being the “architect of privatization” of Social Security because he happened to work in the Bush administration. He has been attacked for his involvement in President Bush's Commission to Strengthen Social Security as though that were something nefarious, even though Senator Daniel Patrick Moynihan, a figure long revered by Democrats everywhere and me, was also a cochair of that Commission.

There have been other attacks made—in the hearing and elsewhere—and all of them add up to one single and obvious conclusion, which is that anyone who expresses a view about the future of Social Security that is not a recommendation for more taxes and higher benefits will be subject to partisan attacks and deemed unfit to serve in any capacity relating to Social Security. This is, of course, the demand of leftwing interest groups that have virtually declared ownership of all things Social Security and who are unwilling to do anything about solving the problems of Social Security. All they want to do is throw more money at it when there is no more money to throw.

For this crowd, even arguments in favor of slowing the benefits for upper earners seem to be off limits, even when they are made by the Democratic nominee for public trustee. In other words, even proposals that would make

Social Security more progressive—something a reasonable person would assume Democrats would not fight—is seemingly unacceptable because slower benefit growth, even for the very rich, is considered a “cut” to the leftwing activists who try to take ownership of this debate. I am talking, of course, about organizations like Social Security Works, the Strengthen Social Security Coalition, various unions, and “democratic socialist” groups that have made intransigence and unreasonableness on Social Security a hallmark of their efforts over all of these years. For these people, the only allowable discussion on Social Security is one limited to talk of higher benefits and higher taxes on the American people. Anyone who disagrees will not only be refuted or opposed, they will be publicly maligned and their character will be called into question.

Indeed, for many of these groups—and sadly for some of my colleagues on the other side of the aisle—these efforts are not about winning public policy debate, they are about silencing and trying to censor anyone who dares express a contrary opinion.

In even-numbered years, Republicans have more or less gotten used to hearing that we want to see Social Security “slashed” and “privatized” or “turned over to Wall Street.” Leftwing activists—and, yes, even a number of our colleagues—base a huge portion of their fundraising efforts on scaring Social Security and Medicare beneficiaries with those kinds of over-the-top attacks. For once, when it comes to Social Security, I wish we could look at all the facts. For example, everyone knows we made some changes to Social Security last year in order to prevent imminent and legally required cuts to disability benefits. We did so based on the projections of the Social Security trustees—these very people who are being treated in this improper way.

Did we “slash” benefits? Did we privatize anything? Did we turn anything over to Wall Street? Of course not. What we did was make reasonable and needed changes to the program, but that didn't stop many on the other side from sounding the privatization alarm and raising money by scaring beneficiaries, even if they were as aware as we were that the cuts to disability benefits were, absent changes, an absolute certainty. We got precious little help from the Democrats in our efforts to avoid benefit cuts because, as is too often the case around here, complaining about a problem and blaming the other side for it makes for better politics than finding a solution. That same strategy and those same attacks have now permeated the effort to confirm two of President Obama's nominees. By the way, I am arguing for President Obama's nominees.

As I said, the Republican nominee for public trustee has been accused of

being many things. More than anything, some of my colleagues have tried to link him to some kind of effort to try to privatize all of Social Security and hand everything over to Wall Street—never mind the fact that he has already served in the very same position for 4 years and Social Security is no closer to being in the hands of Wall Street than it was before, never mind the fact that he was already confirmed to the very same position once before without any opposition on the Senate floor, never mind anything that has happened in the past. Here and now, according to my colleagues, he is controversial. Here and now, letting him serve as a public trustee would be like having a fox guarding the henhouse or some such nonsense. By the way, that phrase, “fox guarding the henhouse,” is an actual quote from one of our colleagues describing Dr. Blahous. Apparently, he became a “fox” sometime in the last 6 years because in 2010 no one in the Senate objected to his confirmation, but here in 2016, there are apparently some Democrats who feel they need to use this nomination and their partisan rants against it to raise money for their campaigns and perhaps in a case or two boost their prospects for higher office. Of course, none of this is entirely surprising because years ago, probably in some Democratic war room, my friends on the other side discovered that terms like “privatization” and “Wall Street” and “cuts” poll well with their political base, even though no such thing is taking place.

As an aside, this favorable polling data explains why we heard their party's Presidential frontrunner back in February make this claim:

After Bush got reelected in 2004, the first thing he said was, let's go privatize Social Security. . . . And you know what, their whole plan was to give the Social Security trust fund to Wall Street.

My gosh. There are at least three or four poll-tested buzzwords in that quote. If nothing else, Secretary Clinton deserves at least some praise for focus group efficiency with that statement no matter how false the statement is or was at the time. Of course, in dissecting that claim, the Washington Post assigned it three Pinocchios, concluding that it was false, as only they could conclude. In fact, the Washington Post reminded us that the Clinton administration was the first to consider investing Social Security trust fund resources into something other than low-yielding government bonds. So, in a sense, the real “architect of privatization” was President Bill Clinton, not President George W. Bush, and certainly not the current Republican nominee for public trustee. Furthermore, if simply considering alternative investment strategies for trust fund dollars means “privatization,” then the growing list of guilty privatizers has recently included a

Democrat in the House, the AARP, a Nobel prize-winning economist, and many others, and not all of them are Republicans.

Let me return to the debate on the public trustee nomination because, quite frankly, the Democrats made so many misleading claims with regard to Social Security that I could not begin to address them all in a single floor speech.

A recent article in *POLITICO* outlined the plan devised by top Senate Democrats to engage in “an election-year battle” over Social Security and the general public trustees in particular. In relation to Dr. Blahous, the article says: “Democrats point to several instances in the trustees’ reports released after Blahous joined the board that they say suggest the Social Security trust fund is less solvent than it really is.”

That almost sounds like a legitimate policy argument, provided you don’t think about it for longer than 30 seconds. There are, quite simply, countless reasons why that argument is entirely baseless. First of all, no one in the Obama administration has corroborated a single one of these claims in any way, shape, or form. On top of that, this claim seems to suggest that one public trustee, a Republican, has had such a persuasive and misleading influence that he has been able—for more than 4 years—to hoodwink five Democratic trustees, including Dr. Reischauer, the other current nominee, along with Treasury Secretary Lew, Labor Secretary Perez, HHS Secretary Burwell, and Acting Social Security Commissioner Colvin, all of whom also signed on to those trustees reports. Does anyone believe that for a second?

I am going to give my friends some advice: If a political attack relies on an assumption that the sitting Secretaries of Treasury, Labor, HHS, and the Acting Commissioner of Social Security, along with their staffs, are so impotent in the face of the cunning sophistry of a single public trustee from the opposing party, it is best to leave that particular conspiracy theory on the shelf because it doesn’t even pass the laugh test. That is, of course, unless you assume at the outset that members of President Obama’s Cabinet, along with their staffs, are incompetent or just plain dumb.

Aside from being based on foolish assumptions, the claim that recent trustee reports have been biased is verifiably false, given that the non-partisan Congressional Budget Office has reached similar conclusions about the solvency of Social Security. In fact, CBO’s projections are even bleaker.

Perhaps my Democratic colleagues believe that Dr. Blahous’s dastardly influence has extended to CBO as well, although, to be fair, I haven’t heard any of them claim that such is the case.

Mr. President, all of this political bluster over the public trustee nominations—every single word of it—is a political sideshow. The public trustees do not have the power or ability to slash or privatize Social Security or to turn a single penny of any public funds over to Wall Street. They serve a limited but important role in monitoring and reporting on the system. That is all.

Any reasonable observer will tell you that both of President Obama’s nominees for public trustee have solid reputations as being fair, objective, balanced, and most importantly, highly competent.

I don’t personally agree with all the policy positions that the Democratic nominee, Dr. Reischauer, has put forward over the years, but he has always conveyed his ideas in a temperate and respectful manner without partisanship or ad hominem attacks. Quite frankly, I also may not even agree with all the positions that the Republican nominee, Dr. Blahous, has put forward, but he has similarly conducted himself in a respectful and nonpartisan manner.

The fact is, whether certain Democratic Senators like it or not, the law requires that one of the public trustees be from the Republican Party. If someone wants to put forward legislation to change that or to impose term limits on trustees or even start a public debate on these issues, they are free to do so. Similarly, if a Senator disagrees with a prospective trustee’s positions on policy or with something they have written outside of their public trustee functions, that Senator is also free to vote against that nominee on that basis.

However, in my opinion, it is shameful for Members of Congress to engage in unreasonable and false character attacks in order to reinforce the Presidential candidate’s talking points or to raise money for leftwing activists or to help themselves on their political races. Under any circumstances, it is wrong to impugn someone’s character and professionalism by false association.

While this may be par for the course during an election year, there is more than politics at stake here. If Democrats truly have an interest in the integrity of Social Security and Medicare, and their trust funds, then politicizing public trustee nominations is an extraordinarily odd strategy. If we turn these nominations into just another political battleground, the trustee reports will eventually be viewed as political documents, having no unique seriousness or credibility. In the end, that will mean less transparency, objectivity, and integrity for Social Security and Medicare.

This would be terrifically unfortunate.

To conclude, I would just say that, despite some insinuations to the con-

trary, my plan all along has been to hold votes on the Finance Committee on the President’s nominees for the public trustee positions as soon as possible. I look forward to filling the existing vacancies.

The trustee reports for Social Security and Medicare have historically been void of politics, to the credit of the current and past administrations as well as the public trustees from both sides of the aisle. This has been the case until now, when politics has entered in. My sincere hope is that we can keep it that way.

I am getting a little tired of the Social Security arguments that Democrats wage every election, such as Republicans are going to destroy Social Security. My gosh, we believe in it as much as they do—in fact, I think, a little bit more. We believe we should strengthen that fund. We should keep it alive. We should make sure it is going to be there for your children, my children, grandchildren and, in my case, even great-grandchildren and beyond. But it is not going to be there if we have these kinds of idiotic policy disagreements based surely on politics and how one party might benefit in a political campaign or how any individual might benefit. It is time for us to get rid of all the partisanship and work together to resolve some of these problems. The next time I hear another Democrat say that Republicans are against Social Security, I am going to take that creature on. I call them a creature because they certainly do not deserve to be in the U.S. Senate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. DURBIN. Mr. President, I rise to highlight a number of important provisions in the fiscal year 2017 National Defense Authorization Act. This is the measure in its entirety. It comes with this report. It is about 1,664 pages for the actual bill and another 642 pages for the report. It is no wonder, as it deals with national security issues as well as the Department of Defense and many other agencies. It is clearly the product of many hours and months of work by the members of the committee, as well as the staff.

We consider it on the floor of the Senate and have a special responsibility to look at it very carefully. This bill, of course, will take some time to be digested and analyzed. We have been

in that process this week. Many of us count on our professional staff whom we have work for the defense appropriations committee. They also look at this measure to see how it squares up with the actual spending bill. I don't serve on the defense authorization committee; I am on the spending part of it, the defense appropriations subcommittee. We approved our measure today and reported it from the full Appropriations Committee. It will be coming to the floor in a few weeks.

What is the most pressing concern when it comes to our national defense? Most Americans would rightly say it is terrorism. Terrorism is a real threat to America and to our families. We have to do everything in our power to prevent terrorism from reaching our shores and to dismantle it and destroy it overseas. It is a large undertaking.

The United States leads the world in dealing with global terrorism. This bill we are considering has elements in it that address that challenge. I take the threat seriously, and as vice chairman of the Defense Appropriations Subcommittee, I have worked with the senior Senator from Mississippi, Republican Senator THAD COCHRAN, to try to make sure our troops have the funds they need to wage the fight overseas.

To defeat ISIS, we should defeat them on the ground in Iraq and Syria and dismantle their international terror network. We also must continue to prevent the spread of terrorism here at home through stronger homeland defenses and work with our allies to strengthen their intelligence-gathering. To win, we have to mobilize the full force of the U.S. Government against ISIS and ensure that every national security agency has what it needs to keep us safe—at not just the Department of Defense but at all of the intelligence agencies: the Department of Homeland Security, the Federal Bureau of Investigation, the State Department, and the Treasury Department. It is not DOD's fight alone.

This Defense authorization bill contributes to that strategy to stop the spread of terrorism. It authorizes funds for the fight against Al Qaeda, the Taliban, and ISIS, and also includes \$1.7 billion to build the capacity of our allies in Iraq, Syria, and the broader region.

Finally, like this year's Defense appropriations bill, this bill also consolidates a lot of duplicative programs in order to make the fight more effective. It streamlines the authorization for funding for DOD efforts to train and equip our top partners. It will mean better oversight. It will mean more fighting time against ISIS and Al Qaeda instead of more time fighting among the bureaucracy in the Pentagon.

There are several other good provisions in the committee bill which represent a bipartisan consensus between

the chairman and the ranking member. I commend the chairman and the ranking member for refraining from budget gimmickry, as we have seen in the other body across the Rotunda.

Our House colleagues recommend authorizing and appropriating only half of what our men and women in uniform need to keep us safe—half an appropriation—through April of 2017. Testifying in front of my Defense Appropriations Subcommittee, Secretary of Defense Ash Carter called this House “gambling with warfighting money at a time of war, proposing to cut off troops’ funding in places like Afghanistan, Iraq, and Syria in the middle of the year.” I am glad we have refrained from those tactics in the Senate.

The bill also authorizes a well-deserved pay increase for our uniformed and defense civilian workforce. It rejects a request by the Department of Defense to authorize a future Base Realignment and Closure, or BRAC, Commission. Many of us have lived through a lot of these BRAC Commissions. I am not optimistic that if we embark on another one, it will have positive results.

Like many of my colleagues, I strongly oppose Russian President Vladimir Putin's reckless invasion of Ukraine, so I also appreciate this bill's authorization for additional military assistance for Ukraine.

There are several issues which are not addressed in this bill which I hope we can address on a bipartisan basis. Unlike previous years, the bill contains no extension for the Afghan special immigrant visa program so that we may continue to keep faith with those foreign translators who risk their lives to help American troops. Senator SHAHEEN and others have championed this effort, and I hope we can deal with it appropriately.

There are several provisions in this bill that are controversial. I would like to address a few.

The closure of Guantanamo Bay in Cuba is an issue that I think is timely and extremely important. This bill once again blocks the transfer of detainees from Guantanamo Bay to the United States. Some of my colleagues are threatening amendments to tighten these restrictions further.

The reality is, every day Guantanamo stays open, it weakens our alliances, inspires our enemies, and calls into question our commitment to human rights. Time and again, our most senior national security and military leaders have called for the closure of Guantanamo.

The troops—the service men and women who are responsible for maintaining Guantanamo—have an almost impossible assignment. I have been down to Southern Command in Florida. I have talked to them. They are doing their level best to make sure Guantanamo Bay meets standards. I don't

hold against them the reputation Guantanamo has in many places in the world, but the fact is, we should look at Guantanamo in honest terms.

In addition to our national security costs, every day that Guantanamo remains open, we are wasting taxpayer dollars. Many colleagues come to the floor and make speech after speech against wasteful Federal spending. So let me give a classic example at Guantanamo Bay. According to this authorization bill, we are now spending \$5.5 million a year for each of the prisoners at Guantanamo Bay.

What if those prisoners were put in the most secure Federal prisons in America, supermax facilities where no one has ever escaped? How much would it cost us? Would it cost \$5½ million like Guantanamo? No. It would cost \$86,000 a year. Why, then, would we waste millions of dollars on Guantanamo when we know these detainees can be held safely, securely, and without any fear of escape for a fraction of the cost? Because this has become a political symbol, a symbol which the other party is willing to fight for even if it means wasting almost \$500 million every single year to keep Guantanamo open.

All of us are committed to preventing terrorist attacks. Terrorists deserve swift and sure justice and severe prison sentences. But holding detainees at Guantanamo Bay does not administer justice effectively. It does not serve our national security interests. It is inconsistent with our country's history as a champion of human rights.

There are convicted terrorists being held safely in Federal prisons in more than 20 States, including my own. At the Marion Federal penitentiary in Southern Illinois, we are holding convicted terrorists. How many people from Southern Illinois have come to me and objected to the fact that terrorists are incarcerated at the Federal prison in Marion? Exactly none. Not a one. They trust the men and women in the Bureau of Prisons to hold these prisoners safely, even if they are convicted of terrorism. Why, then, do we continue the charade of maintaining Guantanamo for some bragging rights in some places in this world? I don't understand it. If you want to save \$500 million for the taxpayers of America, here is a place to start.

There are also some troubling provisions on guns, including on the reimportation of military firearms for sale. Now, listen to this one. One section of the bill would circumvent State Department restrictions on reimporting surplus military weaponry back into the United States for sale to the public—military weapons for sale to the public in the United States. This is an item that has long been on the gun lobby's list—a wish list that hopes that hundreds of thousands of M-1

military-grade rifles that the United States supplied to South Korea decades ago will come back into the United States, be put in the hands of gun companies, and be sold back in our country. How many people think that bringing in these items—hundreds of thousands of military-grade weapons—and selling them will make us a safer nation? I don't.

Section 1056 of the bill would have the U.S. Army basically serve—listen to this—as a free shipping service to bring these weapons back into the United States, thus bypassing State Department restrictions on the reimportation of these guns by private companies. The bill would then direct the Army to make these guns available to the companies so they could sell them to the public at large—military-grade weapons.

There is also a provision giving military-grade firearms to museums. Another section of this bill would authorize the Secretary of the Army to transfer up to 4,000—4,000 military-grade firearms to public or private military museums, but there is nothing in the bill requiring that the guns be rendered inoperable. There is nothing to prohibit these museums from reselling them to the public as well.

We should be very careful in importing and selling military-grade firearms in the United States of America.

I will defend Second Amendment rights. I will defend the right of individuals to own, use, and store guns safely for sporting purposes and for self-defense. But the notion that we need to bring hundreds and thousands of military weapons back into the United States and put them in circulation—do you really believe that will make us a safer nation? I don't.

The bill also includes a provision affecting Department of Defense-operated schools and school districts that regularly receive impact aid. We need to ensure that our kids are safe as they step onto the bus, walk through school hallways, and enter the classroom each day. When we entrust teachers, administrators, bus drivers, librarians, and others to watch over and care for students, we should have confidence that they are individuals who will actually protect our kids. Indeed, the vast majority of school employees are hard-working, caring individuals dedicated to ensuring that students learn in a safe, nurturing environment. However, we unfortunately have read too many recent headlines about predators who, instead of teaching and protecting kids, ultimately harm and abuse them.

I agree with my colleagues that we need to put in place a comprehensive background check system that will close loopholes and establish zero-tolerance policies for sexual misconduct by school employees. That said, I have serious concerns with section 578 in this bill. This provision fails to provide

adequate due process and civil rights protections for innocent individuals. I am also concerned that this provision is overly broad and could potentially allow schools to dismiss highly qualified individuals who pose no risk to any children. We need to strike the appropriate balance to make sure there is a just process before we make the final determination.

Another troubling provision is Section 829H, which states that the Executive order on fair pay and safe work places would not apply to all defense contractors; rather, just to those who have previously been debarred or suspended as a result of labor law violations. The Executive order simply requires transparency about a contractor's ability to follow long-established labor law. The American people deserve to know why DOD decides to task billions of dollars' worth of work to these people. We should ensure that the President's Executive order is implemented fairly and consistently across the Federal Government.

The bill also contains three related troubling provisions relating to the issue of how to best protect Americans' national security as it relates to the launching of national security payloads into space. I will have more to say about that as this debate progresses, but I would note at the outset that the provision in the bill which I am pointing to has been addressed at the highest levels by our Department of Defense.

The Secretary of Defense, Ash Carter; the Director of National Intelligence, James Clapper; and the Secretary of the Air Force, Deborah James, all disagree with the chairman of this authorization committee on this issue—every one of them. They all agree that this Senator's proposal would cost taxpayers across America billions of dollars more than the current strategy.

In times of tight budgets, when America, its taxpayers, and certainly the men and women in uniform need every dollar we can save them, you can't explain or defend the position taken by the committee.

The disagreement is over how to best get the United States off the dependence of Russian-made rocket engines for the launching of national security payloads into space. The proposal coming out of the committee from the chairman last year and again this year continues to suggest a rash and abrupt halt to the purchase of these Russian-made engines. Let me make it clear. I want to move away from these Russian engines quickly. I want American engines, built by Americans, to propel those payloads into space. But it takes time. For 2 years we have been appropriating money to achieve this goal. It will take at least 2 or 3 years more for us to reach that goal and have an American-made engine.

This chairman of this committee ignores that reality and says we will just stop when it comes to these Russian engines and take the consequences. Well, the consequences, sadly, are going to be an extraordinary expense for American taxpayers.

As chairman and now vice-chairman of the Defense Appropriations Subcommittee, I am committing to an American-made engine. We have appropriated even more funds for this effort than this authorizing committee has authorized over the last several years. The Air Force is using these funds to liberate us from Russian-made rockets as quickly as possible. But Secretary Carter, Director Clapper, and Secretary James have all testified publicly that the proposal from the senior Senator of Arizona is dangerous to national security and costly.

Secretary Carter, testifying in front of the Defense Appropriations Subcommittee on May 6, 2015, said:

We want to get off of that dependency on Russia, but it takes some time to do so. And in the meantime, we don't want to have a gap. . . . We can't afford to have a gap because we need to be able to launch national security satellites.

Earlier this year, Air Force Secretary James testified in front of the senior Senator's own committee—from which we are now considering the bill—making the same case, noting that the chairman's proposal “would add anywhere from \$1.5 billion to \$5 billion in additional costs.”

That is a lot of money. I have heard the chairman of this committee come to this floor over and over and over again, suggesting wasteful spending. According to the Secretary of the Air Force, his proposal will end up costing us \$1.5 billion more than we should have to pay for this important part of our national defense. That is a waste of taxpayers' dollars.

I hope my colleagues will pay attention to this issue, and I hope we have time to debate it in detail. There is simply too much at stake for our national security, for our troops, and for the taxpayers to accept the senior Senator's proposal on this matter.

This is a lengthy bill, as I mentioned at the outset. I am sure there are going to be additional measures that we uncover as we go through it page by page, and we will take the time to actually do so.

In the meantime, I thank the chairman and ranking member of this committee for their work to present this body with their committee's product. I look forward to a meaningful debate on the many issues this authorization bill presents.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Massachusetts.

MR. MARKEY. Mr. President, tomorrow President Obama will make a historic visit to Hiroshima, the site of the

first atomic bombing. He will become the first sitting President of the United States to do so, and I commend him for this long overdue Presidential recognition.

Having traveled to Hiroshima in 1985 to witness the commemoration of the 40th anniversary of that atomic bombing, I know from personal experience that any visit there serves as a powerful reminder of America's responsibility to reduce the risk of nuclear war. That risk remains as real today as it was nearly 71 years ago when we dropped that bomb that killed 140,000 people in 1 day.

In the last few decades, important progress has been made to reduce the threat of nuclear war. The United States and Russia have reduced the size of their nuclear arsenals. The beginning of an additional change is going to happen in 2018 when both the United States and Russia will have no more than 1,550 deployed strategic warheads after implementation of the New START treaty.

But that progress has come at a cost. In exchange for the support of Senate Republicans for passage of the New START treaty in 2010, President Obama promised to fund major upgrades to America's nuclear arsenal.

Since then, the extent of these upgrades and their costs have swelled. Today it is estimated that President Obama's nuclear "modernization" plan will end up costing U.S. taxpayers nearly \$1 trillion over the next 30 years.

However this modernization plan is little more than a plan to expand America's capabilities, its nuclear capabilities. It would create new nuclear weapons, including a dangerous nuclear air launch cruise missile that will cost tens of billions of dollars over the next two decades.

Nuclear cruise missiles are a particular concern because they are difficult to distinguish from nonnuclear cruise missiles. As a consequence, if the United States used a conventional cruise missile in a conflict with Russia or China, it could lead to devastating miscalculation on the other side and, as a result, to accidental nuclear war.

Worse still, the Defense Department has justified this new nuclear cruise missile by asserting that it is needed for purposes beyond deterrence. The Pentagon explains that the new nuclear cruise missile could be used to respond "proportionately to a limited nuclear attack," meaning that this nuclear weapon becomes more usable in a standoff with Russia, China, or some other country.

When President Obama visited Prague in 2009, he pledged to reduce the role of nuclear weapons in our national security. If the President truly wants to make good on this promise, I think it is important for him to stop these nuclear expansion efforts. He should

cancel the funding for the new nuclear cruise missile, which would make the prospect of fighting a nuclear war more imaginable.

In the meantime, Congress can and must act. Rather than plunging blindly ahead by spending money on this dangerous new weapon, we can call for a timeout while we evaluate its costs and its risks. That is why I have submitted an amendment to the National Defense Authorization Act that would delay any spending on the nuclear cruise missile for 1 year so that we can have the full debate on this weapon; so that we can ensure that we understand the consequences of building this new weapon; so that we can understand how the Russians and the Chinese might respond to it; so that each Member of the Senate can understand that it, in fact, has nuclear war-fighting capabilities.

It is not just a defensive weapon; it has the ability to be used in a nuclear war-fighting scenario. How do I know this? It is because this Pentagon, this Department of Defense, says that it is usable and says that it could be used in a limited nuclear war. Do we really want to be authorizing in this Senate that kind of new weapon that makes fighting a nuclear war more imaginable?

I think Americans deserve an opportunity to consider whether tens of billions of dollars of their tax dollars should be spent on a redundant, destabilizing, new nuclear missile. They expect that we will ask the tough questions about the need for \$1 trillion in new nuclear weapons spending, but they especially want us to ask questions about new weapons that the Pentagon is saying make it possible to contemplate a limited nuclear war. That is a debate which this body needs to have. That is a weapons system we should be discussing.

This new cruise missile with nuclear warheads is the tip of the new \$1 trillion nuclear modernization program. We should debate that first. We can examine the rest of the modernization program, the new nuclear programs, but we should at least have that debate and that vote out here. We should give ourselves at least 1 year before we allow it to commence so that we can study it. Then next year we can have the vote on whether or not we want to commence. As yet, I don't think we have had the debate or have a full understanding of what the implications of this weapon are.

Plans to build more nuclear weapons would not only be expensive, but they could trigger a 21st century arms race with Russia and China, which are unlikely—very unlikely—to stand idly by as we expand our nuclear arsenal. The result would be a tragic return to the days of the Cold War, when both sides built up ever greater stockpiles of nuclear weapons. As we get closer and closer to the contemplation that both

sides could actually consider fighting a nuclear war, our goal should be to push us further and further away from the concept that it is possible to fight a nuclear, limited war on this planet.

The National Defense Authorization Act also contains another misguided provision that would lay the groundwork for a spiraling nuclear weapons buildup. Currently, our policy, the U.S. policy, states that we will pursue a "limited" missile defense—limited. This approach is meant to protect our territory against missile attacks by countries such as Iran and North Korea without threatening Russia or China's nuclear deterrent.

As recognized by generations of responsible policymakers, constructing missile defenses aimed at Russia or China would be self-defeating and destabilizing. Dramatically expanding our missile defenses could cause Russia and China to fear that the United States seeks to protect itself from retaliation from Russia or China so that we can carry out a preventive nuclear attack on China or on Russia. That plays into the most militaristic people inside of those countries, who will then say that they too need to make additional investments and that cycle of offense and defense continues to escalate until you reach a point where we are back to where we all started—with those generals, with those arms contractors then dictating what our foreign policy is, what our defense policy is.

They were wrong in the 1950s, 1960s, 1970s, and 1980s, and they are wrong today. That is just the wrong way to go. We have to ensure that we are backing away, not increasing the likelihood that these weapons can be used. We don't want to be empowering those in our own country—either at the Pentagon or the arms contractors—because they will have the same people in the Kremlin and their arms contractors who will be rubbing their hands and saying: Great. Let's build all of these new weapons, both offensive and defensive. They would love this. That is why we have to have the debate on the Senate floor.

This generation of Americans deserves to know what its government is planning in terms of nuclear war-fighting strategy. That is what a limited war is all about. That is what this new cruise missile with a nuclear bomb on it that is more accurate, more powerful, more likely to be used in a nuclear war is all about. That is why the Pentagon wants it; that is why the arms contractors want to make it. But it is just a return to the earlier era where every one of these new nuclear weapons systems that had blueprints and were on the table over at the Pentagon are over and the defense contractor has the green light to build it.

What happened every single time is the Soviet Union said: We are building

the exact same counterpart system. Was that making the world more or less safe? Was that bringing us closer or further away from a nuclear war? Which was the correct direction for our country to be headed?

Well, thank God, we began to talk at Reykjavik—President Reagan and President Gorbachev. Thank God, we now have a New START Treaty. But as part of the New START Treaty, there was a Faustian deal, and that Faustian deal was that we are going to build a new generation of usable, war-fighting nuclear weapons in our own country. And that Faustian deal is one that would then be lived with by this next generation of Americans and citizens of this planet.

So we need to ensure we can have this debate. The fears that I think are going to be engendered into the minds of those in China and Russia would result in a new dangerous nuclear competition that would have our new defenses be responded to by their building new additional nuclear weapons and by putting them on high alert. You would have to be on high alert, if you were in Russia or China, if you thought we had a defensive system that could knock them down, and if our planning included attacking them.

We don't want either country to be on high alert for a nuclear war. We don't want that. That is where we were in the 1980s. That is where we were in the 1970s—both sides with their finger on the button. It is unnecessary, it is dangerous, it is a repetition of history, and it is something we should be debating out here. It just can't be something that is casually added without a full appreciation in our country for what the consequences are going to be long term.

So we have an incredible opportunity. It is timely. The President is visiting Hiroshima. It should weigh on the consciences of every one of us that we have a responsibility to make sure we are reducing and not increasing the likelihood of nuclear war occurring.

I have filed an amendment to strike the provision from the NDAA. I urge all of my colleagues to support it. I think that second amendment is also one that deserves a full debate on the Senate Floor. If we want other countries to reduce their nuclear arsenals and restrain their nuclear war plans, the United States must take the lead instead of wasting billions of dollars on dangerous new nuclear weapons that do nothing to keep our Nation safe.

President Obama should scale back his nuclear weapons buildup. Instead of provoking Russia and China with expanding missile defenses that will ultimately fail, we should work toward a new arms control agreement.

As President Obama said in Prague in 2009, let us honor our past by reaching for a better future. The lesson of the past and the lesson of Hiroshima is

clear. Nuclear weapons must never be used again on this planet.

President Obama did an excellent job in reaching a nuclear arms control agreement with Iran. That was important, because if Iran was right now on its way to the development of a nuclear weapon, there is no question that Saudi Arabia and other countries in that region would also be pursuing a nuclear weapon. We would then have a world where people were not listening to each other, where people would be threatening each other with annihilation, with total destruction.

Here is where we are. We are either going to live together or we are going to die together. We are either going to know each other or we are going to exterminate each other. The final choice that we all have and the least we should be able to say—if that point in the future is reached and those missiles are starting to be launched that have nuclear warheads on board—is that we tried, that we really tried to avoid that day.

That is our challenge here on the Senate floor—to have this debate, to give ourselves the next year to have this question raised as to whether we want to engage in a Cold War-like escalation of new offensive and new defensive nuclear weapons to be constructed in our country, which for sure then would trigger the same response in Russia and China. By the way, for sure it is saying to Pakistan, India, Iran, Saudi Arabia, and to any other country that harbors its own secret military desire to have these weapons that they should not listen to the United States because we are preaching nuclear temperance from a bar stool. We are not, in fact, abiding by what we say that the rest of the world should do.

So we should be debating that right now. We should have this challenge presented to us and to have the words be spoken as to what the goals are for these weapons. If the Defense Department says to us this year that this leads to a capacity to use nuclear weapons in a limited nuclear war—and they were saying that to us in the last 6 months—do we really want to have these weapons then constructed in our country? Is that really what we want to have as our legacy?

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. MARKEY. Mr. President, I also wish to spend a couple of minutes talking about another issue that is a relic of the Cold War era, and that is TSCA, the legislation that deals with toxic chemicals within our country.

There was a law passed 40 years ago to deal with toxic chemicals in our country, but ultimately that law never worked. When we look back, it is like a political, environmental Edsel, still

sitting in the garage 40 years later but not useful in protecting American families from the chemicals in our society—asbestos and hundreds and thousands of others. It is just not usable.

Congress stands ready right now, thank God, to reform the last of the “core four” environmental statutes that have yet to be modernized. I hope we will do so with a stronger bipartisan vote than on any major environmental statute in recent American history, and that we do so soon.

This historic vote to comprehensively reform the Toxic Substances Control Act comes after years of hard work by many Senators on both sides of the aisle. We worked for some months to reconcile the two bills, and all of us were driven by the same reason. Since it was written four decades ago, TSCA has sat there untouched. It is a statute that simply does not work to protect anyone. Ever since industries successfully challenged EPA's proposed asbestos ban, EPA has not been able to effectively use the authority Congress intended it to have.

In conference, we truly did take the best of both bills. We made sure EPA will have industry fees to do its chemical safety work. We made sure there will be enforceable deadlines for EPA to write chemical safety rules and for industry to comply with them. We fixed the legal problems in the law that caused the asbestos ban to be overturned and that paralyzed EPA and prevented them from regulating some extremely toxic chemicals. We ensured that when EPA studies a chemical, it considers only the environmental or health effects of that chemical, and that it only considers the potential cost of regulation when it is writing a rule to regulate it. We made sure that EPA would act more quickly to regulate the most dangerous chemicals, and that vulnerable subpopulations, such as children, pregnant women, and workers would be protected. We made sure the industry could not continue to improperly keep information about dangerous chemicals secret any longer.

In some of the last negotiations that I helped to lead, we made sure that States could continue with the work they are already doing to protect their residents. I am particularly proud that I was able to protect Massachusetts's pending flame-retardant law in these last few key changes to the bill that were agreed to in the last few days.

The fact that we have a bill that has the Humane Society and the U.S. Chamber of Commerce both urging a “yes” vote tells you something. The fact that the bill is supported by the EPA, the chemical industry, many environmental stakeholders, and the trial lawyers tells you something about this bill.

This is like a political Halley's Comet. When you have JIM INHOFE and DAVID VITTER agreeing with ED MARKEY on a piece of legislation, you

should take note of that moment in the history of passing legislation. That is where we are. We have something that is historic. The environmental bill of a generation is about to pass.

The fact that 403 Members of the House of Representatives voted yes—403 voted in support of this bill—tells you something. It tells you we rolled up our sleeves and we worked together on a bipartisan, bicameral basis to compromise in the way that Americans expect us to.

I thank all of my colleagues on both sides of the aisle and both sides of the Capitol, and I look forward to watching the President sign this important legislation to protect the health and well-being of all Americans. This is a bill that does protect us from the dangers that Americans are exposed to—whether they are Democrats or Republicans, liberals or conservatives.

This is the way the Chamber should operate. This is the way we should also consider nuclear warfighting policy. We should have the same kind of attention, the same kind of respect for the consequences for generations to come in our country. We should give it the same kind of respectful, bipartisan, bicameral attention that the public can understand.

I thank the Chair for this opportunity.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell.

CORPORAL ADRIAN ROBLES

Today I will share the story of the life of Marine Cpl Adrian Robles of Scottsbluff, NB. Adrian was known throughout Scottsbluff for his big smile. His older sister Beatriz remembers it this way: "As soon as he smiled, even if you were mad at him, you would stop and have to smile."

Behind that big smile, though, was a tough young man. More than anything, Adrian wanted to be a marine. This longing to serve his country was a point of pride and tradition in Adrian's family. His grandfather, Pedro Torres, served as a fighter pilot in World War II. Pedro's stories of service and adven-

ture inspired Adrian's quest to become a marine, and their bond was a source of joy throughout the family.

As Adrian's father Cesar recalls, "He loved his grandpa so much. He was a hero to him."

When he was 16, Adrian approached his parents and told them he wanted to be a marine. He didn't want to wait. He even prepared a waiver for them to sign, which would have allowed Adrian to join the Corps when he turned 17. While they admired the passion in their young son, Adrian's parents stood firm. They wanted Adrian to focus on completing his high school education.

Deterred but not discouraged, Adrian decided to join the high school soccer team. Soccer became an outlet for him, not only as an athlete but as a way to train and get in shape for the Marines. Adrian graduated from Scottsbluff High School in May of 2005. As expected, he immediately enlisted in the Marine Corps.

In the year that followed, Adrian completed basic training and served a full tour in Iraq by the end of 2007. His determination impressed his fellow marines. GySgt Trent Kuhlhoof served with Adrian during a tour in Iraq. Adrian was the kind of person who naturally bonded with everyone. As Sergeant Kuhlhoof remembers, "It was hard for me to get mad at him—for anything."

Adrian had discovered his calling. He worked toward excellence, and he loved being a marine. A marksman is the centerpiece of every Marine combat team, and Adrian was a good one. By the age of 21, he had earned three Good Conduct Medals, a rare feat in the military.

In the spring of 2008, Cpl Adrian Robles deployed to Afghanistan as part of the 2nd Battalion, 1st Marine Division. Their mission was to train local Afghan military forces, but by the fall this changed to a security mission as tensions rose in the dangerous territory of Helmand Province.

A few months later, on October 22, 2008, Adrian was on patrol when suddenly his vehicle was hit by an improvised explosive device. Corporal Robles was killed instantly. His unit was scheduled to leave Afghanistan 2 months later.

On November 2, 2008, hundreds of friends and neighbors from Scottsbluff lined the streets from the church to the cemetery. An honor guard and horse and carriage team transported the casket to its final resting place.

In a career of 3 short years, Corporal Robles earned three Good Conduct Medals, two Sea Service Deployment Ribbons, the Afghanistan Campaign Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the National Defense Service Medal, and the Purple Heart.

Adrian's mother Yolanda recalls that his life's passion was to serve his coun-

try. She notes that he hated war and knew the dangers, but he loved being a marine. A brave, disciplined, and joyful young man, Adrian lived a short life, but his imprint is felt by the countless people who knew and loved him. Perhaps his devotion is summed up best by the tattoo on his left arm, which read: "Your Freedom. My Life. Without Complaint."

Adrian embodied the strength and determination that Nebraskans are known for all over the world. He lived passionately, and he earned his dream of being a U.S. marine. Cpl Adrian Robles is a hero and I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Alaska.

REMEMBERING JOHN AND ERMA SCHNABEL

Ms. MURKOWSKI. Madam President, we are about to begin the Memorial Day state work period and many of us will be traveling in our home states next week. I am blessed because I am going home to Alaska. Tomorrow I will be in Haines. This is a magnificent community in truly a magnificent State. But when I arrive in Haines, something will be missing, and that is the absence of two of Haines' most prominent citizens—John and Erma Schnabel.

John Schnabel passed in March at the age of 96 years old, and Erma, his wife of 65 years, passed shortly thereafter at the age of 87. John was regarded by his family and the people of Haines as a living legend. If you don't believe that is true, or if you say all of us have living legends in our community, no less of an authority than People Magazine referred to John as a "living legend" in an article which noted his passing. He was not just a local legend. He was known the world over as "Grandpa." He was the patriarch of the Discovery Channel series "Gold Rush: Alaska." But to us Alaskans, he was simply one of the many exceptional people who populate our exceptional State. John was born in Kansas in 1920. He was the son of a wheat farmer. His father first moved to Alaska to seek a better life away from the Depression. He served in the military during World War II. He was a proud member of the American Legion. He married Erma in 1950 and they raised five kids.

Returning to Haines, John entered the timber business. He owned a lumber mill in town. He was one of the region's first industrialists. He was involved in everything. He operated a hotel, a lumberyard, a hardware store. He built four downtown commercial buildings. He was one of Haines' largest landowners. But changing political attitudes toward timber harvest in Southeast Alaska and the regulations that followed put John out of the timber business. Those powerful forces,

however, did not put John down. He placer mined for fun and invested in small businesses. He was the mayor of Haines. He was an outstanding bridge player. He was an avid reader. I understand that David McCullough's biography of Harry Truman was one of his favorites, even though he was a loyal Republican.

It was only after John was recuperating from heart surgery that he entered the mining business in a big way. Think about it, most people rehabilitate from a heart surgery by doing more walking or going to the gym. John Schnabel decided he was going to work a mine. He worked the mine to remain active. He said it was doctor's orders. He did this until 2 years ago. Effectively, until the time he was 94, he was working the mine.

The Discovery Channel folks wandered by and found John Schnabel an interesting man. By 2010, Grandpa was a global celebrity—a reluctant celebrity but a celebrity nonetheless; the star of a reality TV show that ran for six seasons before he passed away.

John and Erma were friends of mine. I respected John's business acumen and his political leadership, but I really respected the relationship he had with Erma. The last time I visited with John and Erma was 2 years ago in August. I was there at the Haines Assisted Living Center. I came in and visited with John. John was talking politics with me and with anybody else who was listening, chatting around the room. Then, he left to go sit in the corner of the dining area, sat next to Erma. He didn't say anything for probably half an hour, 45 minutes. He just sat quietly with her, holding her hand. That really moved me when I saw them. Sixty plus years of marriage and still holding hands. John had always been the builder. Erma was known as the carer. She took care of the family. She took care of the community. Legend has it that there wasn't a person in Haines who had not dined at her table at one time or another.

They are both gone from Haines, but they are certainly together in Heaven. Alaska is clearly better for their contributions, and I know I will certainly be thinking of them when I visit Haines tomorrow.

VETERANS HEALTH CARE

Ms. MURKOWSKI. Madam President, there are 2 days every year when this Nation focuses special attention on those who served—Memorial Day and Veterans Day. I plan to approach this Memorial Day by expressing gratitude to those who have served and honoring the memory of those who sacrificed their lives for our freedom.

When you serve in the military, supporting your buddy is everything. So as we honor the memory of those lost in action, we know they would want us

also to care for their buddies who came home. Advances in military medicine since the Vietnam war have made it possible for many to survive the wounds of war that they would not have otherwise been able to do in earlier conflicts. But these veterans still do not return as they left, and many more return to the scourge of post-traumatic stress disorders.

I will see a lot of veterans this Memorial Day weekend. I would like to be able to tell the veterans of Alaska that their Federal Government is doing right by them, but when it comes to the matter of health care, and particularly the failings we see with the Choice Program, I can't in good conscience tell them things are better in Alaska.

It has been a while since I have been to the floor to speak in relatively bleak terms about the care our veterans receive in Alaska because for some while things had been improving. They had been improving for much of the last 8 years, but now it seems as if this pendulum is swinging the other way.

When I came to the Senate 13 years ago, Alaska veterans who lived someplace other than the metropolitan area of Anchorage or Fairbanks or the Kenai Peninsula really didn't think about the VA health care. Those who lived in those three communities were able to gain their care at the local VA clinic, and it worked for them. But if they didn't live in a community where the VA was located and if they weren't eligible for beneficiary travel, the VA just didn't mean much to them. That was the status quo, and it really didn't show much sign of changing.

Alaskans really began to challenge the status quo during the second gulf war. Operation Iraqi Freedom resulted in a large-scale deployment of Alaska National Guard members from throughout the State. At one point, 89 different Alaska communities were represented in the Middle East, and it was fully apparent that when these heroes returned home and were released from Active Duty, the VA was not prepared to meet their needs.

When then-VA Secretary Nicholson visited Anchorage in 2006, he heard the message loud and clear from Alaska's veterans service organization, and that created a groundswell to turn the Alaska VA in a more veteran-centric direction. It wasn't easy.

The familiar slogan that "it doesn't matter who wins an election; the bureaucracy always wins" was a way of life in the Alaska VA health care system, but we developed a pretty strong ally when Secretary Shinseki came on board. During his tenure as Secretary, we saw three significant changes from the status quo.

The first thing that happened was that the VA began contracting with Alaska's tribal health care providers to care for both our Native and non-Na-

tive veterans who lived outside the reach of any VA facilities. If you are a veteran living in Bethel, it didn't make any difference if you were Native or non-Native—you could receive care through the tribal health care provider, and they were compensated by the VA at the same encounter rate the Indian Health Service paid them.

The second thing we saw with Secretary Shinseki—I had commissioned an inspector general's inquiry into allegations that the VA was sending our Alaska vets to Seattle and other points even farther than Seattle for care that could be purchased from community providers in Alaska. There were situations where a veteran dealing with cancer and needing radiation or chemotherapy treatment would be sent to Seattle for a series of treatments when that same treatment could be provided in Anchorage or Fairbanks. Secretary Shinseki brought an end to that practice.

Third, the VA hired a creative executive with deep experience in the Alaska health care market to lead the Alaska VA health care system. Even better, the VA senior leadership actually empowered her to do the right things for Alaskan veterans. So when that director began to see waiting lists forming for primary care and behavioral health services in Anchorage, she took the initiative and she enlisted non-VA providers to come in and work with them to solve the problems. We were in a pretty unique situation. We didn't suffer the wait list that veterans in the lower 48 saw because we had somebody who was at the helm, saw the problem, and said: We can be creative; we just need a little bit of flexibility so we can address our veterans' needs.

The model was pretty simple. If a veteran needed to see someone outside the VA, they were placed with that outside provider by VA staff. And those VA staffers who matched the veteran with a local provider actually lived in Alaska. They knew Alaska's geography. They knew it wasn't possible to drive from Bethel to Anchorage. They knew the breadth and limitations on services available within our State.

Also, the bills for services were sent to the VA; they were not sent to the veteran. If for some reason a provider wasn't paid on time, the veterans were insulated. They were protected from collection agency calls.

It wasn't a perfect system and it wasn't without complaints, but on balance this was the best Alaskan veterans were ever treated.

Then came the Phoenix scandal. We hoped that what had happened there—the spotlight that was shown on the VA as a result of a horrible scandal—would not affect the good things we were doing in Alaska.

Two years later, I can tell you that things have changed profoundly and unfortunately, not for the better. The

Choice Act seems to have been the catalyst for unraveling the VA reforms in our little corner of the world. Let me explain why.

When we were presented with the Choice Act, I looked at it as having another tool that the VA could use to help expedite care to veterans who couldn't get their care in a timely fashion. If this is another tool in the toolbox, this is going to be good for our vets. But the VA didn't view the Choice Act simply as another tool; they viewed the Choice Act as the single right answer to care outside the VA. To this day, the VA seems to almost resent the fact that a variety of other purchase care programs coexist with the Choice Act, and they worked to undermine them through a hierarchy of care policies that make it impossible for our local VA officials to use community providers with whom they have built these relationships.

That whole unraveling was enough to send our creative, innovative Alaska VA director into retirement, and unfortunately that position has been vacant ever since.

By the way, when veterans asked "What happened here? We had a good system. It was working. What has happened?" the VA talking points said "Blame the Congress. They gave us the Choice Act, and there is nothing we can do about it." That is an entirely disingenuous response given that all of the purchased care authorities that were on the books before the Choice Act remained on the books after the Choice Act became law. The VA had the flexibility before the Choice Act to craft local solutions, and they had the same flexibility to do so after the Choice Act. The decision not to support local flexibility was a deliberate choice, and it was a choice of the bureaucracy, not a choice that was mandated by the Congress.

How has the Choice Act been working out in the State of Alaska? I spend a lot of time back home. I spend a lot of time visiting with our veterans, and I am listening hard. Every now and again, I do hear a veteran say: Yeah, I think things are OK. I think I am getting the care I want. But more often than not, what I am hearing from our vets is that instead of calling it the Choice Act, it is called the "bad Choice Act" or "no choice at all."

For a while, it seemed that the Native partnerships would be subsumed in Choice, and we pushed back on that and we won. But for the veterans who needed specialty care, the Choice Act has been a tough road to hoe, and I have a couple of examples.

There was an elderly Tlingit Indian gentleman from southeast Alaska. He was sent to Seattle for a form of cancer therapy that was not available in Alaska. In the middle of his episode of care, he was told: You will have to return to Alaska. It was only after days on the

phone with the VA and the Choice contractor—each whom was pointing the finger at the other—and then my office that the problem was resolved. Meanwhile, this veteran was telling his family to prepare for a funeral. It was that dire.

Then there was the veteran who was scheduled for neurosurgery. This veteran was told that her referral from the Anchorage VA was rescinded and she would need to go to the Choice Program for another one. She called the Choice contractor's hotline and was referred not to neurosurgeons but to behavioral health providers. Evidently, the individual on the other end of the line didn't know what neurosurgery was. When the particular problem was resolved, the neurosurgeon was no longer available and the veteran was stuck on painkillers until her surgery could be rescheduled. That is not a good outcome.

Another example is when a veteran living in Juneau, our capital city, was under the ongoing care of an ophthalmologist, but that doctor didn't take Choice. The veteran called the 800 number for Choice to get another referral. He was told that he could drive to Sitka and see someone there. If you lived in Alaska, you would be laughing because you would know there is no road from Juneau to Sitka. They are both islands. Another reason you might raise an eyebrow is because not only can you not drive there, but the Choice participant was an optometrist. Think about how this veteran feels after calling the 800 number and then being told to just drive down to the next town. You can't drive there, and oh, by the way, that specialist doesn't exist there.

The VA and the Choice contractor claim to have fixed these problems, but for every problem that is fixed, there is still a veteran with a new one, a veteran who has lost faith with the Choice Program or a provider who no longer wants the hassle of taking Choice.

One provider told me that the amount of time his staff has to spend on the phone with the Choice Program is disruptive to his practice. He said it is unfair to the other patients who aren't getting the attention they need from the office staff.

I don't want to stand here and complain without offering solutions. There is a solution to Choice's problems in the State of Alaska, and that solution is to go back to the way we had it, with the local VA partnering local providers with local patients.

The Senate Appropriations Committee has urged the VA to reinstate this model in Alaska through language that is included in the fiscal year 2017 report, but I am really not sure where it is going, given the current VA leadership. The rapport, unfortunately, is just not there.

Toward the end of Secretary Shinseki's tenure, members of the Vet-

erans' Affairs Committee in the other body berated the VA for its poor congressional relations.

I will say that when I needed to talk to the Assistant Secretary for Congressional and Legislative Affairs or, for that matter, Secretary Shinseki, they were right there. And even if the results didn't come as quickly as I would have liked them to, that team was clearly delivering for our folks in Alaska, but I cannot say the same for the current team.

Through the fiscal year 2016 VA appropriations bill, I demanded a report on how the VA would serve Alaskan vets under the consolidated Choice Program that told the VA to formulate last summer, and we still haven't seen that report.

During the recent appropriations hearings, I raised concerns about how personnel vacancies and management issues in the Alaska VA were affecting performance, and Dr. Shulkin took issue with that characterization. He offered to show me some metrics. We are still waiting.

Last week he sent a young doctor from Philadelphia, whom he has charged with running purchased care, up to Alaska. The report back is that he was tone-deaf to criticisms of Choice lodged by our veterans and providers, and he suggested that the rate being paid to the Native health system to do work that the VA should be doing themselves was unjustifiably high. This is very troubling.

So we learn that VA is hiring a bunch of new executives to help this individual manage a nationwide community care program out of the VA central office. I remain very concerned. Long before the Phoenix scandal, the VA was purchasing community care using a decentralized model. Now it seems to be moving abruptly to a centralized model. I don't know how well centralized models work in other parts of the West or rural communities in other regions, but I can state that they just do not work in a place such as Alaska. One-size-fits-all is not the model that best serves our veterans, but this seems to be the direction we are moving toward.

To make matters worse, we are not even debating what we want community care in the VA to look like. We have 100 Members who have a stake in the outcome, but only a few seem to be involved in that discussion. The votes always seem to be pretty much straight up or down, with no opportunity for amendments. We have done that now twice—in the first instance with the Choice Act itself and then again last year when we had to bail the VA out because its health care programs would have gone insolvent during the August break if we hadn't done so.

We need to address this. We can't keep writing a blank check to the VA.

We have to have reform, and that reform needs to work.

Last week the Senator from Arizona proposed a 3-year extension of the Choice Program, but the amendment included some changes in the way the VA pays providers in the purchased care arena. There was some problematic language, so I wasn't able to support his amendment at that time. Since then, he has worked with us, which I greatly appreciate, and the leaders of the Senate Veterans Affairs Committee worked with us to resolve those problems. So I can now support the 3-year extension in the Choice Program that he proposes which I expect will include the language changes we discussed.

But even if we approve that 3 year extension that's not the end of our interest in the Choice program or VA purchased care. I think it is important to take the time; let's get this right. I think we need to come to terms with what we want care outside of the VA to look like. I think there are still some huge problems in the implementation of the Choice Program that we need to address, and, unfortunately, these problems are profound in the smaller and harder to get places like Alaska.

I think it is high time that we give the VA clear direction about the value we place on access to veterans' health care in those smaller and hard to get places. In many cases we know the dynamics of the local health care markets better than the folks in a central VA office. Fixing purchased care begins with directing the VA to collaborate with Members of this body to get it right—not allowing the VA to play members off one another so that, once again, the bureaucracy wins. We can't sit quietly by while the VA blames us for failings that they need to own—failures that might have been avoided through collaboration with those who know their localities best.

I appreciate the opportunity to spend a few minutes on the floor this evening talking about how we make things right for who have served us. Memorial Day is but once a year. Veterans Day is but once a year. But every day—every day we need to be honoring and thanking those who serve us, and when we say thank you for their service, let's show them that we mean it. Holding the VA's feet to the fire on results is one way to do that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASSIDY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FEDERAL EMPLOYEES

OSCAR PERU

Mr. CARPER. Mr. President, as the Presiding Officer knows, he is stuck with this Senator on the floor on many late afternoons. It seems that when everybody is packing up and heading for home, the Presiding Officer has to listen to this Senator, hopefully waxing eloquently, talking about some of the very good people who work for the Department of Homeland Security.

When looking at people who do important work for our country, there are a lot of valuable agencies, a lot of very valuable and hardworking people. But some of the best and brightest folks work for the Department of Homeland Security, trying to protect us and our families and our businesses and our country.

I have come regularly to the floor now for a couple of years to highlight some of the great work being done by the men and woman who serve us at the Department of Homeland Security. As you may recall, the Department of Homeland Security was sort of cobbled together roughly a dozen years ago. We took 20 different component agencies with over 220,000 employees stationed all over the world and said: We are going to make you the Department of Homeland Security.

It has not been easy, but I think it is a work in progress. But when you consider that the Department of Defense was created right after World War II and they still struggle at times to function as effectively as we would like, we should not be surprised that the Department of Homeland Security has gone through some growing pains, if you will, in learning how to work together.

We are proud of the work they do and grateful for the work they do. But they have some of the toughest jobs of the folks who work in Federal workforce. From stopping drugs from crossing into our borders to protecting our cyber networks from hackers to securing nuclear and radiological materials, the Department of Homeland Security has a diverse, complex, and a difficult mission—really, a combination of missions.

Each and every day, tens of thousands of Department of Homeland Security employees quietly and diligently work behind the scenes. They work to achieve the mission, the core of which is keeping over 300 million Americans safe as we go about our daily lives.

It is easy to forget that despite all it achieves each day keeping Americans safe around the world, the Department of Homeland Security is still a teenager. I said earlier that it came together in 2002, almost 14 years ago, following the attacks on 9/11, when it became clear that we needed a centralized agency to pool and share informa-

tion—about what?—about the threats to our country and to coordinate the efforts to keep these threats at bay.

In 14 years, the Department of Homeland Security has done an exceptional job, integrating nearly 20 agencies from across from the government, with different histories, different cultures, and different capabilities and expertise. Senior leaders in the Department—chief among them now are Secretary Jeh Johnson and Deputy Secretary Ali Mayorkas—work each day and every day to make the Department of Homeland Security more than the sum of its part. They stand on the shoulders of those who came before them as Secretaries and Deputy Secretaries of this Department.

I am proud that just yesterday the Homeland Security and Governmental Affairs Committee, on which I serve as the senior Democrat, approved bipartisan legislation to support the Department's efforts by authorizing its Unity of Effort Initiative. That initiative successfully brought agencies within the Department together to pool resources, to deepen coordination, and more effectively to tackle their joint missions together. I like to say that if you want to go good fast, go alone. If you want to go far, travel together. What we see happening at the Department of Homeland Security is the creation of a cohesive unit of what were very many different disparate agencies.

One component agency within the Department of Homeland Security that not only serves a critical mission today but has a long and storied history is called U.S. Customs and Border Protection. In 1789—1789—before some of our pages were born, the U.S. Customs Service was established, and a fleet of vessels set out patrolling our shores to prevent the shipment of illegal goods—1789.

Then in 1924, nearly 92 years ago to the day, the U.S. Border Patrol was established. Later in 2003, the Customs Service and the Border Patrol merged to create the modern Customs and Border Protection agency that operates within the Department of Homeland Security today. Today, Customs and Border Protection performs a number of duties on the frontlines of the battle against threats such as terrorism, drugs, and human trafficking. They work to secure thousands of miles of border and coastline around the country.

They work to facilitate travel, to inspect ships and cargo at our ports of entry. They work to stop illegal drugs and other contraband and violent criminals from entering into our country. Today alone, its 60,000 employees are hard at work welcoming nearly 1 million visitors to our country—just in 1 day—screening more than 67,000 cargo containers for hazards and customs violations, and stopping more than 12,000 pounds of illicit drugs from entering our country.

I am not talking about what they do in a year, or a month, or even a week. That is what they do in a day. Think about that—in one day. The key resource that our Customs officials on the frontlines count on is the support of CBP's Air and Marine Operations. Air and Marine Operations uses a fleet of 256 aircraft and 286 marine vessels to detect, to track, and to apprehend criminals in places that agents can't reach on foot or in cars.

From fast interceptor boats to Huey helicopters to P-3 aircraft, like the one I flew in during most of my 23 years in the Navy, Air and Marine Operations provides critical support to CBP agents. They often do important and dangerous work. Air and Marine agents are also key in helping to find and rescue people on our borders who may be in danger, saving countless people who are found lost or injured in some of the most remote parts of the country.

One CBP Air and Marine Operations agent who goes above and beyond to help secure our borders and keep people safe looks a lot like this fellow. His name is Oscar Peru, like the country. He is pictured here to my left. Oscar Peru is a CBP aviation enforcement agent based out of Tucson, AZ. He was raised in Tucson.

Oscar joined the Arizona Army National Guard after college. He served his State and his country as a guardsman for 10 years, including by fighting in Operation Iraqi Freedom. After working for the State of Arizona on their Joint Counter Narcotics Task Force, he joined the Border Patrol as a senior patrol agent in 2003.

After 5 years as a Border Patrol agent, Oscar joined the Border Patrol Search, Trauma, and Rescue Unit. As a trained emergency medical technician, Oscar was able to provide lifesaving care to countless men, women, and children who were lost or injured in some of the harshest environments along the southwestern border of our country.

At all hours of the night, Oscar has conducted searches to find and save those in need. Oscar also performed the difficult and—I am sure—heart-breaking task of retrieving the bodies of those who have perished so they can be returned to their families and given a proper burial.

Since 2008, Oscar Peru has served as an aviation enforcement agent, coordinating efforts across Federal agencies. Working with State and local law enforcement, Oscar conducts operations to identify and stop criminal activity along the border, from drug smuggling to human trafficking to rescue operations.

Oscar's work has saved countless lives, arrested countless criminals, and kept countless pounds of drugs from ever reaching our communities.

Oscar, I would say that is one impressive day's work. We are grateful to you for doing it.

Those who know Oscar routinely describe him as a man who shows incredible compassion for everyone that he encounters, both in his personal life and in his work.

Through his years of dedicated service, Oscar has earned the trust of his peers, who rely on him as a leader during risky operations and dangerous missions. As a certified master and instructor in helicopter ropes and suspension techniques, Oscar uses his experience to train others in skills necessary to operate safely in a dangerous environment, often leaning out of the door of a helicopter hundreds of feet up in the air. It is no wonder his colleagues describe Oscar as courageous and as an inspiration to those around him.

So, Oscar, my friend, we say thank you. Thank you for your remarkable and continued service to our country and to your community in Tucson. A special thanks for all of the lives you have saved and will continue to save through your heroic work.

To Oscar's wife and four children, we say thank you for sharing with us a good man, your husband and your dad, for letting him do the important work that he does every day to keep Americans safe along the southern border and really around our country.

To the 1,200 men and women of the Air and Marine Operations and the 60,000 employees at Customs and Border Protection, thank you for your continued service to our country and for your dedication to the safety and security of so many others. As I said earlier, more than 200,000 employees at the Department of Homeland Security have some of the toughest jobs of any of our public servants, working outside the spotlight to tackle difficult challenges and to protect our community and our families.

To each of you, I just want to say again, as I say here every month: Thank you. Keep up the good work. May God bless each and every one of you.

COMMENDING JOHN KOSKINEN

Mr. CARPER. Mr. President I want to take another few minutes—I think I have the time. I don't see anybody waiting to speak. I want to take a minute and say something about a fellow named John Koskinen. John Koskinen is the Commissioner of the IRS. In 2013, at a time of great tumult at the IRS, President Obama turned to John Koskinen to lead the IRS because of his reputation in the public and private sectors as a go-to manager of troubled enterprises.

He was 74 at the time. He agreed to take this on. He did not need to do this. He needed to do this job like he needed another head, but he said that he would do it. He agreed to do it because the President asked him to serve our coun-

try, and they needed a strong leader at the IRS.

Prior to his service at the IRS, he held the position of Non-Executive Chairman at Freddie Mac from September 2008 to December 2011. During that time he served as the interim CEO at Freddie Mac—that was a tumultuous time, a very difficult time for our country—and as the principal financial officer after the death of Freddie Mac's acting CFO in April of 2009.

He retired from the Freddie Mac board in 2012. I want to mention another thing or two about John Koskinen's service prior to coming on board in the last decade to help us in the public sector. Prior to serving on the Freddie Mac board, Koskinen served as the president of the U.S. Soccer Foundation from 2004 to 2008. He also previously served as deputy mayor of the District of Columbia, the Deputy Director for Management at the Office of Management and Budget, and the Chairman of the President's Council on Year 2000 Conversion.

Prior to entering government service, John Koskinen worked for 21 years for the Palmieri Company, as vice president, president, CEO and chairman, working in the realm of turn-arounds—a person helping to turn around large failed enterprises. Earlier in his career, he served as the administrative assistant to then Senator Abraham Ribicoff, legislative assistant to Mayor John Lindsay, and Assistant to the Deputy Executive Director of the National Advisory Commission on Civil Disorders.

He practiced law with the firm of Gibson, Dunn & Crutcher and clerked for Judge David Bazelon, chief judge of the U.S. Court of Appeals for the District of Columbia.

He got his bachelor's degree from Duke University and his law degree from Yale. I mean, what a resume.

At the age of 74, as somebody who helped turn around a lot of failed enterprises, our President reached out to him and probably said: I know you are 74, an age where a lot of people are more interested in slowing down and taking life easy. He took on one of the toughest challenges of all.

He is one of the finest people I know in public service. There are some folks in the Congress who have been asserting that he is unfit for service. I just want to say: They could not be more mistaken. This a good and decent man. I was raised to treat other people the way I want to be treated, to figure out the right thing to do, and to treat others the way I want to be treated.

Given the sacrifices that he has made with his life at this stage of his life, rather than taking brickbats, he should be taking bouquets. So I would say to you, John Koskinen, if you are out there listening: I know you have other things to do rather than listen to

wrapups here in the Senate before we begin the Memorial Day break, but I want to say thank you for a lifetime of service, and thank you especially for your service as our leader in the IRS. God bless you and your family. Thanks to them for sharing with us a very good human being.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated May 23, 2016, from John Koskinen, Commissioner of the IRS, whom I was just discussing, to the Honorable BOB GOODLATTE, chairman of the Committee on the Judiciary in the U.S. House of Representatives.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, DC, May 23, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of May 18 inviting me to testify at the Judiciary Committee hearing on May 24 regarding the Committee's inquiry into allegations made against me in my role as IRS Commissioner. I thank you for extending me that courtesy, and for affording me the opportunity to provide the Committee with information in response to the issues raised by some Members of the House. I have the deepest respect for you and for this Committee, and recognize your Committee's responsibility to carefully evaluate these allegations.

When the Committee announced this hearing, I was returning from a week in China where I met with the tax administrators of 43 nations to discuss international tax avoidance issues. As a result, since I returned, my schedule has been more crowded than usual, including preparations for a previously scheduled hearing before the House Ways and Means Committee on Wednesday, May 25. Therefore, the short notice provided has left me without sufficient time to prepare to appear in person on Tuesday for what could be a wide-ranging and complex discussion regarding claims that may only become clear after the hearing's first panel. Thus, while I must regrettably decline your invitation, I remain willing to appear before the Committee in the future.

In the meantime, if you think it is appropriate and helpful to include in the record at this time, I enclose an initial statement summarizing why the allegations against me lack merit. I think this information may also be useful to witnesses at the second hearing you have announced for June with outside experts.

Should the Committee choose to undertake further steps, I hope that it will do so in a manner consistent with the House's longstanding concern for, and provision of, the due process that must attend such a serious course of action. I would be pleased to talk with you further at your convenience.

Sincerely,

JOHN A. KOSKINEN.

WRITTEN STATEMENT OF JOHN A. KOSKINEN, COMMISSIONER, INTERNAL REVENUE SERVICE BEFORE THE HOUSE JUDICIARY COMMITTEE—FOR ITS HEARING: EXAMINING THE ALLEGATIONS OF MISCONDUCT AGAINST IRS COMMISSIONER JOHN KOSKINEN, PART I MAY 24, 2016

INTRODUCTION

Chairman Goodlatte, Ranking Member Conyers and Members of the Committee, thank you for the opportunity to provide a summary statement for the record in connection with your review of the allegations by some Members of the House Oversight and Government Reform Committee. I hope this summary statement is helpful as you consider whether to initiate a more formal inquiry. I stand ready to cooperate with your Committee with regard to any actions it deems appropriate.

I have great respect for our institutions of government, including the United States Congress and each of its Members. When I began my service as Commissioner of the Internal Revenue Service, I took over an agency under investigation by six different bodies and buffeted by ongoing, serious controversy. I regret that, in the period since then, we have not been able to bring these matters to a conclusion satisfactory to all Members of this distinguished Body, including those who are testifying today before you.

I believe the allegations you will hear described today, and the related House Resolution are without merit, for reasons summarized below. But I also acknowledge the strong feelings that are held by some Members regarding this matter, as well as their understandable frustration with the document production and retention challenges of our agency during the past several years. I also understand their deep concern regarding the actions that gave rise to these controversies—conduct that ended long before I arrived at the IRS. I am committed to continuing to make improvements and working with all committees and Members of Congress during my tenure as Commissioner, and I sincerely hope that, over time, trust and goodwill on all sides will be restored.

BACKGROUND

Let me begin by noting that I never sought the position of IRS Commissioner, which I have held since December 2013. After concluding my work as Non-Executive Chairman of Freddie Mac, having been asked to undertake that role in the wake of the financial crisis by President George W. Bush's Administration, I was happily retired. I served on the boards of two large, publicly-traded companies and tried to keep up with my grandchildren. But I agreed to serve when approached by the current Administration in May 2013, because I have a longstanding commitment to public service, and because I understand the importance of the IRS to the government and the nation. The IRS collects more than 90 percent of the revenue that funds the operations of the Federal government, and the agency's activities touch virtually every American.

When I came to the IRS, I knew no one who worked at the agency, and to this day I have never met or spoken to former IRS Director of Exempt Organizations Lois Lerner. By the time I was confirmed as Commissioner in December 2013, six investigations were already well underway in response to the May 2013 report by the Treasury Inspector General for Tax Administration (TIGTA) regarding the use of improper criteria to process applications for tax-exempt status under section 501(c)(4) of the Internal Revenue Code.

It should be noted that organizations applying for 501(c)(4) status at that time did not need a determination from the IRS to undertake their activities. Until last December, when Congress passed the Protecting Americans from Tax Hikes (PATH) Act—which requires 501(c)(4) organizations to advise the IRS when they begin activities—any entity could operate as a 501(c)(4) simply by filing the annual information returns required by the IRS. Nonetheless, those organizations had a right to a determination if they sought it, and the IRS had an obligation to provide that determination promptly and efficiently. Early in my tenure, I apologized to all groups who experienced inordinate delays and complications in the review of their applications.

My goal from the start has been to respond as quickly and completely as possible to inquiries from any of the six investigating entities, to help them develop recommendations that would in turn assist us in ensuring that the management failures described in TIGTA's May 2013 report would never happen again.

My previous experience in government helped me to understand the importance of complying with such investigations. Earlier in my career, I spent four years as Chief of Staff to former Sen. Abraham Ribicoff, who served as Chairman of a subcommittee of the Senate Governmental Affairs Committee and, ultimately, as Chairman of the Committee. The Committee held hearings on a variety of important issues, and my involvement in those hearings impressed upon me the importance of Congressional oversight of the Executive Branch, and the responsibility of agencies to respond as quickly and completely as possible to requests for information from Congress.

In response to the May 2013 TIGTA report, the IRS accepted and implemented all of the Inspector General's recommendations, with one exception. The only recommendation we have not completed involves clarifying how to measure the social welfare and political activities of section 501(c)(4) organizations. Before I became Commissioner, the Treasury and the IRS drafted proposed regulations on this issue for public comment. The regulations proved to be very controversial and provoked over 160,000 comments. I suggested that we start over, taking into consideration the range of comments provided and emphasizing that our goal was not to change the basic, existing rules but, instead, to clarify them as recommended by the TIGTA report. We were instructed by Congress in December to halt our work in this area, which we have done.

TIGTA reviewed our actions in response to the May 2013 report, and issued a follow-up report in March 2015 that noted the IRS had taken "significant actions" to address their recommendations. We also accepted and implemented their additional suggestions.

In August 2015, another of the six investigating entities, the Senate Finance Committee, concluded its two-and-a-half year investigation with an exhaustive report. As I testified to the Finance Committee in October last year, the IRS accepted all the recommendations in the Committee's report that were within our control—those that did not involve tax policy matters or legislative action. They included 15 of the report's 18 bipartisan recommendations. We also accepted and have implemented all of the recommendations within our control in the separate reports prepared by the Majority and Minority of the Committee.

In addition to the Senate Finance Committee, the Senate Permanent Subcommittee on Investigations, the Department of Justice (DOJ), and TIGTA have concluded their investigations and their work, with the exception of one historical review being done by TIGTA. None of these entities have indicated any further action or activity is necessary or required.

Despite that, some Members have urged the House to impeach me. Impeachment is, of course, an extraordinary tool, used very rarely by the House after a careful and deliberative process, including, in previous cases, providing substantial due process and other safeguards to the accused individual. These safeguards, which include adequate time to prepare and the right to call and examine witnesses, are not part of this preliminary inquiry. And as described below, I believe impeachment is a wholly improper tool in this instance.

RESPONSES TO THE ALLEGATIONS IN THE PROPOSED ARTICLES OF IMPEACHMENT

As indicated earlier, I believe there is no substance to any of the four charges put forward by some Members of the House Oversight and Government Reform Committee. My responses to these allegations can be summarized as follows:

Proposed Article I

The IRS, under my direction, responded to Congressional requests for information with a massive production of documents.

Both TIGTA and DOJ have determined that the erasure of disaster recovery tapes was an accident.

No one has even suggested, nor could they suggest, that I was somehow personally involved in the erasure of the tapes.

The IRS has taken steps to prevent a repeat of the failure to preserve information.

Under my direction, the IRS has responded comprehensively and in good faith to the various subpoenas and document requests from the investigating entities.

Despite historically low levels of funding, the IRS incurred more than \$20 million in expenses (and devoted more than 160,000 man-hours) to collect, review, and produce approximately 1.3 million pages of documents. As part of this massive document production, the IRS recovered and produced over 78,000 emails that were sent or received by former IRS Director of Exempt Organizations Lois Lerner, including over 24,000 emails from the period affected by Ms. Lerner's hard drive crash.

The IRS was able to recover such a large number of emails by looking in the places where it believed the emails were most likely to be found: in the email accounts of IRS employees that Ms. Lerner worked with or supervised. The IRS's strategy was to make up for any technical or recordkeeping shortcomings that may have existed by pursuing a broad, even redundant, document collection and review effort.

The erasure of 422 disaster recovery tapes at Martinsburg, West Virginia was clearly a failure of the IRS's document preservation protocols. The IRS accepts responsibility for it, and as detailed in its submissions to Congress, has improved employee training and taken other measures to minimize the risk that anything like this could ever happen again. However, both TIGTA and DOJ agreed that the erasure was an accident. As TIGTA stated in its investigative report, its extensive interviews "provided no evidence that the IRS employees involved intended to destroy data on the tapes or hard drives in order to keep this information from Congress, the DOJ or TIGTA."

Proposed Article II

I acted in good faith in my efforts to comply with all Congressional requests related to the investigations.

I testified truthfully and to the best of my knowledge in answering questions concerning the search for, and production of, emails related to the investigations.

The IRS only became aware of the accidental erasure of disaster recovery tapes in 2015, after being notified by TIGTA during its investigation of the Lerner hard drive crash.

The allegations that I somehow attempted to deceive Congress are unfounded. On June 20, 2014, I testified to the House Ways and Means Committee that "since the start of this investigation, every email has been preserved. . . ." That was my honest belief at the time, as I was not yet aware of the Martinsburg erasure.

I only became aware of the erasure in 2015, after TIGTA briefed the IRS on the matter. On June 23, 2014, I testified to the House Oversight and Government Reform Committee that "backup tapes from 2011 no longer existed because they had been recycled," and that IRS personnel "went back and looked and made sure" of this. This was my honest belief, based on briefings with IRS Information Technology (IT) personnel.

On March 26, 2014, in testimony to the House Oversight and Government Reform Committee, I promised to produce "all of Lois Lerner's emails." As detailed in the discussion above, the IRS made great efforts to produce all available Lerner emails, conducting a broad search at substantial expense. The breadth of the IRS's efforts illustrates the good faith underlying the promise to comply with the Committee's request.

Proposed Article III

The IRS went to great lengths to cooperate with and facilitate the various investigations into the determination process for tax-exempt status.

The main allegation seems to be that I somehow impeded Congressional investigations by delaying for four months in notifying Congress regarding the Lois Lerner hard drive crash. This is inaccurate. It was never my intent to impede the investigations in any way; to the contrary, the IRS went to great lengths to cooperate with and facilitate the various investigations.

It is important to note that the Lerner hard drive crash was by no means purposely hidden from Congress. Emails discussing the hard drive crash were included in the substantial production of emails to the Congress months earlier, in 2013. Documents provided included a series of emails to Ms. Lerner in 2011 from the IRS IT division discussing the computer problems she experienced with her hard drive crash and IT's efforts to resolve them.

It was not until February 2014 that agency attorneys discovered a problem with Ms. Lerner's emails. The IRS attorneys also did not discover this from the e-mail exchanges that had been earlier provided to the Congress. Instead, the discovery was made when IRS attorneys, who were producing emails for the Congressional committees, noticed an apparent chronological "gap" in the Lerner emails that had already been provided to Congress in 2013. After making this discovery, IRS officials worked to assess what happened, determine whether and how data was lost, and study how the data might be recovered from other sources.

I first learned the details of the Lerner hard drive crash in April 2014, and directed IRS personnel to continue the work of deter-

mining the extent of the data loss so that a complete description of the problem could be provided outside of the IRS. That work identified 24,000 of Ms. Lerner's emails from the crash period that could be provided to the various investigators. When the IRS completed its assessment of the Lerner email situation in June 2014, we made a full and timely report to the Congressional committees, DOJ and TIGTA.

Proposed Article IV

I oversaw a broad document collection and review to comply with the investigations.

The gist of this allegation is that I failed to competently oversee the IRS's response to Congressional investigations. There has been no suggestion that I denied IRS personnel the needed resources nor in any other way impeded their efforts to respond to the varied Congressional inquiries. To the contrary, as detailed above, the IRS conducted a broad document collection and review, producing a comprehensive record of the matters under investigation, notwithstanding substantial technical and resource challenges. I received regular reports on the work to complete this effort by IRS lawyers and other personnel. Much of this work was done during my first months on the job. Our goal was to provide TIGTA, DOJ, and the Congressional committees all of the information that they needed to advance and ultimately complete their investigations.

CONCLUSION

While the allegations raised by some Members of the House Oversight and Government Reform Committee are serious and relate to acknowledged errors made by the IRS, the Constitution reserves the use of impeachment for "treason, bribery, or high crimes and misdemeanors." None of my actions relating to the issues above, viewed in light of all the facts, come close to that level.

I would also note that impeachment has been used only on very rare occasions in the 228-year history of our Constitution. Aside from two Presidents, the only impeachment of a member of the Executive Branch occurred in 1876. If the Committee were to go forward and pursue impeachment in this instance, especially in light of the utter lack of support for the allegations, it would set an unfortunate precedent, diminishing the ability of the Federal government to attract experienced, dedicated people to positions of leadership. Some have suggested that my impeachment would be an appropriate means of holding the IRS accountable for acts of others that occurred before I came to the agency. This approach would make it particularly hard to attract new leaders when they are needed most—when a critical agency is in crisis following serious mistakes, needing both to reform its practices and respond to investigations. That would be a great loss for the government and for the country.

I want to be clear that, despite being faced with these unwarranted allegations, I remain honored to serve as the IRS Commissioner, and to lead a group of employees who are as dedicated, skillful, energetic and enthusiastic as any group I have had the privilege to work with.

Chairman Goodlatte, Ranking Member Conyers and Members of the Committee, this concludes my statement.

Mr. CARPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE NATIONAL PARK SERVICE AND UTAH'S MIGHTY FIVE NATIONAL PARKS

Mr. HATCH. Mr. President, our national parks play host to abundant animal life, untouched wilderness, and some of the most breathtaking vistas I have ever seen. Anyone who has beheld the pristine perfection of a mountain lake or the verdant green of our valleys in springtime can bear witness to the magnificent grandeur of America's natural landscapes. Today I wish to recognize the National Park Service for its indispensable role in preserving both the richness and beauty of these lands. This year marks the 100th anniversary of the National Park Service. On the agency's centennial, I would like to thank the thousands of men and women who, over many decades, have served selflessly to safeguard the majesty of our national parks.

In commemoration of the Service's 100th anniversary, I will be visiting the Mighty Five National Parks in my home State of Utah next week. The Mighty Five play a critical role in Utah's economy, driving the tourism industry by attracting millions of visitors to our State each year. Today, I would like to pay tribute to the Mighty Five National Parks by recognizing the beauty and unique history of each.

Canyonlands National Park—imagine wave after wave of deep canyons, towering mesas, pinnacles, cliffs, and spires stretching across 527 square miles. This is Canyonlands National Park, formed by the currents and tributaries of Utah's Green and Colorado rivers. Canyonlands is home to many different types of travel experiences, from sublime solitude in the more remote stretches of the park to moderate hikes through the Needles district.

Located just west of Moab and a short distance from Arches National Park, Canyonlands is wild, wonderful, and diverse in its landscapes. Due to the park's massive size, Canyonlands has four separate districts, including three land districts and the rivers themselves, each with their own characteristic landscapes and experiences.

The area's earliest known inhabitants were Puebloans. After the Puebloans, other groups from the Ute, Navajo, and Paiutes appeared in the area. Ranchers and miners started settling the area in the 1880s, and places throughout the park still bear the names of some of these early settlers.

In the late 1950s and early 1960s, Bates Wilson, the superintendent of Arches National Park, lobbied for a national park to be created in the Canyonlands area. In 1962, Utah Sen-

ator Frank Moss introduced the Canyonlands Park bill, and 2 years later, President Lyndon B. Johnson signed legislation designating Canyonlands a National Park.

Arches National Park—located northwest of Moab, Arches is a 73,234-acre wonderland of eroded sandstone fins, towers, ribs, gargoyles, hoodoos, balanced rocks, and, of course, arches. The park protects an amazing landscape that includes the largest proliferation of arches in the world. Over 2,000 arches have been catalogued in Arches National Park. Landscape Arch, measuring 306 fragile feet, is the second-longest span in the world.

The sandstone formations in Arches National Park define not only the landscape but also its plants and animals. The scarce precipitation—8.5 inches annually—extreme temperature ranges, and relatively high elevation all conspire to limit life among the rocks to only species that can adapt to such a harsh environment. Elevations at Arches range from 3,960 feet along the Colorado River to the 5,653-foot Elephant Butte, the park's high point. A pygmy forest of pinon pine and juniper covers about half the park; scrubby steppe and bare slickrock blanket the rest.

The Arches area was first brought to the National Park Service's attention by an employee of a railroad company named Frank Wadleigh. Wadleigh visited Arches at the request of a prospector, who claimed the area had high tourist potential because of its scenic views. With the support of the National Park Service, the area was designated a national monument in April 1929. The park grew in popularity, and on November 12, 1971, President Richard Nixon signed legislation designating it a national park.

Bryce Canyon National Park—the alpine environment of Bryce National Park is home to dozens of species of mammals and birds. Water and wind over millions of years of freezes and thaws have carved into the plateau endless fields of the park's distinctive red rock pillars, called hoodoos. By its very nature, Bryce Canyon National Park invites discovery.

Every year, Bryce Canyon awes visitors with spectacular geological formations and brilliant colors. The towering hoodoos, narrow fins, and natural bridges seem to deny all reason or explanation, leaving hikers gazing around with jaws agape in wondrous incredulity. This surreal landscape is what brings people from around the world to visit the park.

The Park's hoodoos and fins are formed when rainwater seeps into cracks in the rock. The water freezes during Bryce's cold nights, expanding just enough to break apart the rock. The deep, narrow walls called "fins" result from rain and snowmelt running down the slopes from Bryce's rim.

Eventually the fins form holes, called windows. When the windows grow larger, they collapse and create the bizarre hoodoos we see today.

The scenic areas of Bryce Canyon were first described to the Nation in 1916 in magazine articles published by Union Pacific and Santa Fe railroad companies. As visitations to the area increased, those concerned about the damage being done to the delicate features lobbied for its protection. On June 8, 1923, Bryce Canyon was declared a national monument, and on February 25, 1928, it was established as a national park.

Zion National Park—carved by water and time, Zion National Park is a canyon that invites you to participate in the very forces that created it. The park's canyons and mesas boast an especially exquisite beauty, even in a State known for dramatic landscapes. Breathtaking Zion Canyon is the centerpiece of this 147,000-acre parkland that protects a spectacular landscape of high plateaus, sheer canyons, and monolithic cliffs.

Opportunities to see and explore Zion National Park abound for people of all ages and abilities, from the scenic byways that slice through the park to the trails that wind through the backcountry. Wildlife watchers can stop at numerous lookouts and search the sky for Zion's more than 200 bird species.

The paintings of Zion Canyon done by Frederick Dellenbaugh in the early 1900s, along with previous photographs of the area, led President William Howard Taft to proclaim Zion Canyon a national monument on July 31, 1909. In November 1919, Congress established Zion Canyon as a national park, making it the oldest national park in Utah.

Capitol Reef National Park—even considering Utah's many impressive national parks and monuments, it is difficult to rival Capitol Reef National Park's sense of expansiveness; of broad, sweeping vistas; of a tortured, twisted, seemingly endless landscape; of limitless sky and desert rock.

While Bryce and Zion are like encapsulated little fantasy lands of colored stone and soaring cliffs, the less-visited Capitol Reef is almost like a planet unto itself. In Capitol Reef, you get a real feel for what the earth might have been like millions of years before life appeared, when nothing existed but earth and sky.

Capitol Reef National Park is an evocative world of spectacular colored cliffs, hidden arches, massive domes, and deep canyons. It is a place that includes the finest elements of Bryce and Zion Canyons in a less-crowded park.

Ephraim Portman Pectol, a member of the Utah State Legislature, and his brother-in-law, Joseph Hickman, started a promotional campaign for the Capitol Reef area in the early 1930s. In 1937, President Franklin D. Roosevelt named the area a national monument.

Roads built to the area promoted access. In December 1971, President Richard Nixon signed an act establishing Capitol Reef as a national park.

TRIBUTE TO PATRICK P. O'CARROLL, JR.

Mr. HATCH. Mr. President, I rise to offer thanks and appreciation to a dedicated public servant, Mr. Patrick P. O'Carroll, Jr., who has worked to protect taxpayers and beneficiaries at the Social Security Administration and will soon pursue other activities.

Pat O'Carroll has served the American people as the third inspector general for the Social Security Administration since November 24, 2004. Managing over 600 auditors, attorneys, evaluators, and investigators nationwide, Mr. O'Carroll has overseen efforts to identify and prevent fraud, waste, and abuse of SSA funds and programs. In the past year alone, SSA's OIG has reported over \$700 million in investigative accomplishments through SSA recoveries, restitution, fines, settlements, judgments, and projected savings. Pat's efforts have led to around \$50 of taxpayer savings for every \$1 spent on his office.

Prior to his tenure as inspector general, Mr. O'Carroll held several senior positions in the inspector general's office, including assistant inspector general for investigations and assistant inspector general for external affairs. Twenty-six years of prior employment by the U.S. Secret Service helped prepare Mr. O'Carroll for the rigors of investigative work at SSA. To show Pat's dedication to the field, I would point out that he attended the National Cryptologic School at the Kennedy School of Government after completing a master of forensic sciences at the George Washington University. Most assuredly, you don't want to try to slip anything by Pat.

Pat in many ways personifies the SSA inspector general role. He has served in this position—with distinction—longer than anybody else. Pat has been very responsive with Congress; he has excelled at providing the information we need to protect SSA programs from fraud, waste, and abuse. It would be hard to find anyone who has worked harder to protect the integrity of Social Security's programs than Pat.

I appreciate Pat's important work with this legislative body. We wish him all the very best as he moves on to pursue what lies ahead for him and genuinely appreciate the work he has done with Congress, for the Social Security Administration, and, of most importance, for the American taxpayer. I wish Pat all the very best.

TRIBUTE TO JANE WINKLER DYCHE

Mr. MCCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian who is a leader in her community as well as a good friend. Jane Winkler Dyche is an accomplished attorney in her hometown of London, KY, as well as the master commissioner for the Laurel County Circuit Court and an active volunteer for many local causes.

Dyche, the daughter of educators, originally trained as a teacher, earning a degree in home economics education from the University of Kentucky. She worked for 13 years in food and nutrition across Kentucky before earning her law degree at UK. She is now in her 21st year of practicing law.

Dyche is well known in the region for her service on the board of the Kentucky Bar Association, including a stint as president. She served on the board of the Kentucky Lawyers Mutual Insurance Company and is a dedicated volunteer for Kentucky Educational Television. Dyche also works on behalf of the Laurel County Public Library and the God's Pantry Food Bank.

Jane and her husband, Robert, have two children, Robert and John. They currently practice law together in the house that her husband grew up in, accompanied by their office dog, Stella.

I want to commend my good friend Jane Winkler Dyche for her commitment to her community and to Kentucky. For many years, she has been a devoted supporter of worthy causes and a fixture in the Commonwealth's legal circles. Still an educator at heart, she continues to share her wisdom with others every day.

An area publication, the Times-Tribune, recently published a profile of Jane Winkler Dyche. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Times-Tribune, May 15, 2016]

TRI-COUNTY PROFILES: LONDON ATTORNEY
CONSIDERS HERSELF AN EDUCATOR IN ALL
THINGS

(By Christina M. Bentley)

"As a lawyer, I still teach people," said Jane Winkler Dyche, Laurel County attorney and master commissioner, a position in which she assists the Laurel Circuit Court in the enforcement of judgments.

"I'm just teaching the jury, or I'm educating the judge in my version of the case," she said.

Dyche was raised by educators. Her father, Thomas Winkler, was a teacher and school administrator in the Bell County School System and her mother, Mildred, was a career nurse who, at the request of the Pineville Community Hospital, started the Pineville School for Practical Nursing, which was later absorbed into the Kentucky Community College System. Both the Winklers were WWII veterans—Mildred served as a nurse in the Women's Army Corps—and met when Thomas Winkler was being repatriated from his service in the Army Air Corps.

"They were incredible people," Dyche said. "I was very blessed to have parents who saw the importance of education . . . I think being the child of a forward-thinking woman, someone who actually started this hospital nursing program . . . very little I do could begin to be close to touching or hitting milestones like she did. I mean she was really very forward-thinking, and there was really the expectation of 'you need to do the best you can do.' They encouraged free thought and travel. They dragged us about a lot. That's something I think—that wanderlust, the opportunity to see things, new things, it's a huge world. I think sometimes I see that folks' vision is not as wide as it needs to be. It's a big world. It's a BIG world, and if we're too quick to close our eyes or our ears, we're going to miss out on so much."

Dyche herself has been very open to new opportunities in her life. Like her father, she trained as a teacher, getting a degree in home economics education from the University of Kentucky and going on to work for 13 years with the Cooperative Extension Service as an area extension agent for foods and nutrition, a job in which her primary role was to train others.

"I was an area extension agent, which is really different (from being a county extension agent)," Dyche said. "I eventually actually worked from Harlan to Harrison (counties). I had no supervisory capacity, but I trained. I taught people how to teach. I taught the paraprofessionals how to teach the material to the low-income families, and to do that I made home visits with every single one of the assistants I taught twice a year, so I went in the homes with them . . . I think that's where we're losing things now. I think that there aren't enough people willing to say, 'Okay, if you want to change, how do we help you do that? Tell us what we need.' How do we make that happen? You can't do it by just giving people stuff. We've got to help people do with what they have."

She met her husband, London native and fellow attorney Robert Dyche, during her work with the Extension Service, and said that that's how she made her way to London. The couple have two children, Robert, who has an undergraduate degree from Centre College and an MBA from the University of Cincinnati and now works in Atlanta, and John, who is a 2016 graduate of Georgetown College. The elder Robert Dyche is a former district court judge and also served on the Court of Appeals. She said the law was something she, too, had always been interested in, so she took advantage of the opportunity granted her by the Extension Service to take study leave in 1992.

"I grew up in a little town where there were some good lawyers that I admired. It was something I wanted to do. Once Robbie got an 8-year term on the Supreme Court, our family had at least one steady job, and that gave me the freedom to try something new, and he was supportive in that. So I went back to UK and came home on weekends. It was an adventure," Dyche said.

She is now in her 21st year of practicing law.

"I love to practice law," she said, "It's very interesting. I think sometimes it's sort of like a muscle, you know—the more you use it the stronger it gets. And I think to some degree our energy is the same way. If you don't exercise, you don't feel like exercising. That's how I start my day: do my Bible reading and do my exercises. It's pretty simple."

Dyche's legal career has been very varied and has offered her opportunities to serve her profession outside the courtroom as well.

"I've had a chance to do a lot of different things. I practiced with a firm" when I first got out of law school "and I office-shared with a lot of more experienced lawyers because I didn't feel like, especially with a family, that I needed to be by myself, so there were other lawyers who were very instrumental in providing nurture to me during that time" and I had an opportunity to begin serving on the Kentucky Bar Association board of governors," she said.

Dyche was asked to take on the unexpired term of a departing board member and went on to serve as the president of the Kentucky Bar Association, shortly after her husband retired from the Court of Appeals and the two went into practice together, occupying as office space the house that Robert Dyche grew up in, which he and his siblings didn't want to part with after his parents' death.

"Robbie came here to practice law as I was beginning my president-elect and president duties with the KBA and he really made it possible for me to take the time that those volunteer positions take because you travel statewide," Dyche said. "And I had the opportunity to meet a lot of people and to preach the gospel of ethical lawyering. Also during that time, I served on the board of directors of the Kentucky Lawyers Mutual Insurance Company, a mutual insurance company formed by Kentucky lawyers to serve Kentucky lawyers for our professional responsibility, or professional malpractice, insurance, and that was very interesting. The things you learn!"

In addition to her service to the profession, Dyche has also spent most of her life as a dedicated volunteer to a number of causes, beginning with Kentucky Educational Television.

"(KET) was really my first big volunteer activity as a young bride coming to London, Kentucky," she said. "Leonard Press, who actually started KET, knew my father through Daddy's work with the school system. He could see how public television, especially educational television, could reach into the hills and hollows of southeastern Kentucky because it was such a challenge to bring educational material to people who really needed it, and it was during the time in the '60s of (the Work Experience and Training Program). KET could bring educational programs in where others could not, and my fascination with that program and with the television programs that were offered "caught my eye as a young adult when they were looking for volunteers here in southeastern Kentucky. I had an opportunity to work for many years as a very active volunteer with them" I did a lot of Friends of KET activities and was president of that board and then served on their foundation board for a number of years as well, so I guess that kind of got me hooked on how exciting volunteering can be."

Dyche also continues to support the Extension Service and Laurel County Public Library. She served on the Site-Based Councils of both North Laurel High School and London Elementary School when her children were students there.

"There's just all this stuff you get a chance to do if you keep your eyes open to opportunities to serve, and I think that's incredibly important that we keep our eyes open for those opportunities "If people want to serve, if they want to volunteer, they will find something. There's something out there for you to do," she said.

Most recently, Dyche's spirit of community service has found its outlet in God's Pantry Food Bank.

"(God's Pantry) picks back up on my interest in people who are at risk nutritionally," Dyche said. "There are hungry people here, especially during the downturn in the economy. A number of years ago, I was contacted by representatives of God's Pantry Food Bank in Lexington, and just the other day, we had a 'Business After Hours' at our warehouse here in London that opened in December of 2013. Since July 1 of 2015, over 3 million pounds of food has been distributed from there. Last month, this warehouse distributed more than the Lexington one did. I'm all for God's Pantry. This is an agency that is five-star on Charity Navigator for the fifth or sixth year in a row. I think that's really important that people check to see what they're working on. You give them a dollar, they'll turn it into \$10 worth of food "We're really excited that we continue to grow our agencies in this area."

Dyche sees the common thread between all of her activities, however, to be teaching people, and she said that is both the hardest and the most satisfying part of her work, whether it's in the classroom or the field, the courtroom or the boardroom.

"Teaching people things that they're unfamiliar with and explaining that something may not work out well. That's tough. That's really difficult," she said. "But I like the teaching bit, whether it's teaching about volunteer causes that benefit lots of people or explaining to a client a concept that is new to them. I like smart clients. I like to work with people who are interested in learning how this happened, why this happened, and how we go forward. We've been incredibly blessed to get to work with a lot of interesting folks over time. So I'm still a teacher."

For all her work and community service, however, Dyche still finds time to garden and cook, and she's a voracious reader. She also teaches mahjong to a group every week at the Laurel County Public Library.

Hers is a busy life, but she said she feels a responsibility to keep it that way.

"I think if God has blessed us—and I think God has blessed almost everyone—I think we in turn have the opportunity to give back," Dyche said. "God gives us all the same number of hours in a day. It's how we choose to use them."

REMEMBERING CLARISSA "T.C." FREEMAN

Mr. McCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian who was a passionate advocate for and supporter of our Nation's military, especially the troops stationed at Kentucky's Fort Campbell and in the neighboring community of Hopkinsville, KY. Clarissa "T.C." Freeman, a woman so devoted to our men and women in uniform that one chapter of the Association of the United States Army, AUSA, named an award after her, sadly passed away on May 19. She was 83 years old.

Freeman understood the importance of the men and women stationed at Fort Campbell and worked diligently to ensure that these servicemembers and her community got the recognition they deserved. Freeman was one of Kentucky's civilian aides to the Secretary of the Army since 2008, holding a ceremonial rank equal to a lieutenant

general. However, her contributions to our servicemembers began long before that.

She first became involved as an AUSA volunteer as a young Army wife in Fort Hood, TX, welcoming her husband back home from his first tour of duty in Vietnam. Freeman felt her husband and others returning from Vietnam did not get the recognition and appreciation they deserved. T.C. was right about this, as she was about so many other important issues concerning our Nation's servicemembers.

She decided to do something about it personally. She took care of wounded soldiers. She coordinated welcome-home events. She advocated on behalf of Army families on housing and quality-of-life issues that affected them. The Freemans moved to Hopkinsville and took up the cause of soldiers at Fort Campbell after T.C.'s husband, Army COL Bobby Freeman, was named garrison commander at Fort Campbell.

T.C. Freeman's support for the 101st Airborne Division, headquartered at Fort Campbell, was crucial throughout the years, especially in 1985 when 248 soldiers died in an air crash in Newfoundland while returning from a peacekeeping mission.

In 2009, Freeman was among the first nine honored as a "champion" of Fort Campbell and saw her portrait installed in the division's headquarters building. She served as chapter president and board member of the Tennessee-Kentucky chapter of AUSA. She was also an honorary member of the 327th Infantry Regiment and the 160th Special Operations Aviation regiments and a distinguished member of the 502nd and 187th Infantry regiments.

T.C. and her husband, Bobby, raised two sons who served in the Persian Gulf and a daughter who was an Army wife. Elaine and I want to send our condolences to the Freeman family and to the many who knew and loved T.C. I am grateful for the long friendship I had with her, and I know she will be deeply missed—especially by the brave servicemembers she worked so hard to support and their families.

An area publication, the Kentucky New Era, recently published an article detailing T.C. Freeman's legacy. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Kentucky New Era, May 20, 2016]

T.C. FREEMAN, TIRELESS FORT CAMPBELL ADVOCATE, DIES

(By Andrew Oppmann)

Clarissa "T.C." Freeman, known and honored by generals and privates alike as Fort Campbell's Mom for her devoted service and advocacy of the U.S. Army, died at 7 a.m. Thursday at Jennie Stuart Medical Center after a long illness. She was 83.

One of Kentucky's civilian aides to the secretary of the Army since 2008, Freeman battled pulmonary fibrosis for more than five

years. However, despite the debilitating effects of the disease, her service to Fort Campbell rarely slowed.

Her husband, retired Army Col. Bobby Freeman, was a former garrison commander at Fort Campbell.

Funeral services will be at 3 p.m. Sunday at First United Methodist Church, Hopkinsville, and burial will be at 1 p.m. Monday at Kentucky Veterans Cemetery-West. Visitation will be from 4 until 8 p.m. Saturday at Hughart, Beard and Giles Funeral Home, Hopkinsville, and from 2 p.m. until the funeral hour at the church.

As a civilian aide to the Army secretary, Freeman held the ceremonial rank equal to a lieutenant general. She used her status as a platform to call attention to the service and sacrifice of the soldiers of the 101st Airborne Division (Air Assault).

Hopkinsville Mayor Carter Hendricks knew Freeman as a "tireless, tenacious and caring advocate" for Fort Campbell.

At welcome-home ceremonies, Freeman often was seen handing off her cell phone to a young soldier who didn't have family present but wanted to call home.

Freeman was on a Chamber of Commerce committee that hired Hendricks to be the military affairs director in 2004. She became a dear friend and supporter, he said.

No task was too small for Freeman, and she always followed through on her promises, the mayor said.

U.S. Sen. Mitch McConnell, R-Ky., said, "T.C. understood the importance of the men and women stationed at the Kentucky (post) and worked diligently to ensure that these service members and her community got the recognition they deserved."

At a 2013 ceremony honoring Freeman, retired Gen. Richard A. Cody, former post and division commander, said, "T.C. was an Army wife and Army mom and a model for everyone here. She made a difference in the life of me and my family."

In 2009, Freeman and her husband were among the first nine honored as Champions of Fort Campbell, and their portraits were installed on a wall inside the division's headquarters building.

She was a life member of the Association of the United States Army, serving as a regional president, as well as chapter president and board member of the Tennessee-Kentucky chapter. The chapter in 2013 named a brigade-level award for membership participation in her honor.

Freeman worked as an aide to former U.S. Sen. Jim Bunning and current U.S. Rep. Ed Whitfield and was a member of the Kentucky Military Affairs Commission.

She was an honorary member of the 327th Infantry Regiment and the 160th Special Operations Aviation regiments a distinguished member of the 502nd and 187th Infantry regiments.

As the wife of a decorated Vietnam aviator, and mother to two sons who served in the Persian Gulf and a daughter who was an Army wife, Freeman told an Army interviewer in 2009 that she knew what other spouses were going through when their husbands and wives were deployed.

"The first Army family I took care of was mine," she said.

Freeman first became involved as an AUSA volunteer at Fort Hood, Texas, as a young Army wife.

She told an Army journalist that when her husband returned from his first tour of duty in Vietnam, she was disappointed and saddened by the reception he received. She vowed to do something about it.

"They didn't understand how important our Army was," she said in a 2009 article. "I always feel the need to give something back to our soldiers and to their families."

And give back she did. She was involved in taking care of wounded soldiers. She planned welcome-home events. She tackled granular issues that troubled Army families, such as ID card and housing problems.

She hosted luncheons, consoled families in their grief and, as a champion of Fort Campbell, was a fierce advocate for funding of the post that straddles the Kentucky and Tennessee borders.

Cody, quoted by The Eagle Post in a 2013 article on the AUSA award named in her honor, said Freeman was diligent to greet soldiers as they returned or departed for duty overseas.

She would look around for a soldier who had no one waiting for him or her and would give him or her a hug and a thank you.

"When they (the soldier's family) can't, I stand in for them," she said.

Maj. Gen. Jim Myles, at a 2009 ceremony covered by Army journalists, called Freeman "a national treasure and a hero."

When she was a VIP or special guest at an event, Myles said she would always divert the spotlight to the soldiers.

"I've watched CASAs like T.C. make a difference in soldiers' lives in ways green-suiters couldn't do," he said.

Cody, in the 2013 article, recalled how Freeman "wrapped her arms around this great division" after 248 soldiers from the 101st died in air crash at Gander, Newfoundland, while returning from a peacekeeping mission shortly before Christmas in 1985.

The Freemans moved to Hopkinsville when Col. Freeman was named garrison commander at Fort Campbell. They remained there after he retired from the Army.

Freeman's passion for the soldiers of Fort Campbell never ceased, even as her illness limited her mobility in recent months. She was active on social media and often sent out messages of support to the division while on bed rest.

"There is a lot that can be done to help our soldiers," she told the Army journalist in 2009. "There are no boundaries to what goodness one can contribute for the benefit of the soldiers."

TRIBUTE TO DR. HOUSHANG KHORRAM

Mr. MCCONNELL. Mr. President, I wish to congratulate a distinguished Kentuckian who is an accomplished doctor and who works to save lives and heal the sick in eastern Kentucky. Dr. Houshang Khorram practiced as a pediatrician for 50 years at Appalachian Regional Healthcare in Middlesboro, KY, and he retired this past January after his five decades of service.

Dr. Khorram originally studied medicine in Iran, attending the Shiraz Medical Science University. He knew from the beginning of his medical career that he wanted to specialize in pediatrics. After taking pediatrics specialty classes in Iran, he came to America; first to Baltimore, MD, and then, in 1965, to Kentucky. He has been a proud resident of the Bluegrass State ever since.

In his time at Appalachian Regional Healthcare, Dr. Khorram served as

chief of the pediatric department, chief of medical staff, and president of the board of directors at the Daniel Boone Clinic. In his time as a physician, he has seen many advances in medical technology and implemented them in his practice.

I want to congratulate Dr. Khorram for his five decades of service at the top of the medical field and wish him well upon the occasion of his retirement. I know he will have as much success in whatever endeavor he chooses next as he has had in his chosen field. I am sure his wife, Toby, and their two children are very proud of him, and Kentucky is glad to have benefitted from his work and service.

An area publication, the Middlesboro Daily News, recently published an article highlighting Dr. Khorram's life and career. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Middlesboro Daily News, Feb. 12, 2016]

DECADES OF DEDICATION (By Kelsey Gerhardt)

Appalachian Regional Healthcare in Middlesboro is a place where lives are saved, babies are born and broken bones are set. Dr. Houshang Khorram has seen it all in his 50 years as a pediatrician.

Khorram's story starts during his time as a student at Shiraz Medical Science University in Iran.

"I loved kids. I've always loved kids and that's how I knew what I wanted to do," said Khorram.

He completed his pediatrics specialty classes in Iran and came to America to work at Johns Hopkins Hospital in Baltimore, Maryland for a couple of years.

In 1965, Khorram started working for the ARH in Floyd County, Kentucky and moved to the Middlesboro ARH five years later. He has lived and worked in Middlesboro ever since.

"Actually, I came here to live for just six months, but I'm still here. I love the people and I love the area and I love nature so there are a lot of things that have kept me here," said Khorram.

He has seen many advances in the medical field, including technology and equipment which he believes have not only benefited pediatrics, but the way in which doctors are able to care for patients.

"So much that we have now, we didn't have it 10 or even 20 years ago. CT scans, MRI's, sonograms have helped a lot and now it's easier to make a diagnosis and it's more reliable," said Khorram.

Khorram retired from ARH on January 1 and received a special award for his time. Throughout his decades at ARH, Khorram served as the chief of the Pediatric Department, chief of Medical Staff and the president of the board of directors at the Daniel Boone Clinic.

If given the opportunity to start all over again, he undoubtedly would.

"I encourage my kids to go into the medical field. It's a great place to be and I would go back, go again to medical school if I could," laughed Khorram.

He enjoys hiking and reading pediatrics books in his free time. Since retirement, he

is looking forward to having time to spend with his grandchildren.

Khorram has been married to his wife Toby for 54 years. He acknowledges her sacrifices and support that have allowed him to be a doctor. Together they have two children.

REMEMBERING SUMNER SLICHTER

Mr. REID. Mr. President, I was saddened to learn that Sumner Slichter, who for three decades was the chief policy adviser to former Wisconsin and U.S. Senator Russ Feingold, died May 16 in his home in Alexandria, VA, after a battle with brain cancer. He was 62 years old.

Sumner Pence Slichter was born August 31, 1953, in Urbana, IL, to Nini Almy and Charles Slichter. He was the oldest of four children and is remembered as being a kind and loving older brother to his younger siblings.

As a student attending Dr. Howard Elementary, Edison Junior High School, and Champaign Central High School, Sumner played viola in the school orchestra. He left for the University of Wisconsin-Madison in 1970, where he majored in mathematics. Sumner continued to play viola in student ensembles and the UW orchestra, where he sat first chair.

At the age of 19, Sumner began what would ultimately be a long and rich career in politics. His first job was on Ed Muskie's 1972 Presidential campaign. Later that year, he worked as an assistant at the Democratic National Committee convention in Miami Beach. From there, Sumner worked for campaigns and offices of State representatives in Illinois, Pennsylvania, and Wisconsin.

In 1981, an encounter would forever change Sumner's life. That year he met a Milwaukee lawyer named Russ Feingold. At that time, Russ Feingold was working as a Democratic Party counsel on a close recall election. Sumner helped convince his new friend to challenge an incumbent for the 27th district State Senate seat. Feingold won the election in 1982, and Sumner followed him to the State capital. Sumner and Russ would spend the next three decades working side-by-side in Madison and Washington, DC.

Working in the Wisconsin State Senate, Sumner helped design Feingold's trademark progressive initiatives that focused on the aging, consumer-focused banking policies, budget discipline, and tax policy.

It was during his time in the State capitol that Sumner met Pam Russell, who was working as a legislative attorney. They were married in 1990.

While they lived in Madison, Sumner had a thriving social life. He was a member of a city intramural league softball team, the Soft Balls, and he and his friends and teammates often took advantage of Wisconsin's beautiful State parks, going on annual camping trips to Governor Dodge and

Rock Island, among others. Sumner enjoyed hosting friends at the summer cottage on Lake Mendota built by his grandfather, and in fact, it was there that Sumner held Russ Feingold's first fundraiser for the 1982 State senate campaign.

In 1992, after 10 years in the Wisconsin Legislature, Russ ran for the U.S. Senate. Sumner was there with his boss, playing an important strategic role on the campaign. Many Wisconsinites still remember the funny, light-hearted campaign ads that Feingold ran in that campaign. Sumner was one of the campaign staffers who crafted those unforgettable ads.

When Russ was elected to the U.S. Senate, Sumner and Pam relocated to northern Virginia where, on the day after they arrived, their daughter Sarah was born.

Sumner worked for Russ in the U.S. Capitol for 18 years. He was Russ's policy director and helped shaped Senator Feingold's progressive legacy. Think about some of the courageous acts that defined Senator Feingold's work in the Senate: the McCain-Feingold Bipartisan Campaign Reform Act, his votes against the Defense of Marriage Act, the Iraq war, and the sole nay vote against U.S.A. Patriot Act. For each of those votes and bills, Sumner was right there alongside Russ, counseling and helping in any way he could. He also helped Feingold author a resolution to censure President George W. Bush. It is no wonder that Russ said of his friend, "Sumner was at my side for every vote I took in 28 years as a legislator, and I didn't vote until I sought his wise counsel."

It is one thing to do good work for your boss, but it is another thing to treat your peers and colleagues with dignity, respect, and affection. Sumner was a great mentor and friend to his fellow staffers. Former Feingold chief of staff Mary Irvine remembers, "It was quite a thing really how many issues Sumner worked on . . . A great solo player and an awesome team player. He must have spent hours and hours on the Senate floor on any number of issues but was always on duty for the entire lengthy budget resolution votes. Sumner was an amazing expert on the Senate budget process and on parliamentary procedure. He was a great political mind—there was no issue that Sumner couldn't figure out and explain to the rest of us."

Outside of the Capitol, Sumner loved to cook for his friends and family. He was a movie buff who had a penchant for remembering lines, music, actors, and directors. He never lost his love of music and was always quick to respond to a danceable song.

From his Madison days, Sumner brought annual Nixon Resignation and Derby Day parties and camping traditions to his family and friends in the D.C. Area. He had a deep love of dogs and was very attached to his pets.

Sumner Slichter's passing is a loss for all of us here in the Senate. We grew accustomed to seeing his smiling face right at this boss's side.

I, along with the entire U.S. Senate, send our condolences to his family. Sumner is survived by his wife, Pam Russell, of Alexandria, VA; daughter Sarah of Poughkeepsie, NY; mother Nini Almy of Mitchellville, MD; father Charles Slichter and stepmother Anne Slichter of Champaign, IL; brother Bill of Minneapolis and his wife Helen; brother Jacob of Brooklyn, NY, and his wife Suzanne; sister Ann of Los Angeles; half-brother Daniel of Boulder, CO, and his wife Yolanda; and half-brother David of Binghamton, NY.

I say to his family: Thank you for sharing Sumner with us over the years. Thank you for allowing his bright and radiant personality to shine on us. He will be greatly missed.

ZIKA SUPPLEMENTAL FUNDING

Mr. DURBIN. Mr. President, last week, the Senate approved a compromise deal negotiated by Senators Blunt, Murray, and others to provide \$1.1 billion in emergency supplemental Zika funding.

The White House, Dr. Frieden of the Centers for Disease Control, CDC, and Dr. Collins of the National Institute of Health, NIH, told us they needed \$1.9 billion to fight this public health crisis, but the Republican caucus disagreed with these infectious disease experts.

I am not sure why Republicans do not believe the world's best scientists and health officials when they articulate a clear, comprehensive plan to stop Zika. Perhaps they do not appreciate the severity of this public health threat?

When we were faced with cases of Ebola within the United States, we reacted swiftly and decisively. We funded 87 percent, \$5.4 billion, of the administration's request in a total of just 38 days.

Well, now the same number of people in the U.S. and U.S. territories have died from Ebola, as have from Zika—one.

Yet more than 91 days past the date of the formal Zika request, we are debating between just 33 percent, as the House approved, and 58 percent of this request? I fear my Republican colleagues are underestimating the threat from the Zika virus on our Nation's pregnant women.

We know that Zika causes microcephaly, a devastating and tragic birth defect that causes babies to be born with serious neurological complications.

And it seems that every day we are learning something worse. Just yesterday, a CDC and Harvard University study found that pregnant women who are infected with Zika in their first trimester face up to a 13 percent chance

of their baby being born with microcephaly.

We also know that the CDC is currently monitoring nearly 300 pregnant women in the United States who have the Zika virus.

The CDC estimates that the lifetime costs for a baby born with this tragic disease is between \$1 million to \$10 million, not to mention the considerable emotional toll of this disease on families.

Sadly, it doesn't take many cases of microcephaly to begin costing us more financially than the paltry amount House Republicans are committing to fight Zika.

But Zika doesn't just cause microcephaly. It is also linked to other neurological diseases that aggressively destroy brain tissue. It is also linked to Guillain-Barré syndrome, an autoimmune disorder than can cause paralysis and death.

What about the impact of maternal stress on a baby? I cannot imagine the anxiety that pregnant women, especially those in the southern part of this country and in Puerto Rico, must feel right now. Well, through genetics and neuroscience, we know for a fact that a mother's stress during pregnancy can shape her child's gene expression, leading to poor birth outcomes and psychological and physical disorders.

If you call yourself pro-life, why would you not want to do everything you can to protect these babies from being subjected to elevated risk for serious birth defects?

This is a train we have seen coming for miles and miles, and Republicans are refusing to step out of the way.

It is bad enough that House and Senate Republicans are refusing to provide the funding our health experts say is necessary to fight this disease, but now House Republicans are insisting on cutting Ebola funding to do it.

Last week, the House passed a partisan bill that would have provided a mere \$622 million to fight Zika. That is a third of what the experts say they need, and they offset the costs by raiding Ebola money.

House Appropriations Chairman HAL ROGERS called it "excess funding left over from the Ebola outbreak." That couldn't be further from the truth.

I recently spoke with the CDC Director Tom Frieden who told me some troubling news. Last month, there was another cluster of Ebola cases in West Africa, about a dozen new cases. What they have now found is that the Ebola virus can stay in a man's system for up to 1 year, allowing it to be spread to others.

Ebola may not be front page news in the United States right now, but that is largely because our CDC disease detectives are on the ground in West Africa, nearly 100 of them, fighting to contain its spread.

If we keep stealing the funding that enables them to do their job, Ebola could soon again be front page news.

Since Republicans have been dragging their feet on Zika funding, the White House was forced, as a last ditch, stop-gap requirement, to transfer \$510 million away from the Ebola response to fund the immediate response needs for Zika.

As the White House's Ebola czar, Ron Klain, said last week, "we are taking a fire hydrant out of the ground in one place and moving it someplace else to fight a different fire."

This Ebola money that was moved was the CDC's funds for the next 2 fiscal years, funds that are to be used to build a frontline defense for our own country. It invests in the public health capacity of partner nations, so we aren't waiting for local outbreaks to hit our shores as global epidemics.

These "leftover" funds are being used to develop and test vaccine candidates for Ebola, and late-stage clinical trials are moving forward, but they need those funds to continue validating these vaccines.

Now House Republicans want to drain these Ebola funds again.

We already know what happens when we have to take money from one place in the public health budget and move it elsewhere. State and local health departments lost \$44 million in CDC preparedness grants earlier this year because of a reprogramming of funds that were moved to high-risk Zika States. Illinois lost \$2 million in total. A recent survey of State health departments said that this \$44 million cut will result in staffing reductions and could hamper Zika preparations by forcing a reduction in laboratory services and epidemiological activities. So to be clear, States at lower risk for Zika, like Illinois, lost money to States at higher risk like Mississippi, Texas, and Florida. And this cut will mean that Illinois and other States that lost money are now less prepared for Zika.

Public health preparedness is not done with a wave of a magic wand. It requires steady investments in people, lab testing, and epidemiology and dedicated research and clinical trials.

We did not require our Ebola, H1N1, or avian influenza supplementals to be offset, and we certainly should not begin down that dangerous path now.

As with our response to Ebola here in the U.S., proven public health protocols will work against Zika, but we need to listen to the experts and fund the needed response.

That means we cannot wait any longer to pass an emergency Zika funding supplemental.

Some Republicans have said this money can wait until October 1 when our new fiscal year starts. Do you think mosquitos know when the new fiscal year begins and will wait to buzz and bite until then?

This weekend is Memorial Day weekend. I don't know about you, but in my

hometown and across Illinois that means people will be outside and having barbecues. Then comes the Fourth of July and, soon after, Labor Day weekend.

We do not have time to wait around. We need to approve the Senate's Zika supplemental as a down payment, and we need to send it to the President's desk this week.

Over 1,380 people across 44 States, Washington DC, and 3 U.S. territories, including over 279 pregnant women, have contracted Zika.

To my Republican colleagues, I would say: stop playing games, support our States and Federal health officials, approve the money, and send it to the President's desk. We cannot wait any longer. Pregnant women cannot wait any longer.

MANDATORY ARBITRATION CLAUSES IN FOR-PROFIT COLLEGE ENROLLMENT AGREEMENTS

Mr. DURBIN. Mr. President, I have not been shy about coming to the Senate floor to voice my concerns about the for-profit college industry. This is an industry that enrolls 10 percent of college students, collects 20 percent of Federal student aid, and accounts for over 40 percent of student loan defaults. This industry has a terrible track record; yet it continues to collect billions each year in Federal funding. If there ever was an industry that needed to face accountability, it is the for-profit college industry. But for-profit colleges have long avoided accountability to their students and to regulators through the use of mandatory arbitration clauses.

For years, mandatory arbitration clauses have been buried in the fine print of student enrollment agreements at for-profit schools. Students usually didn't even know that, by signing these agreements, they were giving up their right to a day in court if the school's misbehavior caused the students harm. Mandatory arbitration clauses mean, for example, that, if a student is misled or deceived by a school's advertising and goes into debt as a result, the student can't take the school to court. Instead, the student is forced into a secret arbitration proceeding where the playing field is tilted against the student's interests.

Mandatory arbitration clauses allow schools to avoid accountability to their students—and the secrecy of arbitration proceedings means that misconduct stays hidden from the attention of regulators. Mandatory arbitration clauses are not used by legitimate nonprofit colleges, either public or private. But these clauses were widely used among for-profit colleges—including Corinthian, the now bankrupt for-profit college which for years lied to its students and to regulators about its job placement rates and other data.

There is a growing recognition that mandatory arbitration has helped hide misconduct in the for-profit college industry. Also, because these clauses prevent students from seeking meaningful relief in court from the schools that wronged them, students have had to seek relief from the Federal Government for their student loan debt. This means that taxpayers are on the hook for helping these victimized students, instead of the for-profit colleges that harmed them.

I have joined my colleagues in urging the Department of Education to issue strong regulations to prevent for-profit colleges that receive Federal funds from using mandatory arbitration clauses, and I have called out for-profit colleges that use these clauses.

On April 13, I came to the Senate floor and mentioned three names of schools that use these clauses: DeVry, the University of Phoenix, and ITT Tech. Lo and behold, two of these three for-profit schools—DeVry and the Apollo Education Group, which owns the University of Phoenix—have now made commitments to stop requiring their students to submit to mandatory arbitration. Apollo made their announcement last week, and DeVry officials told my staff that they discontinued the use of these clauses a few weeks ago, on May 13.

This is good news. These actions reflect the growing consensus outside and inside the for-profit industry that mandatory arbitration has no place in higher education enrollment. Also, the decisions by Apollo and DeVry reaffirm that the Department of Education is on the right track in reining in mandatory arbitration. The Department should finish the job by issuing rules that end this practice among all schools that receive Federal dollars.

Now, one note of caution—the devil is in the details when it comes to arbitration clauses. I have heard promises before from education companies to end mandatory arbitration, only to see those companies add new fine print that finds other ways to block students' access to court. I will be carefully checking the fine print of the new enrollment agreements to make sure these schools are not imposing new, more subtle restrictions on their students' access to court. If the fine print does reflect their commitment, I believe Apollo and DeVry deserve credit, but they still have a long way to go to improve student outcomes and prove they are going to dump the old for-profit college playbook.

ITT Tech, the spotlight is now on you. ITT Tech's executives have demanded their own day in court to respond to investigations and allegations of misconduct that were brought by regulatory agencies. At the same time, ITT Tech has continued to force its own students into mandatory arbitration. ITT Tech and all for-profit col-

leges should put an end to this practice of mandatory arbitration. They should join the growing consensus against these clauses that is reflected in the views of the Department of Education, student groups, veterans groups, civil rights groups, consumer groups, and now even some of the largest for-profit colleges.

It is time to stand up for accountability and for putting students first. It is time to end mandatory arbitration clauses in the for-profit college industry once and for all.

100TH ANNIVERSARY OF THE EASTER RISING

Mr. LEAHY. Mr. President, last week, the Senate unanimously adopted a resolution to commemorate the 100th anniversary of a crucial milestone in the history of Ireland, the 1916 Easter Rising rebellion. As a son of Ireland through my father's ancestors, I am proud to reflect on this important moment in Ireland's long march to independence.

The relationship between the United States and Ireland is long, it is strong, it is enduring, and it cannot be understated. As President Kennedy once said in a speech before Ireland's Parliament, "No people ever believed more deeply in the cause of Irish freedom than the people of the United States." Both the United States and Ireland have histories rooted in a common set of ideals and goals, and we share similar principles and beliefs in freedom. A marker of the influence of the United States is the fact that our Nation is the only foreign country named in the 1916 Proclamation of the Republic, which proclaimed Ireland's independence.

My relatives on my father's side believed strongly in the promises of opportunity in the United States when they emigrated here in the mid-1800s. Marcelle and I have visited Ireland and met distant relatives who live there still. It is easy to see and feel the strong connections between our two countries.

Last week's centennial anniversary of the Easter Rising, commemorated on both sides of the Atlantic, recalls a turning point in Ireland's history. The influences of freedom, dignity, and prosperity in America that motivated many of the leaders of that rebellion 100 years ago are worth fighting to preserve and nurture here in the United States today. Like so many lessons of the past, the Easter Rising is a moment to reflect on our own freedoms and our own march toward perfecting our own Union.

TRIBUTE TO RUBY PAONE

Mr. LEAHY. Mr. President, I may be dating myself when I say this, but I remember when Ruby Paone started

work here as a fresh graduate from St. Andrews University. That was April of 1975, just a few months after I began my own tenure here in the Senate, and for more than 41 years, she has served in the U.S. Senate as a public servant of the highest caliber. Ruby is a remarkable woman. Throughout her Senate experience, she has befriended future Presidents and legendary legislators. The Senate permeates her family. She and her husband, longtime Senate aide and now adviser to President Obama, Marty Paone, have raised three wonderful children.

Ruby is from the small town of Bladenboro, NC, and she brings the very best of small towns to this often chaotic city. In true smalltown fashion, she knows everyone, never forgets a name or a face, and has a smile and a kind remark for everyone she sees. I have often said that Senators are merely constitutional impediments to their staff, and the same can surely be said for Ruby. Her steadfast service and collegiality are part of what makes the Senate work. Ruby, thank you for all that you have done for the Senate, and we wish you the best in retirement.

Mr. CARDIN. Mr. President, as I have said previously, there are many people who work behind the scenes to help the Senate function. We tend to take them for granted, but we shouldn't. I would like to take this opportunity to acknowledge one such Senate staffer, Deputy Director of Doorkeepers Ruby Paone, who is retiring after more than 41 of steadfast service to the U.S. Senate and to our Nation. Everyone knows and loves Ruby, who has been here longer than any U.S. Senator currently serving, except for our esteemed colleague, the senior Senator from Vermont.

Ruby Paone, one of Lena and Wilbur Smith's five children, grew up on a farm in Bladenboro, NC, where she spent her summers pulling peanuts and harvesting tobacco. She graduated from St. Andrew's University and then came to Washington, DC. On March 17, 1975, she started working in the Senate as a card desk attendant. Then she became a reception room attendant and steadily worked her way up to her present position. Along the way, she met another Senate staffer, Marty Paone. The two of them started dating, and then they were married in 1983. The Washington Post reported at the time:

Senator Robert Byrd paused in the debate to inform his colleagues that Ruby Grey Smith, who has worked in the Senate Reception Room for the last eight years, had married Marty Patrick Paone, a member of the floor staff of the Democratic Policy Committee. Byrd observed that with all the burdens of the Senate, the marriage shows that 'every cloud does have a silver lining.' Quick to agree with the minority leader, Majority Leader Howard Baker rose to add his congratulations, remembering that on the wedding day the press of Senate business almost

interfered with the wedding hour. Sen. Howard Metzenbaum rushed out to get Mrs. Paone to hear the words of congratulation and she was there to see the chamber burst into applause. It may have been the best thing done in that Chamber all year.

As Senator REID noted yesterday, Ruby has been here for seven different Presidential administrations, 10 consecutive inaugurations, 16 different Sergeants-at-Arms, and 383 different Senators. Ruby's husband, Marty, who currently serves as deputy assistant to the President for legislative affairs, served as the Democratic secretary longer than anyone else in the history of the Senate. He worked in the Senate for 32 years overall, so he and Ruby have devoted nearly three-quarters of a century to this institution. Is there any other family so committed to service in the U.S. Senate? I doubt it. But the family's service is not ending with Ruby's retirement, fortunately. Ruby and Marty's daughter, Stephanie, works in the Democratic cloakroom and their son, Tommy, works at the Senate appointments desk. They proudly and ably carry on the Paone family tradition of outstanding Senate service.

I believe the U.S. Senate—Senators and staff—is a big family. Like any family, we certainly have our disagreements. But I am sure we can all agree that Ruby Paone has been a cherished member of the Senate family for over four decades, and we will miss her here. But we take solace in knowing that she is leaving so she can spend more time

with her most important family—her husband, Marty, and their children Alexander, Stephanie, and Tommie. We have been so fortunate to have Ruby in the Senate family for the past 41-plus years. The American people are so fortunate to have talented and dedicated public servants like Ruby and Marty and Stephanie and Tommy Paone. I know the entire Senate joins me in thanking Ruby for her service and wishing her and her family the very best.

BUDGETARY REVISIONS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 establishes statutory limits on discretionary spending and allows for various adjustments to those limits, while sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

On May 19, 2016, the Senate agreed to Senate amendment No. 3900, filed by Senator BLUNT. This amendment provides funding to combat the Zika virus. The amendment would increase budget authority by \$1,098 million in fiscal year 2016 and increase outlays by \$147 million and \$508 million in fiscal year 2016 and fiscal year 2017, respectively. The amendment includes language that would designate its spending as emer-

gency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Deficit Control Act of 1985. The inclusion of these designations makes this spending eligible for an adjustment under the Congressional Budget Act.

As a result, I am increasing the budgetary aggregate for fiscal year 2016 by \$1,098 million in budget authority and \$147 million in outlays. I am increasing the budgetary aggregate for fiscal year 2017 by \$508 million in outlays. Further, I am revising the budget authority and outlay allocations to the Appropriations Committee by \$1,098 million in revised nonsecurity budget authority and \$147 million in outlays for fiscal year 2016 and by \$508 million in outlays in fiscal year 2017.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016)

	\$s in millions	2016
Current Spending Aggregates:		
Budget Authority		3,069,829
Outlays		3,091,246
Adjustments:		
Budget Authority		1,098
Outlays		147
Revised Spending Aggregates:		
Budget Authority		3,070,927
Outlays		3,091,393

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2016

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$s in millions	2016
Current Allocation *:		
Revised Security Discretionary Budget Authority		548,091
Revised Nonsecurity Category Discretionary Budget Authority		527,857
General Purpose Outlays		1,173,067
Adjustments:		
Revised Security Discretionary Budget Authority		0
Revised Nonsecurity Category Discretionary Budget Authority		1,098
General Purpose Outlays		147
Revised Allocation *:		
Revised Security Discretionary Budget Authority		548,091
Revised Nonsecurity Category Discretionary Budget Authority		528,955
General Purpose Outlays		1,173,214

* Excludes amounts designated for Overseas Contingency Operations/Global War on Terrorism pursuant to Section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Memorandum: Above Adjustments by Designation	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority	0	0	1,098	1,098
General Purpose Outlays	0	0	147	147

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

	\$s in millions	2017
Current Spending Aggregates:		
Budget Authority		3,212,350
Outlays		3,219,192

REVISION TO BUDGETARY AGGREGATES—Continued

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

	\$s in millions	2017
Adjustments:		
Budget Authority		0
Outlays		508

REVISION TO BUDGETARY AGGREGATES—Continued

(Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 102 of the Bipartisan Budget Act of 2015)

	\$s in millions	2017
Revised Spending Aggregates:		
Budget Authority		3,212,350
Outlays		3,219,700

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$s in millions	2017
Current Allocation:		
Revised Security Discretionary Budget Authority		551,068
Revised Nonsecurity Category Discretionary Budget Authority		518,531
General Purpose Outlays		1,181,801

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2017—Continued

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

	\$s in millions	2017
Adjustments:		
Revised Security Discretionary Budget Authority		0
Revised Nonsecurity Category Discretionary Budget Authority		0
General Purpose Outlays		508
Revised Allocation:		
Revised Security Discretionary Budget Authority		551,068
Revised Nonsecurity Category Discretionary Budget Authority		518,531
General Purpose Outlays		1,182,309
Memorandum: Detail of Adjustments Made Above		
	OCO	Program Integrity Disaster Relief Emergency Total
Revised Security Discretionary Budget Authority	0	0 0 0 0
Revised Nonsecurity Category Discretionary Budget Authority	0	0 0 0 0
General Purpose Outlays	0	0 0 508 508

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY BILL

Mr. UDALL. Mr. President, the following information is in response to an article entered into the record by Senator BOXER of California earlier today.

The Hearst News article in question was published in the San Francisco Chronicle and implies that the chemical industry drafted S. 697, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This implication is false.

The bill authors, including myself, wrote this bill. Drafts of the bill were circulated to many interested stakeholders throughout the drafting process and returned with comments. This process took over 3 years, and drafts were circulated each step of the way. Reforming the Toxic Substances Control Act was a very involved and transparent process.

Environmental groups, trial lawyers, industry, State officials, and the U.S. Environmental Protection Agency were consulted at many stages throughout the process.

All of their input is reflected in the bill in various provisions, often the same ones. This is major comprehensive legislation that has received wide bipartisan support.

The New York Times looked into the allegation that the chemical industry wrote the bill. Their lead reporter, Eric Lipton, wrote on March 17: "Lots of players, including enviros, submitted drafts with proposed changes."

Again, many drafts of this bill were shared by a variety of Senate offices with many stakeholders in a very engaged process over 3 years.

It is disappointing that I must refute this allegation in the CONGRESSIONAL RECORD, but it is important to get the facts straight when explaining the legislative history of TSCA reform.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

TRUCK DRIVERS' WORKING HOURS RULE

• Mr. BLUMENTHAL. Mr. President, I rise to speak on an amendment I filed

last week to the Transportation appropriations bill. The bill passed the Senate last week. I did not offer my amendment for a vote, but it has been willfully mischaracterized by an industry campaign, so I wanted to take a few minutes to explain it.

My amendment, Blumenthal amendment No. 4002, would improve the safety of our roads. America depends on truck drivers to move our goods around; truckers and the trucking industry perform a vital service. But truckers who work too many hours in a week, like any other drivers who spend too much time behind the wheel, get tired and can't drive safely. So since the Franklin D. Roosevelt administration, there have been limits placed on the number of hours they can work in a week.

In 2003, President Bush raised the limit from 60 hours on duty in a 7-day week, where it had been for decades, to 82 hours in a 7-day week. This increased truck drivers' fatigue. So in 2013, President Obama sought to make some changes, bringing the limit back down to 70 hours and ensuring that drivers could rest when the body needs it most: at night.

The Obama administration's rule was based on sound science, thousands of comments, and, most importantly, a prioritization of safety over profits, but it was opposed by many trucking companies, who were accustomed to working their drivers to the max, regardless of the consequences for other drivers on the road.

Over the past few years, in a process I will not describe in detail here, the trucking industry succeeded in gutting the new rule, not through legislation in the Commerce Committee, which has both the jurisdiction and the expertise, but through the appropriations process. Language on appropriations bills suspended the rule and required cumbersome studies before it could return.

The bill before us continues this trend, including language to make it clear that the Bush administration rules will return after the study, and it enshrines a statutory cap on truck drivers' working hours, one that will be extremely difficult to change even in

the face of new data or scientific evidence.

This is terrible precedent. It encourages truck drivers to put in nearly double an average work week behind the wheel of an 80,000-pound big rig, the last place in the world we want someone who is falling asleep.

My amendment would let us go back to the rules that existed in 2013, rather than this mess, masquerading as a solution. It would give us the opportunity to debate this issue fully and to put aside the counterproductive language in this appropriations bill.

However, while I am not pushing for a vote on this amendment, it is supported by the ranking member of the Commerce committee, Senator NELSON, and my Commerce colleagues, Senators MARKEY and BOOKER. Unfortunately, due to a campaign of misinformation, it has become controversial. And I believe the underlying measure, including critical funding to fight the Zika virus, must not be delayed.

But I am pushing for a commitment from my colleagues to work with me in conference and, in the long-term, to find a solution. Four thousand people die a year in truck crashes, and countless truck drivers report nodding off behind the wheel. This is something we have a duty to address.●

MEMORIAL DAY

Mr. ISAKSON. Mr. President, as chairman of the Senate Veterans' Affairs Committee, I proudly wish to recognize the 1 percent of Americans who serve today in the Armed Forces of the United States. This past weekend, on Armed Forces Day, I had the honor of participating in the grand opening of the Military Family Support Center presented by the Cobb Chamber of Commerce. It remains humbling to me every time I see Georgia communities come together to support our servicemen and servicewomen and their families.

Anyone who opens a newspaper today or turns on the TV knows that we live in a world of unknown and dangerous threats. Despite this, nearly 2.1 million Americans have voluntarily raised

their right hands and sworn to defend our Nation against all enemies, foreign and domestic. What makes these men and women unique is that, despite these global threats, they choose to rise to the challenge. They come from all walks of life. From coast to coast, every Main Street, farm, or even next door, our selfless warriors voluntarily walk away from the comforts of home to join the most elite force on this planet. They endure long hours in the field, countless months away from their families while downrange, and some even come face to face with those who wish to do us harm. These courageous Americans are deployed in more than 150 countries around the world. From humanitarian missions to coalition force partnerships to counterterrorism operations, there is no mission, no challenge they cannot rise to meet.

Our world is becoming increasingly unstable. With threats rising from old foes to new ones in familiar places, there is simply no shortage of challenges our country faces in terms of national security. While the unknown threatens global peace, one constant known is the courage and dedication of America's Armed Forces. I am constantly reminded that we are the land of the free because of the brave.

Now, this coming Monday gives us all a moment to stop and pay respect to the approximately 1.3 million Americans who have given their lives in the defense of our great Nation. From the Revolutionary War to the Civil War, from World War I to World War II, from Korea to Vietnam, and from Iraq to Afghanistan, brave men and women have answered the call to defend our homeland and protect the helpless around the world in the name of peace. Those of us who are fortunate to work in this grand Capitol Building need not look any farther than across the river, on the other side of the National Mall, where the "gardens of stone" at Arlington National Cemetery offer a sobering reminder of the price of freedom.

While Americans enjoy the long weekend with family and barbecues, I would encourage everyone to take a moment to remember the true meaning of the holiday: to honor the service-members who have paid the ultimate price.

I also want to take a moment to honor and thank those families who President Lincoln once said "have laid such a costly sacrifice upon the altar of freedom." The strength of these families to persevere is like no other, and their support to our goals of peace and freedom is simply humbling.

Memorial Day—and every day—I am again honored and reminded that we are the land of the free because of the brave.

Mr. CARDIN. Mr. President, Americans live free, secure, and stable lives thanks to generations of men and

women in uniform who were willing to sacrifice their own lives. We must never forget the tremendous debt we owe those brave Americans. It is in large part because of them that America serves as a beacon of hope, freedom, and equality to all the world.

This Monday, we will celebrate Memorial Day, a national day of solemn remembrance and gratitude as we honor the men and women who have died defending our Nation. We honor each and every American who has made the ultimate sacrifice on battlefields from Lexington, Concord, and Bunker Hill to Fort McHenry; from Shiloh, Antietam, and Gettysburg to Belleau Wood and the Somme; from Pearl Harbor, Bastogne, and Iwo Jima to Inchon, Bloody Ridge, and the Chosin Reservoir; from Ia Drang, Khe Sanh, and Hamburger Hill to Umm Qasr, Nasiriyah, Fallujah, and Kabul. We salute the centuries-old legacy of selflessness and sacrifice that defines our Nation. We are forever indebted to our warfighters and their families. On Memorial Day, we pause to reflect, to remember, to pay respect, to give thanks. And we say a prayer for all the men and women currently serving in harm's way and look forward to the day when they may return home safely to be with their families and friends.

Memorial Day is not only a day for looking backward. It is also a day for looking forward. Those men and women who lie buried gave their lives so that we could live in peace. Their dream and the dream of every American serving in the field of battle is that someday no more Americans will be called upon to give their lives for their country, that someday war will end and the world will be truly free. What better way, then, to honor their memory than to do everything we can to seek peace?

On this day of remembrance, I hope that all Americans remember the dream of those who committed the greatest sacrifice and pursue peace in all our endeavors. As President Lincoln put it so eloquently nearly 153 years ago, let us dedicate ourselves "to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth."

40TH ANNIVERSARY OF THE U.S. HELSINKI COMMISSION

Mr. CARDIN. Mr. President, on June 3, 1976, U.S. President Gerald Ford signed into law a bill establishing the Commission on Security and Cooperation in Europe, more commonly known as the U.S. Helsinki Commission.

I bring this 40th anniversary next week to my colleagues' attention today because the commission has played a particularly significant role in U.S. foreign policy.

First, the commission provided the U.S. Congress with a direct role in the policymaking process. Members and staff of the commission have been integrated into official U.S. delegations to meetings and conferences of what is historically known as the Helsinki Process. The Helsinki Process started as an ongoing multilateral conference on security and cooperation in Europe that is manifested today in the 57-country, Vienna-based Organization for Security and Cooperation in Europe, or OSCE.

As elected officials, our ideas reflecting the interests of concerned American citizens are better represented in U.S. diplomacy as a result of the commission. There is no other country that has a comparable body, reflecting the singular role of our legislature as a separate branch of government in the conduct of foreign policy. The commission's long-term commitment to this effort has resulted in a valuable institutional memory and expertise in European policy possessed by few others in the U.S. foreign affairs community.

Second, the commission was part of a larger effort since the late 1970s to enhance consideration of human rights as an element in U.S. foreign policy decisionmaking. Representatives Millicent Fenwick of New Jersey and Dante Fascell of Florida created the commission as a vehicle to ensure that human rights violations raised by dissident groups in the Soviet Union and the Communist countries of Eastern Europe were no longer ignored in U.S. policy.

In keeping with the Helsinki Final Act's comprehensive definition of security—which includes respect for human rights and fundamental freedoms as a principle guiding relations between states—we have reviewed the records of all participating countries, including our own and those of our friends and allies.

From its Cold War origins, the Helsinki Commission adapted well to changing circumstances, new challenges, and new opportunities. It has done much to ensure U.S. support for democratic development in East-Central Europe and continues to push for greater respect for human rights in Russia and the countries of the Caucasus and Central Asia.

The Commission has participated in the debates of the 1990s on how the United States should respond to conflicts in the Balkans, particularly Bosnia and Kosovo and elsewhere, and it does the same today in regard to Russia's aggression towards Ukraine. It has pushed U.S. policy to take action to combat trafficking in persons, anti-Semitism and racism, and intolerance

and corruption, as well as other problems which are not confined to one country's borders.

The Helsinki Commission has succeeded in large part due to its leadership. From the House, the commission has been chaired by Representatives Dante Fascell of Florida, my good friend STENY HOYER of Maryland, the current chairman, CHRISTOPHER SMITH of New Jersey, and ALCEE HASTINGS of Florida. From this Chamber, we have had Senators Alfonse D'Amato of New York, Dennis DeConcini of Arizona, Ben Nighthorse Campbell of Colorado, Sam Brownback of Kansas and today's cochairman, ROGER WICKER of Mississippi.

I had the honor, myself, to chair the Helsinki Commission from 2007 to 2015. That time, and all my service on the commission, from 1993 to the present, has been enormously rewarding.

I think it is important to mention that the hard work we do on the Helsinki Commission is not a job requirement for a Member of Congress.

Rather than being a responsibility, it is something many of us choose to do because it is rewarding to secure the release of a longtime political prisoner, to reunify a family, to observe elections in a country eager to learn the meaning of democracy for the first time, to enable individuals to worship in accordance with their faiths, to know that policies we advocated have meant increased freedom for millions of individuals in numerous countries, and to present the United States as a force for positive change in this world.

Several of us have gone beyond our responsibilities on the commission to participate in the leadership of the OSCE Parliamentary Assembly. Representative HASTINGS served for 2 years as assembly president, while Representative HOYER, Representative ROBERT ADERHOLT of Alabama, and I have served as vice presidents. Senator WICKER currently serves as chairman of the assembly's security committee.

Representative Hilda Solis of California had served as a committee chair and special representative on the critical issue of migration. Today, Representative SMITH serves as a special representative on similarly critical issue of human trafficking, while I serve as special representative on anti-Semitism, racism, and intolerance.

Our engagement in this activity as elected Members of Congress reflects the deep, genuine commitment of our country to security and cooperation in Europe, and this rebounds to the enormous benefit of our country. Our friends and allies appreciate our engagement, and those with whom we have a more adversarial relationship are kept in check by our engagement. I hope my colleagues would consider this point today, especially during a time when foreign travel is not strongly encouraged and sometimes actively discouraged.

Finally, let me say a few words about the Helsinki Commission staff, both past and present. The staff represents an enormous pool of talent. They have a combination of diplomatic skills, regional expertise, and foreign language capacity that has allowed the Members of Congress serving on the commission to be so successful. Many of them deserve mention here, but I must mention Spencer Oliver, the first chief of staff, who set the commission's precedents from the very start. Spencer went on to create almost an equivalent of the commission at the international level with the OSCE Parliamentary Assembly.

One of his early hires and an eventual successor was Sam Wise, whom I would consider to be one of the diplomatic heroes of the Cold War period for his contributions and leadership in the Helsinki Process.

In closing, I again want to express my hope that my colleagues will consider the value of the Helsinki Commission's work over the years, enhancing the congressional role in U.S. foreign policy and advocating for human rights as part of that policy.

Indeed, the commission, like the Helsinki Process, has been considered a model that could be duplicated to handle challenges in other regions of the world. I also hope to see my colleagues increase their participation on Helsinki Commission delegations to the OSCE Parliamentary Assembly, as well as at Helsinki Commission hearings. For as much as the commission has accomplished in its four decades, there continues to be work to be done in its fifth, and the challenges ahead are no less than those of the past.

JEWISH AMERICAN HERITAGE MONTH

Mr. CARDIN. Mr. President, today I wish to recognize and celebrate the month of May as Jewish American Heritage Month. Since the founding of our Nation, Jewish Americans have indelibly shaped American society. As a proud Jewish American, I am honored to have the opportunity to acknowledge the outstanding contributions of our vibrant community in the past, present, and future.

In the 109th Congress, Representative DEBBIE WASSERMAN SCHULTZ and then-Senator Arlen Specter authored a concurrent resolution calling for a proclamation each year to observe American Jewish History Month. On April 20, 2006, President George W. Bush proclaimed that May 2006 would be Jewish American Heritage Month.

Jewish Americans have fought tirelessly to realize the American Dream and to enrich our society. Jewish Americans have been instrumental in eliminating disease such as the polio epidemic, and they have split the atom. These achievements and others too nu-

merous to count are watershed moments in history, and they make up only a small fraction of the various accomplishments Jewish Americans have made.

Such achievements, however, do not come without concomitant struggles. Jewish Americans have been dedicated to promoting tolerance and understanding because Jewish people have been challenged and persecuted throughout history whenever they have professed their faith. Jewish Americans participated in the abolitionist movement in the 19th century and joined the ranks of the Student Nonviolent Coordinating Committee during the civil rights movement in the 1960s. There is no question that the Jewish tradition of diversity and inclusion has helped to make the United States the force for equal rights, democracy, and opportunity that it is today. Though we face challenges to that ideal every day, we must not forget that this country was and remains a beacon for those suffering under the weight of oppression around the world.

We cannot understate the role that Israel plays in Jewish American society and in the lives of Jewish people around the world. Our homeland is the focal point of our religion and our culture. Further, our two nations are built on a common set of core democratic principles and representative government, but we have more than political philosophies in common; we share a strong belief in the promotion of equality, freedom, and tolerance. The United States will always stand by Israel, and we will always support the safety of the Israeli people. As a U.S. Senator, I have been proud to take part in efforts to strengthen the relationship between our two nations. Without our homeland, Jewish Americans may never have been able to make the myriad contributions they have made to our Nation. These Jewish Americans' accomplishments embody the positive values that form the foundation of our shared culture and history. Our diversity makes the United States of America strong, and Jewish Americans have played an integral role in shaping and nurturing that diversity.

THE MALMEDY MASSACRE

Mr. TOOMEY. Mr. President, today I wish to honor the sacrifice of our soldiers at the Malmedy massacre.

As we prepare for Memorial Day, it is important to remember the 87 Americans who were killed in action during the Malmedy massacre and honor the brave few who survived this terrible ordeal. One of the survivors of this massacre, Harold W. Billow, is a proud resident of Pennsylvania.

On December 17, 1944, Mr. Billow and Battery B, 285th Field Artillery Observation Battalion were riding in a convoy of vehicles towards the Belgian

town of St. Vith. The convoy was attacked outside of Malmedy by a Nazi SS unit called Kampfgruppe Peiper. While a few soldiers were able to escape the initial attack, the other 130 Americans were forced to surrender to the SS troops.

Given orders to take no prisoners and violating the rules of war, German tank gunners lined up the Americans and gunned them down in cold blood. Worse yet, these Nazi troops searched for anyone showing signs of life and shot them repeatedly at point-blank range.

However, 40 men, including Mr. Billow, were able to play dead and escape the massacre. Many of these survivors traveled to Nuremberg after the war to testify in the war crimes trials and demand justice for their fallen brothers in arms. Today Mr. Billow is one of only two men from the 285th Battalion known to be alive.

Mr. Billow dedicates his life to remembering his comrades who did not survive this massacre. Every Fourth of July, Memorial Day, and Veterans' Day, Mr. Billow decorates his front lawn with 87 American flags, one for each man who fell on that terrible day in 1944.

Today I wish to remember the ultimate sacrifice made by those killed in the Malmedy massacre and also to honor and thank the survivors, including Mr. Billow, who keep the memory of their fellow soldiers alive.

TRIBUTE TO ANDY SIMKOVITCH

Mr. TOOMEY. Mr. President, today I wish to honor and recognize a distinguished D-Day veteran from Pennsylvania, Mr. Andy Simkovitch, and to commemorate the 72nd anniversary of the D-Day landings.

A resident of Erie, PA, Mr. Simkovitch was a U.S. Navy sailor that served aboard the tank landing ship USS L.S.T. 501 during World War II. He was involved in Operation Overlord at Utah and Omaha Beaches, where he transported troops during the D-Day landings on June 6, 1944. During the operation and while under heavy German fire, he went to the beach nine times. Following his actions in France, his ship headed to the Pacific and saw combat in numerous battles, including the Battle of Okinawa. Mr. Simkovitch stayed in the Pacific until Japan surrendered, and he was then honorably discharged in March 1946.

The courage and bravery displayed by Mr. Simkovitch earned him the Chevalier Legion of Honor medal, the highest honor bestowed by the nation of France. With only 855,000 of the 16 million American WWII veterans remaining today, it is increasingly important to honor those that served our great Nation and ensure future generations know about the struggles and sacrifices these brave veterans endured.

On behalf of the U.S. Senate, I wish to thank Mr. Simkovitch for his dedicated service to our Nation in advance of the 72nd anniversary of the D-Day landings.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VERMONT FEDERAL EXECUTIVE ASSOCIATION 2016 AWARDS

• Mr. SANDERS. Mr. President, to commemorate Public Recognition Week, the Vermont Federal Executive Association, VTFEA, recognized the more than 4,000 Federal employees working across the State and the good work they do every day. I would like to offer special congratulations to the 2016 Excellence in Government award winners, who have been recognized by VTFEA for their exemplary government service.

Excellence in Management and Program Support Award, Individual Award—Heather Festa, management program analyst, personnel security division, Office of Security and Integrity, U.S. Citizenship and Immigration Services, South Burlington—Heather demonstrated exceptional innovation and professionalism in response to the Office of Personnel Management's security breach of electronic systems containing background investigation records. When OPM instructed Federal agencies to mail all paper documents, many agencies simply halted their personnel security processes. However, Heather skillfully designed and implemented an action plan for the hard-copy paper forms to ensure there would be no interruption in processing security checks within U.S. Citizenship and Immigration Services.

Excellence in Management and Program Support Award, Group Award—northeast regional office position description workgroup, northeast regional office, U.S. Citizenship and Immigration Services, South Burlington, including Jeannine Longchamp, Maegan Cutler, Brian Johansson, and Laurie Juskiewicz—the northeast regional office human resources team led a working group to review supervisory position descriptions for U.S. Citizenship and Immigration Services's entire field operations directorate. Not only did the team ensure that all positions aligned with Office of Personal Management guidelines, it also created supervisory positions at new grade levels that opened up previously unobtainable career paths for some employees.

Professional Award—Peter Banacos and Andrew Loconto, meteorologists, National Weather Service, Burlington International Airport, South Burlington—Peter and Andrew worked together to develop a snow squall identification and forecasting technique that has greatly improved winter weather forecast and warning systems for many

National Weather Service offices. Historically, there has been an overall lack of forecaster awareness in identifying the weather conditions in which snow squalls can occur, as well as understanding their impact. Peter and Andrew's innovation, leadership, and persistent efforts over the past 3 years have enhanced the National Weather Service's ability to provide useful winter weather information to the public.

Law Enforcement, Safety and Security Award—Amanda Cahill, special agent, Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, satellite office, Rutland—Amanda exemplifies the highest traditions of government service: tireless dedication and devotion to her agency and the residents of her community. She has singlehandedly reestablished a Bureau of Alcohol, Tobacco, Firearms and Explosives presence in southern Vermont and has begun to fill a void in the law enforcement community's fight against armed drug traffickers. She has acted as an undercover agent, as well as a lead investigator, and recently, she has been recognized for her efforts by the U.S. attorney for Vermont.

Managerial/Supervisory Award—Daniel Whitney, section chief, training, U.S. Immigration and Customs Enforcement, law enforcement support center, Williston—Dan Whitney exemplifies the continued pursuit of excellence and an unparalleled record of achievement. The law enforcement support center, LESC, is U.S. Immigration and Customs Enforcement's primary point of contact for law enforcement agencies throughout the country. Dan is responsible for ensuring that all LESC employees receive continuous training in multiple law enforcement databases, including ICE's new enterprise database that his team tested to ensure that LESC employees had the training and the tools to provide up to the minute information to law enforcement agencies. Dan is someone who leads by example and is always willing to do whatever it takes to ensure that LESC meets its mission.

Tina Gurka Community Service Award—registered nurse Sharon Levenson and police officer Guy Gardner, VA medical center, White River Junction—in January 2016, Nurse Sharon Levenson and Officer Guy Gardner demonstrated their dedication to veterans in their local community. After one of her patients did not show up for an appointment, Sharon contacted the local police department and requested a welfare check. When the police department said the situation did not warrant a check, VA Officer Guy Gardner contacted a neighbor, and they discovered the veteran in serious distress. Thanks to Sharon and Guy's efforts, the patient recovered fully. Their commitment to veterans was recognized by VA Secretary McDonald during testimony before the Senate Veterans' Affairs Committee.

Interagency Collaboration and Partnership Award—Brian Wood, Border Patrol agent, U.S. Border Patrol, Richford—Brian has demonstrated exemplary professionalism and work ethic in forming and maintaining valuable and productive partnerships with various Federal and State agencies in Vermont and across the country. Brian's efforts have resulted in the arrest of numerous alien smugglers, drug dealers, and human traffickers and the removal of countless illegal firearms, heroin, and cocaine from our communities. Brian uses his expertise in law enforcement and his ability to collaborate successfully to keep our communities and citizens safe.

Heroic Act Award—John Marsh, Border Patrol agent, U.S. Border Patrol, Swanton sector, Beecher Falls Station—in April 2016, while returning from a call for assistance in New Hampshire, Agent Marsh approached two men on the ground, one pounding the chest of the other. Agent Marsh found the person on the ground was choking on food, was not breathing, and would not respond to verbal stimulation. After requesting emergency medical services, Agent Marsh administered the Heimlich maneuver and was able to dislodge the food from the victim. He remained with him until the paramedics arrived and took over care. Thanks to John's training and his ability to stay calm under pressure, the victim is alive and well today.

Vermont Federal Team of the Year Award—the northwest Vermont locality pay committee: Brandon Ackel, Transportation Security Administration, Robert Brugman, National Credit Union Administration, Brian Johanson, U.S. Citizenship and Immigration Services, Kelly Larsen, Federal Aviation Administration, Alaska, Bruce McDonald, Transportation Security Administration, Sean McVey, U.S. Customs and Border Protection, Mark Nielsen, U.S. Immigration and Customs Enforcement, Jeff Ostlund, Transportation Security Administration, Corey Price, U.S. Immigration and Customs Enforcement, Texas, Lisa Rees, U.S. Citizenship and Immigration Services, and Krista Scheele, Transportation Security Administration—in November 2012, VTFEA discussed what initiatives would benefit the most Federal employees, and it didn't take long to realize that securing locality pay for Vermont was the No. 1 priority. In early 2013, VTFEA created a locality pay committee, consisting of employees from six Federal agencies. Working tirelessly, the team prepared a locality pay proposal for northwest Vermont and, in December 2013, presented it to the Federal Salary Council in Washington, DC. Unfortunately, the first proposal was denied, so the following year, they tried again. Again, the proposal was denied. Not to be discouraged, the team drafted a third proposal

in November 2015, and committee members traveled to Washington at their own expense to support the package and their fellow Vermonters. At the hearing, the Council approved the package, which is waiting for approval by the President's pay agent and the President. The northwest Vermont locality pay committee's tenacity, collaborative spirit, and positivity is why Vermont is being considered for locality pay, and it is because of their efforts that VTFEA chose them as "Federal Team of the Year."•

ADDITIONAL STATEMENTS

TRIBUTE TO DAVID MAXWELL

• Mr. BOOZMAN. Mr. President, today I wish to honor David Maxwell, the director of the Arkansas Department of Emergency Management, ADEM, and State Homeland Security adviser, who is retiring next month after more than 36 years of service at ADEM.

David began his career at ADEM in 1978 as a temporary housing employee working with Arkansans displaced by major flooding in Little Rock.

Through the years, he held a number of positions at ADEM, including plans and operations division manager, where he ensured the State emergency operations plan, EOP, and local jurisdictional plans were maintained and in compliance with State and Federal guidelines. Prior to assuming the role of director, David served as the department's deputy director.

As director, David chairs the Arkansas Homeland Security executive committee and serves on a number of the State's emergency response-related councils and committees. In October 2009, David served a 1-year term as 2010 president of the National Emergency Management Association, NEMA, and now serves as an adviser to the current NEMA president. Additionally, he serves on the board of directors of the Central United States Earthquake Consortium, CUSEC, and is a member of the executive committee of the National Governors Association, NGA, Governors Homeland Security Advisors Council for which he chairs the catastrophic disaster and preparedness committee. In 2015, David was awarded the Lacy E. Suiter Distinguished Service Award by the National Emergency Management Association.

David has served as the designated State coordinating officer for 24 federally declared disasters and one federally declared emergency during his career at ADEM.

I worked very closely with David during his tenure as ADEM director. I have always found him to be a very responsive, committed public servant who is dedicated to the people of Arkansas.

I thank David for his service to our State and applaud his efforts to keep

Arkansans safe over the last three decades. I wish him all the best in retirement.●

CONGRATULATING THE MONTGOMERY COUNTY YOUTH HOCKEY ASSOCIATION BLUE DEVILS

• Mr. CARDIN. Mr. President, today I wish to congratulate the Montgomery Youth Hockey Association's, MYHA, Squirt AA Blue team for winning the 2016 International Silver Stick championship in Sarnia, Ontario. I am proud that this year—for the 3rd year in a row—the name of the Montgomery Blue Devils from Rockville, MD, will be on a plaque placed alongside the Silver Stick trophy in the Hockey Hall of Fame in Toronto, Canada.

The International Silver Stick tournament has attracted teams from all over the United States and Canada since 1958. The laudable purpose of the tournament is to develop and promote "Citizenship and International Goodwill through hockey." The Montgomery Blue Devils team of 9- and 10-year-olds—a squad of 15 boys and 1 girl—exemplified this philosophy both on and off the ice. Led by tournament "most valuable player" Reid Pehrkon, the Squirt AA Blue team outscored its opponents by a margin of 30 goals to 17. The team defeated the North York Knights in Toronto, Canada, in four overtimes, 5-4, to win the championship for a 3rd consecutive year. Compiling 145 victories in the process, the Blue Devils can legitimately lay claim to being the best AA team in North America.

In addition to winning the International Silver Stick tournament, the team won its regular season title, the league playoff championship, and the International Silver Stick regional championship.

Throughout the season, the AA Blue team lived up to its simple rallying cry of "work," and never wavered from the main goals established by Coach Rob Keegan and assistants Dave Cohen, Stu Margel, and Lee Rosebush, which were "to be the hardest working team around and to always believe that the team is more important than the individual."

I ask my colleagues to join me today in congratulating the MYHA Blue Devils Squirt AA Blue Team for its dedication to the values of teamwork and perseverance while winning a third consecutive International Silver Stick Championship. Team members include Ethan Birndorf, Caden Blazer, Will Cohen, Andrew Fou, Nick Garner, Cody Keegan, Alexander MacMillan, Dylan Margel, John McNelis, Jack Oliver, Reid Pehrkon, Dakota Rosebush, Brady Silverman, Jack Slater, Lucy Thiessen, and Maddox Tulacro. We should also express our appreciation to the coaches mentioned above and to the parents, other family members, and friends who

have tirelessly supported and mentored this superb group of youngsters.●

TRIBUTE TO MONSIGNOR JOSEPH P. KELLY

● Mr. CASEY. Mr. President, today I wish to honor Monsignor Joseph P. Kelly, a dear friend and spiritual advisor, for his decades of extraordinary service in helping others and working to secure the common good. Fifty years ago, Monsignor Kelly was ordained as a priest in the Diocese of Scranton. Since then, he has touched the lives of thousands of people in Northeastern Pennsylvania and Nebraska. He is been a servant leader, one whose profound faith is demonstrated in his works. I would like to take this time to wish him the best on this milestone and reflect on his selfless commitment to enriching the lives of others.

Over the decades, he has worked in a variety of diocesan assignments and always in a position to teach students or his congregation. As an educator at Holy Rosary School and the Scranton Preparatory School, he spent 25 years teaching religion to eighth graders and high school seniors. He has served as pastor of several parishes, including St. Catherine's Moscow, Holy Rosary, St. Ann's, and Nativity of Our Lord. In addition, Monsignor Kelly served as the Episcopal vicar of Hispanic ministry for the Diocese of Scranton. He has also led Catholic Social Services, St. Michael's School for Boys, and Camp St. Andrew, where he cofounded Project Hope. At one time, Project Hope sent as many as 700 low-income and at-risk youth to Camp St. Andrew, providing summer camp experiences for young people who otherwise would not be able to afford the program.

Service and serving others is not only a deed, it has been a way of life for Monsignor Kelly. Although Monsignor Kelly retired from leading Catholic Social Services at the end of 2015, he currently is the executive director of the St. Francis of Assisi Kitchen in Scranton, PA. He is committed to responding to the needs of those living in poverty in America. I commend his lifelong efforts to foster compassion and promote human dignity for all people, at all stages of life. Monsignor Kelly's reputation for integrity is reflected in his work with the poorest, most vulnerable, and most marginalized members of our communities.

Over the past 50 years, his life has been one of compassion, selfless service, and a steadfast commitment to justice. On behalf of the Commonwealth of Pennsylvania, I commend Monsignor Joseph P. Kelly for this milestone and wish him only the best in the days and years ahead.●

TRIBUTE TO MACKENZIE WOOTEN, BROOK HIGBEE, AND HAYDN BRADSTREET

● Mr. HELLER. Mr. President, today I wish to congratulate three Nevada students, Mackenzie Wooten, Brook Higbee, and Haydn Bradstreet, who were named U.S. Presidential Scholars. This is an incredible accolade, recognizing the very best students across the Nation who have gone above and beyond in their academic pursuits, and I extend my sincerest congratulations to these three Nevadans.

The U.S. Presidential Scholars Program was established in 1964 by President Lyndon B. Johnson to recognize some of the most academically ambitious students across the Nation. Each year, up to 161 students are named as U.S. Presidential Scholars, which is one of the most prestigious accomplishments that high school students can achieve. All three of these students have excelled in their studies and are certainly deserving of this award.

Mackenzie is a senior at Northwest Career and Technical Academy in the Clark County School District and was recognized for demonstrating excellence in career and technical education. This category was added to the scholars list this year to recognize students pursuing science, technology, engineering, and math fields. Brook is a senior at Pahrangat Valley High School in the Lincoln County School District and serves as student body president. Haydn attends Davidson Academy of Nevada in Reno and has excelled in his scientific pursuits. Both Brook and Haydn were selected for excellence in their academic studies.

These students are shining examples of what hard work and determination can accomplish, and they should be proud of their accomplishments. Today I ask my colleagues to join me and all Nevadans in congratulating Mackenzie, Brook, and Haydn in this achievement and in wishing them well in their future endeavors.●

RECOGNIZING KIMMIE CANDY

● Mr. HELLER. Mr. President, today I wish to congratulate Joe Dutra and all of those contributing at Kimmie Candy for receiving the President's "E" Award for Exports. This award is truly prestigious and given to only the most ambitious companies making a significant contribution to the expansion of U.S. exports.

As founder, CEO, and president of Kimmie Candy, Joe first established the company on a farm in his hometown of Sacramento, CA. By 2003, the company had made great strides and won "product of the year" at the annual Candy Grammys held in Long Beach, CA. In 2005, Joe relocated to Reno, NV, with the goal of creating more American jobs. Just 2 years later, Joe purchased the building that is now

Kimmie Candy's production facility, and by 2008, the candy company was fully operational. Within the next year, Joe took the company international and increased sales in the United States, Canada, Mexico, the Philippines, South America, and the Middle East. Since its opening, the company has grown to 36 employees and continues to expand. I have toured the facility on multiple occasions and am always impressed by this successful business. Joe's work in creating job opportunities in Nevada has not gone unnoticed, and I am thankful to have Kimmie Candy operating in our great State.

In 1961, President John F. Kennedy signed an executive order to revive the World War II "E" symbol of excellence. The President's "E" Award aims to honor companies across the country that have contributed to America's exports by demonstrating export growth for over 4 years. Kimmie Candy is one of only 123 companies that was honored with this award. Without a doubt, Joe's work at Kimmie Candy warrants this significant accolade.

Today, I ask my colleagues and all Nevadans to join me in congratulating my friend Joe and the entire Kimmie Candy family for receiving this national award. I am thankful for everything Joe has contributed to the city of Reno and our State, and I wish him well as he continues his endeavors at Kimmie Candy.●

50TH ANNIVERSARY OF BON SECOURS ST. MARY'S HOSPITAL

● Mr. KAIN. Mr. President, today I wish to recognize the 50th anniversary of the Bon Secours St. Mary's Hospital, the first hospital in the Bon Secours Richmond Health System. This not-for-profit Catholic health system, which is comprised of four hospitals in the greater Richmond metropolitan area, serves some of the neediest populations throughout central Virginia.

St. Mary's founding was rooted in a strong history of providing care. In 1824, in Paris, 12 women formed the congregation of the Sisters of Bon Secours, French for "Good Help." The Sisters' purpose was to nurse the sick and dying in their homes. The Sisters of Bon Secours came to the United States in 1881, where they continued their work of aiding the poor, the sick, and the dying in their homes. In 1966, Bon Secours expanded its mission with the opening of St. Mary's Hospital. Through its history, Bon Secours Richmond has stayed true to its founding principles through its community outreach and commitment to serving the neediest among us.

For the past 50 years, St. Mary's Hospital has provided critical health services including cardiac, orthopedic, women's pediatric, surgery, oncology, imaging, neurology, and emergency

services. St. Mary's Hospital ranks in the top 10 percent of America's hospitals for emergency care. Today St. Mary's employs over 3,000 employees, including more than 1,000 physicians.

Bon Secours' mission is to bring compassion to health care and to be good help to those in need. I commend St. Mary's Hospital on behalf of my constituents for its commitment to health care excellence and service to the patients and families in the greater Richmond area.●

RECOGNIZING THE GAS TECHNOLOGY INSTITUTE

● Mr. KIRK. Mr. President, I would like to honor the Gas Technology Institute, GTI, and its dedicated employees as they celebrate their 75th anniversary. Headquartered in Des Plaines, IL, GTI is a leading nonprofit research development organization in my home State, working diligently to address key global energy and environmental challenges.

A proven leader over the past three-quarters of a century, GTI continues to develop high-impact technologies, unlocking the economic potential of domestic energy resources, while reducing the environmental footprint of fossil fuels. Founded as the Institute of Gas Technology in 1941, the institute worked closely with the Illinois Institute of Technology to train graduate engineers to lead the development of the gas industry. As national focus shifted to gas research and development in the 1970s, the Gas Research Institute took shape to focus on natural gas supply, transportation, distribution, and utilization. In 2000, these two renowned programs united under the GTI umbrella where they continue to build off of past successes as a premier research, development, and training organization serving the global natural gas and energy markets.

GTI's most profound successes are known across the globe. From catalyzing the U.S. shale gas revolution through innovative research and development in the 1980s and 1990s, to helping to put the first hydrogen fuel cell bus on the road in 2006, to its 65 patents on high-efficiency, low-NO_x burners and systems, GTI has a strong industry reputation for innovation and conducting the work necessary to ensure our domestic supplies are utilized to their full potential while national and global priorities continue to shift. Our Nation continues to benefit from GTI's expertise in developing gas distribution technologies and reducing energy delivery costs, as well as innovations in the detection, quantification, and mitigation of methane emissions from the natural gas sector. Its current efforts with the hydraulic fracturing test site will continue this tradition, improving air and water quality by increasing environmentally sustainable extraction methods.

I congratulate and commend GTI for their continued commitment to providing technology-based solutions that expand U.S. energy production and foster economic growth, while also minimizing impacts to the environment. GTI's efforts in the past, present, and future are key to boosting American competitiveness, and I look forward to celebrating future milestones.●

RECOGNIZING THE HARTFORD STEAM BOILER INSPECTION AND INSURANCE COMPANY

● Mr. MURPHY. Mr. President, 150 years ago, as the United States and the world advanced out of the industrial revolution, several young businessmen formed the Hartford Steam Boiler Inspection and Insurance Company, HSB, in Hartford, CT. I am proud to represent this company and want to congratulate HSB on its 150th anniversary for its vital contribution to the economy of Connecticut, as well as the rest of the Nation.

During the industrial revolution in the mid-to-late 19th century, steam boilers were used to drive industrial machinery, locomotives, and steamboats. Steam-powered engines allowed for the rapid growth and expansion of industry in the United States; these engines enabled the effective transportation of goods across the country. Steam power also permitted factories in Connecticut to produce and market goods more efficiently than ever before.

The tremendous benefits provided by steam engines and boilers, however, came with considerable risks. During the 1850s, boiler explosions occurred at an estimated rate of once every 4 days. Believing that better materials, better design, and regular inspections could reduce the number of dangerous boiler explosions, in 1857, several Hartford entrepreneurs started "the Polytechnic Club," as a means to discuss practical changes to boilers that could mitigate the chances of worker injury and death. These discussions helped lead to the formation of HSB.

The Hartford Steam Boiler Inspection and Insurance Company was officially founded in 1866 on the premise that quality boiler inspections would enhance industrial safety, and that insurance provides a valuable financial incentive to ensure businesses conduct these inspections. From its founding, HSB's primary goals have been to improve safety and prevent losses for industrial businesses.

Today HSB continues to set the standard for equipment breakdown insurance, as well as a variety of other insurance products. I am proud to honor this company's long and distinguished role in America's industrial economy. Congratulations to the Hartford Steam Boiler Inspection and Insurance Company, and best of luck in the years to come.●

RECOGNIZING THE COLUMBUS ASIAN FESTIVAL

● Mr. PORTMAN. Mr. President, today I wish to acknowledge the 22st annual Columbus Asian Festival as we celebrate the month of May as Asian Pacific American Heritage Month. The first Asian Festival was held in 1995 with a mission to promote the importance of cultural diversity in building a vibrant, prosperous, and healthy community. Since then, the Asian Festival continues to fulfill its mission and attracts over 100,000 visitors annually to the central Ohio region.

The Asian Festival offers a variety of activities for the community highlighting the culture of Asia and the Pacific Islands. The values of the Asian Festival include the following: showcasing cultural heritage, advocating the importance of lifelong learning and education, providing a fun and entertaining experience, nurturing community collaboration and strong relationships, fostering a healthy lifestyle and quality of life, and serving with integrity.

Visitors to the Asian Festival will experience hands-on art demonstrations, interactive dance performances, Asian music, Tai chi, martial arts workshops, Asian games, Asian cuisine, and much more.

I am honored to be participating this year in the Asian Festival during its opening ceremony to see firsthand how this important event celebrates the rich tradition of Asian Pacific heritage and promotes cultural diversity in Ohio.

Congratulations to all who were involved in making it a success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:50 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4909. An act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities

of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 5233. An act to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes.

At 3:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4974. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

H.R. 5243. An act making appropriations for the fiscal year ending September 30, 2016, to strengthen public health activities in response to the Zika virus, and for other purposes.

The message further announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 2012. An act to provide for the modernization of the energy policy of the United States, and for other purposes.

The message also announced that the House insists upon its amendment to the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Energy and Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference: Messrs. UPTON, BARTON, WHITFIELD, SHIMKUS, LATTA, Mrs. McMORRIS RODGERS, Messrs. OLSON, MCKINLEY, POMPEO, GRIFFITH, JOHNSON of Ohio, FLORES, MULLIN, PALLONE, RUSH, Mrs. CAPPS, Ms. MATSUI, Ms. CASTOR of Florida, Messrs. SARBANES, WELCH, BEN RAY LUJÁN of New Mexico, TONKO and LOEBSACK.

From the Committee on Agriculture, for consideration of sections 3017, 3305, 4501, 4502, 5002, part II of subtitle C of title X, and section 10233 of the Senate bill, and sections 1116 and 5013 of division A, division B, and sections 1031, 1032, 1035–1037, subtitle K of title I, section 2013, subtitles F, M, and Q of title II, and title XXV of division C of the House amendment, and modifications committed to conference: Messrs. CONAWAY, THOMPSON of Pennsylvania, and PETERSON.

From the Committee on Natural Resources, for consideration of sections 2308, 3001, part II of title II, 3017, 3104, 3109, 3201, 3301–3306, 3308–3312, 4006, 4401, 4403, 4405, 4407, 4410, 4412–4414, title V, section 6001, subtitle A of title VI, section 6202, title VIII, title IX, subtitles A, B, and C of title X, parts I, II, III,

and IV of subtitle D of title X, and sections 10341 and 10345 of the Senate bill, and sections 1115 and 1116 of division A, division B, and division C of the House amendment, and modifications committed to conference: Messrs. BISHOP of Utah, YOUNG of Alaska, Mrs. LUMMIS, Messrs. DENHAM, WESTERMAN, GRIJALVA, HUFFMAN, and Mrs. DINGELL.

From the Committee on Science, Space, and Technology for consideration of sections 1014, 1201, 1203, 1301–1304, 1306–1308, 1310, 1311, 2002, 2301, 2401, part III of subtitle A of title III, sections 3101, 3302, 3307, 3402, 3403, 3501, 3502, 4001, 4002, 4006, 4101, subtitle C of title IV, sections 4402, 4404, 4406, 4720, 4721, 4727, 4728, and 4737 of the Senate bill, and section 1109 and title VII of division A, and division D of the House amendment, and modifications committed to conference: Messrs. SMITH of Texas, WEBER of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Transportation and Infrastructure for consideration of sections 1005, 1006, 1010, 1014, 1016–1019, 1022, 3001, 4724, title VII, and section 10331 of the Senate bill, and sections 2007, 3116, 3117, and 3141 of division A, and title IX of division B, subtitle D of title II of division C of the House amendment, and modifications committed to conference: Messrs. HARDY, ZELDIN, and DEFazio.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that the House insists upon its amendment to the Senate amendment to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROGERS of Kentucky, Ms. GRANGER, Messrs. COLE, DENT, FORTENBERRY, ROONEY of Florida, VALADAO, Mrs. ROBY, Mrs. LOWEY, Ms. DELAURO, Messrs. SERRANO, BISHOP of Georgia, and Ms. WASSERMAN SCHULTZ be managers of the conference on the part of the House.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1887. An act to authorize the Comptroller General of the United States to assess a study on the alternatives for the disposition of Plum Island Animal Disease Center, and for other purposes; to the Committee on

Homeland Security and Governmental Affairs.

H.R. 5233. An act to repeal the Local Budget Autonomy Amendment Act of 2012, to amend the District of Columbia Home Rule Act to clarify the respective roles of the District government and Congress in the local budget process of the District government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4909. An act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 4974. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3011. A bill to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5591. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Guaranteed Loanmaking and Servicing Regulations" (RIN0570-AA85) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5592. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the "National Defense Authorization Act for Fiscal Year 2017"; to the Committee on Armed Services.

EC-5593. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was originally declared in Executive Order 12938 of November 14, 1994; to the Committee on Banking, Housing, and Urban Affairs.

EC-5594. A communication from the Director of Congressional Affairs, Office of Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Variable Annual Fee Structure for Small Modular Reactors" ((RIN3150-AI54) (NRC-2008-0664)) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Environment and Public Works.

EC-5595. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Review of the Allotment of the Clean Water State Revolving Fund (CWSRF)"; to the Committee on Environment and Public Works.

EC-5596. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled "Trans-Pacific Partnership Agreement: Likely Impact on the U.S. Economy and on Specific Industry Sectors"; to the Committee on Finance.

EC-5597. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Report to Congress on 2015 Trafficking in Persons Report Tier 3 to Tier 2 Watch List Upgrades"; to the Committee on Finance.

EC-5598. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0066—2016-0070); to the Committee on Foreign Relations.

EC-5599. A communication from the Assistant Administrator for Policy, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees" (RIN1235-AA11) received in the Office of the President of the Senate on May 23, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5600. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2014 Distribution of Funds Under Section 330 of the Public Health Service Act Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-5601. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report in Response to the Sunscreen Innovation Act (P.L. 113-195) Section 586G"; to the Committee on Health, Education, Labor, and Pensions.

EC-5602. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Newborn Screening Program; to the Committee on Health, Education, Labor, and Pensions.

EC-5603. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5604. A communication from the Acting Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5605. A communication from the Chief Information Security Officer, Department of Homeland Security, transmitting, pursuant

to law, the Department's 2015 Federal Information Security Management Act (FISMA) and Agency Privacy Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5606. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-392, "Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016"; to the Committee on Homeland Security and Governmental Affairs.

EC-5607. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5608. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS) Annual Report for fiscal year 2015; to the Committee on the Judiciary.

EC-5609. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral William H. Hilarides, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5610. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert E. Schmidle, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5611. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5612. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5613. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Customer Due Diligence Requirements for Financial Institutions" (RIN1506-AB25) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5614. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Imposition of Special Measure against FBME Bank Ltd., formerly known as Federal Bank of the Middle East Ltd., as a Financial Institution of Primary Money Laundering Concern" (RIN1506-AB27) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5615. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "EPAAR Clause for Level of Effect—Cost-Reimbursement Contract" (FRL No. 9946-47-OARM) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC-5616. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of California; Revised Format of 40 CFR Part 52 for Materials Incorporated by Reference" (FRL No. 9942-49-Region 9) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC-5617. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; ME; Control of Volatile Organic Compound Emissions from Fiberglass Boat Manufacturing and Surface Coating Facilities" (FRL No. 9946-94-Region 1) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Environment and Public Works.

EC-5618. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5619. A communication from the Attorney-Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report relative to a vacancy for the position of General Counsel, Department of Transportation, received in the office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5620. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Lake of the Ozarks, Lakeside, MO" ((RIN1625-AA08) (Docket No. USCG-2016-0276)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5621. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Delaware River, Philadelphia, PA" ((RIN1625-AA01) (Docket No. USCG-2015-0825)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5622. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Youngs Bay, Astoria, OR" ((RIN1625-AA09) (Docket No. USCG-2016-0090)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5623. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Port of New York, moving Security Zone; Canadian Naval Vessels"

((RIN1625-AA87) (Docket No. USCG-2016-0215)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5624. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Block Island Wind Farm; Rhode Island Sound, RI" ((RIN1625-AA00) (Docket No. USCG-2016-0026)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5625. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River, Minneapolis, MN" ((RIN1625-AA00) (Docket No. USCG-2016-0337)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5626. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; National Grid—Beck Lockport 104 and Beck Harper 106 Removal Project; Niagara River, Lewiston, NY" ((RIN1625-AA00) (Docket No. USCG-2016-0265)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5627. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Navy UNDET, Apra Outer Harbor and Piti, GU" ((RIN1625-AA00) (Docket No. USCG-2016-0274)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5628. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pacific Ocean, North Shore Oahu, HI—Recovery Operations" ((RIN1625-AA00) (Docket No. USCG-2016-0272)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5629. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Newport Beach Harbor Grand Canal Bridge Construction; Newport Beach, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0227)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5630. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Hudson River, Jersey City, NJ, Manhattan, NY" ((RIN1625-AA00) (Docket No. USCG-2016-0109)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5631. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone" ((RIN1625-AA00) (Docket No.

USCG-2015-1081)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5632. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cape Fear River; Southport, NC" ((RIN1625-AA00) (Docket No. USCG-2016-0306)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5633. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco State Graduation Fireworks Display, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2016-0177)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5634. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Tall-Ship CUAUHEMOC; Thames River, New London Harbor, New London, CT" ((RIN1625-AA87) (Docket No. USCG-2016-0250)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5635. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Upper Mississippi River between mile 179.2 and 180.5, St. Louis, MO and between mile 839.5 and 840, St. Paul, MN" ((RIN1625-AA00) (Docket No. USCG-2016-0354)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5636. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sabine River, Orange, Texas" ((RIN1625-AA00) (Docket No. USCG-2016-0321)) received in the Office of the President of the Senate on May 25, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-171. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 66

Whereas, since 1920, interior states have been allowed to keep fifty percent of the oil, gas, and coal production revenues generated

in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production face inequities under the federal energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that provides for them to retain very little revenue generated from their offshore energy production, energy that is produced for use throughout the nation; and

Whereas, in 2006 congress passed the Gulf of Mexico Energy Security Act (GOMESA) that will fully go into effect in 2017; an act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of five hundred million dollars per year; and

Whereas, the Fixing America's Inequities with Revenues (FAIR) Act would have addressed the inequity suffered by coastal oil and gas producing states by accelerating the implementation of GOMESA as well as by gradually lifting all revenue sharing caps but the legislation died with the close of the previous congress; and

Whereas, with the state and its offshore waters taken alone, Louisiana is the ninth largest producer of oil in the United States in 2014 while including offshore oil from federal waters, it was the second largest oil producer in the country; and when taken alone Louisiana was the fourth largest producer of gas in the United States in 2013 while including the Gulf of Mexico waters, it was the second largest producer in the United States; and

Whereas, with nineteen operating refineries in the state, Louisiana was second only to Texas as of January 2014 in both total and operating refinery capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana's contributions to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquified natural gas facilities, more than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deepwater oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received

from Outer Continental Shelf oil and gas activity to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed a science-based "Comprehensive Master Plan for a Sustainable Coast" which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the "Comprehensive Master Plan for a Sustainable Coast" with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to be at the same rate as interior states that produce oil, gas, and coal: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to treat mineral and gas production in the Gulf Coastal states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-172. A concurrent resolution adopted by the General Assembly of the State of Ohio urging the United States Congress to increase NIH funding levels for research in and development of the closed-loop system and islet cell transplantation so that those who are suffering from type 1 diabetes will have expedited access to such technology; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NUMBER 2

Whereas, More than one million Americans have been diagnosed with insulin-dependent diabetes mellitus, also known as type 1 diabetes; and

Whereas, Type 1 diabetes is a disease that frequently strikes children suddenly, makes them dependent on insulin for life, and carries the constant threat of life-threatening complications; and

Whereas, The number of diagnoses of type 1 diabetes is growing at an alarming rate; and

Whereas, The cost of type 1 diabetes, including medical expenses and lost productivity, is billions of dollars per year; and

Whereas, Type 1 diabetes is a leading cause of blindness, kidney failure, amputations, heart disease, and death; and

Whereas, Medical and technological advances in the development of the closed-loop insulin delivery system, or "artificial pancreas," and in the development of islet cell transplantation therapy have created

meaningful and realistic pathways to a cure of type 1 diabetes; and

Whereas, Adequate federal funding for research and development involving the closed-loop system and islet cell transplantation will result in positive medical outcomes for millions of Americans who are affected by type 1 diabetes and, thereby, ameliorate widespread human suffering and preserve billions of dollars in taxpayer funds; and

Whereas, Current levels of funding designated for the efforts of The National Institutes of Health (NIH) in advancing the technology associated with the closed-loop system and islet cell transplantation are inadequate, and an increase in funding for NIH's efforts will expedite the refining of and access to these important medical treatments and procedures: Now, therefore, be it

Resolved, That we, the members of the 131st general assembly of the state of Ohio, in adopting this resolution, urge the Congress of the United States to increase NIH funding levels for research in and development of the closed-loop system and islet cell transplantation so that those who are suffering from type 1 diabetes will have expedited access to such technology, thus enhancing health care while saving billions of dollars in health care costs and lost productivity; and be it further

Resolved, That the clerk of the Senate transmit duly authenticated copies of this resolution to the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio Congressional delegation, and the news media of Ohio.

POM-173. A resolution adopted by the House of Representatives of the State of Illinois urging the President of the United States to select and nominate a candidate to be an Associate Justice for the Supreme Court of the United States; urging the United States Senate Judiciary Committee to promptly schedule confirmations hearings for the President's nominee followed by a recorded vote recommending confirmation; and urging the full Senate to vote to confirm such nomination; to the Committee on the Judiciary.

HOUSE RESOLUTION No. 1022

Whereas, Article III, Section I of the United States Constitution vests judicial authority "in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish"; and

Whereas, The United States Congress passed the Judiciary Act of 1789, fixing the number of Supreme Court justices at 6; and

Whereas, In an effort to avoid an evenly divided Court, the Judiciary Act of 1869 increased membership on the Court to one Chief Justice, and 8 Associate Justices; that number has remained unchanged; and

Whereas, Antonin Scalia became an Associate Justice on the Supreme Court after being nominated by President Ronald Reagan in 1986; Justice Scalia was confirmed by the United States Senate 98-0; he was sworn in on September 26, 1986; and

Whereas, The death of Justice Scalia has effectively placed the Court in ideological gridlock with respect to liberal and conservative interpretations of the Constitution; and

Whereas, The Court now consists of 4 members appointed by Republican presidents: Chief Justice John Roberts, Justice Anthony Kennedy, Justice Clarence Thomas, and Justice Samuel Alito; and 4 members appointed by Democratic presidents: Justice Ruth

Bader Ginsburg, Justice Stephen Breyer, Justice Sonia Sotomayor, and Justice Elena Kagan; and

Whereas, A Supreme Court term begins on the first Monday in October, and continues until late June or early July of the following year; the final day of the 2016 term will be June 26, 2016; the Court continues to hear oral arguments until April 26, 2016; and

Whereas, There are currently 74 cases on the Court docket; with the absence of Justice Scalia, many of those cases could be decided 4-4; in that event, the decisions of the lower courts will stand; and

Whereas, In its current term, the Court will hear cases on a variety of issues affecting millions of Americans, such as affirmative action, immigration, reproductive rights, redistricting, and labor practices; and

Whereas, Pursuant to Article II, Section 1 of the Constitution, Barack Obama was elected President of the United States in 2008, and again in 2012; his presidency will end on January 20, 2017; and

Whereas, Article II, Section II of the Constitution provides that the President "shall nominate" judges of the Supreme Court with the "Advice and Consent of the Senate"; and

Whereas, The Democratic and Republican Presidential nominating conventions will take place in July of 2016; the Presidential election will take place on November 8, 2016; a new President will not be inaugurated until January 20, 2017, at which time that President will have the power to nominate judges; however, until that time, the power to nominate remains with President Barack Obama; and

Whereas, In 1916, Justice Louis Brandeis was confirmed as the 67th Associate Justice of the Supreme Court after 4 months of scrutiny, representing the longest confirmation process in American history; during which time, the Senate Judiciary Committee held the first public hearings on the nomination of a justice; he was sworn in on June 6, 1916, a presidential election year; and

Whereas, Justice Anthony Kennedy is the most senior member of the Court today; he was nominated by President Ronald Reagan on November 30, 1987; he was confirmed unanimously by a Senate controlled by Democrats on February 3, 1988 and was sworn in on February 18, 1988, during the last year of Reagan's presidency; and

Whereas, Additional Supreme Court justices nominated and confirmed during the final year of a presidency include: Oliver Ellsworth, Samuel Chase, William Johnson, Philip Barbour, Roger Taney, Melville Fuller, Lucius Lamar, George Shiras, Mahlon Pitney, John Clarke, Benjamin Cardozo, and Frank Murphy: Now, therefore, be it

Resolved, by the House of Representatives of the Ninety-Ninth General Assembly of the State of Illinois, That we urge President Barack Obama to select and nominate a candidate to be an Associate Justice for the U.S. Supreme Court in a timely manner and that the nominee both liberalize and truly diversify the Court; and be it further

Resolved, That we urge the Judiciary Committee of the United States Senate to promptly schedule confirmation hearings for the President's nominee followed by a recorded vote recommending confirmation; and be it further

Resolved, That we urge the full Senate to vote to confirm such nomination; and be it further

Resolved, That suitable copies of this resolution be delivered to President of the United States, Barack Obama; Chairman of

the Senate Judiciary Committee, Chuck Grassley; Vice-President, Joe Biden; Chief Justice of the Supreme Court, John Roberts; and Senators Dick Durbin and Mark Kirk of Illinois.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2127. A bill to provide appropriate protections to probationary Federal employees, to provide the Special Counsel with adequate access to information, to provide greater awareness of Federal whistleblower protections, and for other purposes (Rept. No. 114-262).

By Mr. COCHRAN, from the Committee on Appropriations, without amendment:

S. 3000. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114-263).

By Mr. HOEVEN, from the Committee on Appropriations, without amendment:

S. 3001. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114-264).

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship:

Report to accompany S. 552, A bill to amend the Small Business Investment Act of 1958 to provide for increased limitations on leverage for multiple licenses under common control (Rept. No. 114-265).

Report to accompany S. 966, A bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration (Rept. No. 114-266).

Report to accompany S. 967, A bill to require the Small Business Administration to make information relating to lenders making covered loans publicly available, and for other purposes (Rept. No. 114-267).

Report to accompany S. 1001, A bill to establish authorization levels for general business loans for fiscal years 2015 and 2016 (Rept. No. 114-268).

Report to accompany S. 1292, A bill to amend the Small Business Act to treat certain qualified disaster areas as HUBZones and to extend the period for HUBZone treatment for certain base closure areas, and for other purposes (Rept. No. 114-269).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FISCHER (for herself, Mr. INHOFE, Mr. VITTER, Mr. BOOZMAN, Mr. COCHRAN, Mr. ISAKSON, Mr. ROBERTS, Mrs. ERNST, and Mr. CORNYN):

S. 2993. A bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 2994. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse

of dextromethorphan, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 2995. A bill to amend the Truth in Lending Act to provide a safe harbor from certain requirements related to qualified mortgages for residential mortgage loans held on an originating depository institution's portfolio, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. MERKLEY, Ms. WARREN, and Mr. MARKEY):

S. 2996. A bill to amend the Internal Revenue Code of 1986 to phase out tax preferences for fossil fuels on the same schedule as the phase out of the tax credits for wind facilities; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. BOOKER, and Mr. SCHUMER):

S. 2997. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COATS:

S. 2998. A bill to amend title XVIII of the Social Security Act to ensure prompt coverage of breakthrough devices under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. DAINES (for himself, Mr. MORAN, Mr. ROBERTS, and Mr. SCOTT):

S. 2999. A bill to prohibit the transfer of any individual detained at United States Naval Station, Guantanamo Bay, Cuba; to the Committee on Armed Services.

By Mr. COCHRAN:

S. 3000. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. HOEVEN:

S. 3001. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TOOMEY (for himself and Mr. DONNELLY):

S. 3002. A bill to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 3003. A bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3004. A bill to make technical corrections to the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3005. A bill to establish the Alaska Land Use Council, and for other purposes; to the

Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 3006. A bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURR, and Mr. INHOFE):

S. 3007. A bill to prohibit funds from being obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President submits a certification related to such sensor to Congress and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mrs. SHAHEEN, Mr. REED, Ms. BALDWIN, Mr. COONS, Mr. PETERS, Mrs. FEINSTEIN, and Mr. MERKLEY):

S. 3008. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain discharges of student loan indebtedness; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. LEAHY):

S. 3009. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MARKEY (for himself and Mr. RUBIO):

S. 3010. A bill to provide for restrictions related to nuclear cooperation with the People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

By Mr. JOHNSON:

S. 3011. A bill to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government; read the first time.

By Mrs. SHAHEEN (for herself and Mr. FRANKEN):

S. 3012. A bill to amend the Federal Power Act to establish an Office of Public Participation and Consumer Advocacy; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3013. A bill to authorize and implement the water rights compact among the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation, the State of Montana, and the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. DAINES:

S. 3014. A bill to improve the management of Indian forest land, and for other purposes; to the Committee on Indian Affairs.

By Mr. CASEY:

S. 3015. A bill to amend the Public Health Service Act to direct the Centers for Disease Control and Prevention to provide for informational materials to educate and prevent addiction in teenagers and adolescents who are injured playing youth sports and subsequently prescribed an opioid; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. ENZI, and Ms. KLOBUCHAR):

S. 3016. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MARKEY (for himself, Mr. DURBIN, and Mr. MURPHY):

S. Res. 479. A resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016; to the Committee on Foreign Relations.

By Mr. CASSIDY (for himself, Mr. MURPHY, Mr. ALEXANDER, and Mrs. MURRAY):

S. Res. 480. A resolution supporting the designation of May 2016 as "Mental Health Month"; considered and agreed to.

By Ms. HIRONO (for herself, Mr. REID, Mr. FRANKEN, Mr. CASEY, Mrs. MURRAY, Mr. KIRK, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARDIN, Mr. BROWN, Mr. KAINE, Mr. DURBIN, Mr. WYDEN, Mr. HELLER, Mr. GARDNER, Mr. BENNET, Ms. MURKOWSKI, Mr. BOOKER, Mr. SCHUMER, Ms. WARREN, and Mr. MERKLEY):

S. Res. 481. A resolution recognizing the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 122

At the request of Mr. MCCAIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 122, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 398

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 398, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 616

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 616, a bill to amend the Internal Revenue Code of 1986 to provide re-

cruitment and retention incentives for volunteer emergency service workers.

S. 629

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 629, a bill to enable hospital-based nursing programs that are affiliated with a hospital to maintain payments under the Medicare program to hospitals for the costs of such programs.

S. 812

At the request of Mr. MORAN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1100

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1100, a bill to require State and local government approval of prescribed burns on Federal land during conditions of drought or fire danger.

S. 1151

At the request of Mr. VITTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1151, a bill to amend title IX of the Public Health Service Act to revise the operations of the United States Preventive Services Task Force, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1175

At the request of Mr. WYDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1175, a bill to improve the safety of hazardous materials rail transportation, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1892

At the request of Mr. HATCH, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1892, a bill to provide for loan repayment for teachers in high-need schools.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

At the request of Mr. KAINE, his name was added as a cosponsor of S. 1982, *supra*.

S. 2346

At the request of Mr. NELSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2346, a bill to amend the Internal Revenue Code of 1986 to temporarily allow expensing of certain costs of replanting citrus plants lost by reason of casualty.

S. 2464

At the request of Mr. PAUL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 2540

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2540, a bill to provide access to counsel for unaccompanied children and other vulnerable populations.

S. 2641

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2641, a bill to amend the Public Health Service Act, in relation to requiring adrenoleukodystrophy screening of newborns.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2770

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2770, a bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services.

S. 2873

At the request of Mr. HATCH, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2875

At the request of Ms. AYOTTE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 2875, a bill to provide for the elimination or modification of Federal reporting requirements.

S. 2921

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. 2924

At the request of Mr. REID, the names of the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Connecticut (Mr. MURPHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2944

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 2944, a bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes.

S. 2951

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2951, a bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connec-

tion with certain discharges of oil from foreign offshore units, and for other purposes.

S. 2971

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2971, a bill to authorize the National Urban Search and Rescue Response System.

S. 2977

At the request of Mr. MANCHIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2977, a bill to amend the Internal Revenue Code of 1986 to establish an excise tax on the production and importation of opioid pain relievers, and for other purposes.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2992

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2992, a bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes.

S. CON. RES. 36

At the request of Ms. COLLINS, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 340

At the request of Mr. CASSIDY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign govern-

ments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 472

At the request of Mr. BLUNT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. Res. 472, a resolution expressing the sense of the Senate that a carbon tax would be detrimental to the economy of the United States.

S. RES. 478

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 478, a resolution expressing support for the designation of June 2, 2016, as "National Gun Violence Awareness Day" and June 2016 as "National Gun Violence Awareness Month".

AMENDMENT NO. 4067

At the request of Mr. WARNER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4068

At the request of Mr. MORAN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 4068 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4069

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 4069 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4071

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from

Georgia (Mr. PERDUE) were added as cosponsors of amendment No. 4071 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4085

At the request of Mr. LANKFORD, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4085 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4097

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 4097 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4098

At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 4098 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4120

At the request of Mr. GRASSLEY, the names of the Senator from Kentucky (Mr. PAUL), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 4120 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4124

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4124 intended to be proposed to S. 2943, an original bill to authorize

appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4136

At the request of Mr. HOEVEN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 4136 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4138

At the request of Mr. PETERS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Vermont (Mr. SANDERS) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 4138 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4143

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4143 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4146

At the request of Mr. CASSIDY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 4146 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4155

At the request of Mr. BOOZMAN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Delaware (Mr. COONS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4155 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4157

At the request of Mr. BOOZMAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 4157 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4165

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4165 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4172

At the request of Mr. KIRK, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4172 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4175

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 4175 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4204

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4204 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from California (Mrs. BOXER) and the Senator from

Florida (Mr. NELSON) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4217

At the request of Ms. AYOTTE, the names of the Senator from Georgia (Mr. PERDUE), the Senator from Utah (Mr. HATCH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of amendment No. 4217 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4235

At the request of Mr. HELLER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 4235 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself,

Mr. BOOKER, and Mr. SCHUMER):

S. 2997. A bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. BOOKER. Mr. President, I am pleased to have worked with Senator CANTWELL and Senator SCHUMER to introduce the SANDY Act today which would provide much needed certainty and resiliency to our communications networks during times of natural disaster or emergency.

Severe weather and emergencies can have devastating effects on communities, as New Jersey knows all too well. In the aftermath of Superstorm Sandy, we experienced loss in our communications networks including phone and Internet services. Natural disasters are one of the most important times to maintain access to 9-1-1 in order to obtain lifesaving services.

Just this week, this legislation passed the House with overwhelming

bipartisan support, including from the New Jersey delegation led by Congressman PALLONE's efforts. I hope the Senate will now turn its attention to this important matter and move this initiative forward to the benefit of New Jerseyans and people across the country.

I am further pleased that phone service providers entered into a voluntary agreement last month in order to provide service to consumers during times of emergency, regardless of the network the consumer subscribes to in that area.

The SANDY Act expresses the Sense of Congress that this agreement should continue to be adhered to in order to best serve 9-1-1 professionals, first responders, and local governments in accessing communications services during times of emergency.

Further, the legislation collects additional data on network security during times of disaster and the resiliency of telecommunications networks power utility during times of emergency. With additional information and data, we can better prepare for disasters and ensure our networks operate at the best of their ability when severe storms strike.

Finally, the legislation provides authority to FEMA to reimburse costs associated with restoring and repairing critical communications services to first responders and communities.

The SANDY Act is an important step toward better protecting and preserving vital communications networks when disaster strikes. I urge my colleagues to support this legislation.

By Mr. DAINES:

S. 3014. A bill to improve the management of Indian forest land, and for other purposes; to the Committee on Indian Affairs.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tribal Forestry Participation and Protection Act of 2016".

SEC. 2. PROTECTION OF TRIBAL FOREST ASSETS THROUGH USE OF STEWARDSHIP END RESULT CONTRACTING AND OTHER AUTHORITIES.

(a) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)) is amended—

(1) in paragraph (1), by striking "Not later than 120 days after the date on which an Indian tribe submits to the Secretary" and inserting "In response to the submission by an Indian tribe to the Secretary of"; and

(2) by adding at the end the following:

"(4) TIME PERIODS FOR CONSIDERATION.—

"(A) INITIAL RESPONSE.—Not later than 90 days after the date on which the Secretary receives a tribal request under paragraph (1), the Secretary shall provide an initial response to the Indian tribe regarding whether the request may meet the selection criteria described in subsection (c).

"(B) NOTICE OF DENIAL.—A notice under subsection (d) of the denial of a tribal request under paragraph (1) shall be provided to the Indian tribe by not later than 1 year after the date on which the Secretary receives the request.

"(C) COMPLETION.—Not later than 2 years after the date on which the Secretary receives a tribal request under paragraph (1), other than a tribal request denied under subsection (d), the Secretary shall—

"(i) complete all environmental reviews necessary in connection with the agreement or contract and proposed activities under the agreement or contract; and

"(ii) enter into the agreement or contract with the Indian tribe in accordance with paragraph (2)."

(b) CONFORMING AND TECHNICAL AMENDMENTS.—Section 2 of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a) is amended—

(1) in subsections (b)(1) and (f)(1), by striking "section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105-277) (as amended by section 323 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (117 Stat. 275))" each place it appears and inserting "section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c)"; and

(2) in subsection (d), in the matter preceding paragraph (1), by striking "subsection (b)(1), the Secretary may" and inserting "paragraphs (1) and (4)(B) of subsection (b), the Secretary shall".

SEC. 3. PILOT AUTHORITY FOR RESTORATION OF FEDERAL FOREST LAND BY INDIAN TRIBES.

(a) IN GENERAL.—Section 305 of the National Indian Forest Resources Management Act (25 U.S.C. 3104) is amended by adding at the end the following:

"(c) INCLUSION OF CERTAIN NATIONAL FOREST SYSTEM LAND AND PUBLIC LAND.—

"(1) PURPOSES.—The purposes of this subsection are—

"(A) to maximize the effective management of Federal forest land and to assist in the restoration of that land in accordance with the principles of sustained yield; and

"(B) to reduce insect, disease, or wildfire risk to communities, municipal water supplies, and other at-risk Federal land by providing for the implementation by Indian tribes of forest restoration projects.

"(2) DEFINITIONS.—In this subsection:

"(A) FEDERAL FOREST LAND.—

"(i) IN GENERAL.—The term 'Federal forest land' means—

"(I) National Forest System land; and

"(II) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), including—

"(aa) Coos Bay Wagon Road Grant land conveyed to the United States pursuant to the first section of the Act of February 26, 1919 (40 Stat. 1179, chapter 47); and

"(bb) Oregon and California Railroad Grant land.

"(ii) EXCLUSIONS.—The term 'Federal forest land' does not include—

"(I) a component of the National Wilderness Preservation System;

"(II) a component of the National Wild and Scenic Rivers System;

“(III) a congressionally designated wilderness study area; or

“(IV) an inventoried roadless area within the National Forest System.

“(B) FOREST LAND MANAGEMENT ACTIVITIES.—The term ‘forest land management activities’ means activities performed in the management of Indian forest land described in subparagraphs (C), (D), and (E) of section 304(4).

“(C) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(i) the Secretary of Agriculture, with respect to the Federal forest land referred to in subparagraph (A)(i)(I); and

“(ii) the Secretary of the Interior, with respect to the Federal forest land referred to in subparagraph (A)(i)(II).

“(3) AUTHORITY.—

“(A) IN GENERAL.—At the request of an Indian tribe, the Secretary concerned may treat Federal forest land as Indian forest land for purposes of planning and conducting forest land management activities under this section if the Federal forest land is located within, or mostly within, a geographical area that presents a feature or involves circumstances principally relevant to that Indian tribe, such as Federal forest land—

“(i) ceded to the United States by treaty or other agreement with that Indian tribe;

“(ii) within the boundaries of a current or former reservation of that Indian tribe; or

“(iii) adjudicated by the Indian Claims Commission or a Federal court to be the tribal homeland of that Indian tribe.

“(B) MANAGEMENT.—Federal forest land treated as Indian forest land for purposes of planning and conducting management activities pursuant to subparagraph (A) shall—

“(i) be managed exclusively under this Act; and

“(ii) remain under the ownership of the Federal agency that owned the Federal forest land on the day before the date of enactment of this subsection.

“(4) REQUIREMENTS.—As part of an agreement to treat Federal forest land as Indian forest land under paragraph (3), the Secretary concerned and the Indian tribe making the request shall—

“(A) provide for continued public access and recreation applicable to the Federal forest land as in existence prior to the agreement, except that the Secretary concerned may limit or prohibit that access only for the purpose of—

“(i) protecting human safety; or

“(ii) preventing harm to natural resources;

“(B) continue sharing revenue generated by the Federal forest land with State and local governments on the terms applicable to the Federal forest land prior to the agreement, including, as applicable—

“(i) 25-percent payments under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.); or

“(ii) 50-percent payments under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.);

“(C) comply with applicable prohibitions on the export of unprocessed logs harvested from the Federal forest land;

“(D) recognize all right-of-way agreements in place on Federal forest land as in existence prior to the commencement of tribal management activities;

“(E) ensure that any county road within the Federal forest land as in existence prior to the agreement is not adversely impacted; and

“(F) ensure that all commercial timber removed from the Federal forest land is sold on a competitive bid basis.

“(5) PROMPT CONSIDERATION OF TRIBAL REQUESTS.—Not later than 180 days after the date on which the Secretary receives a request from an Indian tribe under paragraph (3)(A), the Secretary shall—

“(A) approve or deny the request; and

“(B) if the Secretary approves the request, begin exercising the authority under that paragraph.

“(6) CONSULTATION.—To the extent consistent with the laws governing the administration of public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the Secretary concerned shall consult with each State and unit of local government within which Federal forest land is located—

“(A) before entering into an agreement to treat the Federal forest land as Indian forest land under paragraph (3); and

“(B) with respect to an agreement described in subparagraph (A), in planning and conducting forest land management activities under this section.

“(7) FOREST MANAGEMENT PLANS.—All forest land management activities under this subsection on National Forest System land shall be consistent with the applicable forest plan.

“(8) LIMITATIONS.—The treatment of Federal forest land as Indian forest land for purposes of planning and conducting management activities pursuant to paragraph (3)—

“(A) shall not be considered to designate the Federal forest land as Indian forest land for any other purpose; and

“(B) shall be in accordance with all relevant Federal laws applicable to Federal forest land, including—

“(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(iii) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

“(iv) the Clean Air Act (42 U.S.C. 7401 et seq.).

“(9) APPLICABILITY OF NEPA.—The execution of, but not the decision to enter into, an agreement to treat Federal forest land as Indian forest land under paragraph (3) shall constitute a Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

“(10) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 10 years after the date of enactment of this subsection.”.

(b) EFFECT.—Nothing in this section or an amendment made by this section—

(1) prohibits, restricts, or otherwise adversely affects any permit, lease, or similar agreement in effect on or after the date of enactment of this Act for the use of Federal land for the purpose of recreation, utilities, logging, mining, oil, gas, grazing, water rights, or any other purpose;

(2) negatively impacts private land; or

(3) prohibits, restricts, or otherwise adversely affects the authority, jurisdiction, or responsibility of a State to manage, control, or regulate under State law fish and wildlife on land or in water in the State, including on Federal public land.

SEC. 4. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

The Secretary of the Interior and the Secretary of Agriculture may carry out demonstration projects pursuant to which federally recognized Indian tribes or tribal organizations may enter into contracts to carry out administrative, management, and other functions under the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.), through

contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 5. FUNDING.

The Secretary of the Interior and the Secretary of Agriculture shall use to carry out this Act and amendments made by this Act such amounts as are necessary from other amounts available to the Secretary of the Interior or the Secretary of Agriculture, respectively, that are not otherwise obligated.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 479—URGING THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO COMPLY WITH CONSTITUTIONAL LIMITS ON PRESIDENTIAL TERMS AND FULFILL ITS CONSTITUTIONAL MANDATE FOR A DEMOCRATIC TRANSITION OF POWER IN 2016

Mr. MARKEY (for himself, Mr. DURBIN, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 479

Whereas the United States and the Democratic Republic of the Congo (“DRC”) have a history of partnership grounded in economic investment and mutual interests in security and stability, and marked by efforts to address the protracted humanitarian crisis facing the country;

Whereas in 2006, DRC adopted a new constitution with a provision limiting the President to 2 consecutive terms;

Whereas in 2006, Joseph Kabila was elected President in what was widely viewed as a free and fair election;

Whereas many respected international observers concluded that President Kabila’s reelection in 2011 was deeply flawed;

Whereas President Kabila’s second term and constitutional mandate to serve as President of DRC ends on December 19, 2016;

Whereas, for the past 2 years, President Kabila has used administrative and technical means to try to delay the presidential election, including—

(1) by trying unsuccessfully to persuade the Parliament of DRC—

(A) to change the Constitution of DRC to allow him to run for a third term; and

(B) to pass a law requiring a multiyear census in advance of the presidential election, which was widely seen as an attempt to delay elections to allow President Kabila to remain in power.

(2) by failing to pass timely election laws or release authorized election funding to the Independent National Elections Commission;

(3) by declaring that it will take the Government of DRC between 16 and 18 months to revise the voter rolls; and

(4) by enforcing nondemocratic and non-participatory restrictions that limit the ability of the political opposition to participate in the political process and the role of civil society in DRC;

Whereas mass popular demonstrations convinced President Kabila to drop efforts to pass a law requiring a census in January 2015, but not before security forces had killed at least 36 protesters and jailed hundreds more;

Whereas Congolese security and intelligence officials have arrested, harassed, and

detained peaceful activists, members of civil society, political leaders, and others who oppose President Kabila's effort to unconstitutionally remain in power after the expiration of his current term;

Whereas President Obama spoke with President Kabila on March 15, 2015, and "emphasized the importance of timely, credible, and peaceful elections that respect the Constitution of DRC and protect the rights of all DRC citizens";

Whereas observers view President Kabila's renewed call for a National Dialogue as another attempt to delay the elections and distract from the constitutional requirement for a democratic succession of the presidency later this year;

Whereas international and domestic human rights groups have consistently reported on the worsening of the human rights situation in DRC, including—

(1) the use of excessive force by security forces against peaceful demonstrators; and

(2) an increase in politically motivated trials;

Whereas the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo has registered more than 312 human rights violations committed by officials of the Government of DRC between January 2015 and January 2016, most of which targeted political opponents, civil society, and journalists;

Whereas the Government of DRC issued an arrest warrant for what appear to be politically motivated charges against a leading opposition figure the week after he declared his intent to run for President, and other political activists remain in jail;

Whereas on March 30, 2016, the United Nations Security Council unanimously adopted Resolution 2277, which—

(1) expresses deep concern with—

(A) "the delays in the preparation of the presidential elections" in DRC; and

(B) "increased restrictions of the political space in the DRC"; and

(2) calls for ensuring "the successful and timely holding of elections, in particular presidential and legislative elections on November 2016, in accordance with the Constitution";

Whereas President Kabila's refusal to publicly affirm that he will step down when his constitutional mandate expires has caused growing political tension, unrest, and violence across DRC: Now, therefore, be it

Resolved, That the Senate—

(1) condemns—

(A) actions by the Government of DRC to subvert the Constitution of DRC and undermine democracy, including the arrest and detention of civil society activists (such as Fred Bauma and Yves Makwambala), the harassment of political opponents, and its efforts to close political space and punish peaceful dissent;

(B) the failure of the Government of DRC to take timely necessary measures to organize free and fair national elections; and

(C) violations of human rights and international humanitarian law committed by security forces of the Government of DRC;

(2) reaffirms its support for democracy and good-governance in sub-Saharan Africa that are free from political repression and abuses of human rights;

(3) calls on President Kabila's government—

(A) to publicly and unequivocally commit to complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016; and

(B) to adhere to the Constitution of DRC and relinquish power at the end of his term on December 19, 2016;

(4) calls on the President of the United States—

(A) in coordination with regional and international partners and the United Nations, to impose targeted sanctions on those officials of the Government of DRC who are responsible for violence and human rights violations and undermining the democratic processes or institutions in DRC, including visa bans and asset freezes under Executive Order 13671 (79 Fed. Reg. 39947), based on actions that "undermine democratic processes or institutions," or that "threaten the peace, security, or stability" of DRC; and

(B) to consider lifting the sanctions described in subparagraph (A) when the President determines that—

(i) President Kabila—

(I) has publicly and unequivocally stated that he will complete a peaceful transfer of presidential power upon the expiration of his mandate on December 19, 2016;

(II) has made verified progress toward organizing and holding timely free and fair national elections in accordance with the Constitution of DRC; and

(III) is respecting human and political rights for the opposition and civil society; or

(ii) a free and fair presidential election has been held in DRC, in accordance with the Constitution of DRC, and a new President has been sworn into office in DRC;

(5) calls on the Secretary of State, the Secretary of Defense, and the Administrator of the United States Agency for International Development to review all United States assistance to DRC, including security and economic assistance, to ensure that such assistance is not being used to support President Kabila's efforts to remain in power; and

(6) calls on the Secretary of State and the Administrator of the United States Agency for International Development—

(A) to continue providing financial and technical assistance to support the organizing of free, fair, and peaceful national elections, and support the inclusion and civic education of youth, women, and rural populations; and

(B) to ensure the continuance of United States assistance that is delivered through national and international nongovernmental organizations, particularly assistance in support of improved democracy and governance and humanitarian needs.

SENATE RESOLUTION 480—SUPPORTING THE DESIGNATION OF MAY 2016 AS "MENTAL HEALTH MONTH"

Mr. CASSIDY (for himself, Mr. MURPHY, Mr. ALEXANDER, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 480

Whereas mental health and the emotional well-being of individuals in the United States are foundational issues that affect individual, family, and community quality of life and economic prosperity;

Whereas studies note that individuals with serious mental illness die, on average, 25 years earlier than individuals in the general population;

Whereas individuals with mental illness, behavioral health disorders, or co-occurring substance use disorders can recover through

treatment that includes psychosocial therapy, clinical treatment, and peer support, alone or in combination with behavioral, psychiatric, psychological, or integrated medical services;

Whereas prevention strategies can prevent or delay the onset of many mental health conditions;

Whereas recovery-oriented interventions such as supported employment, supported housing, and supported education have been shown to improve outcomes for individuals with mental illness;

Whereas mental illness impacts individuals across the United States and in every walk of life;

Whereas nearly 44,000,000 adults in the United States live with mental illness and 20 percent of children and adolescents have a diagnosable mental health disorder;

Whereas 1 in 25 individuals in the United States has lived with a serious mental illness, such as schizophrenia, bipolar disorder, or major depression;

Whereas approximately 1/2 of students age 14 or older with a mental illness drop out of school and 70 percent of adolescents in the juvenile justice system have a mental illness;

Whereas the average delay from the onset of symptoms of mental illness to therapeutic intervention for teens is between 8 and 10 years;

Whereas suicide is the 10th-leading cause of death in the United States and leads to the death of more than 41,000 individuals in the United States each year;

Whereas negative perception and stigma continue to be associated with mental illness, which contributes to individuals not seeking needed care;

Whereas nearly 15 percent of men and 31 percent of women in jails have a serious mental illness, such as schizophrenia, major depression, or bipolar disorder; and

Whereas it would be appropriate to observe May 2016 as "Mental Health Month": Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of "Mental Health Month" to reduce the stigma associated with mental illness and to encourage individuals to seek care;

(2) recognizes that mental well-being is critically important and linked to the well-being of individuals, communities, and the economy in the United States;

(3) supports the integration of national and local community efforts to promote public awareness of mental health and to support individuals and families affected by mental illness; and

(4) encourages the people of the United States to view "Mental Health Month" as a chance to promote mental health wellness, to ensure access to services, and to improve the quality of life of individuals living with mental illness.

SENATE RESOLUTION 481—RECOGNIZING THE SIGNIFICANCE OF MAY 2016 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH AND AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. REID, Mr. FRANKEN, Mr. CASEY, Mrs. MURRAY, Mr. KIRK, Mr. MENENDEZ, Mrs.

FEINSTEIN, Mr. SCHATZ, Mr. MARKEY, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. CARDIN, Mr. BROWN, Mr. Kaine, Mr. DURBIN, Mr. WYDEN, Mr. HELLER, Mr. GARDNER, Mr. BENNET, Ms. MURKOWSKI, Mr. BOOKER, Mr. SCHUMER, Ms. WARREN, and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 481

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian American and Pacific Islander community is an inherently diverse population, comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian American population grew at a faster rate than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, a growth rate that is 4 times the rate of the total population of the United States;

Whereas, according to the 2010 decennial census, there are approximately 17,300,000 residents of the United States who identify themselves as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests that the President issue an annual proclamation calling on the people of the United States to observe Asian/Pacific American Heritage Month with appropriate programs, ceremonies, and activities;

Whereas Asian Americans and Pacific Islanders, such as Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who as President Pro Tempore of the Senate was the highest-ranking Asian American government official in United States history, Dalip Singh Saund, the first Asian American elected to serve in Congress, Patsy T. Mink, the first woman of color and the first Asian American woman to be elected to Congress, Hiram L. Fong, the first Asian American Senator, Daniel K. Akaka, the first Senator of Native Hawaiian ancestry, Norman Y. Mineta, the first Asian American member of a presidential cabinet, Elaine L. Chao, the first Asian American woman member of a presidential cabinet, Mee Moua, the first Hmong American elected to a State legislature, and others have made significant contributions in both the Government and military of the United States;

Whereas the year 2016 marks several important milestones for the Asian American and Pacific Islander community, including—

(1) the 115th anniversary of the arrival of Peter Ryu, the first Korean immigrant in the United States;

(2) the 95th anniversary of the first premier in a United States film of an Asian American woman, Anna May Wong, in "Bits of Life";

(3) the 70th anniversary of the passage of the amendments made by the Act of July 2, 1946 (commonly known as the "Luce-Cellar Act of 1946") (60 Stat. 416, chapter 534), which allowed Filipinos and Indians to immigrate to the United States and become naturalized United States citizens;

(4) the 70th anniversary of the passage of the First Supplemental Surplus Appropriation Rescission Act of 1946 (60 Stat. 6, chapter 30), which stripped military benefits from Filipino World War II veterans in the service of the United States Armed Forces;

(5) the 60th anniversary of the election to the House of Representatives of Dalip Singh Saund, the first Asian American, first Indian American, and first Sikh American elected to Congress;

(6) the 40th anniversary of the election to the Senate of Dr. Samuel Ichiye Hayakawa, the first Asian American elected to the Senate from a mainland State;

(7) the 40th anniversary of Presidential Proclamation 4417, dated February 19, 1976 (41 Fed. Reg. 7741), in which President Gerald Ford formally rescinded Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) and condemned the incarceration of United States citizens and lawful permanent residents of Japanese ancestry during World War II;

(8) the 40th anniversary of the completion of the double-hulled voyaging canoe, Hokule'a, marking the first traditional Polynesian voyaging canoe built in Hawaii in over 600 years;

(9) the 30th anniversary of the granting of United States citizenship to the Chamorros and Carolinians of the Northern Mariana Islands; and

(10) the 20th anniversary of the election as the Governor of the State of Washington of Gary Locke, the first Asian American elected as a Governor of a mainland State;

Whereas, in 2016, family members of Filipino World War II veterans became eligible to apply for immigration benefits to come to the United States to be reunited with their aging Filipino veteran family members who are United States citizens and lawful permanent residents;

Whereas, in 2016, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 51 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2016, Asian Americans and Pacific Islanders are serving in State and territorial legislatures across the United States in record numbers, including the States of Alaska, Arizona, California, Colorado, Connecticut, Georgia, Hawaii, Idaho, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and the territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders doubled between 2001 and 2008 and more than tripled between 2009 and 2015, reflecting a commitment to diversity in the Federal judi-

ciary that has resulted in the confirmations of high-caliber Asian American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4237. Mr. INHOFE (for himself, Mr. DONNELLY, Mr. HATCH, Mr. KAINE, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4238. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4239. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4240. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4241. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4242. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4243. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4244. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4245. Mr. BROWN (for himself, Mr. DURBIN, Ms. WARREN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. FRANKEN, Mr. CARPER, Mr. MARKEY, Mr. MURPHY, Mr. REED, Mrs. BOXER, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4246. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4247. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4248. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4249. Ms. HEITKAMP (for herself and Mr. BOOZMAN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4250. Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4251. Mr. DAINES (for himself, Mr. TESTER, Mr. RUBIO, Mr. PORTMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4252. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4253. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4254. Mr. WYDEN (for himself, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4255. Mr. REID (for Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. BROWN, Mr. SANDERS, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, Mr. REED, and Mrs. BOXER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4256. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4257. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4258. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4259. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4260. Mr. DAINES (for himself, Mr. MCCAIN, Mr. CARDIN, Mrs. ERNST, Ms. MIKULSKI, Mr. BLUMENTHAL, Mr. GARDNER, Mr. BENNET, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4261. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4262. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4263. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4264. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4265. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4266. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4267. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4268. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4269. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4270. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4271. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4273. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4274. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4275. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4276. Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, Mr. ROUNDS, Mr. SASSE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4277. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4278. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4279. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4280. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4281. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4282. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4283. Mr. REID (for Mr. BLUMENTHAL (for himself and Mr. DURBIN)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4284. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4285. Mr. KIRK submitted an amendment intended to be proposed by him to the

bill S. 2943, supra; which was ordered to lie on the table.

SA 4286. Mr. CORNYN (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4287. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4288. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4289. Mr. CRUZ (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4290. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4291. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4292. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4293. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4294. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4295. Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. BOXER, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4296. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4297. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4298. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4299. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4300. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4301. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4302. Mr. DONNELLY (for himself, Mr. CRUZ, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4303. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4304. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4305. Mrs. MURRAY submitted an amendment intended to be proposed by her

to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4306. Mr. INHOFE (for himself, Mr. CRUZ, Mr. ROUNDS, Mr. COTTON, Mr. HATCH, Mr. TLLIS, Mr. RUBIO, Mr. MORAN, Mr. THUNE, Mr. ISAKSON, Mr. LANKFORD, Mr. SESSIONS, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4307. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4308. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4309. Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. KIRK, Mr. COONS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4310. Mrs. GILLIBRAND (for herself, Mr. S. BALDWIN, Mr. WYDEN, Mr. UDALL, Mr. KIRK, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. PAUL, Mr. BLUMENTHAL, Ms. STABENOW, Mr. HELLER, Mrs. BOXER, Ms. HIRONO, Mr. VITTER, Ms. KLOBUCHAR, Mr. BROWN, Ms. WARREN, Mr. LEAHY, Mr. DURBIN, Mr. DONNELLY, Mr. HEINRICH, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS, Mr. MERKLEY, Mr. FRANKEN, Mr. CRUZ, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BOOKER, Mr. SANDERS, Mr. CASEY, Mr. PETERS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4311. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4312. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4313. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4314. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4315. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4316. Mr. ROUNDS (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4317. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4318. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4319. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4320. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Mr. WYDEN, Mrs. BOXER, Mr.

TESTER, Mr. BLUMENTHAL, Mr. UDALL, Mr. MERKLEY, Mr. SANDERS, Mrs. MCCASKILL, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Ms. HIRONO, Mr. CARPER, Ms. HEITKAMP, Mr. COONS, Mr. BENNETT, Mr. BOOKER, Mrs. SHAHEEN, Mr. HEINRICH, Mr. PETERS, Mr. SCHUMER, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4321. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4322. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4323. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4324. Mr. SCOTT (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4325. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4326. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4327. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4328. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4329. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4330. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4331. Mr. UDALL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4332. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4333. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4334. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4335. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4336. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4337. Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4338. Mr. MCCAIN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4339. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4340. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4341. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4342. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4343. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4344. Mr. SULLIVAN (for himself, Mr. WARNER, Mr. CORNYN, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4345. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4346. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4347. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4348. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4349. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4352. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4353. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4354. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4355. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4356. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4357. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4358. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4359. Mr. LEAHY submitted an amendment intended to be proposed by him to the

bill S. 2943, supra; which was ordered to lie on the table.

SA 4360. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4361. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4362. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4363. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4364. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4365. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4366. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4367. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4368. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4369. Mr. DURBIN (for himself, Mr. COCHRAN, Mr. REID, Mr. BLUNT, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. FEINSTEIN, Ms. COLLINS, Mrs. MURRAY, Mr. CASEY, and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4370. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4371. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4237. Mr. INHOFE (for himself, Mr. DONNELLY, Mr. HATCH, Mr. KAINE, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 663. REPORT ON MODIFICATION OF BASIC ALLOWANCE FOR SUBSISTENCE IN LIGHT OF AUTHORITY FOR VARIABLE PRICING OF GOODS AT COMMISSARY STORES.

Not later than March 31, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of modifying the

amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of potential changes in prices of goods and services at commissary stores pursuant to the authority granted by the amendments made by section 661. The report shall include the following:

(1) An assessment of the potential for increases in prices of goods and services at commissary stores by reason of such authority, set forth by locality.

(2) An assessment of the feasibility and advisability of modifications in the amounts payable for basic allowance for subsistence in light of such potential increases in prices, including paying basic allowance for subsistence at different rates in different locations.

SA 4238. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1236. PROHIBITION ON ENTRY INTO CONTRACTS WITH ENTITIES THAT HAVE CONTRIBUTED TO THE VIOLATION BY THE RUSSIAN FEDERATION OF THE INTERMEDIATE-RANGE NUCLEAR FORCES TREATY.

(a) PROHIBITION.—

(1) IN GENERAL.—No funds authorized to be appropriated or otherwise made available for a department or agency of the United States Government for a fiscal year after fiscal year 2016 may be used to enter into a contract with a person or entity that the Secretary of State determines has materially contributed to any violation of the Intermediate-Range Nuclear Forces (INF) Treaty by the Russian Federation during the last calendar year ending before the calendar year in which such fiscal year begins.

(2) DETERMINATIONS.—Any determination made by the Secretary for purposes of paragraph (1) shall be made in connection with the preparation by the Secretary of the annual report on arms control, nonproliferation, and disarmament pursuant to section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a).

(b) WAIVER.—

(1) IN GENERAL.—The President may waive the prohibition in subsection (a)(1) with respect to entry into any particular contract if the President determines that the waiver is in the national security interest of the United States.

(2) REPORT.—The President shall submit to the appropriate committees of Congress a report on any waiver made under this subsection.

(c) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “Intermediate-Range Nuclear Forces (INF) Treaty” means the Treaty Between the United States of America and the

Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington, December 8, 1987, and entered into force June 1, 1988.

SA 4239. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I title X, add the following:

SEC. 807. ENSURING GRANTS ARE IN SUPPORT OF NATIONAL SECURITY.

The Secretary of Defense shall establish and implement a policy that will ensure that all grants issued by the Department of Defense are in support of national security.

SA 4240. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. REPORT ON FEASIBILITY AND ADVISABILITY OF ALIGNMENT OF PRESCRIPTION DRUG BUYING PROGRAMS OF THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than January 31, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the feasibility and advisability of aligning the structure, statutory parameters, and regulatory guidance for prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs to increase buying power and reduce costs.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the feasibility, advisability, costs, and benefits of aligning the prescription drug buying programs of the Department of Defense and the Department of Veterans Affairs; and

(2) a timeline to implement such alignment.

SA 4241. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. PROHIBITION ON USE OF FUNDS FOR LONG-RANGE STANDOFF WEAPON OR W80 WARHEAD LIFE EXTENSION PROGRAM.

Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2017 for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of the long-range standoff weapon or for the W80 warhead life extension program.

SA 4242. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. NOTIFICATION TO SMALL BUSINESS CONCERNS REGARDING PROCUREMENT TECHNICAL ASSISTANCE CENTERS.

Section 2418 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d)(1) The Secretary of Defense, in partnership with eligible entities and the Administrator of General Services, shall notify small business concerns that have successfully registered in the System for Award Management referenced in subpart 4.11 of the Federal Acquisition Regulation that once their registration is complete free procurement technical assistance is available pursuant to procurement technical assistance cooperative agreements.

“(2) In this subsection, the term ‘small business concern’ has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).”.

SA 4243. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1231 and insert the following:

SEC. 1231. EXTENSION AND ENHANCEMENT OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) **FUNDING.**—Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1068) is amended—

(1) in subsection (a), by striking “Of the amounts” and all that follows through “shall be available to” and inserting “Amounts available for a fiscal year under subsection (f) shall be available to”;

(2) by redesignating subsection (f) as subsection (h); and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) **FUNDING.**—From amounts authorized to be appropriated for the fiscal year concerned for the Department of Defense for

overseas contingency operations, the following shall be available for purposes of subsection (a):

“(1) For fiscal year 2016, \$300,000,000.

“(2) For fiscal year 2017, \$500,000,000.”.

(b) **ADDITIONAL AUTHORIZED ASSISTANCE.**—Subsection (b) of such section is amended—

(1) in paragraph (2), by striking “and small arms and ammunition” and inserting “small arms and ammunition, and air defense weapon systems”; and

(2) by adding at the end the following new paragraphs:

“(10) Equipment and technical assistance to the State Border Guard Service of Ukraine for the purpose of developing a comprehensive border surveillance network for Ukraine.

“(11) Training for staff officers and senior leadership of the military.

“(12) Air defense and coastal defense radars.”.

(c) **AVAILABILITY OF FUNDS.**—Subsection (c) of such section is amended—

(1) in paragraph (1), by inserting “for a fiscal year” after “pursuant to subsection (a)”;

(2) in paragraph (2), by striking “pursuant to subsection (a)” and all that follows and inserting “pursuant to subsection (a) for a fiscal year, the amount as follows shall be available only for lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) in that fiscal year:

“(A) In fiscal year 2016, \$50,000,000.

“(B) In fiscal year 2017, \$150,000,000;”.

(3) in paragraph (3)—

(A) in the paragraph heading, by striking “OTHER PURPOSES” and inserting “AVAILABILITY FOR NON-UKRAINE PURPOSES OF CERTAIN AMOUNT OTHERWISE AVAILABLE FOR UKRAINE DEFENSIVE LETHAL ASSISTANCE”;;

(B) in the matter preceding subparagraph (A), by striking the first sentence and inserting the following new sentence: “Subject to paragraph (5), the amount described in paragraph (2)(B) for fiscal year 2017 shall be available for purposes other than assistance and support described in subsection (a) commencing on the date that is 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 if the Secretary of Defense, with the concurrence of the Secretary of State, determines that the use of such amount for lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) is not in the national security interests of the United States.”; and

(C) in subparagraph (B), by striking “or the Government of Ukraine”; and

(4) by adding at the end the following new paragraphs:

“(4) **AVAILABILITY FOR NON-UKRAINE PURPOSES OF CERTAIN AMOUNT OTHERWISE AVAILABLE FOR UKRAINE GENERALLY.**—

“(A) **IN GENERAL.**—If the certification described in subparagraph (B) is not made to the congressional defense committees by the end of the 90-day period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, commencing as of the end of that period \$250,000,000 of the amount available for this section for fiscal year 2017 under subsection (f) shall be available in accordance with paragraph (5)(B).

“(B) **CERTIFICATION.**—A certification described in this subparagraph is a certification by the Secretary of Defense, in coordination with the Secretary of State, that the Government of Ukraine has taken substantial actions to make defense institutional reforms in such areas as civilian control of the military, cooperation and coordi-

nation with Verkhovna Rada efforts to exercise oversight of the Ministry of Defense and military forces, increased transparency and accountability in defense procurement, and improvement in transparency, accountability, and potential opportunities for privatization in the defense industrial sector. The purpose of these defense institutional reforms is to decrease corruption, increase accountability, and sustain improvements of combat capability enabled by such international security assistance. The certification shall include an assessment of the substantial actions taken to make such defense institutional reforms and the areas in which additional action is needed.

“(5) **USE.**—In the event funds described in paragraph (2)(B) are not used in fiscal year 2017 for defensive lethal and critical assistance described in paragraphs (2) and (3) of subsection (b) by reason of a determination under paragraph (3), and funds described in paragraph (4) are not available under that paragraph in that fiscal year by reason of the lack of a certification described in paragraph (4)(B), of the amount available for this section under subsection (f) for fiscal year 2017—

“(A) \$250,000,000 may be used for assistance and support described in subsection (a) for the Government of Ukraine; and

“(B) \$250,000,000 may be used for purposes described in paragraph (3), of which not more than \$150,000,000 may be used for such purposes for a particular foreign country.

“(6) **NOTICE TO CONGRESS.**—Not later than 15 days before providing assistance or training under paragraph (3), (4), or (5), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a notification containing the following:

“(A) The recipient foreign country.

“(B) A detailed description of the assistance or training to be provided, including—

“(i) the objectives of such assistance or training;

“(ii) the budget for such assistance or training; and

“(iii) the expected or estimated timeline for delivery of such assistance or training.

“(C) Such other matters as the Secretary considers appropriate.”.

(d) **CONSTRUCTION WITH OTHER AUTHORITY.**—Such section is further amended by inserting after subsection (f), as amended by subsection (a)(3) of this section, the following new subsection (g):

“(g) **CONSTRUCTION WITH OTHER AUTHORITY.**—The authority to provide assistance and support pursuant to subsection (a), and the authority to provide assistance and training support under subsection (c), is in addition to authority to provide assistance and support under title 10, United States Code, the Foreign Assistance Act of 1961, the Arms Export Control Act, or any other provision of law.”.

(e) **EXTENSION.**—Subsection (h) of such section, as redesignated by subsection (a)(2) of this section, is amended by striking “December 31, 2017” and inserting “December 31, 2019”.

(f) **EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.**—Section 1275(e) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3592), as amended by section 1250(g) of the National Defense Authorization Act for Fiscal Year 2016, is further amended by striking “December 31, 2017” and inserting “December 31, 2020”.

SA 4244. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CYBERSECURITY TRANSPARENCY.

(a) **DEFINITIONS.**—In this section—

(1) the term “Commission” means the Securities and Exchange Commission;

(2) the term “cybersecurity threat”—

(A) means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system; and

(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

(3) the term “information system”—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers;

(4) the term “issuer” has the meaning given the term in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c); and

(5) the term “reporting company” means any company that is an issuer—

(A) the securities of which are registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

(b) **REQUIREMENT TO ISSUE RULES.**—Not later than 360 days after the date of enactment of this Act, the Commission shall issue final rules to require each reporting company, in the annual report submitted under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)) or the annual proxy statement submitted under section 14(a) of such Act (15 U.S.C. 78n(a))—

(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other cybersecurity steps taken by the reporting company were taken into account by such persons responsible for identifying and evaluating nominees for any member of the governing body, such as a nominating committee.

(c) **CYBERSECURITY EXPERTISE OR EXPERIENCE.**—For purposes of subsection (b), the Commission, in coordination with the National Institute of Standards and Technology, shall define what constitutes expertise or experience in cybersecurity, such as professional qualifications to administer information security program functions or experience detecting, preventing, mitigating, or addressing cybersecurity threats.

SA 4245. Mr. BROWN (for himself, Mr. DURBIN, Ms. WARREN, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. FRANKEN, Mr. CARPER, Mr. MARKEY, Mr. MURPHY, Mr. REED, Mrs. BOXER, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 563.

SA 4246. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (in this section referred to as the “Campus”).

(b) **LEASES DESCRIBED.**—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (in this section referred to as “The Regents”), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of

The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) **LIMITATION ON LAND-SHARING AGREEMENTS.**—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) **REVENUES FROM LEASES AT THE CAMPUS.**—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) **EASEMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) **IMPROVEMENTS.**—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) **TERMINATION.**—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or non-use of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) **PROHIBITION ON SALE OF PROPERTY.**—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) **CONSISTENCY WITH MASTER PLAN.**—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) **COMPLIANCE WITH CERTAIN LAWS.**—

(1) **LAWS RELATING TO LEASES AND LAND USE.**—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) **COMPLIANCE OF PARTICULAR LEASES.**—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) **COMMUNITY VETERANS ENGAGEMENT BOARD.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the "Board") for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) **MEMBERS.**—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) **COMMUNITY INPUT.**—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) **NOTIFICATION AND REPORTS.**—

(1) **CONGRESSIONAL NOTIFICATION.**—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the

lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) **INSPECTOR GENERAL REPORT.**—

(A) **IN GENERAL.**—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) **CONSIDERATION OF ANNUAL REPORT.**—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) **PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.**—In this section the term "principally benefit veterans and their families", with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) **CONFORMING AMENDMENTS.**—

(1) **PROHIBITION ON DISPOSAL OF PROPERTY.**—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 2272) is amended by striking "The Secretary of Veterans Affairs" and inserting "Except as authorized under section 1097 of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs".

(2) **ENHANCED-USE LEASES.**—Section 8162(c) of title 38, United States Code, is amended by inserting "other than an enhanced-use

lease under section 1097 of the National Defense Authorization Act for Fiscal Year 2017," before "shall be considered".

SA 4247. Mr. DAINES (for himself, Mr. HOEVEN, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIELDS.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH-1N helicopter, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH-1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the decision relating to a request for forces required by paragraph (1); and

(3) if the Chairman determines the implementation of the decision to be warranted to mitigate any risk posed to the nuclear forces of the United States—

(A) not later than 60 days after such date of enactment, implement that decision; or

(B) if the Secretary cannot implement that decision during the period specified in subparagraph (A), not later than 45 days after such date of enactment, submit to Congress a report that includes a proposal for the date by which the Secretary can implement that decision and a plan to carry out that proposal.

SA 4248. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 809, after line 24, add the following:

(5) a description of installations from which the Armed Forces may conduct communications and domain awareness activities in support of Arctic security missions; and

(6) a description of efforts to promote military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities.

On page 810, between lines 16 and 17, insert the following:

(f) **OTHER INSTALLATIONS.**—Nothing in this section may be construed to limit the authority of the Department of Defense to use existing infrastructure in support of Arctic

domain awareness or to pursue military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities.

SA 4249. Ms. HEITKAMP (for herself and Mr. BOOZMAN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. FINANCING OF SALES OF AGRICULTURAL COMMODITIES TO CUBA.

(a) IN GENERAL.—Notwithstanding any other provision of law (other than section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207), as amended by subsection (c)), a person subject to the jurisdiction of the United States may provide payment or financing terms for sales of agricultural commodities to Cuba or an individual or entity in Cuba.

(b) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(2) FINANCING.—The term “financing” includes any loan or extension of credit.

(c) CONFORMING AMENDMENTS.—Section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207) is amended—

(1) in the section heading, by striking “AND FINANCING”;

(2) by striking subsection (b);

(3) in subsection (a)—

(A) by striking “PROHIBITION” and all that follows through “(1) IN GENERAL.—Notwithstanding” and inserting “IN GENERAL.—Notwithstanding”;

(B) by redesignating paragraphs (2) and (3) as subsections (b) and (c), respectively, and by moving those subsections, as so redesignated, 2 ems to the left; and

(4) by striking “paragraph (1)” each place it appears and inserting “subsection (a)”.

SA 4250. Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. MODIFICATION OF PROTECTION FOR AFGHAN ALLIES.

(a) NUMERICAL LIMITATIONS.—Subparagraph (F) of section 602(b)(3) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking “2015, 2016, AND 2017” and inserting “2015, 2016, 2017, AND 2018”;

(2) in the matter preceding clause (i)—

(A) by striking “exhausted,” and inserting “exhausted,”; and

(B) by striking “7,000” and inserting “11,000”;

(3) in clause (i), by striking “December 31, 2016;” and inserting “December 31, 2017;”; and

(4) in clause (ii), by striking “December 31, 2016;” and inserting “December 31, 2017;”.

(b) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end the following:

“(17) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—

“(A) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 or March 1, 2018, whichever is earlier, the Secretary of Defense and Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit to the appropriate committees of Congress a report detailing a strategy for bringing the program under this title to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2019, or as soon thereafter as practicable consistent with the national security interests of the United States.

“(B) CONTENT.—The report required by subparagraph (A) shall address, at a minimum, the following:

“(i) The number of visas that would be required to meet existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan.

“(ii) An estimate of how long such visas should remain available.

“(iii) A assessment of whether other existing programs would be adequate to incentivize the continued recruitment, retention, and protection of critical Afghan employees, after the program under this title expires.

“(iv) A description of potential alternative programs that could be considered if existing programs are inadequate.”.

SA 4251. Mr. DAINES (for himself, Mr. TESTER, Mr. RUBIO, Mr. PORTMAN, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. REPEAL OF AUTHORITY OF THE PRESIDENT TO DETERMINE AN ALTERNATIVE ANNUAL PAY ADJUSTMENT FOR MEMBERS OF THE UNIFORMED SERVICES BASED ON SERIOUS ECONOMIC CONDITIONS.

Section 1009(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking “or serious economic conditions affecting the general welfare”;

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SA 4252. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REVIEW AND UPDATE OF GUIDANCE REGARDING SECURITY CLEARANCES FOR CERTAIN SENATE EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term “covered committee of the Senate” means—

(A) the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Subcommittee on Defense of the Committee on Appropriations of the Senate;

(D) the Subcommittee on State, Foreign Operations, and Related Programs of the Committee on Appropriations of the Senate;

(E) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(F) the Committee on the Judiciary of the Senate;

(2) the term “covered Member of the Senate” means a Member of the Senate who serves on a covered committee of the Senate; and

(3) the term “Senate employee” means an employee whose pay is disbursed by the Secretary of the Senate.

(b) REVIEW OF PROCEDURES.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Director of Senate Security, in coordination with the Director of National Intelligence and the Chairperson of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), shall—

(A) conduct a review of whether procedures in effect enable 1 Senate employee designated by each covered Member of the Senate to obtain security clearances necessary for access to classified national security information, including top secret and sensitive compartmentalized information, if the Senate employee meets the criteria for such clearances; and

(B) if the Director of Senate Security, in coordination with the Director of National Intelligence and the Chairperson of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), determines the procedures described in subparagraph (A) are inadequate, issue guidelines on the establishment and implementation of such procedures.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of Senate Security shall submit to each covered committee of the Senate a report regarding the review conducted under paragraph (1)(A) and guidance, if any, issued under paragraph (1)(B).

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

(1) the rule of the Information Security Oversight Office implementing Standard Form 312, which Members of Congress sign in order to be permitted to access classified information;

(2) the requirement that Members of the Senate satisfy the “need-to-know” requirement to access classified information;

(3) the scope of the jurisdiction of any committee or subcommittee of the Senate; or

(4) the inherent authority of the executive branch of the Government, the Office of Senate Security, any Committee of the Senate, or the Department of Defense to determine recipients of all classified information.

SA 4253. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION F—SBIR AND STTR
REAUTHORIZATION AND IMPROVEMENTS
SEC. 6001. SHORT TITLE.**

This division may be cited as the “SBIR and STTR Reauthorization and Improvement Act of 2016”.

**TITLE LXI—REAUTHORIZATION OF
PROGRAMS**

**SEC. 6101. PERMANENCY OF SBIR PROGRAM AND
STTR PROGRAM.**

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking “TERMINATION” and inserting “SBIR PROGRAM AUTHORIZATION”; and

(2) by striking “terminate on September 30, 2017” and inserting “be in effect for each fiscal year”.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking “through fiscal year 2017”.

**TITLE LXII—ENHANCED SMALL BUSINESS
ACCESS TO FEDERAL INNOVATION IN-
VESTMENTS**

**SEC. 6201. ALLOCATION INCREASES AND TRANS-
PARENCY IN BASE CALCULATION.**

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “expend” and inserting “obligate for expenditure”; and

(B) in subparagraph (H), by striking “and” at the end;

(C) in subparagraph (I), by striking “and each fiscal year thereafter,” and inserting a semicolon; and

(D) by inserting after subparagraph (I) the following:

“(J) for a Federal agency other than the Department of Defense—

“(i) not less than 3.5 percent of the extramural budget for research or research and development of the Federal agency in each of fiscal years 2018 and 2019;

“(ii) not less than 4 percent of such extramural budget in each of fiscal years 2020 and 2021;

“(iii) not less than 4.5 percent of such extramural budget in each of fiscal years 2022 and 2023;

“(iv) not less than 5 percent of such extramural budget in each of fiscal years 2024 and 2025;

“(v) not less than 5.5 percent of such extramural budget in each of fiscal years 2026 and 2027; and

“(vi) not less than 6 percent of such extramural budget in fiscal year 2028 and each fiscal year thereafter; and

“(K) for the Department of Defense—

“(i) not less than 2.5 percent of the budget for research, development, test, and evaluation of the Department of Defense in each of fiscal years 2018 and 2019;

“(ii) not less than 3 percent of such budget in each of fiscal years 2020 and 2021;

“(iii) not less than 3.5 percent of such budget in each of fiscal years 2022 and 2023;

“(iv) not less than 4 percent of such budget in each of fiscal years 2024 and 2025;

“(v) not less than 4.5 percent of such budget in each of fiscal years 2026 and 2027; and

“(vi) not less than 5 percent of such budget in fiscal year 2028 and each fiscal year thereafter;”;

(2) in paragraph (2)(B), by inserting “(or for the Department of Defense, an amount of the budget for basic research of the Department of Defense)” after “research”; and

(3) in paragraph (4), by inserting “(or for the Department of Defense an amount of the budget for research, development, test, and evaluation of the Department of Defense)” after “of the agency”.

(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking “expend” and inserting “obligate for expenditure”; and

(B) by striking “not less than the percentage of that extramural budget specified in subparagraph (B)” and inserting “for a Federal agency other than the Department of Defense, not less than the percentage of that extramural budget specified in subparagraph (B) and, for the Department of Defense, not less than the percentage of the budget for research, development, test, and evaluation of the Department of Defense specified in subparagraph (B)”

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking “the extramural budget required to be expended by an agency” and inserting “the extramural budget, for a Federal agency other than the Department of Defense, and of the budget for research, development, test, and evaluation, for the Department of Defense, required to be obligated for expenditure with small business concerns”; and

(B) in clause (iv), by striking “and” at the end;

(C) in clause (v), by striking “fiscal year 2016 and each fiscal year thereafter,” and inserting “each of fiscal years 2016 and 2017;”;

(D) by adding at the end the following:

“(vi) 0.55 percent for each of fiscal years 2018 and 2019;

“(vii) 0.65 percent for each of fiscal years 2020 and 2021;

“(viii) 0.75 percent for each of fiscal years 2022 and 2023; and

“(ix) 1 percent for fiscal year 2024 and each fiscal year thereafter.”.

**SEC. 6202. REGULAR OVERSIGHT OF AWARD
AMOUNTS.**

(a) ELIMINATION OF AUTOMATIC INFLATION ADJUSTMENTS.—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended—

(1) in paragraph (2)(D), by inserting “through fiscal year 2016” after “every year”; and

(2) by adding at the end the following:

“(4) 2016 MODIFICATIONS FOR DOLLAR VALUE OF AWARDS.—Not later than 120 days after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Administrator shall modify the pol-

icy directives issued under this subsection to—

“(A) eliminate the annual adjustments for inflation of the dollar value of awards described in paragraph (2)(D); and

“(B) clarify that Congress intends to review the dollar value of awards every 3 fiscal years.”.

(b) SENSE OF CONGRESS REGARDING REGULAR REVIEW OF THE AWARD SIZES.—It is the sense of Congress that for fiscal year 2019, and every third fiscal year thereafter, Congress should evaluate whether the maximum award sizes under the Small Business Innovation Research Program and the Small Business Technology Transfer Program under section 9 of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under subsection (j) of such section.

(c) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the end the following:

“(3) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (aa).

“(4) CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency.”.

**TITLE LXIII—COMMERCIALIZATION
IMPROVEMENTS**

**SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR
CIVILIAN AGENCIES.**

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking “PILOT PROGRAM” and inserting “COMMERCIALIZATION DEVELOPMENT AWARDS”; and

(2) by striking paragraphs (2), (7), and (8);

(3) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively;

(4) by adding at the end the following:

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘commercialization development program’ means a program established by a covered Federal agency under paragraph (1); and

“(B) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense.”; and

(5) by striking “pilot program” each place it appears and inserting “commercialization development program”.

**SEC. 6302. ENFORCEMENT OF NATIONAL SMALL
BUSINESS GOAL FOR FEDERAL RE-
SEARCH AND DEVELOPMENT.**

Section 9(h) of the Small Business Act (15 U.S.C. 638(h)) is amended by inserting “, which may not be less than 10 percent for fiscal year 2018, and each fiscal year thereafter,” after “shall establish goals”.

**SEC. 6303. TRACKING RAPID INNOVATION FUND
AWARDS IN ANNUAL CONGRES-
SIONAL REPORT.**

Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended—

(1) in subparagraph (F), by striking “and” at the end;

(2) in subparagraph (G), by adding “and” at the end; and

(3) by adding at the end the following:

“(H) information regarding awards under the Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4366; 10 U.S.C. 2359 note), including—

“(i) the number and dollar amount of awards made under the Rapid Innovation Program to business concerns receiving an award under the SBIR program or the STTR program;

“(ii) the proportion of awards under the Rapid Innovation Program made to business concerns receiving an award under the SBIR program or the STTR program;

“(iii) the proportion of awards under the Rapid Innovation Program made to small business concerns; and

“(iv) a projection of the effect on the number of awards under the Rapid Innovation Program if amounts to carry out the program were made available as a fixed allocation of the amount appropriated to the Department of Defense for research, development, test, and evaluation, excluding amounts appropriated for the defense universities.”.

SEC. 6304. INTELLECTUAL PROPERTY PROTECTION FOR TECHNOLOGY DEVELOPMENT.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(tt) INTELLECTUAL PROPERTY PROTECTIONS.—

“(1) IN GENERAL.—Subject to paragraph (2)(B), the cost of seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under an SBIR or STTR award is allowable as an indirect cost under that award.

“(2) CLARIFICATION OF PATENT COSTS.—

“(A) IN GENERAL.—A Federal agency shall not directly or indirectly inhibit, through the policies, directives, or practices of the Federal agency, an otherwise eligible small business concern performing under an SBIR or STTR award from recovering patent costs incurred as requirements under that award, including—

“(i) the costs of preparing—

“(I) invention disclosures;

“(II) reports; and

“(III) other documents;

“(ii) the costs for searching the art to the extent necessary to make the invention disclosures;

“(iii) other costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is to be conveyed to the Federal Government; and

“(iv) general counseling services relating to patent matters, including advice on patent laws, regulations, clauses, and employee agreements.

“(B) RECOVERY LIMITATIONS.—After consultation with contracting or auditing authorities, the patent costs described in subparagraph (A) shall be allowable for technology developed under a—

“(i) Phase I award, as indirect costs in an amount not greater than \$5,000;

“(ii) Phase II award, as indirect costs in an amount not greater than \$15,000; and

“(iii) Phase III award in which the Federal Government has government purpose rights (as defined in section 227.7103-5 of title 48, Code of Federal Regulations).”.

SEC. 6305. ANNUAL GAO AUDIT OF COMPLIANCE WITH COMMERCIALIZATION GOALS.

Section 9(nn) of the Small Business Act (15 U.S.C. 638(nn)) is amended to read as follows:

“(nn) ANNUAL GAO REPORT ON GOVERNMENT COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREFERENCE.—Not later than 1 year after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, and every year thereafter until the date that is 5 years after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that—

“(1) discusses the status of the compliance of Federal agencies with the requirements or authorities established under—

“(A) subsection (h), relating to the establishment by certain Federal agencies of a goal for funding agreements for research and research and development with small business concerns;

“(B) subsection (y)(5)(A), relating to the requirement for the Department of Defense to establish goals for the transition of Phase III technologies in subcontracting plans;

“(C) subsection (y)(5)(B), relating to the requirement for the Department of Defense to establish procedures for a prime contractor to report the number and dollar amount of contracts with small business concerns for Phase III SBIR projects or STTR projects of the prime contractor; and

“(D) subsection (y)(6), relating to the requirement for the Department of Defense to set a goal to increase the number of Phase II SBIR and STTR contracts that transition into programs of record or fielded systems;

“(2) includes, for a Federal agency that is in compliance with a requirement described under paragraph (1), a description of how the Federal agency achieved compliance; and

“(3) includes a list, organized by Federal agency, of small business concerns that have asserted that—

“(A) the Government or prime contractor—

“(i) did not protect the intellectual property of the small business concern in accordance with data rights under the SBIR or STTR award; or

“(ii) issued a Phase III SBIR or STTR award conditional on relinquishing data rights;

“(B) the Federal agency solicited bids for a contract, or provided funding to an entity other than the small business concern receiving the SBIR or STTR award, that was for work that derived from, extended, or completed efforts made under prior funding agreements under the SBIR program or STTR program;

“(C) the Government or prime contractor did not comply with the SBIR and STTR policy directives and the small business concern filed a comment or complaint to the Office of the National Ombudsman or appealed to the Administrator for intervention; or

“(D) the Federal agency did not comply with subsection (g)(12) or (o)(16) requiring timely notice to the Administrator of any case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program of the Federal agency.”.

SEC. 6306. CLARIFYING THE PHASE III PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (2) as paragraph (4), and transferring such paragraph to after paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) PHASE III AWARD DIRECTION FOR AGENCIES AND PRIME CONTRACTORS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards and awards under the Defense Research and Development Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4366; 10 U.S.C. 2359 note), to the SBIR and STTR award recipients that developed the technology.”.

SEC. 6307. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in the subsection heading, by inserting “AND BUSINESS” after “TECHNICAL”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a vendor selected under paragraph (2)” and inserting “1 or more vendors selected under paragraph (2)(A)”;

(ii) by inserting “and business” before “assistance services”; and

(iii) by inserting “assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans,” after “technologies.”; and

(B) in subparagraph (D), by inserting “, including intellectual property protections” before the period at the end;

(3) in paragraph (2)—

(A) by striking “Each agency may select a vendor to assist small business concerns to meet” and inserting the following:

“(A) IN GENERAL.—Each agency may select 1 or more vendors from which small business concerns may obtain assistance in meeting”; and

(B) by adding at the end the following:

“(B) SELECTION BY SMALL BUSINESS CONCERN.—A small business concern may, by contract or otherwise, select 1 or more vendors to assist the small business concern in meeting the goals listed in paragraph (1).”; and

(4) in paragraph (3)—

(A) by inserting “(A)” after “paragraph (2)” each place it appears;

(B) in subparagraph (A), by striking “\$5,000 per year” each place it appears and inserting “\$6,500 per project”;

(C) in subparagraph (B)—

(i) by striking “\$5,000 per year” each place it appears and inserting “\$35,000 per project”; and

(ii) in clause (ii), by striking “which shall be in addition to the amount of the recipient’s award” and inserting “which may, as determined appropriate by the head of the Federal agency, be included as part of the recipient’s award or be in addition to the amount of the recipient’s award”;

(D) in subparagraph (C)—

(i) by inserting “or business” after “technical”;

(ii) by striking “the vendor” and inserting “a vendor”; and

(iii) by adding at the end the following: “Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates or accelerates the commercialization of technologies or assists in the creation and growth of private enterprises that are commercializing technology.”;

(E) in subparagraph (D)—

(i) by inserting “or business” after “technical” each place it appears; and

(ii) in clause (i)—

(I) by striking “the vendor” and inserting “1 or more vendors”; and

(II) by striking “provides” and inserting “provide”; and

(F) by adding at the end the following:

“(E) MULTIPLE AWARD RECIPIENTS.—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.”.

TITLE LXIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “2017” and inserting “2021”;
(ii) in subparagraph (I), by striking “and” at the end;

(iii) in subparagraph (J), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.”; and

(B) by adding at the end the following:

“(7) SBIR AND STTR PROGRAMS; FAST PROGRAM.—

“(A) DEFINITION.—In this paragraph, the term ‘covered Federal agency’ means a Federal agency that—

“(i) is required to conduct an SBIR program; and

“(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

“(B) REQUIREMENT.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

“(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu);

“(ii) for the Federal and State Technology Partnership Program established under section 34; and

“(iii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the programs described in clauses (i) and (ii).

“(8) PILOT PROGRAM.—

“(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than \$5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu) for each fiscal year in which the program is in effect.

“(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out clauses (ii) and (iii) of paragraph (7)(B) after providing written notice to—

“(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.”; and

(2) by adding after subsection (tt), as added by section 6304 of this Act, the following:

“(uu) REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a research institution; and

“(ii) a small business concern;

“(B) the term ‘eligible State’ means—

“(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

“(D) the term ‘FAST program’ means the Federal and State Technology Partnership Program established under section 34;

“(E) the term ‘pilot program’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

“(F) the term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(G) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

“(3) GOALS.—The goals of the pilot program are—

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

“(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) APPLICATION.—

“(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A)—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

“(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

“(5) LEAD ELIGIBLE ENTITY.—

“(A) IN GENERAL.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

“(B) AUTHORIZATION BY GOVERNOR.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

“(C) RESPONSIBILITIES.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

“(6) REGIONAL COLLABORATIVE COORDINATOR.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

“(7) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

“(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

“(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

“(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

“(D) conduct focused and concentrated outreach efforts to increase participation in

the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

“(E) administer a structured program of training and technical assistance—

“(i) to prepare applicants for an award under the SBIR program or the STTR program—

“(I) to compete more effectively for Phase I and Phase II awards; and

“(II) to develop and implement a successful commercialization plan;

“(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(iv) to assist first-time applicants by providing small grants for proof of concept research; and

“(F) assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) AWARD AMOUNT.—

“(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than \$300,000 to carry out the activities described in paragraph (7).

“(B) LIMITATION.—

“(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

“(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

“(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

“(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(A) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

“(B) an assessment of the best practices, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

“(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.”.

SEC. 6402. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking “2001 through 2005” and inserting “2017 through 2021”; and

(B) in paragraph (2), by striking “fiscal years 2001 through 2005” and inserting “each of fiscal years 2017 through 2021”; and

(2) in subsection (i), by striking “September 30, 2005” and inserting “September 30, 2021”.

TITLE LXV—OVERSIGHT AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA MODERNIZATION SUMMIT.

(a) DEFINITIONS.—In this section—

(1) the term “Administration” means the Small Business Administration;

(2) the term “Committee” means the SBIR and STTR Interagency Policy Committee established under subsection (b);

(3) the terms “Federal agency”, “SBIR”, and “STTR” have the meanings given such terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(4) the term “participating Federal agency” means a Federal agency with an SBIR program or an STTR program;

(5) the term “phase” means Phase I, Phase II, and Phase III, as those terms are defined under section 9(e) of the Small Business Act (15 U.S.C. 638(e)); and

(6) the term “small business concern” has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) ESTABLISHMENT.—There is established an interagency committee to be known as the “SBIR and STTR Interagency Policy Committee”.

(c) MEMBERSHIP.—The Committee shall include—

(1) 2 representatives from each participating Federal agency, of which—

(A) 1 shall have expertise with respect to the SBIR program and STTR program of the Federal agency; and

(B) 1 shall have expertise with respect to the information technology systems of the Federal agency; and

(2) 2 representatives from the Administration, of which—

(A) 1 shall serve as chairperson of the Committee; and

(B) 1 shall be from the Information Technology Development Team of the Office of Investment and Innovation of the Administration.

(d) DUTIES.—The Committee shall review the recommendations made in the report to Congress by the Office of Science and Technology of the Administration entitled “SBIR/STTR TechNet Public & Government Databases”, dated September 15, 2014, and the practices of participating Federal agencies to—

(1) determine how to collect data on achievements by small business concerns in each phase of the SBIR program and the STTR program and ensure collection and dissemination of such data in a timely, efficient, and uniform manner;

(2) establish a uniform baseline for metrics that support improving the solicitation, contracting, funding, and execution of program management in the SBIR program and the STTR program;

(3) normalize formatting and database usage across participating Federal agencies; and

(4) determine the feasibility of developing a common system across all participating Federal agencies and the paperwork requirements under such a common system.

(e) IMPLEMENTATION.—Not later than September 31, 2018, the Committee shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the solutions identified by the Committee under subsection (d) and resources needed to execute the solutions.

SEC. 6502. IMPLEMENTATION OF OUTSTANDING REAUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)), as amended by section 6401(1) of this Act, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (9)”; and

(2) by adding at the end the following:

“(9) SUSPENSION OF FUNDING.—

“(A) FOR FEDERAL AGENCIES.—

“(i) IN GENERAL.—For fiscal years 2018 and 2019, any Federal agency that has not implemented each provision of law described in clause (ii)—

“(I) shall continue to provide amounts to the Administration in accordance with paragraph (7)(B); and

“(II) may not use any additional amounts as described in paragraph (1) until 30 days after the date on which the Federal agency submits to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives documentation demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii).

“(ii) PROVISIONS.—The provisions of law described in this subparagraph are the following:

“(I) Subsection (r)(4), relating to Phase III preferences.

“(II) Paragraphs (5) and (6) of subsection (y), relating to insertion goals.

“(III) Subsection (g)(4)(B), relating to shortening the decision time for SBIR awards.

“(IV) Subsection (o)(4)(B), relating to shortening the decision time for STTR awards.

“(V) Subsection (v), relating to reducing paperwork and compliance burdens.

“(B) FOR ADMINISTRATION.—For fiscal years 2018 and 2019, if the Administration is not in compliance with subsection (b)(7), relating to annual reports to Congress, the Administration may not use amounts received under paragraph (7)(B) of this subsection for a purpose described in clause (iii) of such paragraph (7)(B).”.

(b) CLARIFICATION OF REPORTING REQUIREMENT.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended in the matter preceding subparagraph (A), by striking “not less than annually” and inserting “not later than December 31 of each year”.

SEC. 6503. STRENGTHENING OF THE REQUIREMENT TO SHORTEN THE APPLICATION REVIEW AND DECISION TIME.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the SBIR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”; and

(2) in subsection (o)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the STTR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”.

SEC. 6504. CONTINUED GAO OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS.

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

(1) in the matter preceding paragraph (1), by striking “until the date that is 5 years after the date of enactment of this Act” and insert “until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019”;

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

“(C) assess whether the change in the base funding for the Department of Defense as required by subparagraphs (J) and (K) of section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1))—

“(i) improves transparency for determining whether the Department is complying with the allocation requirements;

“(ii) reduces the burden of calculating the allocations; and

“(iii) improves the compliance of the Department with the allocation requirements; and”;

(3) in paragraph (2) by striking “under subparagraph (B)” and inserting “under subparagraphs (B) and (C)”.

TITLE LXVI—PARTICIPATION BY WOMEN AND MINORITIES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4).”.

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(13) implement an outreach program to small business concerns for the purpose of

enhancing its SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”; and

(2) in subsection (o)(14), by striking “SBIR program;” and inserting “SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”.

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)) is amended by adding at the end the following:

“(4) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and in STTR programs.”.

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.

Section 5124 of the SBIR/STTR Reauthorization Act of 2011 (Public Law 112-81; 125 Stat. 1837) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) MEETINGS.—

“(1) IN GENERAL.—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (c).

“(2) OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

“(A) a representative of the Minority Business Development Agency; and

“(B) relevant stakeholders that work to advance the interests of—

“(i) small business concerns owned and controlled by women, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

“(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).”.

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Small Business Administration;

(2) the term “covered STEM intern” means a student at, or recent graduate from, an institution of higher education serving as an intern—

(A) whose course of study studied is focused on the STEM fields; and

(B) who is a woman or a person from an underrepresented population in the STEM fields;

(3) the term “eligible entity” means a small business concern that—

(A) is receiving amounts under an award under the SBIR program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and

(B) provides internships for covered STEM interns;

(4) the terms “Federal agency”, “SBIR”, and “STTR” have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(5) the term “institution of higher education” has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

(6) the term “person from an underrepresented population in the STEM fields” means a person from a group that is underrepresented in the population of STEM students, as determined by the Administrator;

(7) the term “pilot program” means the Diversity and STEM Workforce Development Pilot Program established under subsection (b);

(8) the term “recent graduate”, relating to a woman or a person from an underrepresented population in the STEM fields, means that the woman or person from an underrepresented population in the STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;

(9) the term “small business concern” has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and

(10) the term “STEM fields” means the fields of science, technology, engineering, and math.

(b) PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) AMOUNT AND USE OF GRANTS.—

(1) AMOUNT.—A grant under subsection (b)—

(A) may not be in an amount of more than \$15,000 per fiscal year; and

(B) shall be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) USE.—Not less than 90 percent of the amount of a grant under subsection (b) shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) EVALUATION.—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns participating in an internship funded under the pilot program and the amount spent on such internships; and

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) TERMINATION.—The pilot program shall terminate after the end of the fourth fiscal

year during which the Administrator carries out the pilot program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.

TITLE LXVII—TECHNICAL CHANGES

SEC. 6701. UNIFORM REFERENCE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), by striking “National Institutes of Health” and inserting “Department of Health and Human Services”; and

(2) in subsection (dd)(1)(A), by striking “Director of the National Institutes of Health” and inserting “Secretary of Health and Human Services”.

SEC. 6702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.

Section 9(e)(4)(B) of the Small Business Act (15 U.S.C. 638(e)(4)(B)) is amended in the matter preceding clause (i)—

(1) by striking “, which shall not include any invitation, pre-screening, or pre-selection process for eligibility for Phase II,”; and

(2) by inserting “in which eligibility for an award shall not be based only on an invitation, pre-screening, or pre-selection process and” before “in which awards”.

SA 4254. Mr. WYDEN (for himself, Mr. PAUL, and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.

(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking “(16) The” and inserting “(16)(A) The”; and

(B) by adding at the end the following:

“(B) The term ‘marihuana’ does not include industrial hemp.”; and

(2) by adding at the end the following:

“(57) The term ‘industrial hemp’ means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.”.

(b) INDUSTRIAL HEMP DETERMINATION BY STATES.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

“(k) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes *Cannabis sativa* L. for purposes of making industrial hemp in accordance with State law, the *Cannabis sativa* L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).”.

SA 4255. Mr. REID (for Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. FRANKEN, Mrs. GILLIBRAND,

Mr. BROWN, Mr. SANDERS, Mr. LEAHY, Ms. BALDWIN, Mr. MERKLEY, Mr. REED, and Mrs. BOXER)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 829H.

SA 4256. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PARTICIPATION OF VETERANS IN TRANSITION ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Veterans Affairs and the Secretary of Defense shall enter into a memorandum of understanding under which a veteran, during the one-year period beginning on the date on which the veteran is discharged or separates from service in the Armed Forces, may participate in the Transition Assistance Program (TAP) of the Department of Defense.

(b) COUNSELING AT MILITARY INSTALLATIONS.—As part of their participation in the Transition Assistance Program under subsection (a), veterans may receive transition assistance counseling under the program at any military installation at which transition assistance counseling is being provided to members of the Armed Forces under the program.

(c) VETERAN DEFINED.—In this section, the term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

SA 4257. Mr. HELLER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. IMPLEMENTATION OF RECOMMENDATIONS REGARDING INTEROPERABLE ELECTRONIC HEALTH RECORD BETWEEN THE DEPARTMENT OF DEFENSE AND THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary of Defense and the Secretary of Veterans Affairs shall implement all recommendations set forth by the Comptroller General of the United States be-

fore the date of the enactment of this Act regarding the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the progress of the Secretary of Defense and the Secretary of Veterans Affairs in completing each action relating to the achievement of an interoperable electronic health record between the Department of Defense and the Department of Veterans Affairs that the Comptroller General determines has not been addressed.

SA 4258. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXCEPTION FROM PUBLIC DISCLOSURE OF MANIFEST INFORMATION FOR THE SHIPMENT OF HOUSEHOLD GOODS OF MEMBERS OF THE UNIFORMED FORCES AND FEDERAL EMPLOYEES.

Section 431(c)(2) of the Tariff Act of 1930 (19 U.S.C. 1431(c)(2)) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting a semicolon and “or”; and

(3) by adding at the end the following new subparagraph:

“(C) the shipment consists of used household goods and personal effects, including personally owned vehicles, which are items that are for residential or professional use, are not for commercial resale, and are owned by a private individual who is—

“(i) an employee, as that term is defined in section 2105 of title 5, United States Code, who is shipping the goods and effects as part of a transfer of the employee from one official station to another for permanent duty or the spouse or dependent, as that term is defined in section 8901 of such title, of such employee; or

“(ii) a member of a uniformed service, as that term is defined in section 101 of title 37, United States Code, who is shipping the goods and effects as part of a permanent change of station or a dependent, as that term is defined in section 401 of such title, of such member.”.

SA 4259. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. STRATEGIC SOURCING IMPROVEMENTS.

(a) DEFINITIONS.—In this section—

(1) the term “Department” means the Department of Defense;

(2) the term “Secretary” means the Secretary of Defense; and

(3) the term “small business concern” has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) Congress supports efforts by agencies to achieve efficiencies in the procurement of goods and services.

(B) The Government Accountability Office has reported that efficiencies and savings may be possible through the use of strategic sourcing, which is a process that moves an organization away from numerous individual procurements toward a broader, more aggregate approach.

(C) At the same time, Congress is concerned that strategic sourcing could have a negative impact on some small business concerns.

(D) The Department has taken steps to consider this potential impact, but the Government Accountability Office has found that more could be done.

(2) PURPOSE.—The purpose of this section is to require the Department implement strategic sourcing in a manner consistent with the recommendations of Government Accountability Office, which are intended to maximize the benefits derived through strategic sourcing while minimizing any undue negative impacts on small business concerns.

(c) IMPROVING THE USE OF STRATEGIC SOURCING.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish performance measures for the inclusion of small business concerns in Department-wide strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative;

(2) the Secretary shall submit to the Director of the Office of Management and Budget, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives baseline data on, and performance measures for, the participation of small business concerns in strategic sourcing initiatives established by the Department, which shall include participation as subcontractors to the extent feasible and that data is available; and

(3) the Administrator for Federal Procurement Policy shall begin monitoring the inclusion of small business concerns in strategic sourcing initiatives by the Department, including evaluating whether the Department is meeting the performance measures described in paragraph (2).

SA 4260. Mr. DAINES (for himself, Mr. MCCAIN, Mr. CARDIN, Mrs. ERNST, Mr. MIKULSKI, Mr. BLUMENTHAL, Mr. GARDNER, Mr. BENNETT, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 926. ESTABLISHMENT OF A UNIFIED COMBATANT COMMAND FOR CYBER OPERATIONS FORCES.

With the advice and assistance of the Chairman of the Joint Chiefs of Staff, the President shall, through the Secretary of Defense, establish a unified combatant command for cyber operations forces. The principal function of the command is to prepare cyber operations forces to carry out assigned missions and to execute such missions when directed.

SA 4261. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ ENROLLMENT OF CIVILIAN EMPLOYEES OF THE HOMELAND SECURITY INDUSTRY IN THE UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.

(a) ENROLLMENT AUTHORIZED.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “and homeland security industry employees” after “defense industry employees”; and

(ii) by inserting “or homeland security industry employee” after “defense industry employee”; and

(iii) by inserting “or homeland security-focused” after “defense-focused”;

(B) in paragraph (2), by striking “125 defense industry employees” and inserting “an aggregate of 125 defense industry employees and homeland security industry employees”; and

(C) in paragraph (3), by inserting “or homeland security industry employee” after “defense industry employee” each place it appears;

(2) in subsection (c), by inserting “and homeland security industry employees” after “defense industry employees” each place it appears;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “and homeland security industry employees” after “defense industry employees”; and

(ii) by inserting “or homeland security” after “and defense”; and

(B) in paragraph (2), by inserting “or the Department of Homeland Security, as applicable” after “the Department of Defense”;

(4) in subsection (f), by inserting “and homeland security industry employees” after “defense industry employees”.

(b) HOMELAND SECURITY INDUSTRY EMPLOYEES.—Subsection (b) of such section is amended—

(1) by inserting after the first sentence the following new sentence: “For purposes of this section, an eligible homeland security industry employee is an individual employed by a private firm in one of the critical infrastructure sectors identified in Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience).”; and

(2) in the last sentence, by inserting “or homeland security industry employee” after “defense industry employee”.

(c) CONFORMING AMENDMENTS.—

(1) SECTION HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§ 9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 901 of such title is amended by striking the item relating to section 9314a and inserting the following new item:

“9314a. United States Air Force Institute of Technology: admission of defense industry civilians; admission of homeland security industry civilians.”.

SA 4262. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 538. QUALIFICATIONS FOR ENLISTMENT IN THE ARMED FORCES.

(a) ADDITIONAL QUALIFIED PERSONS.—Paragraph (1) of subsection (b) of section 504 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

“(C) A person who, at the time of enlistment in an armed force, has resided continuously in a lawful status in the United States for at least two years.

“(D) A person who, at the time of enlistment in an armed force, possesses an employment authorization document issued by United States Citizenship and Immigration Services under the requirements of the Department of Homeland Security policy entitled ‘Deferred Action for Childhood Arrivals’ (DACA).”.

(b) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—Such section is further amended by adding at the end the following new subsection:

“(c) ADMISSION TO PERMANENT RESIDENCE OF CERTAIN ENLISTEES.—(1) A person described in subsection (b) who, at the time of enlistment in an armed force, is not a citizen or other national of the United States or lawfully admitted for permanent residence shall be adjusted to the status of an alien lawfully admitted for permanent residence under the provisions of section 249 of the Immigration and Nationality Act (8 U.S.C. 1259), except that the alien need not—

“(A) establish that he or she entered the United States prior to January 1, 1972; and

“(B) comply with section 212(e) of such Act (8 U.S.C. 1182(e)).

“(2) The Secretary of Homeland Security shall rescind the lawful permanent resident status of a person whose status was adjusted under paragraph (1) if the person is separated from the armed forces under other than honorable conditions before the person served for a period or periods aggregating five

years. Such grounds for rescission are in addition to any other provided by law. The fact that the person was separated from the armed forces under other than honorable conditions shall be proved by a duly authenticated certification from the armed force in which the person last served. The service of the person in the armed forces shall be proved by duly authenticated copies of the service records of the person.

“(3) Nothing in this subsection shall be construed to alter the process prescribed by sections 328, 329, and 329A of the Immigration and Nationality Act (8 U.S.C. 1439, 1440, 1440-1) by which a person may naturalize through service in the armed forces.”.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 504. Persons not qualified; citizenship or residency requirements; exceptions”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 504 and inserting the following new item:

“504. Persons not qualified; citizenship or residency requirements; exceptions.”.

SEC. 539. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after section 329A (8 U.S.C. 1440-1) the following:

“SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

“(a) IN GENERAL.—

“(1) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

“(A) as having satisfied the requirements under sections 312(a) and 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

“(B) except as provided in paragraph (2), under sections 328 and 329—

“(i) as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating 1 year; and

“(ii) if separated from such service, as having been separated under honorable conditions.

“(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 328(f) or 329(c) if the other requirements under such section are met.

“(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

“(1) The Combat Infantryman Badge from the Army.

“(2) The Combat Medical Badge from the Army.

“(3) The Combat Action Badge from the Army.

“(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

“(5) The Air Force Combat Action Medal.

“(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.”.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

“Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.”.

SA 4263. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. SENSE OF CONGRESS ON THE BALLISTIC MISSILE THREAT OF NORTH KOREA AND THE DEPLOYMENT OF TERMINAL HIGH ALTITUDE AREA DEFENSE IN SOUTH KOREA.

It is the sense of Congress—

(1) that the short-range, medium-range, and long-range ballistic missile programs of the Democratic People's Republic of Korea (DPRK) represent an imminent and growing threat to the Republic of Korea (ROK), Japan, and the United States homeland;

(2) that, according to open sources, the Democratic People's Republic of Korea currently fields an estimated 700 short-range ballistic missiles, 200 Nodong medium-range ballistic missiles, and 100 Musudan intermediate-range ballistic missiles;

(3) that, in March 2016, the United States and Republic of Korea officially began formal consultations regarding the deployment of the Terminal High Altitude Area Defense (THAAD) missile defense system to the Republic of Korea;

(4) that the Terminal High Altitude Area Defense missile defense system would effectively complement and significantly strengthen the existing missile defense capabilities of the United States on the Korean Peninsula;

(5) that the Terminal High Altitude Area Defense missile defense system is a limited defensive system that does not represent a threat to any of the neighbors of the Republic of Korea;

(6) to welcome deployment consultation talks between United States and the Republic of Korea on the Terminal High Altitude Area Defense missile defense system and to consider the deployment of that system as a sovereign choice of the Republic of Korea Government and a bilateral decision of the alliance between the United States and the Republic of Korea to protect the citizens of the Republic of Korea against the growing ballistic missile threat from the Democratic People's Republic of Korea and provide further protection to alliance forces serving on the Korean Peninsula; and

(7) to welcome joint missile defenses exercises between the United States, the Republic of Korea, and Japan against the ballistic missile threat from the Democratic People's Republic of Korea and encourage further trilateral defense cooperation between the United States, the Republic of Korea, and Japan.

SA 4264. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 45, strike lines 1 through 13 and insert the following:

SEC. 125. BASELINE ESTIMATE FOR THE ADVANCED ARRESTING GEAR PROGRAM.

The Secretary of Defense

SA 4265. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 45, strike line 20 and all that follows through page 47, line 22, and insert the following:

SEC. 126. REPORTING ON USS JOHN F. KENNEDY (CV-79) AND USS ENTERPRISE (CVN-80).

(a) REPORT ON CVN-79 AND CVN-80.—Not later than December 1, 2016, the Secretary of the Navy and the Chief of Naval Operations shall submit to the congressional defense committees a report on alternatives, including de-scoping requirements if necessary, to achieve a CVN-80 procurement end cost of \$12,000,000,000. In addition, the report shall describe all applicable CVN-80 alternatives that could be applied to CVN-79 to enable an \$11,000,000,000 procurement end cost.

(b) ANNUAL REPORT ON CVN-79 AND CVN-80.—

(1) IN GENERAL.—The Secretary of the Navy and the Chief of Naval Operations shall annually submit, with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, a progress report describing efforts to attain the CVN-79 and CVN-80 procurement end costs specified in subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include the following elements:

(A) A description of progress made toward achieving the procurement end costs specified in subsection (a), including realized cost savings.

(B) A description of specific low value-added or unnecessary elements of program cost that have been reduced or eliminated.

(C) Cost savings estimates for current and planned initiatives.

(D) A schedule including a spend plan with phasing of key obligations and outlays, decision points when savings could be realized, and key events that must take place to execute initiatives and achieve savings.

(E) Instances of lower estimates used in contract negotiations.

(F) A description of risks to achieving the procurement end costs specified in subsection (a).

(G) A description of incentives or rewards provided or planned to be provided for meeting the procurement end costs specified in subsection (a).

SA 4266. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 127.

SA 4267. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).

SA 4268. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1038.

SA 4269. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1260.

SA 4270. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1611.

SA 4271. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE, OR ENTER INTO ANY CONTRACT FOR THE PROCUREMENT OF, ANY GOODS OR SERVICES FROM PERSONS THAT PROVIDE MATERIAL SUPPORT TO CERTAIN IRANIAN PERSONS.

(a) **LIMITATION.**—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that provides material support to, including engaging in a significant transaction or transactions with, a covered Iranian person during such fiscal year.

(b) **CERTIFICATION.**—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any of the conduct described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) **WAIVER.**—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) submits to the appropriate committees of Congress a notification of, and detailed justification for, the waiver not less than 30 days before the date on which the waiver is to take effect.

(d) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **COVERED IRANIAN PERSON.**—The term “covered Iranian person” means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate there-

of, or by one or more other Iranian persons described in clause (i)(II).

(3) **IRANIAN PERSON.**—The term “Iranian person” means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) **PERSON.**—The term “person” means has the meaning given such term in section 560.305 of title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(5) **SIGNIFICANT TRANSACTION OR TRANSACTIONS.**—The term “significant transaction or transactions” shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4272. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 212 and insert the following:

SEC. 212. ENHANCEMENT AND PERMANENT AUTHORITY FOR DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.

(a) **COORDINATION OF PROGRAM.**—Subsection (a) of section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4366; 10 U.S.C. 2359 note) is amended by adding at the end the following: “The program shall be coordinated with the senior acquisition executives of the departments, Agencies, and components of the Department of Defense.”.

(b) **DEPARTMENT OF DEFENSE EXPENDITURES.**—Subsection (d) of such section is amended to read as follows:

“(d) **DoD EXPENDITURES.**—(1) For fiscal year 2018 and each fiscal year thereafter, the Department of Defense shall obligate for expenditure for eligible technologies not less than 0.5 percent of the aggregate budget of the Department of Defense for such fiscal year for research, development, test, and evaluation and available for projects and activities at the level of Advanced Component Development Prototypes and above (referred to as “6.4” and above).

“(2) Nothing in paragraph (1) may be construed to prohibit the departments, Agencies, and components of the Department from expending on eligible technologies in a fiscal year an amount for that fiscal year in excess of the amount otherwise required by that paragraph.”.

(c) **PERMANENT AUTHORITY.**—Such section is further amended by striking subsection (f).

SA 4273. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) **DEFINITIONS.**—In this section—
 (1) the terms “commercialization”, “SBIR”, “STTR”, “Phase I”, “Phase II”, and “Phase III” have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e));
 (2) the term “covered small business concern” means—

(A) a small business concern that completed a Phase II award under the SBIR or STTR program of the Department of Defense; or

(B) a small business concern that—
 (i) completed a Phase I award under the SBIR or STTR program of the Department of Defense; and

(ii) a contracting officer for the Department of Defense recommends for inclusion in a multiple award contract described in subsection (b);

(3) the term “multiple award contract” has the meaning given the term in section 3302(a) of title 41, United States Code;

(4) the term “pilot program” means the pilot program established under subsection (b); and

(5) the term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) **ESTABLISHMENT.**—The Secretary of the Defense may establish a pilot program under which the Department of Defense shall award multiple award contracts to covered small business concerns for the purchase of technologies, supplies, or services that the covered small business concern has developed through the SBIR or STTR program.

(c) **WAIVER OF COMPETITION IN CONTRACTING ACT REQUIREMENTS.**—The Secretary of the Defense may establish procedures to waive provisions of section 2304 of title 10, United States Code, for purposes of carrying out the pilot program.

(d) **USE OF CONTRACT VEHICLE.**—A multiple award contract described in subsection (b) may be used by any service or component of the Department of Defense.

(e) **TERMINATION.**—The pilot program established under this section shall terminate on September 30, 2022.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prevent the commercialization of products and services produced by a small business concern under an SBIR or STTR program of a Federal agency through—

(1) direct awards for Phase III of an SBIR or STTR program; or

(2) any other contract vehicle.

SA 4274. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. 1114. PAY PARITY FOR DEPARTMENT OF DEFENSE EMPLOYEES EMPLOYED AT JOINT BASES.

(a) **DEFINITIONS.**—For purposes of this section—

(1) the term “covered joint military installation” means a joint military installation—

(A) created as a result of the recommendations of the Defense Base Closure and Realignment Commission in the 2005 base closure round; and

(B) for which the Federal Prevailing Rate Advisory Committee has recommended that the Office of Personnel Management consolidate to be within the same pay locality;

(2) the term “joint military installation” means 2 or more military installations reorganized or otherwise associated and operated as a single military installation;

(3) the term “locality pay” means any amount payable under section 5304 or 5304a of title 5, United States Code; and

(4) the term “pay locality” has the meaning given that term by section 5302(5) of title 5, United States Code.

(b) **PAY PARITY AT JOINT BASES.**—If 2 or more military installations were reorganized or otherwise associated as a single covered joint military installation, and the constituent installations are not all located within the same pay locality, all Department of Defense employees of the respective installations constituting the covered joint military installation (who are otherwise entitled to locality pay) shall receive locality pay at a uniform percentage equal to the percentage which is payable with respect to the pay locality which includes the constituent installation then receiving the highest locality pay (expressed as a percentage).

(c) **REGULATIONS.**—The Office of Personnel Management shall prescribe regulations to carry out this section.

(d) **APPLICABILITY.**—This section shall apply with respect to pay periods beginning on or after such date (not later than 1 year after the date of enactment of this Act) as the Secretary of Defense shall determine, in consultation with the Director of the Office of Personnel Management.

SA 4275. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CERTAIN SERVICE DEEMED TO BE ACTIVE MILITARY SERVICE FOR PURPOSES OF LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—For purposes of section 401(a)(1)(A) of the GI Bill Improvement Act of 1977 (38 U.S.C. 106 note), the Secretary of Defense is deemed to have determined that qualified service of an individual constituted active military service.

(b) **DETERMINATION OF DISCHARGE STATUS.**—The Secretary of Defense shall issue an honorable discharge under section 401(a)(1)(B) of the GI Bill Improvement Act of 1977 to each person whose qualified service warrants an honorable discharge. Such discharge shall be issued before the end of the one-year period beginning on the date of the enactment of this Act.

(c) **PROHIBITION OF RETROACTIVE BENEFITS.**—No benefits may be paid to any individual as a result of the enactment of this section for any period before the date of the enactment of this Act.

(d) **QUALIFIED SERVICE DEFINED.**—In this section, the term “qualified service” means service of an individual as a member of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 15, 1945.

SA 4276. Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, Mr. ROUNDS, Mr. SASSE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 591 and insert the following:

SEC. 591. MODIFICATION OF PERSONS SUBJECT TO REGISTER FOR MILITARY SELECTIVE SERVICE ONLY PURSUANT TO STATUTE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the decision of the Secretary of Defense to open all military occupational specialties to women raises important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act currently benefits the national security of the United States.

(b) **REPORT.**—Not later than July 1, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the current and future need for a centralized registration system for military selective service. The report shall include an assessment of—

(1) whether a continuing need exists for a selective service system designed to produce large quantities of combat troops; and

(2) if so, whether that system should include mandatory registration by citizens and residents regardless of gender.

(c) **MODIFICATION ONLY PURSUANT TO STATUTE.**—Section 3 of the Military Selective Service Act (50 U.S.C. 3802) is amended by adding at the end the following new subsection:

“(c) Any modification or change to the persons subject to register pursuant to this section may be made only through an Act of Congress.”.

(d) **PROHIBITION ON COURT JURISDICTION OF CLAIMS REGARDING CLASS OF PERSONS WITH DUTY TO REGISTER.**—No court created by Act of Congress shall have any jurisdiction, and the Supreme Court shall have no appellate jurisdiction, to hear or decide any question or claim, whether filed before, on, or after the date of the enactment of this Act, pertaining to the interpretation of, or the validity under the Constitution of, the class of persons subject to the duty to register for purposes of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

SA 4277. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1613. COMMERCIAL USE OF EXCESS INTERCONTINENTAL BALLISTIC MISSILES BY UNITED STATES COMMERCIAL SPACE TRANSPORTATION SERVICES PROVIDERS.

(a) IN GENERAL.—Section 50134(b) of title 51, United States Code, is amended—

(1) in the subsection heading, by inserting “AND UNITED STATES COMMERCIAL” after “AUTHORIZED FEDERAL”; and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “A missile described” and all that follows through “such missile—” and inserting the following: “A missile described in subsection (c) may be converted for use as a space transportation vehicle by the Federal Government or a United States commercial provider if, except as provided in paragraph (2) and at least 30 days before such conversion, the agency seeking to use the missile as a space transportation vehicle, or to provide the missile to a United States commercial provider for use as a space transportation vehicle, as the case may be, transmits to the Committee on Armed Services and the Committee on Science and Technology of the House of Representatives, and to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate, a certification that the use of such missile, or the provision of such missile to a United States commercial provider for such use, as applicable—”;

(B) in subparagraph (A), by striking “when compared” and all that follows and inserting a semicolon; and

(C) by striking subparagraph (B) and inserting the following new subparagraph (B):

“(B) if such missile is being provided to a United States commercial provider, such missile was made broadly available to United States commercial providers before being provided to the United States commercial provider concerned.”;

(b) ADDITIONAL LIMITATIONS; TERMINATION.—Section 50134 of such title is further amended by adding at the end the following new subsection:

“(d) ADDITIONAL LIMITATIONS.—

“(1) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ANY SINGLE PROVIDER.—The total number of space transportation vehicles produced by any United States commercial provider in a year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section in any year may not exceed 5 vehicles.

“(2) NUMBER OF FLIGHT VEHICLES PRODUCED YEARLY BY ALL PROVIDERS.—The total number of space transportation vehicles produced by United States commercial providers in a year using motors from missiles transferred or otherwise provided to United States commercial providers under this section may not exceed 15 vehicles.

“(3) MINIMUM PAYLOAD MASS.—No space transportation vehicle produced by a United States commercial provider in any year using motors from missiles transferred or otherwise provided to the United States commercial provider under this section may be used to launch multiple payloads from more than one manufacturer that have a combined mass of 200 kg or less.

“(e) TERMINATION OF UNITED STATES COMMERCIAL PROVIDER AUTHORITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the authority under this section to transfer or otherwise provide a missile described in subsection (c) to a United States commercial provider for use as a

space transportation vehicle shall terminate on the date that is 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(2) EXCEPTION.—The termination of authority under paragraph (1) shall not affect the use of motors from missiles transferred or provided to a United States commercial provider under this section pursuant to contracts entered into before such termination.”.

(c) MULTIAGENCY REVIEW.—Not later than 36 months after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Commerce, the Secretary of Transportation, and the Administrator of the National Aeronautics and Space Administration shall jointly conduct a multiagency review of the authority provided under section 50134 of title 51, United States Code, as amended by this section, to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles, and the limitations under subsection (d) of that section, including an assessment of the costs and benefits of that authority and those limitations and the consequences of that authority and those limitations for the industrial base of the United States.

(d) SENSE OF CONGRESS.—It is the sense of Congress that, if no significant consequences to the industrial base of the United States are found in the multiagency review required by subsection (c), the authority to provide excess intercontinental ballistic missiles to United States commercial space transportation services providers for use as space transportation vehicles under section 50134 of title 51, United States Code, should be extended before the termination date under subsection (e) of that section.

SA 4278. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS.

Section 2913 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) DURATION OF CONTRACTS.—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.”.

SA 4279. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. RECEIPT BY MEMBERS OF THE ARMED FORCES WITH PRIMARY MARINER DUTIES OF TRAINING THAT COMPLIES WITH NATIONAL STANDARDS AND REQUIREMENTS.

(a) IN GENERAL.—Section 2015 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection (b):

“(b) MEMBERS WITH PRIMARY MARINER DUTIES.—(1) For purposes of the program under this section, the Secretary of Defense and the Secretary of Homeland Security shall each ensure that members of the armed forces with primary mariner duties receive training that complies with national standards and requirements under the International Convention on Standards of Training, Certification, and Watchkeeping (STCW).

“(2) The following shall comply with basic training standards under national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping:

“(A) The recruit training provided to each member of the armed forces.

“(B) The training provided to each member of the armed forces who is assigned to a vessel.

“(3) Under the program, each member of the armed forces who is assigned to a vessel of at least 100 gross tons (GRT) in a deck or engineering career field shall be provided the following:

“(A) A designated path to applicable credentials under the national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping consistent with the responsibilities of the position to which assigned.

“(B) The opportunity, at Government expense, to attend credentialing programs that provide merchant mariner training not offered by the armed forces.

“(4)(A) For purposes of the program, the material specified in subparagraph (B) shall be submitted to the National Maritime Center of the Coast Guard for assessment of the compliance of such material with national requirements and the International Convention on Standards of Training, Certification, and Watchkeeping.

“(B) The material specified in this subparagraph is as follows:

“(i) The course material of each unclassified course for members of the armed forces in marine navigation, leadership, and operation and maintenance.

“(ii) The unclassified qualifications for assignment for deck or engineering positions on waterborne vessels.

“(C) The National Maritime Center shall conduct assessments of material for purposes of this paragraph. Such assessments shall evaluate the suitability of material for the service at sea addressed by such material and without regard to the military pay grade of the intended beneficiaries of such material.

“(D) If material submitted to the National Maritime Center pursuant to this paragraph is determined not to comply as described in subparagraph (A), the Secretary offering such material to members of the armed forces shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the actions to be taken by such Secretary to bring such material into compliance.”.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Each Secretary concerned shall establish, for members of the Armed

Forces under the jurisdiction of such Secretary, procedures as follows:

(A) Procedures by which members identify qualification gaps in training and proficiency assessments and complete training or assessments approved by the Coast Guard in addressing such gaps.

(B) Procedures by which members obtain service records of any service at sea.

(C) Procedures by which members may submit service records of service at sea and other military qualifications to the National Maritime Center for evaluation and issuance of a Merchant Marine Credential.

(D) Procedures by which members may obtain a medical certificate for use in applications for Merchant Marine Credentials.

(2) **USE OF MILITARY DRUG TEST RESULTS IN MERCHANT MARINE CREDENTIAL APPLICATIONS.**—The Secretaries of the military departments and the Secretary of Homeland Security shall jointly establish procedures by which the results of appropriate drug tests administered to members of the Armed Forces by the military departments may be used for purposes of applications for Merchant Marine Credentials.

(3) **SECRETARY CONCERNED DEFINED.**—In this subsection, the term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

(c) **DEADLINE FOR IMPLEMENTATION.**—This section and the amendments made by this section shall be fully implemented by not later than the date that is two years after the date of the enactment of this Act.

SA 4280. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2804. ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f) **ADJUSTMENT OF DOLLAR LIMITATIONS FOR LOCATION.**—Each fiscal year, the Secretary concerned shall adjust the dollar limitations specified in this section applicable to an unspecified minor military construction project to reflect the area construction cost index for military construction projects published by the Department of Defense during the prior fiscal year for the location of the project.”.

SA 4281. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. AUTHORITY TO USE ENERGY SAVINGS INVESTMENT FUND FOR ENERGY MANAGEMENT INITIATIVES.

Section 2919(b)(2) of title 10, United States Code, is amended by striking “, to the extent provided for in an appropriations Act,”.

SA 4282. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. 1114. SENSE OF CONGRESS ON BUSINESS CASES ANALYSES FOR DECISIONS AFFECTING THE WORKFORCE AND MODIFYING LOCATIONS OF WHERE WORK WILL BE EXECUTED OR COMPLETED.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) in a budget constrained environment, the military departments and Defense Agencies must utilize all available tools to make informed, supportable decisions in moving workforce and workload from one location or entity to another;

(2) such tools should include a properly supported and documented business case analysis (BCA);

(3) several military departments and Defense Agencies have fallen short of proper analysis and support with respect to decision described in paragraph (1) in recent months;

(4) in one such case—

(A) the Air Force relied exclusively on a rough order economic analysis on an engine source of repair as justification for moving nearly \$40,000,000 per year of workload; and

(B) before reversing its decision, the Air Force had only planned to accomplish business case analyses to shift work after award of the solicitation;

(5) in another case—

(A) the Defense Health Agency announced that it would be closing the Pacific Joint Information Technology Center (PJITC), with an annual operation and maintenance cost of \$5,800,000, without supporting documentation or analysis;

(B) the center performs Health Information Technology (HIT) research and innovation and serves as a test center for joint concept technology development (JCTD) prototyping for the Department of Defense and the Department of Veterans Affairs for information technology products and services;

(C) if the center is closed, ongoing interoperability projects between the Department of Defense and the Department of Veterans Affairs will lose a critical health information technology research hub which was responsible for the Joint Legacy Viewer (JLV) which, in turn, is deployed throughout the Department of Defense and the Department of Veterans Affairs and meets required interoperability standards;

(D) Defense Health Agency officials contend that the quality of the work completed at the center is not at issue, and they plan to continue the work at a different facility which is not a joint research facility and does not have the capability or capacity to continue the work of the center;

(6) before a military department or Defense Agency embarks on a workforce decision of workload in excess of \$3,000,000 per year, the

Department of Defense needs to understand the possible costs, benefits, risks, and impacts to the small business goals, small and disadvantaged contracting agreements, and other sensitivities of the Department associated with such a decision;

(7) the military departments and Defense Agencies should perform a business case analysis, as part of any workforce decision described in paragraph (6);

(8) any such business case analysis for a workforce decision having an annual estimated cost of \$5,000,000 or more should be reviewed and approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Under Secretary should provide such business case analysis to the congressional defense committees at least 30 days before taking any action to effect a shift in the workload concerned;

(9) the Assistant Secretary of Defense for Logistics, Materiel, and Readiness, working with the Cost Analysis Program Evaluation office, should develop minimum standards and criteria for business case analyses covered by this section and a process for the review and transparency of such business case analyses; and

(10) the Assistant Secretary should submit to the congressional defense committees, by not later than 180 days after the date of the enactment of this Act, a report on the plan of the Assistant Secretary plan to implement the standards and criteria described in paragraph (9).

(b) **BUSINESS CASE ANALYSIS DEFINED.**—In this section, the term “business case analysis” means a structured methodology and decision support document that aids decision making by identifying and comparing alternatives by examining the mission and business impacts (both financial and non-financial), risks, and sensitivities.

SA 4283. Mr. REID (for Mr. BLUMENTHAL (for himself and Mr. DURBIN)) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 663. LIMITATION ON SALE OF DIETARY SUPPLEMENTS IN COMMISSARY AND EXCHANGE STORES.

(a) **LIMITATION.**—Section 2484(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) The Secretary of Defense, in consultation with the Commissioner of Food and Drugs, the Federal Trade Commission, and the Office of Dietary Supplements at the National Institutes of Health, shall establish a definition for a product category for dietary supplements that are considered to be high risk. The dietary supplements included within the product category shall include dietary supplements that are marketed for muscle building, weight loss, and sexual enhancement.

“(B) A dietary supplement in the product category of dietary supplements considered to be high risk under subparagraph (A) may be sold by a commissary store or exchange store, or a retail establishment operating on

a military installation, only if the dietary supplement has been verified by an independent third party for recognized public standards of identity, purity, strength, and composition, and adherence to related process standards.

“(C) The Secretary of Defense and the Commissioner of Food and Drugs shall jointly identify the third parties that may provide verification under subparagraph (B).

“(D) In this paragraph, the term ‘dietary supplement’ has the meaning given that term in section 201(ff) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 15 321(ff)).”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act, and shall apply with respect to sales that occur on or after such effective date.

SA 4284. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. ENHANCEMENT OF USE OF VETERANS' SERVICE ORGANIZATIONS TO CARRY OUT THE TRANSITION ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (d)(4), by inserting “subject to subsection (e),” before “use representatives”;

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) the following new subsection (e):

“(e) **USE OF VETERANS' SERVICE ORGANIZATIONS.**—The Secretary of Defense, the Secretary of Veterans Affairs, and appropriate veterans' service organizations shall jointly enter into a memorandum of understanding regarding the manner in which representatives of veterans' service organizations are used for purposes of the program established under this section, including the nature and scope of access of such representatives to military installations for that purpose. The memorandum of understanding shall apply to any veterans' service organization whose representatives are used for purposes of the program, regardless of whether or not the organization is expressly a party to the memorandum of understanding.”

(b) **VETERANS' SERVICE ORGANIZATION DEFINED.**—Such section is further amended by adding at the end the following new subsection:

“(h) **VETERANS' SERVICE ORGANIZATION DEFINED.**—In this section, the term ‘veterans' service organization’ means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38.”

SA 4285. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. CRITICAL LANGUAGES PROFICIENCY BONUSES.

(a) **IN GENERAL.**—Subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

“§ 5762. Critical languages proficiency bonuses

“(a) **DEFINITIONS.**—In this section—
“(1) the term ‘covered agency’ means—
“(A) the Central Intelligence Agency;
“(B) the Defense Intelligence Agency;
“(C) the Federal Bureau of Investigation;
“(D) the National Geospatial-Intelligence Agency;

“(E) the National Reconnaissance Office;
“(F) the National Security Agency; and
“(G) the Office of the Director of National Intelligence;

“(2) the term ‘critical language’ means—
“(A) Arabic;
“(B) Urdu;
“(C) Pashto;
“(D) Farsi;
“(E) Dari;
“(F) Tajiki;
“(G) Kurdish;
“(H) Turkish;
“(I) Somali; and
“(J) Hausa; and
“(3) the term ‘ILR’ means the Interagency Language Roundtable.

“(b) **BONUSES.**—
“(1) **RECRUITING BONUS.**—
“(A) **IN GENERAL.**—The head of a covered agency may pay a bonus under this section to an individual who is newly appointed as an employee of the covered agency in a national security position.

“(B) **AMOUNT.**—The bonus described in subparagraph (A) shall be equal to—
“(i) \$25,000 if the individual has been assigned an ILR skill level of 3, as of the date on which the individual is appointed;
“(ii) \$31,250 if the individual has been assigned an ILR skill level of 4, as of the date on which the individual is appointed; and
“(iii) \$37,500 if the individual has been assigned an ILR skill level of 5, as of the date on which the individual is appointed.

“(2) **INCENTIVE BONUS.**—
“(A) **IN GENERAL.**—The head of a covered agency may pay a bonus under this section to an individual employed by the covered agency in a national security position if—
“(i) before the date on which the individual is appointed as an employee of the covered agency in a national security position, the individual was not employed in a national security position; and
“(ii) while employed by the covered agency in a national security position, the individual is assigned an ILR skill level of not lower than 3.

“(B) **AMOUNT.**—The bonus described in subparagraph (A) shall be equal to—
“(i) \$20,000 if the individual is assigned an ILR skill level of 3;

“(ii) \$25,000 if the individual is assigned an ILR skill level of 4; and
“(iii) \$30,000 if the individual is assigned an ILR skill level of 5.

“(C) **LIMITATION.**—An individual may receive only 1 bonus under this paragraph.

“(3) **ADJUSTMENT OF AMOUNT.**—The head of a covered agency may adjust the amounts of

the bonuses described in paragraph (1) and (2) equal to amounts that the head of the covered agency determines is necessary to maintain staff in the covered agency with proficiency in critical languages.

“(4) **EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION.**—A bonus under this section may be awarded to an employee of the Federal Bureau of Investigation in addition to any cash award described in section 5761.”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter IV of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

“5762. Critical languages proficiency bonuses.”

SA 4286. Mr. CORNYN (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Vietnam Sanctions

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the “Vietnam Human Rights Sanctions Act”.

SEC. 1282. DEFINITIONS.

In this subtitle:

(1) **ADMITTED; ALIEN; IMMIGRATION LAWS; NATIONAL.**—The terms “admitted”, “alien”, “immigration laws”, and “national” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(3) **CONVENTION AGAINST TORTURE.**—The term “Convention against Torture” means the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(4) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1283. LIMITATIONS ON ARMS TRANSFERS TO VIETNAM.

(a) **LIMITATION ON ARMS TRANSFERS.**—No letter of offer to sell major defense equipment to Vietnam may be issued pursuant to the Arms Export Control Act (22 U.S.C. 2751 et seq.) and no license to export major defense equipment to Vietnam may be issued pursuant to that Act in a fiscal year until the Secretary of State, under the direction of the President, makes the certification described in subsection (b) for that fiscal year.

(b) **CERTIFICATION DESCRIBED.**—The certification described in this subsection is a certification by the Secretary of State, under the direction of the President, to the appropriate congressional committees that the Government of Vietnam has substantially improved its human rights practices, including, at a minimum, the following problems identified by the Secretary of State in the Country Reports on Human Rights Practices for 2015:

(1) Severe government restrictions of the political rights of citizens, particularly their right to change their government through free and fair elections.

(2) Limits on the civil liberties of citizens, including freedom of assembly, association, and expression.

(3) Inadequate protection of the due process rights of citizens, including protection against arbitrary detention.

(4) Arbitrary and unlawful deprivation of life.

(5) Police attacks and corporal punishment.

(6) Continued police mistreatment of suspects during arrest and detention, including the use of lethal force and austere prison conditions.

(7) Denial of the right to a fair and expeditious trial.

SEC. 1284. IMPOSITION OF SANCTIONS ON CERTAIN INDIVIDUALS WHO ARE COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST NATIONALS OF VIETNAM OR THEIR FAMILY MEMBERS.

(a) **IMPOSITION OF SANCTIONS.**—The President shall impose the sanctions described in subsection (c) with respect to each individual on the list required by subsection (b)(1).

(b) **LIST OF INDIVIDUALS WHO ARE COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members, regardless of whether such abuses occurred in Vietnam.

(2) **UPDATES OF LIST.**—The President shall submit to the appropriate congressional committees an updated list under paragraph (1) as new information becomes available and not less frequently than annually.

(3) **PUBLIC AVAILABILITY.**—The list required by paragraph (1) shall be made available to the public and posted on the websites of the Department of the Treasury and the Department of State.

(4) **CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.**—In preparing the list required by paragraph (1), the President shall consider data already obtained by other countries and nongovernmental organizations, including organizations in Vietnam, that monitor the human rights abuses of the Government of Vietnam.

(c) **SANCTIONS.**—

(1) **PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.**—

(A) **IN GENERAL.**—An individual on the list required by subsection (b)(1) may not—

(i) be admitted to, enter, or transit through the United States;

(ii) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(iii) file any application or petition to obtain such admission, entry, or status.

(B) **EXCEPTIONS TO COMPLY WITH INTERNATIONAL AGREEMENTS.**—The President may, by regulation, authorize exceptions to subparagraph (A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, and other applicable international agreements.

(2) **BLOCKING OF PROPERTY.**—

(A) **IN GENERAL.**—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of a person on the list required by subsection (b)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(i) **IN GENERAL.**—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) **GOOD.**—In this paragraph, the term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. 4618) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(C) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subparagraph (A) or any regulation, license, or order issued to carry out subparagraph (A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **WAIVER.**—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subsection (a) or the requirement to include an individual on the list required by subsection (b)(1) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(e) **TERMINATION OF SANCTIONS.**—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in peaceful political activity; and

(3) conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Vietnam and prosecuted those responsible.

SEC. 1285. SENSE OF CONGRESS ON DESIGNATION OF VIETNAM AS A COUNTRY OF PARTICULAR CONCERN WITH RESPECT TO RELIGIOUS FREEDOM.

It is the sense of Congress that—

(1) the relationship between the United States and Vietnam cannot progress while the record of the Government of Vietnam

with respect to human rights and the rule of law continues to deteriorate;

(2) the designation of Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would be a powerful and effective tool in highlighting abuses of religious freedom in Vietnam and in encouraging improvement in the respect for human rights in Vietnam; and

(3) the Secretary of State should, in accordance with the recommendation of the United States Commission on International Religious Freedom, designate Vietnam as a country of particular concern for religious freedom.

SA 4287. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 563 and insert the following:

SEC. 563. ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS OF INSTITUTIONS OF HIGHER EDUCATION PROVIDING CERTAIN ADVISING AND STUDENT SUPPORT SERVICES.

(a) **IN GENERAL.**—Chapter 101 of title 10, United States Code, is amended by inserting after section 2012 the following new section:

“§ 2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services

“(a) ACCESS.—

“(1) IN GENERAL.—The Secretary of Defense may grant access to Department of Defense installations to any institution of higher education that—

“(A) has—

“(i) entered into a Voluntary Education Partnership Memorandum of Understanding with the Department for the purpose of providing at the installation concerned timely face-to-face student advising and related support services to members of the armed forces and other persons who are eligible for assistance under Department of Defense educational assistance programs and authorities; and

“(ii) been approved to provide such advising and support services by the educational service office of the installation concerned; or

“(B) has been approved by the base transition office of the installation concerned to educate members of the armed forces about education and employment after military service.

“(2) SCOPE OF ACCESS.—Access under paragraph (1) shall be granted in a nondiscriminatory manner to any institution covered by that paragraph.

“(b) REGULATIONS.—The Secretary shall prescribe in regulations the time and place of access authorized pursuant to subsection (a). The regulations shall provide the following:

“(1) The opportunity for institutions of higher education to receive access at times and places that ensure sufficient opportunity for students to obtain advising and support services described in subsection (a).

“(2) The opportunity for institutions of higher education to receive sufficient access

at times and places that ensure maximum opportunity for members of the armed forces transitioning to life after military service, as determined by the base transition officer concerned, to receive advising, student support services, and education pursuant to this section.

“(3) Access shall be limited to face-to-face student advisement and related support services for students and members of the armed forces who have elected to participate in the higher education track of the Transition Assistance Program, and may not otherwise be used as an opportunity to conduct recruitment or marketing activities.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘Department of Defense educational assistance programs and authorities’ has the meaning given the term ‘Department of Defense educational assistance programs and authorities covered by this section’ in section 2006a(c)(1) of this title.

“(2) The term ‘institution of higher education’ has the meaning given that term in section 2006a(c)(2) of this title.

“(3) The term ‘Voluntary Education Partnership Memorandum of Understanding’ has the meaning given that term in Department of Defense Instruction 1322.25, entitled ‘Voluntary Education Programs’, or any successor Department of Defense Instruction.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2012 the following new item:

“2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services.”.

SA 4288. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. PRIORITIZING SPECIAL IMMIGRANT VISAS FOR IRAQI AND AFGHAN TRANSLATORS.

The Secretary of State shall prioritize the issuance of special immigrant visas authorized under—

(1) section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 8 U.S.C. 1101 note);

(2) section 1244 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note); and

(3) section 602 of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note).

SA 4289. Mr. CRUZ (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES.

(a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by \$290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for purposes, and in amounts, as follows:

(1) Iron Dome, \$20,000,000.

(2) David’s Sling Weapon System, \$150,000,000.

(3) Arrow 3 Upper Tier, \$120,000,000.

(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department by section 201 is hereby increased by \$12,300,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for purposes, and in amounts, as follows:

(1) David’s Sling Weapon System, \$10,000,000.

(2) Arrow 3 Upper Tier, \$2,300,000.

(c) CONSTRUCTION.—Amounts available under this section for purposes specified in this section are in addition to any other amounts available for such purposes in this Act.

SA 4290. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RISK MANAGEMENT WITH RESPECT TO CIVIL UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Administrator of the Federal Aviation Administration and the heads of other relevant Federal agencies, submit to Congress an assessment of risk posed by civil unmanned aircraft systems operating at or below 400 feet above ground level to—

(1) the safety of aircraft of the Armed Forces operating in military special use airspace and on military training routes; and

(2) the security of military installations located in the United States that directly support strategic operations of the Armed Forces.

(b) ADDRESSING IDENTIFIED RISKS.—Not later than 180 days after the Secretary submits to Congress the assessment described in subsection (a), the Secretary and the Administrator shall jointly, and in coordination with the heads of other relevant Federal agencies—

(1) assess the adequacy of current laws, regulations, procedures, and activities to address risks described in the assessment and identify additional actions that may be appropriate and necessary to address such risks; and

(2) submit to Congress a summary of the assessment and any additional actions identified under paragraph (1).

(c) CIVIL UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term “civil unmanned aircraft system” means an unmanned aircraft system (as that term is defined in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note)) that is a civil aircraft (as that term is defined in section 40102 of title 49, United States Code).

SA 4291. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. TRANSFER OF HUMAN REMAINS.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT TRIBES.—The term “claimant tribes” means the Indian tribes and band referred to in the letter from Secretary of the Interior Bruce Babbitt to Secretary of the Army Louis Caldera, relating to the human remains and dated September 21, 2000.

(2) DEPARTMENT.—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) HUMAN REMAINS.—The term “human remains” means the human remains—

(A) that are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) that are part of archaeological collection number 45BN495.

(b) TRANSFER.—Notwithstanding any other provision of Federal law or law of the State of Washington, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), not later than 90 days after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) COST.—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(d) LIMITATIONS.—

(1) IN GENERAL.—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) CORPS OF ENGINEERS.—The Corps of Engineers shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

SA 4292. Mr. CASEY (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. AUTHORITY FOR REIMBURSEMENT OF SPOUSES FOR COSTS OF PROFESSIONAL RE-LICENSURE AND RE-CERTIFICATION IN A NEW STATE IN CONNECTION WITH PERMANENT CHANGES OF STATION OF MEMBERS OF THE ARMED FORCES.

Section 1784a(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) If established under this subsection, the program under this subsection shall provide for the reimbursement of a spouse of a member of the armed forces described in subsection (b) (and without regard to the exception in subsection (c)) for costs incurred by the spouse in obtaining professional re-licensure or re-certification in a new State in association with the member’s permanent change of station to a location in such State.

“(B) Reimbursement under this paragraph shall be available for any of the following:

“(i) Application fees to a State board, bar association, or other certifying or licensing body.

“(ii) Exam fees and registration fees paid to a licensing body.

“(iii) Costs of additional coursework required for eligibility for licensing or certification specific to State concerned (other than costs in connection with continuing education courses).

“(C)(i) The total amount of reimbursement of a spouse under this paragraph in connection with a particular change of station may not exceed \$500.

“(ii) Eligibility for reimbursement may not be limited by the grade of the member concerned.

“(D) The total amount reimbursement under this paragraph in any fiscal year may not exceed \$2,000,000.

“(E) Reimbursements under this paragraph shall be distributed on a quarterly basis.

“(F) This paragraph shall expire on the enactment of a credit against the tax imposed by subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 for the taxable year an amount equal to the qualified re-licensing costs of an individual who is married to a member of the armed forces and who moves to another State with such member under a permanent change of station order.”.

SA 4293. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XIV, add the following:

SEC. 1422. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetics, and the disposal technologies used.

(2) An analysis of disposal, treatment, and reuse technologies, including technologies currently used by the Department and emerging technologies used or being developed by private or other governmental agencies, including a comparison of cost, throughput capacity, personnel safety, and environmental impacts.

(3) An identification of munitions types for which alternatives to open burning, open detonation, or non-closed loop incineration/combustion are not used.

(4) An identification and evaluation of any barriers to full-scale deployment of alternatives to open burning, open detonation, or non-closed loop incineration/combustion, and recommendations to overcome such barriers.

(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

SA 4294. Mr. WYDEN (for himself and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. REQUIREMENT TO ESTABLISH REPOSITORY FOR OPERATIONAL ENERGY-RELATED RESEARCH AND DEVELOPMENT EFFORTS OF DEPARTMENT OF DEFENSE.

(a) REPOSITORY REQUIRED.—Not later than December 31, 2017, the Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Secretaries of the military departments, shall establish a centralized repository for all operational energy-related research and development efforts of the Department of Defense, including with respect to the inception, operational, and complete phases of such efforts.

(b) INTERNET ACCESS.—The Secretary of Defense shall ensure that the repository required by subsection (a) is accessible through an Internet website of the Department of Defense and by all employees of the Department and members of the Armed Forces whom the Secretary determines appropriate, including all program managers involved in such research and development efforts, to enable improved collaboration between military departments on research and development efforts described in subsection (a), enable sharing of best practices and lessons learned relating to such efforts, and reduce redundancy in such efforts.

SA 4295. Mrs. SHAHEEN (for herself, Mr. BLUMENTHAL, Mr. MURPHY, Mrs. BOXER, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. REMOVAL OF RESTRICTIONS ON USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS.

Section 1093 of title 10, United States Code, is amended—

(1) by striking subsection (b); and
(2) in subsection (a), by striking “(a) RESTRICTION ON USE OF FUNDS.—”.

SA 4296. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 332 the following:

SEC. 332A. REVISED POLICY ON GROUND COMBAT AND CAMOUFLAGE UTILITY UNIFORMS.

(a) ESTABLISHMENT OF POLICY.—Not later than October 1, 2018, the Secretary of Defense shall eliminate the development and fielding of Armed Force-specific combat and camouflage utility uniforms and families of uniforms in order to adopt and field a common combat and camouflage utility uniform or family of uniforms for specific combat environments to be used by all members of the Armed Forces.

(b) PROHIBITION.—Except as provided in subsection (c), after the date of the enactment of this Act, the Secretary of a military department may not adopt any new camouflage pattern design or uniform fabric for any combat or camouflage utility uniform or family of uniforms for use by an Armed Force, unless—

(1) the new design or fabric is a combat or camouflage utility uniform or family of uniforms that will be adopted by all Armed Forces;

(2) the Secretary adopts a uniform already in use by another Armed Force; or

(3) the Secretary of Defense grants an exception based on unique circumstances or operational requirements.

(c) EXCEPTIONS.—Nothing in subsection (b) shall be construed as—

(1) prohibiting the development of combat and camouflage utility uniforms and families of uniforms for use by personnel assigned to or operating in support of the unified combatant command for special operations forces described in section 167 of title 10, United States Code;

(2) prohibiting engineering modifications to existing uniforms that improve the performance of combat and camouflage utility uniforms, including power harnessing or generating textiles, fire resistant fabrics, and

anti-vector, anti-microbial, and anti-bacterial treatments;

(3) prohibiting the Secretary of a military department from fielding ancillary uniform items, including headwear, footwear, body armor, and any other such items as determined by the Secretary; or

(4) prohibiting the Secretary of a military department from issuing vehicle crew uniforms.

(d) **REGISTRATION REQUIRED.**—The Secretary of a military department shall formally register with the Joint Clothing and Textiles Governance Board all uniforms in use by an Armed Force under the jurisdiction of the Secretary and all such uniforms planned for use by such an Armed Force.

(e) **LIMITATION ON RESTRICTION.**—The Secretary of a military department may not prevent the Secretary of another military department from authorizing the use of any combat or camouflage utility uniform or family of uniforms.

(f) **GUIDANCE REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to implement this section.

(2) **CONTENT.**—At a minimum, the guidance required by paragraph (1) shall require the Secretary of each of the military departments—

(A) in cooperation with the commanders of the combatant commands, including the unified combatant command for special operations forces, to establish, by not later than 180 days after the date of the enactment of this Act, joint criteria for combat and camouflage utility uniforms and families of uniforms, which shall be included in all new requirements documents for such uniforms;

(B) to continually work together to assess and develop new technologies that could be incorporated into future combat and camouflage utility uniforms and families of uniforms to improve war fighter survivability;

(C) to ensure that new combat and camouflage utility uniforms and families of uniforms meet the geographic and operational requirements of the commanders of the combatant commands; and

(D) to ensure that all new combat and camouflage utility uniforms and families of uniforms achieve interoperability with all components of individual war fighter systems, including body armor, organizational clothing and individual equipment, and other individual protective systems.

(g) **REPEAL OF POLICY.**—Section 352 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84, 123 Stat. 2262; 10 U.S.C. 771 note prec.) is repealed.

SA 4297. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. USE OF INPUT FROM SECRETARY OF VETERANS AFFAIRS IN DEVELOPING MENTAL HEALTH PROVIDER READINESS DESIGNATION FOR DEPARTMENT OF DEFENSE.

Section 717 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a)(1)—

(A) by inserting “, with input from the Secretary of Veterans Affairs,” after “Secretary of Defense”; and

(B) by striking “established by the Secretary” and inserting “established by the Secretary of Defense”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “, with input from the Secretary of Veterans Affairs,” after “Secretary of Defense”; and

(B) in paragraph (2), by striking “The Secretary shall update” and inserting “The Secretary of Defense shall update”;

(3) in subsection (c)(1), by amending subparagraph (B) to read as follows:

“(B) is not a health care provider of the Department of Defense or the Department of Veterans Affairs at a facility of the Department of Defense or the Department of Veterans Affairs; and”;

(4) by redesignating subsection (c) as subsection (d); and

(5) by inserting after subsection (b) the following new subsection (c):

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to permit the Secretary of Defense to indicate that the Department of Veterans Affairs has certified or otherwise approved of health care providers with a mental health provider readiness designation under this section.”.

SA 4298. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NATIVE HAWAIIAN ORGANIZATION.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 8(a) (15 U.S.C. 637(a))—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)(III), by striking “an economically disadvantaged Native Hawaiian organization” and inserting “a Native Hawaiian Organization”; and

(II) in clause (ii)(III), by striking “an economically disadvantaged Native Hawaiian organization” and inserting “a Native Hawaiian Organization”; and

(ii) in subparagraph (B)(iii), by striking “organizations” and inserting “Organizations”; and

(B) in paragraph (15)(C), by striking “such” and inserting “economically disadvantaged individuals who are”; and

(2) in section 15(h)(2)(E)(vi) (15 U.S.C. 644(h)(2)(E)(vi)), in the matter preceding subclause (I), by inserting “(as defined in section 8(a)(15))” after “Organization”.

SA 4299. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. LIMITATIONS ON TRANSFER OF CERTAIN UNITED STATES MUNITIONS TO SAUDI ARABIA.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that no funds authorized for the Defense Security Cooperation Agency by this Act, any previous Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purposes of implementing a sale of air to ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(1) demonstrates an ongoing effort to combat the mutual threat our nations face from designated foreign terrorist organizations; and

(2) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

(b) **DEFINITIONS.**—In this section:

(1) **AIR-TO-GROUND MUNITIONS.**—The term “air-to-ground” munitions means any United States bomb or missile designed as a Category IV item on the United States Munitions List pursuant to section 38 (a)(1) of the Arms Export Control Act (22 U.S.C. 2778 (a)(1)).

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

(3) **AUTHORIZED SALE.**—The term “authorized sale” means any sale of United States defense articles or services authorized pursuant to the Arms Export Control Act.

(4) **DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.**—The term “designated foreign terrorist organizations” means groups designated by the United States as foreign terrorist organizations pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or Specially Designated Global Terrorists pursuant to Executive Order 13224 (50 U.S.C. 1701 note).

(5) **PROPOSED SALE.**—The term “proposed sale” means any sale notified to Congress pursuant to subsections (b) or (c) of section 36 of the Arms Export Control Act (22 U.S.C. 2776).

(c) **CONDITIONS OF TRANSFER.**—

(1) **LIMITATION.**—No transfer to Saudi Arabia of United States air-to-ground munitions may occur until the President makes the certification described under subsection (d).

(2) **CERTIFICATION AT TIME OF CONGRESSIONAL NOTIFICATION.**—Any notification to Congress made on or after the date of the enactment of this Act with respect to a proposed sale to Saudi Arabia of air-to-ground munitions shall be accompanied by the certification described under subsection (d).

(d) **CONDITIONS REQUIRED PRIOR TO SALE.**—The certification described under this subsection is a certification by the President to the appropriate congressional committees as follows:

(1) The Government of Saudi Arabia and its coalition partners are taking all feasible precautions to reduce the risk of harm to civilians and civilian objects to comply with their obligations under international humanitarian law, which includes minimizing harm to civilians, discriminating between civilian

objects and military objectives, and exercising proportional use of force in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

(2) The Government of Saudi Arabia and its coalition partners are making demonstrable efforts to facilitate the flow of critical humanitarian aid and commercial goods, including commercial fuel and commodities not subject to sanction or prohibition under United Nations Security Council Resolution 2216 (2015).

(3) The Government of Saudi Arabia is taking all necessary measures to target designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant as part of its military operations in Yemen.

(e) **REPORTING REQUIREMENTS.**—

(1) **REPORTING REQUIREMENTS.**—Prior to any transfer of United States air-to-ground munitions to Saudi Arabia pursuant to an authorized sale to Saudi Arabia of air-to-ground munitions or the notification to Congress of a proposed sale to Saudi Arabia of air-to-ground munitions, the President or the President's designee shall provide a briefing to the appropriate congressional committees. The briefing shall include—

(A) a description of the nature, content, costs, and purposes of any United States support for the Government of Saudi Arabia's coalition military operations in Yemen on or after March 26, 2015;

(B) an assessment of whether the Government of Saudi Arabia's coalition operations have deliberately targeted civilian infrastructure in Yemen on or after March 26, 2015, and whether the armed forces of the Government of Saudi Arabia and its coalition partners have taken all possible steps to comply with the rules of distinction, proportionality, and precautions, as regulated by Additional Protocol I to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, done at Geneva June 8, 1977;

(C) an assessment of whether the armed forces of Saudi Arabia have used United States-origin munitions, including cluster munitions, in any attacks against civilians or civilian infrastructure in Yemen on or after March 26, 2015, and how that affects the United States' credibility in the region; and

(D) an assessment of the effect of Saudi Arabia's military operations in Yemen on its ability to contribute to United States efforts to defeat al Qaeda in the Arabian Peninsula and the Islamic State of Iraq and the Levant.

(2) **FORM OF BRIEFING.**—The briefing required under paragraph (1) shall be conducted in an unclassified forum but may be conducted in a classified setting as required.

(f) **SUNSET.**—This section shall cease to have effect three years after the date of the enactment of this Act, unless renewed.

SA 4300. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. RESEARCH AND DEVELOPMENT ON SMART GUN TECHNOLOGY.

The Director of the Defense Advanced Research Projects Agency may, using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2017 for the Defense Advanced Research Projects Agency, carry out research, development, test, and evaluation activities relating to smart gun technology.

SA 4301. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 882.

SA 4302. Mr. DONNELLY (for himself, Mr. CRUZ, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XI, add the following:

SEC. 1138. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.**—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G), by striking “and” at the end;

(B) in subparagraph (H), by adding “and” at the end; and

(C) by inserting after subparagraph (H) the following:

“(I) a qualified reservist;”;

(2) in paragraph (4), by striking “and” at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(6) ‘qualified reservist’ means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

“(A) who—

“(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

“(B) who—

“(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

“(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

“(7) ‘reserve component of the Armed Forces’ means a reserve component specified in section 101(27) of title 38.”.

(b) **TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.**—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking “and” at the end; and

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(3) a preference eligible described in section 2108(6)(B) — 3 points; and

“(4) a preference eligible described in section 2108(6)(A) — 2 points.”.

(c) **GAO REVIEW.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

SA 4303. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 526. PLAN TO MEET THE DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE AIR FORCE.

(a) **PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Air Force, in accordance with the recommendations of the National Commission on the Structure of the Air Force.

(b) **ELEMENTS.**—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential synergies with private sector companies involved in cyberspace or educational institutions with established cyber-space-related academic programs.

(3) The potential for or proven record of Total Force Integration with associated units or organizations in the regular Air Force.

(c) **METRICS.**—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 4304. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE RESTRICTED REPORTS.

(a) **TREATMENT AT ELECTION OF MEMBERS.**—Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces to such health care personnel of the Department of Veterans Affairs as the Secretary shall specify for purposes of such procedures may, at the election of the member, be treated as a Restricted Report on the incident for Department of Defense purposes.

(b) **TRANSMITTAL TO DEPARTMENT OF DEFENSE.**—Under procedures jointly established by the Secretary of Veterans Affairs and the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report pursuant to subsection (a) shall be transmitted by the Department of Veterans Affairs to such personnel of the Department of Defense who are authorized to access Restricted Reports on incidents of sexual assault as the Secretary of Defense shall specify for purposes of such procedures. The transmittal shall be made in a manner that preserves for all purposes the confidential nature of the report as a Restricted Report.

SA 4305. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 562 and insert the following:
SEC. 562. MODIFICATION OF PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

(a) **SCOPE OF PROGRAM.**—Subsection (a)(1) of section 2015 of title 10, United States Code, is amended by striking “incident to the performance of their military duties”.

(b) **QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.**—Subsection (c) of such section is amended—

(1) in paragraph (1), by inserting before the period at the end the following: “, or meets the requirements in paragraph (3)”; and

(2) by adding at the end the following new paragraph:

“(3) A credentialing program used in connection with the program under subsection (a) is eligible for funds under subsection (b) if successful completion of the program results in a recognized postsecondary credential, meaning an industry recognized certificate or certification, a certificate of completion of an apprenticeship, or a license recognized by a State or the Federal Government, and is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128).”.

SA 4306. Mr. INHOFE (for himself, Mr. CRUZ, Mr. ROUNDS, Mr. COTTON, Mr. HATCH, Mr. TILLIS, Mr. RUBIO, Mr.

MORAN, Mr. THUNE, Mr. ISAKSON, Mr. LANKFORD, Mr. SESSIONS, and Mrs. ERNST) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. ADVANCE NOTICE TO THE PUBLIC ON THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) **ADVANCE NOTICE REQUIRED.**—The Secretary of Defense shall make public, not later than 21 days before the intended date of transfer or release, a notice on the decision to transfer or release any individual detained at Guantanamo.

(b) **ELEMENTS OF NOTICE.**—The notice on an individual pursuant to subsection (a) shall include the following:

(1) The name of the individual.

(2) The location to which the individual will be transferred or released.

(3) A summary of the agreement, if any, made with the government of the location accepting the transfer or release of the individual.

(4) The actions taken to mitigate the risks of the transfer or release of the individual from United States Naval Station, Guantanamo Bay, Cuba.

(c) **INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.**—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of June 24, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay.

SA 4307. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. JURISDICTION OVER OFFENSES COMMITTED BY CERTAIN UNITED STATES PERSONNEL STATIONED IN CANADA.

(a) **SHORT TITLE.**—This section may be cited as the “Promoting Travel, Commerce, and National Security Act of 2016”.

(b) **AMENDMENT.**—Chapter 212A of title 18, United States Code, is amended—

(1) in the chapter heading, by striking “**TRAFFICKING IN PERSONS**”; and

(2) by adding after section 3272 the following:

“§ 3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives

“(a) **IN GENERAL.**—Whoever, while employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in Canada pursuant to a treaty, executive agreement, or bilateral memorandum in furtherance of a border security initiative, engages in conduct (or conspires or attempts to engage in conduct) in Canada that would constitute an offense for which a person may be prosecuted in a court of the United States had the conduct been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be fined or imprisoned, or both, as provided for that offense.

“(b) **DEFINITION.**—In this section, the term ‘employed by the Department of Homeland Security or the Department of Justice’ means—

“(1) being employed as a civilian employee, a contractor (including a subcontractor at any tier), or an employee of a contractor (or a subcontractor at any tier) of the Department of Homeland Security or the Department of Justice;

“(2) being present or residing in Canada in connection with such employment; and

“(3) not being a national of or ordinarily resident in Canada.”.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Part II of title 18, United States Code, is amended—

(1) in the table of chapters, by striking the item relating to chapter 212A and inserting the following:

“212A. Extraterritorial jurisdiction over certain offenses 3271”; and

(2) in the table of sections for chapter 212A, by inserting after the item relating to section 3272 the following:

“3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives.”.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section shall be construed to infringe upon or otherwise affect the exercise of prosecutorial discretion by the Department of Justice in implementing this section and the amendments made by this section.

SA 4308. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____ . TREATMENT OF CERTAIN INDIVIDUALS PERFORMING SERVICES IN THE SINAI PENINSULA OF EGYPT.

(a) **IN GENERAL.**—For purposes of the following provisions of the Internal Revenue Code of 1986, a qualified hazardous duty area shall be treated in the same manner as if it were a combat zone (as determined under section 112 of such Code):

(1) Section 2(a)(3) (relating to special rule where deceased spouse was in missing status).

(2) Section 112 (relating to the exclusion of certain combat pay of members of the Armed Forces).

(3) Section 692 (relating to income taxes of members of Armed Forces on death).

(4) Section 2201 (relating to members of the Armed Forces dying in combat zone or by reason of combat-zone-incurred wounds, etc.).

(5) Section 3401(a)(1) (defining wages relating to combat pay for members of the Armed Forces).

(6) Section 4253(d) (relating to the taxation of phone service originating from a combat zone from members of the Armed Forces).

(7) Section 6013(f)(1) (relating to joint return where individual is in missing status).

(8) Section 7508 (relating to time for performing certain acts postponed by reason of service in combat zone).

(b) **QUALIFIED HAZARDOUS DUTY AREA.**—For purposes of this section, the term “qualified hazardous duty area” means the Sinai Peninsula of Egypt, if as of the date of the enactment of this section any member of the Armed Forces of the United States is entitled to special pay under section 310 of title 37, United States Code (relating to special pay; duty subject to hostile fire or imminent danger) for services performed in such location. Such term includes such location only during the period such entitlement is in effect.

(c) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the provisions of this section shall take effect on June 9, 2015.

(2) **WITHHOLDING.**—Subsection (a)(5) shall apply to remuneration paid after the date of the enactment of this Act.

SA 4309. Mr. CORNYN (for himself, Mr. BLUMENTHAL, Mr. KIRK, Mr. COONS, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter through 2020, the Secretary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) **FORM OF REPORT.**—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) **PUBLICATION OF LIST.**—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

SA 4310. Mrs. GILLIBRAND (for herself, Ms. BALDWIN, Mr. WYDEN, Mr. UDALL, Mr. KIRK, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. PAUL, Mr. BLUMENTHAL, Ms. STABENOW, Mr. HELLER, Mrs. BOXER, Ms. HIRONO, Mr. VITTER, Ms. KLOBUCHAR, Mr. BROWN, Ms. WARREN, Mr. LEAHY, Mr. DURBIN, Mr. DONNELLY, Mr. HEINRICH, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS, Mr. MERKLEY, Mr. FRANKEN, Mr. CRUZ, Mrs. SHAHEEN, Ms. HEITKAMP, Mr. BOOKER, Mr. SANDERS, Mr. CASEY, Mr. PETERS, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

PART III—UNIFORM CODE OF MILITARY JUSTICE REFORM

SEC. 556. SHORT TITLE.

This part may be cited as the “Military Justice Improvement Act of 2016”.

SEC. 557. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) **MODIFICATION OF AUTHORITY.**—

(1) **IN GENERAL.**—

(A) **MILITARY DEPARTMENTS.**—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(B) **HOMELAND SECURITY.**—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) **COVERED OFFENSES.**—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(B) An offense of retaliation for reporting a crime under section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), as amended by section 559B of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(C) An offense under section 907a of title 10, United States Code (article 107a of the Uniform Code of Military Justice), as added by section 559C of this Act, regardless of the maximum punishment authorized under that chapter for such offense.

(D) A conspiracy to commit an offense specified in subparagraph (A) through (C) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(E) A solicitation to commit an offense specified in subparagraph (A) through (C) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(F) An attempt to commit an offense specified in subparagraphs (A) through (E) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(3) **EXCLUDED OFFENSES.**—Paragraph (1) does not apply to an offense as follows:

(A) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(B) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(C) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(D) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(E) An attempt to commit an offense specified in subparagraph (A) through (D) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(4) **REQUIREMENTS AND LIMITATIONS.**—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are outside the chain of command of the member subject to such charges.

(B) Upon a determination under subparagraph (A) to try such charges by court-martial, the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military

Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) The actions of an officer described in subparagraph (A) in determining under that subparagraph whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(F) The determination under subparagraph (A) not to proceed to trial of such charges by general or special court-martial shall not operate to terminate or otherwise alter the authority of commanding officers to refer such charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(5) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this subsection shall be construed to alter or affect the disposition of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense triable by court-martial under that chapter for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(6) POLICIES AND PROCEDURES.—

(A) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this subsection.

(B) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this paragraph in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(7) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this subsection.

(b) EFFECTIVE DATE AND APPLICABILITY.—Subsection (a), and the revisions required by that subsection, shall take effect on the date that is 180 days after the date of the enactment of this Act, and shall apply with respect to charges preferred under section 830 of title 10, United States Code (article 30 of the Uniform Code of Military Justice), on or after such effective date.

SEC. 558. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

“(8) the officers in the offices established pursuant to section 558(c) of the National Defense Authorization Act for Fiscal Year 2017 or officers in the grade of O-6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard, but only with respect to offenses to which section 557(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 applies.”.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

“(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.”.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 557(a)(1) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence on the date of the enactment of this Act.

SEC. 559. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 557 and 558 using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 557 and 558 shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 559A. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES ON COURTS-MARTIAL BY INDEPENDENT PANEL ON REVIEW AND ASSESSMENT OF PROCEEDINGS UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

Section 576(d)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1762) is amended—

(1) by redesignating subparagraph (J) as subparagraph (K); and

(2) by inserting after subparagraph (I) the following new subparagraph (J):

“(J) Monitor and assess the implementation and efficacy of sections 557 through 559 of the National Defense Authorization Act for Fiscal Year 2017.”.

SEC. 559B. EXPLICIT CODIFICATION OF RETALIATION FOR REPORTING A CRIME AS AN OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) IN GENERAL.—Section 893 of title 10, United States Code (article 93 of the Uniform Code of Military Justice), is amended—

(1) by inserting “(a)” before “Any person”;
(2) in subsection (a), as so designated, by inserting “, or retaliating against any person subject to his orders for reporting a criminal offense,” after “any person subject to his orders”; and

(3) by adding at the end the following new subsection:

“(b) This section (article) is the sole section of this chapter under which the offense of retaliating against any person subject to a person's orders for reporting a criminal offense as described in subsection (a) is punishable.”.

(b) CONFORMING AMENDMENTS.—

(1) SECTION (ARTICLE) HEADING.—The heading of such section (article) is amended to read as follows:

“§ 893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime”.

(2) TABLE OF SECTIONS (ARTICLES).—The table of sections at the beginning of subchapter X of chapter 47 of such title is amended by striking the item relating to section 893 (article 93) and inserting the following new item:

“893. Art. 93. Cruelty and maltreatment; retaliation for reporting a crime.”.

(c) REPEAL OF SUPERSEDED PROHIBITION.—Section 1709 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 127 Stat. 962; 10 U.S.C. 113 note) is repealed.

SEC. 559C. ESTABLISHMENT OF OBSTRUCTION OF JUSTICE AS A SEPARATE OFFENSE UNDER THE UNIFORM CODE OF MILITARY JUSTICE.

(a) PUNITIVE ARTICLE.—Subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after section 907 (article 107) the following new section (article):

“§ 907a. Art. 107a. Obstruction of justice

“(a) Any person subject to this chapter who wrongfully does a certain act with the intent to influence, impede, or otherwise obstruct the due administration of justice shall be punished as a court-martial may direct, except that the maximum punishment authorized for such offense may not exceed dishonorable discharge, forfeiture of all pay and allowances, and confinement for not more than five years.

“(b) This section (article) is the sole section of this chapter under which an offense described in subsection (a) is punishable.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of such title, as amended by section 559B(b)(2) of this Act, is further amended by inserting after the item relating to section 907 (article 107) the following new item:

“907a. Art. 107a. Obstruction of justice.”.

SA 4311. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize

appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. AUTHORIZATION FOR RESEARCH TO IMPROVE MILITARY VEHICLE TECHNOLOGY TO INCREASE FUEL ECONOMY OR REDUCE FUEL CONSUMPTION OF MILITARY GROUND VEHICLES USED IN COMBAT.

(a) **RESEARCH AUTHORIZED.**—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Secretary of the Army, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency, may carry out research to improve military ground vehicle technology to increase fuel economy or reduce fuel consumption of military ground vehicles used in combat.

(b) **PREVIOUS SUCCESSES.**—The Secretary of Defense shall ensure that research carried out under subsection (a) takes into account the successes of, and lessons learned during, previous Department of Defense, Department of Energy, and private sector efforts to identify, assess, develop, demonstrate, and prototype technologies that support increasing fuel economy or decreasing fuel consumption of military ground vehicles, while balancing survivability, in furtherance of military missions.

SA 4312. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. ESTABLISHMENT OF DEPARTMENT OF DEFENSE ALTERNATIVE FUELED VEHICLE INFRASTRUCTURE FUND.

(a) **ESTABLISHMENT OF FUND.**—There is established in the Treasury a fund to be known as the “Department of Defense Alternative Fuel Vehicle Infrastructure Fund”.

(b) **DEPOSITS.**—The Fund shall consist of the following:

- (1) Amounts appropriated to the Fund.
- (2) Amounts earned through investment under subsection (c).
- (3) Any other amounts made available to the Fund by law.

(c) **INVESTMENTS.**—The Secretary shall invest any part of the Fund that the Secretary decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Secretary decides has a maturity suitable for the Fund.

(d) **USE OF FUNDS.**—Amounts in the Fund shall be available to the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, to install, operate, and maintain alternative

fuel dispensing stations for use by alternative fueled vehicles of the Department of Defense and other infrastructure necessary to fuel alternative fueled vehicles of the Department.

(e) **DEFINITIONS.**—In this section:

(1) **ALTERNATIVE FUEL.**—The term “alternative fuel” has the meaning given such term in section 32901 of title 49, United States Code.

(2) **ALTERNATIVE FUELED VEHICLE.**—The term “alternative fueled vehicle” means a vehicle that operates on alternative fuel.

(3) **FUND.**—The term “Fund” means the fund established under subsection (a).

SA 4313. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON DEFENSE NUCLEAR NON-PROLIFERATION RESEARCH AND DEVELOPMENT PROJECTS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Joint Comprehensive Plan of Action (JCPOA) provides for the long term presence of the International Atomic Energy Agency (IAEA) in Iran using modern technologies in Annex I, section N.

(2) The JCPOA allows the IAEA to utilize on-line enrichment measurement and electronic seals as well as other internationally accepted modern technologies for inspection and verification of compliance.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Deputy Administrator for Defense Nuclear Nonproliferation shall submit to Congress a report that contains at a minimum the following elements:

(1) A description of ongoing, planned, and anticipated defense nuclear nonproliferation research and development projects and activities.

(2) A strategy for improving arms control agreement verification capabilities, including improving the capability and accuracy of nonproliferation verification technologies that comply with the JCPOA.

(c) **JOINT COMPREHENSIVE PLAN OF ACTION DEFINED.**—The term “Joint Comprehensive Plan of Action” means the Joint Comprehensive Plan of Action signed at Vienna on July 14, 2015, by Iran and by France, Germany, the Russian Federation, the People’s Republic of China, the United Kingdom, and the United States.

SA 4314. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. AUTHORITY TO PROVIDE ASSISTANCE AND TRAINING TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) **PURPOSE.**—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) **AUTHORITY.**—

(1) **IN GENERAL.**—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) **DESIGNATION.**—The provision of assistance and training under this section may be referred to as the “Counter Iran Maritime Initiative”.

(c) **TYPES OF TRAINING.**—

(1) **AUTHORIZED ELEMENTS OF TRAINING.**—Training provided under subsection (b)(1)(A) may include the provision of de minimis equipment, supplies, and small-scale military construction.

(2) **REQUIRED ELEMENTS OF TRAINING.**—Training provided under subsection (b) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) **AVAILABILITY OF FUNDS.**—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) **COST SHARING.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that, given income parity among recipient countries, the Secretary of Defense, with the concurrence of the Secretary of State, should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset any training costs associated with implementation of subsection (b).

(2) **COST-SHARING AGREEMENT.**—The Secretary of Defense, with the concurrence of the Secretary of State, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(3) **CREDIT TO APPROPRIATIONS.**—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(f) NOTICE TO CONGRESS ON TRAINING.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(g) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

SA 4315. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON MILITARY TRAINING FOR OPERATIONS IN DENSELY POPULATED URBAN TERRAIN.

(a) FINDINGS.—Congress makes the following findings:

(1) Despite years of contingency operations in densely populated urban areas, the United States Armed Forces continue to rely on crude mock-ups of city blocks for urban training.

(2) Current urban training complexes do not offer sufficient capability to train or exercise joint, combined arms or large units in a dense urban landscape of tall buildings and other obstacles inhabited by millions of people.

(3) Combat units from all military services train in facilities that are significantly

smaller and less complex than the real-world urban environments of today and of the megacity challenges anticipated in the future.

(4) The military services have identified the training gap, but do not have the resources or funding to invest in the development of massive cities with the infrastructure and obstacles that would be encountered during a contingency in dense urban environments.

(5) In 2015, the Chief of Staff of the Army published guidance to subordinate organizations to continue to develop concepts and capabilities related to all aspects of the dense urban terrain challenge.

(6) The United States Army Training and Doctrine Command (TRADOC) was directed to assume the leadership for the development of solutions to address the myriad of challenges operating in dense urban terrain, including requirements for the developing an urban studies program to increase operational leader understanding of urban environments, advancing material solutions for current and future megacity challenges, and improving urban systems modeling capabilities.

(b) REPORT.—

(1) IN GENERAL.—Not later than February 1, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities, and to provide for new training opportunities that will more closely resemble large, dense, heavily populated urban environments. The report should include specific efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including consideration of anticipated urban military operations in or near the littoral environment and maritime domain as well as the cyber domain.

(2) FORM.—The report required under paragraph (1) may be submitted in classified or unclassified form.

SA 4316. Mr. ROUNDS (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 709. EXPEDITED EVALUATION AND TREATMENT FOR PRENATAL SURGERY UNDER THE TRICARE PROGRAM.

(a) IN GENERAL.—The Secretary of Defense shall implement processes and procedures to ensure that a covered beneficiary under the TRICARE program whose pregnancy is complicated with a fetal anomaly or suspected of being complicated with a fetal anomaly receives, in an expedited manner and at the discretion of the covered beneficiary, evaluation and treatment from a perinatal or pediatric specialist capable of providing surgical management and intervention in utero.

(b) DEFINITIONS.—In this section, the terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

SA 4317. Ms. HIRONO (for herself, Ms. MURKOWSKI, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, insert the following:

SEC. 1277. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

(a) FINDINGS.—Congress makes the following findings:

(1) The Republic of Palau is comprised of 300 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association which provided for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(5) The security terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation's military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and the right to establish and use defense sites in Palau.

(6) The Compact entitles any citizen of Palau to volunteer for service in the United States Armed Forces, and they do so at a rate that exceeds that of any of the 50 States.

(7) In 2009, and in accordance with section 432 of the Compact, the United States and Palau reviewed their overall relationship. In 2010, the two nations signed an agreement updating and extending several provisions of the Compact, including an extension of United States financial and program assistance to Palau, and establishing increased post-9/11 immigration protections. However, the United States has not yet approved this Agreement or provided the assistance as called for in the Agreement.

(8) Beginning in 2010 and most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House of Representatives and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(9) The February 22, 2016, letter concluded, “Approving the results of the Agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States’ broader strategic interest in the Asia-Pacific region.”

(10) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advances United States national security objectives in the region.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and strengthen the ability of the United States to defend the homeland, Congress and the President should promptly enact the Compact Review Agreement signed by the United States and Palau in 2010; and

(2) Congress and the President should immediately seek a mutually acceptable solution to approving the Compact Review Agreement and ensuring adequate budgetary resources are allocated to meet United States obligations under the Compact through enacting legislation, including through this Act.

SA 4318. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. AIR FORCE REPORT ON PERFLUORO-OCTANOIC ACID (PFOA) AND PERFLUOROOCTANE SULFONATES (PFOS) CONTAMINATION AT CERTAIN MILITARY INSTALLATIONS.

(a) FINDING.—Congress makes the following findings:

(1) An increasing number of communities across New York have reportedly identified the presence of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS), which can contaminate water and cause adverse health effects.

(2) According to reports, levels of PFOA and PFOS have been detected in the public and private water supplies in the cities of Newburgh and Plattsburgh and the towns of Hoosick Falls and Petersburg, New York. Public and private wells in these communities are being tested by the New York Department of Environmental Conservation (DEC) and the New York Department of Health (DOH).

(3) The Environmental Protection Agency (EPA) has identified PFOA as an “emerging contaminant,” and in 2009, the EPA issued an updated provisional health advisory for drinking water of 70 parts per trillion for PFOA and PFOS.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 1, 2016, the Secretary of the Air Force, in collaboration with the Administrator of the Environmental Protection Agency, shall submit to Congress a report on perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS) contamination at Stewart Air National Guard Base, Newburgh, Plattsburgh, Hoosick Falls, and Petersburg, New York.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on the cleanups underway at Stewart Air National Guard Base, Newburgh, Plattsburgh, Hoosick Falls, and Petersburg.

(B) An update on the Air Force's efforts to identify and notify everyone affected or impacted by the contamination.

(C) An assessment of the Air Force's role, if any, in the new contaminations.

(D) A summary of the Air Force's support, where appropriate, for the EPA with respect to the latest contaminations.

SA 4319. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. USE OF REVENUE AT A PREVIOUSLY ASSOCIATED AIRPORT.

Section 40117 of title 49, United States Code, is amended by adding at the end the following:

“(n) USE OF REVENUES AT A PREVIOUSLY ASSOCIATED AIRPORT.—Notwithstanding the requirements relating to airport control under subsection (b)(1), the Secretary may authorize use of a passenger facility charge under subsection (b) to finance an eligible airport-related project if—

“(1) the eligible agency seeking to impose the new charge controls an airport where a \$2.00 passenger facility charge became effective on January 1, 2013; and

“(2) the location of the project to be financed by the new charge is at an airport that was under the control of the same eligible agency that had controlled the airport described in paragraph (1).”.

SA 4320. Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. BROWN, Mr. DURBIN, Mr. WYDEN, Mrs. BOXER, Mr. TESTER, Mr. BLUMENTHAL, Mr. UDALL, Mr. MERKLEY, Mr. SANDERS, Mrs. MCCASKILL, Mr. LEAHY, Ms. CANTWELL, Mrs. MURRAY, Ms. HIRONO, Mr. CARPER, Ms. HEITKAMP, Mr. COONS, Mr. BENNET, Mr. BOOKER, Mrs. SHAHEEN, Mr. HEINRICH, Mr. PETERS, Mr. SCHUMER, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 536 the following:

SEC. 536A. REVIEW OF DISCHARGE CHARACTERIZATION.

(a) IN GENERAL.—In accordance with this section, the appropriate discharge boards—

(1) shall review the discharge characterization of covered members at the request of the covered member; and

(2) if such characterization is any characterization except honorable, may change such characterization to honorable.

(b) CRITERIA.—In changing the discharge characterization of a covered member to honorable under subsection (a)(2), the Secretary of Defense shall ensure that such changes are carried out consistently and uniformly across the military departments using the following criteria:

(1) The original discharge must be based on Don't Ask Don't Tell (in this Act referred to as “DADT”) or a similar policy in place prior to the enactment of DADT.

(2) Such discharge characterization shall be so changed if, with respect to the original discharge, there were no aggravating circumstances, such as misconduct, that would have independently led to a discharge characterization that was any characterization except honorable. For purposes of this paragraph, such aggravating circumstances may not include—

(A) an offense under section 925 of title 10, United States Code (article 125 of the Uniform Code of Military Justice), committed by a covered member against a person of the same sex with the consent of such person; or

(B) statements, consensual sexual conduct, or consensual acts relating to sexual orientation or identity, or the disclosure of such statements, conduct, or acts, that were prohibited at the time of discharge but after the date of such discharge became permitted.

(3) When requesting a review, a covered member, or the member's representative, shall be required to provide either—

(A) documents consisting of—

(i) a copy of the DD-214 form of the member;

(ii) a personal affidavit of the circumstances surrounding the discharge; and

(iii) any relevant records pertaining to the discharge; or

(B) an affidavit certifying that the member, or the member's representative, does not have the documents specified in subparagraph (A).

(4) If a covered member provides an affidavit described in subparagraph (B) of paragraph (3)—

(A) the appropriate discharge board shall make every effort to locate the documents specified in subparagraph (A) of such paragraph within the records of the Department of Defense; and

(B) the absence of such documents may not be considered a reason to deny a change of the discharge characterization under subsection (a)(2).

(c) REQUEST FOR REVIEW.—The appropriate discharge board shall ensure the mechanism by which covered members, or their representative, may request to have the discharge characterization of the covered member reviewed under this section is simple and straightforward.

(d) REVIEW.—

(1) IN GENERAL.—After a request has been made under subsection (c), the appropriate discharge board shall review all relevant laws, records of oral testimony previously taken, service records, or any other relevant information regarding the discharge characterization of the covered member.

(2) ADDITIONAL MATERIALS.—If additional materials are necessary for the review, the appropriate discharge board—

(A) may request additional information from the covered member or the member's representative, in writing, and specifically detailing what is being requested; and

(B) shall be responsible for obtaining a copy of the necessary files of the covered

member from the member, or when applicable, from the Department of Defense.

(e) **CHANGE OF CHARACTERIZATION.**—The appropriate discharge board shall change the discharge characterization of a covered member to honorable if such change is determined to be appropriate after a review is conducted under subsection (d) pursuant to the criteria under subsection (b). A covered member, or the member's representative, may appeal a decision by the appropriate discharge board to not change the discharge characterization by using the regular appeals process of the board.

(f) **CHANGE OF RECORDS.**—For each covered member whose discharge characterization is changed under subsection (e), or for each covered member who was honorably discharged but whose DD-214 form reflects the sexual orientation of the member, the Secretary of Defense shall reissue to the member or the member's representative a revised DD-214 form that reflects the following:

(1) For each covered member discharged, the Separation Code, Reentry Code, Narrative Code, and Separation Authority shall not reflect the sexual orientation of the member and shall be placed under secretarial authority. Any other similar indication of the sexual orientation or reason for discharge shall be removed or changed accordingly to be consistent with this paragraph.

(2) For each covered member whose discharge occurred prior to the creation of general secretarial authority, the sections of the DD-214 form referred to paragraph (1) shall be changed to similarly reflect a universal authority with codes, authorities, and language applicable at the time of discharge.

(g) **STATUS.**—

(1) **IN GENERAL.**—Each covered member whose discharge characterization is changed under subsection (e) shall be treated without regard to the original discharge characterization of the member, including for purposes of—

(A) benefits provided by the Federal Government to an individual by reason of service in the Armed Forces; and

(B) all recognitions and honors that the Secretary of Defense provides to members of the Armed Forces.

(2) **REINSTATEMENT.**—In carrying out paragraph (1)(B), the Secretary shall reinstate all recognitions and honors of a covered member whose discharge characterization is changed under subsection (e) that the Secretary withheld because of the original discharge characterization of the member.

(h) **REPORTS.**—

(1) **REVIEW.**—The Secretary of Defense shall conduct a review of the consistency and uniformity of the reviews conducted under section 2.

(2) **REPORTS.**—Not later than 270 days after the date of the enactment of this Act, and each year thereafter for a four-year period, the Secretary shall submit to Congress a report on the reviews under paragraph (1). Such reports shall include any comments or recommendations for continued actions.

(i) **HISTORICAL REVIEW.**—The Secretary of each military department shall ensure that oral historians of the department—

(1) review the facts and circumstances surrounding the estimated 100,000 members of the Armed Forces discharged from the Armed Forces between World War II and September 2011 because of the sexual orientation of the member; and

(2) receive oral testimony of individuals who personally experienced discrimination and discharge because of the actual or perceived sexual orientation of the individual so

that such testimony may serve as an official record of these discriminatory policies and their impact on American lives.

(j) **DEFINITIONS.**—In this section:

(1) The term “appropriate discharge board” means the boards for correction of military records under section 1552 of title 10, United States Code, or the discharge review boards under section 1553 of such title, as the case may be.

(2) The term “covered member” means any former member of the Armed Forces who was discharged from the Armed Forces because of the sexual orientation of the member.

(3) The term “discharge characterization” means the characterization under which a member of the Armed Forces is discharged or released, including “dishonorable”, “general”, “other than honorable”, and “honorable”.

(4) The term “Don't Ask Don't Tell” means section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111-321).

(5) The term “representative” means the surviving spouse, next of kin, or legal representative of a covered member.

SA 4321. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON UNITED STATES INTERESTS IN THE FREELY ASSOCIATED STATES.

(a) **REPORT REQUIRED.**—Not later than December 1, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth the results of a study, conducted by the Comptroller General for purposes of the report, on United States security and foreign policy interests in the Freely Associated States of the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia.

(b) **ELEMENTS.**—The study required pursuant to subsection (a) shall address the following:

(1) The role of the Compacts of Free Association in promoting United States defense and foreign policy interests, and the status of the obligations of the United States and the Freely Associated States under the Compacts of Free Association.

(2) The economic assistance practices of the People's Republic of China in the Freely Associated States, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(3) The economic assistance practices of other countries in the Freely Associated States, as determined by the Comptroller General, and the implications of such practices for United States defense and foreign policy interests in the Freely Associated States and the Pacific region.

(4) Any other matters the Comptroller General considers appropriate.

(c) **CONSULTATION.**—The Comptroller General shall consult in the preparation of the

report with other departments and agencies of the United States Government, including elements of the intelligence community.

(d) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 4322. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 583. GAO REPORT ON IMPACT AID CONSTRUCTION PROGRAMS.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a comprehensive study that—

(1) examines the implementation of section 8007 of the Elementary and Secondary Education Act of 1965 (for fiscal year 2016 and any preceding fiscal year, and as in effect for such fiscal year) and section 7007 of that Act (for each of fiscal years 2017 and 2018, and as in effect for such fiscal year), including a comparison of—

(A) the distribution of payments between subparagraphs (A) and (B) of subsection (a)(3) of those sections, as applicable, for the period of the 10 fiscal years preceding the fiscal year of the study;

(B) other Federal funding made available to local educational agencies eligible to receive funding under subsection (a)(3) of those sections; and

(C) the overall level of available capital funding of local educational agencies eligible to receive funding under subsection (a)(3) of those sections compared to other comparable local educational agencies;

(2) evaluates unmet need as of the date of enactment of this section for housing of professionals employed to work at schools operated by local educational agencies eligible to receive funding under subsection (a)(3)(B) of section 7007 of the Elementary and Secondary Education Act of 1965 (as in effect for fiscal year 2017);

(3) to the extent practicable, determines the age, condition, and remaining utility of school facilities for those local educational agencies enrolling students described in subparagraph (B) or (C) of section 7003(a)(1) of that Act (as in effect for fiscal year 2017) that are eligible to receive a basic support payment under—

(A) section 8003(b) of that Act (for any of fiscal years 2009 through 2016, and as in effect for such fiscal year); and

(B) section 7003(b) of that Act (for any of fiscal years 2017 and 2018, and as in effect for such fiscal year); and

(4) recommends a method by which the Federal Government may develop a school facility condition index for a school facility of a local educational agency eligible to receive funding under 7007(a)(3) of that Act (as in effect for fiscal year 2017) that limits the reporting burden to the maximum extent practicable on the eligible local educational agencies included in the index.

(b) **REPORTING.**—The Comptroller General shall submit a report containing the conclusions of the study under subsection (a) to—

(1) the Committees on Indian Affairs, Armed Services, and Health, Education, Labor, and Pensions of the Senate; and

(2) the Subcommittee on Indian, Insular, and Alaska Native Affairs and the Committees on Education and the Workforce and Armed Services of the House of Representatives.

(c) **TIMEFRAME.**—The Comptroller General shall complete the study under subsection (a) and submit the report under subsection (b) by the date that is not later than 18 months after the date of enactment of this Act.

(d) **DEFINITION OF SCHOOL FACILITY.**—In this section, the term “school facility” has the meaning given the term in section 7013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713), as in effect for fiscal year 2017.

SA 4323. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 604.

SA 4324. Mr. SCOTT (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 583. MILITARY SCHOLARSHIPS.

(a) **PURPOSE.**—The purpose of this section is to ensure high-quality education for children of military personnel who live on military installations and thus have less freedom to exercise school choice for their children, in order to improve the ability of the Armed Forces to retain such military personnel.

(b) **MILITARY SCHOLARSHIP PROGRAM.**—

(1) **DEFINITIONS.**—In this section:

(A) **ESEA DEFINITIONS.**—The terms “child”, “elementary school”, “secondary school”, and “local educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) **ELIGIBLE MILITARY STUDENT.**—The term “eligible military student” means a child who—

- (i) is a military dependent student;
- (ii) lives on a military installation selected to participate in the program under paragraph (2)(B); and
- (iii) chooses to attend a participating school, rather than a school otherwise assigned to the child.

(C) **MILITARY DEPENDENT STUDENT.**—The term “military dependent student” has the meaning given the term in section 572(e) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(e)).

(D) **PARTICIPATING SCHOOL.**—The term “participating school” means a public or private elementary school or secondary school that—

- (i) accepts scholarship funds provided under this section on behalf of an eligible

military student for the costs of tuition, fees, or transportation of the eligible military student; and

(ii) is accredited, licensed, or otherwise operating in accordance with State law.

(E) **SECRETARY.**—The term “Secretary” means the Secretary of Defense.

(2) **PROGRAM AUTHORIZED.**—

(A) **IN GENERAL.**—From amounts made available under paragraph (7) and beginning for the first full school year following the date of enactment of this Act, the Secretary shall carry out a 5-year pilot program to award scholarships to enable eligible military students to attend the public or private elementary schools or secondary schools selected by the eligible military students’ parents.

(B) **SCOPE OF PROGRAM.**—

(i) **IN GENERAL.**—The Secretary shall select not less than 5 military installations to participate in the pilot program described in subparagraph (A). In making such selection, the Secretary shall choose military installations that where eligible military students would most benefit from expanded educational options.

(ii) **INELIGIBILITY.**—A military installation that provides, on its premises, education for all elementary school and secondary school grade levels through 1 or more Department of Defense dependents’ schools shall not be eligible for participation in the program.

(C) **AMOUNT OF SCHOLARSHIPS.**—

(i) **IN GENERAL.**—The annual amount of each scholarship awarded to an eligible military student under this section shall not exceed the lesser of—

(I) the cost of tuition, fees, and transportation associated with attending the participating school selected by the parents of the student; or

(II)(aa) in the case of an eligible military student attending elementary school—

(AA) \$8,000 for the first full school year following the date of enactment of this Act; or

(BB) the amount determined under clause (ii) for each school year following such first full school year; or

(bb) in the case of an eligible military student attending secondary school—

(AA) \$12,000 for the first full school year following the date of enactment of this Act; or

(BB) the amount determined under clause (ii) for each school year following such first full school year.

(ii) **ADJUSTMENT FOR INFLATION.**—For each school year after the first full school year following the date of enactment of this Act, the amounts specified in items (aa) and (bb) of clause (i)(II) shall be adjusted to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(D) **PAYMENTS TO PARENTS.**—The Secretary shall make scholarship payments under this section to the parent of the eligible military student in a manner that ensures such payments will be used for the payment of tuition, fees, and transportation expenses (if any) in accordance with this section.

(3) **SELECTION OF SCHOLARSHIPS RECIPIENTS.**—

(A) **RANDOM SELECTION.**—If more eligible military students apply for scholarships under the program under this section than the Secretary can accommodate, the Secretary shall select the scholarship recipients through a random selection process from students who submitted applications by the application deadline specified by the Secretary.

(B) **CONTINUED ELIGIBILITY.**—

(i) **IN GENERAL.**—An individual who is selected to receive a scholarship under the program under this section shall continue to receive a scholarship for each year of the program until the individual—

(I) graduates from secondary school or elects to no longer participate in the program;

(II) exceeds the maximum age for which the State in which the student lives provides a free public education; or

(III) is no longer an eligible military student.

(ii) **CONTINUED PARTICIPATION FOR MILITARY TRANSFERS.**—

(I) **TRANSFER TO PRIVATE NON-MILITARY HOUSING.**—Notwithstanding clause (i)(III), an individual receiving a scholarship under this section for a school year who meets the requirements of clauses (i) and (iii) of paragraph (1)(B) and whose family, during such school year, moves into private non-military housing that is not considered to be part of the military installation, shall continue to receive the scholarship for use at the participating school for the remaining portion of the school year.

(II) **TRANSFER TO A DIFFERENT MILITARY INSTALLATION.**—Notwithstanding clause (i)(III), an individual receiving a scholarship under this section for a school year whose family is transferred to a different military installation shall no longer be eligible to receive such scholarship beginning on the date of the transfer. Such individual may apply to participate in any program offered under this section for the new military installation for a subsequent school year, if such individual qualifies as an eligible military student for such school year.

(4) **NONDISCRIMINATION AND OTHER PROVISIONS.**—

(A) **NON-DISCRIMINATION.**—A participating school shall not discriminate against program participants or applicants on the basis of race, color, national origin, or sex.

(B) **APPLICABILITY AND SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.**—

(i) **IN GENERAL.**—Notwithstanding any other provision of law, the prohibition of sex discrimination in subparagraph (A) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subparagraph (A) is inconsistent with the religious tenets or beliefs of the school.

(ii) **SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.**—Notwithstanding subparagraph (A) or any other provision of law, a parent may choose, and a participating school may offer, a single-sex school, class, or activity.

(C) **CHILDREN WITH DISABILITIES.**—Nothing in this section may be construed to alter or modify the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(D) **RULES OF CONDUCT AND OTHER SCHOOL POLICIES.**—A participating school, including the schools described in paragraph (5), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(5) **RELIGIOUSLY AFFILIATED SCHOOLS.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, a participating school that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title.

(B) **MAINTENANCE OF PURPOSE.**—Notwithstanding any other provision of law, funds

made available under this section to eligible military students that are received by a participating school, as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution of the United States—

(i) necessitate any change in the participating school's teaching mission;

(ii) require any private participating school to remove religious art, icons, scriptures, or other symbols; or

(iii) preclude any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(6) REPORTS.—

(A) **ANNUAL REPORTS.**—Not later than July 30 of the year following the year of the date of enactment of this Act, and each subsequent year through the year in which the final report is submitted under subparagraph (B), the Secretary shall prepare and submit to Congress an interim report on the scholarships awarded under the pilot program under this section that includes the content described in subparagraph (C) for the applicable school year of the report.

(B) **FINAL REPORT.**—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the program that includes the content described in subparagraph (C) for each school year of the program.

(C) **CONTENT.**—Each annual report under subparagraph (A) and the final report under subparagraph (B) shall contain—

(i) the number of applicants for scholarships under this section;

(ii) the number, and the average dollar amount, of scholarships awarded;

(iii) the number of participating schools;

(iv) the number of elementary school students receiving scholarships under this section and the number of secondary school students receiving such scholarships; and

(v) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the scholarship program under this section.

(7) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2017 through 2021.

(8) **OFFSET IN DEPARTMENT OF EDUCATION SALARIES.**—Notwithstanding any other provision of law, for fiscal year 2017 and each of the 4 succeeding fiscal years, the Secretary of Education shall return to the Treasury \$10,000,000 of the amounts made available to the Secretary for salaries and expenses of the Department of Education for such year.

SA 4325. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. ADDITIONAL REPORTS ON TRANSFER OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES.

(a) **REPORT REQUIRED UPON TRANSFER.**—

(1) **REPORT.**—Upon the transfer of an individual detained at Guantanamo to a foreign country, the Secretary of Defense shall submit to the appropriate committees of Congress a report on any written or unwritten agreement or memorandum of understanding between the United States Government and the government of the country regarding the transfer of the individual.

(2) **ELEMENTS.**—The report on an individual under paragraph (1) shall set forth the following:

(A) The prospective status of the individual after transfer to the country concerned.

(B) The capacity of the country to securely detain or monitor the individual, or both.

(C) The actions the country will take to mitigate the risk of recidivism by the individual.

(D) An assessment of the security environment in the country.

(E) A list of individuals detained at Guantanamo previously transferred to the country, if any, and the current known status of each such individual.

(F) A plan to periodically assess the status of the individual and the compliance of the country with any written or unwritten agreement or memorandum of understanding described in subsection (a).

(G) An assessment of security cooperation between the United States and the country, and a description of any security assistance provided to the country—

(i) in connection with the transfer; and

(ii) during the two-year period ending on the date of the report.

(H) Any other incentives provided by the United States Government to the country to accept the transfer of the individual.

(b) REPORTS REQUIRED AFTER TRANSFER.—

(1) **IN GENERAL.**—The Secretary shall submit to the appropriate committees of Congress, with the frequency specified in paragraph (2), a report on each individual detained at Guantanamo who is transferred to a foreign country. Each such report shall include the following:

(A) A description of the compliance of such country with any written or unwritten agreement or memorandum of understanding between the United States Government and the government of such country regarding the transfer of the individual.

(B) A description of the status of each individual detained at Guantanamo who was previously transferred to such country, regardless of when transferred.

(2) **FREQUENCY.**—A report shall be submitted under paragraph (1) on an individual as follows:

(A) Not later than six months after transfer.

(B) Not later than one year after transfer.

(C) Not later than annually thereafter.

(c) **CONSTRUCTION WITH OTHER REPORTING REQUIREMENTS.**—The reports required under this section in connection with the transfer of an individual detained at Guantanamo are in addition to any other reports required in connection with the transfer of the individual under any other provision of law.

(d) **PUBLICATION.**—Each report under this section shall be published in the Federal Register in unclassified form.

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Per-

manent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1032. REPORT ON INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, WHOSE STATUS WAS REVISED AFTER 2010 FINAL REPORT OF THE GUANTANAMO REVIEW TASK FORCE.

(a) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the individuals detained at United States Naval Station, Guantanamo Bay, Cuba, whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) Name and number of each individual detained at Guantanamo whose status was revised after the January 22, 2010, Final Report of the Guantanamo Review Task Force.

(2) An explanation for the revision in status of each such individual.

(3) The name of each individual detained at Guantanamo who was designated in the Final Report of the Guantanamo Review Task Force as too dangerous to transfer, but had the status revised and was subsequently transferred from United States Naval Station, Guantanamo Bay, Cuba.

(4) The place to which each individual covered by paragraph (3) was transferred.

(5) The current status of each individual covered by paragraph (3).

(c) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SA 4326. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. LIMITATION ON USE OF FUNDS TO PROCURE GOODS OR SERVICES FROM PERSONS THAT ENGAGE IN SIGNIFICANT TRANSACTIONS WITH CERTAIN IRANIAN PERSONS.

(a) **LIMITATION.**—No funds authorized to be appropriated for the Department of Defense for fiscal year 2017 may be used to procure, or enter into any contract for the procurement of, any goods or services from any person that knowingly engages in a significant transaction or transactions with a covered Iranian person during such fiscal year.

(b) **CERTIFICATION.**—The Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that such person does not engage in any transaction described in subsection (a). Such revision shall apply with respect to contracts in an amount greater than the simplified acquisition threshold (as defined in section 134 of title 41, United States Code) for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

(c) **WAIVER.**—The Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury, may, on a case-by-case basis, waive the limitation in subsection (a) with respect to a person if the Secretary of Defense, in consultation with the Secretary of State and the Secretary of the Treasury—

(1) determines that the waiver is important to the national security interest of the United States; and

(2) not less than 30 days before the date on which the waiver is to take effect, submits to the appropriate committees of Congress—

(A) a notification of, and detailed justification for, the waiver; and

(B) a certification that—

(i) the person to which the waiver is to apply is no longer engaging in transactions described in subsection (a) or has taken significant verifiable and credible steps toward stopping such transactions, including winding down contracts or other agreements that were in effect before the date of the enactment of this Act; and

(ii) the Secretary of Defense has received reliable assurances in writing that the person will not knowingly engage in a transaction described in subsection (a) in the future.

(d) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **COVERED IRANIAN PERSON.**—The term “covered Iranian person” means an Iranian person that—

(A) is included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, the Government of Iran;

(B) is included on the list of persons identified as blocked solely pursuant to Executive Order 13599; or

(C) in the case of an Iranian person described in paragraph (3)(B)—

(i) is owned, directly or indirectly, by—

(I) Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof; or

(II) one or more other Iranian persons that are included on the list of specially designated nationals and blocked persons as described in subparagraph (A) if such Iranian persons collectively own a 25 percent or greater interest in the Iranian person; or

(ii) is controlled, managed, or directed, directly or indirectly, by Iran’s Revolutionary Guard Corps, or any agent or affiliate thereof, or by one or more other Iranian persons described in clause (i)(II).

(3) **IRANIAN PERSON.**—The term “Iranian person” means—

(A) an individual who is a national of Iran; or

(B) an entity that is organized under the laws of Iran or otherwise subject to the jurisdiction of the Government of Iran.

(4) **KNOWINGLY.**—The term “knowingly” shall be determined, for the purposes of this section, in accordance with section 561.314 of title 31, Code of Federal Regulations, as such section 561.314 was in effect on January 1, 2016.

(5) **PERSON.**—The term “person” means has the meaning given such term in section 560.305 of title 31, Code of Federal Regulation, as such section 560.305 was in effect on April 22, 2016.

(6) **SIGNIFICANT TRANSACTION OR TRANSACTIONS.**—The term “significant transaction or transactions” shall be determined, for purposes of this section, in accordance with section 561.404 of title 31, Code of Federal Regulations, as such section 561.404 was in effect on January 1, 2016.

SA 4327. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. VEHICLE INSPECTIONS.

(a) **IN GENERAL.**—As an interim safety measure, the Transportation Protective Service of the Department of Defense shall ensure that all commercial transportation service providers transporting explosives or potentially hazardous or sensitive cargo have a vehicle out-of-service percentage rate of not more than 10 percent, as determined by the Federal Motor Carrier Safety Administration, until the Department of Transportation concludes its current study to determine fair and accurate scoring methodology for the Safety Measurement System.

(b) **COMPLIANCE.**—The Transportation Protective Service may give a provider that exceeds the allowable vehicle out-of-service percentage rate under subsection (a) up to 90 days to bring such rate in compliance with subsection (a).

SA 4328. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1266. REPORT ON SECURITY COOPERATION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE INTENDED TO BUILD PARTNER CAPACITY OF FOREIGN COUNTRIES.

(a) **REPORT REQUIRED.**—The Secretary of Defense shall submit to the appropriate committees of Congress a report on the security cooperation programs and activities of the Department of Defense that are intended to build partner capacity of foreign countries.

(b) **ELEMENTS.**—The report under subsection (a) shall include the following:

(1) An identification of each current security cooperation program or activity of the Department of Defense that is intended to build partner capacity of a foreign country.

(2) A description of the manner in which each program and activity identified pursuant to paragraph (1) is intended to build partner capacity of a foreign country.

(3) An assessment whether the programs and activities identified pursuant to paragraph (1) have effectively contributed to the accomplishment of strategic-level objectives.

(c) **ASSESSMENT.**—In preparing the assessment of a program or activity required pursuant to subsection (b)(3), the Secretary shall do a comparative analysis of the short-term, medium-term, and long-term effectiveness of the program or activity from the perspective of the United States Government and from the perspective of the government of the country concerned.

(d) **DEFINITIONS.**—In this section, the terms “appropriate committees of Congress” and “security cooperation programs and activities of the Department of Defense” have the meaning given those terms in section 301 of title 10, United States Code, as added by section 1252 of this Act.

SA 4329. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subsection (d) of section 876, add the following:

(8) Secure laser communications systems with high data rates to provide low probability of interception by adversaries.

(9) Advanced additive manufacturing capabilities that can be deployed in combat zones for use in areas without adequate access to parts and supplies or out at sea.

SA 4330. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**Subtitle J—Organ Mountains-Desert Peaks
SEC. 1099A. DEFINITIONS.**

In this subtitle:

(1) **MONUMENT.**—The term “Monument” means the Organ Mountains-Desert Peaks National Monument established by Presidential Proclamation 9131 (79 Fed. Reg. 30431).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **STATE.**—The term “State” means the State of New Mexico.

(4) **WILDERNESS AREA.**—The term “wilderness area” means a wilderness area designated by section 1099B(a).

SEC. 1099B. DESIGNATION OF WILDERNESS AREAS.

(a) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) **ADEN LAVA FLOW WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 27,673 acres, as generally depicted on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, which shall be known as the “Aden Lava Flow Wilderness”.

(2) **BROAD CANYON WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 13,902 acres, as generally depicted on the map entitled “Desert Peaks Wilderness” and dated April 19, 2016, which shall be known as the “Broad Canyon Wilderness”.

(3) **CINDER CONE WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,935 acres, as generally depicted on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, which shall be known as the “Cinder Cone Wilderness”.

(4) **ORGAN MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,197 acres, as generally depicted on the map entitled “Organ Mountains Area” and dated April 19, 2016, which shall be known as the “Organ Mountains Wilderness”, the boundary of which shall be offset 400 feet from the centerline of Dripping Springs Road in T. 23 S., R. 04 E., sec. 7, New Mexico Principal Meridian.

(5) **POTRILLO MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 125,854 acres, as generally depicted on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, which shall be known as the “Potrillo Mountains Wilderness”.

(6) **ROBLEDO MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,776 acres, as generally depicted on the map entitled “Desert Peaks Complex” and dated April 19, 2016, which shall be known as the “Robledo Mountains Wilderness”.

(7) **SIERRA DE LAS UVAS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 11,114 acres, as gen-

erally depicted on the map entitled “Desert Peaks Complex” and dated April 19, 2016, which shall be known as the “Sierra de las Uvas Wilderness”.

(8) **WHITETHORN WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 9,616 acres, as generally depicted on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, which shall be known as the “Whitethorn Wilderness”.

(b) **MAPS AND LEGAL DESCRIPTIONS.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) **FORCE OF LAW.**—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct errors in the maps and legal descriptions.

(3) **PUBLIC AVAILABILITY.**—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) **MANAGEMENT.**—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary—

(1) as components of the National Landscape Conservation System; and

(2) in accordance with—

(A) this subtitle; and

(B) the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(i) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(ii) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(d) **INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.**—Any land or interest in land that is within the boundary of a wilderness area that is acquired by the United States shall—

(1) become part of the wilderness area within the boundaries of which the land is located; and

(2) be managed in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.);

(B) this subtitle; and

(C) any other applicable laws.

(e) **GRAZING.**—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(f) **MILITARY OVERFLIGHTS.**—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas;

(2) the designation of new units of special airspace over the wilderness areas; or

(3) the use or establishment of military flight training routes over the wilderness areas.

(g) **BUFFER ZONES.**—

(1) **IN GENERAL.**—Nothing in this section creates a protective perimeter or buffer zone around any wilderness area.

(2) **ACTIVITIES OUTSIDE WILDERNESS AREAS.**—The fact that an activity or use on land outside any wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(h) **PARAGLIDING.**—The use of paragliding within areas of the Potrillo Mountains Wilderness designated by subsection (a)(5) in which the use has been established before the date of enactment of this Act, shall be allowed to continue in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), subject to any terms and conditions that the Secretary determines to be necessary.

(i) **CLIMATOLOGIC DATA COLLECTION.**—Subject to such terms and conditions as the Secretary may prescribe, nothing in this subtitle precludes the installation and maintenance of hydrologic, meteorologic, or climatologic collection devices in wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(j) **FISH AND WILDLIFE.**—Nothing in this subtitle affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, or compliance with applicable law.

(k) **WITHDRAWALS.**—

(1) **IN GENERAL.**—Subject to valid existing rights, the Federal land within the wilderness areas and any land or interest in land that is acquired by the United States in the wilderness areas after the date of enactment of this Act is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) **PARCEL B.**—The approximately 6,500 acres of land generally depicted as “Parcel B” on the map entitled “Organ Mountains Area” and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn for purposes of the issuance of oil and gas pipeline rights-of-way.

(3) **PARCEL C.**—The approximately 1,300 acres of land generally depicted as “Parcel C” on the map entitled “Organ Mountains Area” and dated April 19, 2016, is withdrawn in accordance with paragraph (1), except that the land is not withdrawn from disposal under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(4) **PARCEL D.**—

(A) **IN GENERAL.**—The Secretary of the Army shall allow for the conduct of certain recreational activities on the approximately 2,050 acres of land generally depicted as “Parcel D” on the map entitled “Organ Mountains Area” and dated April 19, 2016 (referred to in this paragraph as the “parcel”), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1952 (17 Fed. Reg. 4822).

(B) **OUTDOOR RECREATION PLAN.**—

(i) **IN GENERAL.**—The Secretary of the Army shall develop a plan for public outdoor

recreation on the parcel that is consistent with the primary military mission of the parcel.

(ii) **REQUIREMENT.**—In developing the plan under clause (i), the Secretary of the Army shall ensure, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including, hunting, hiking, wildlife viewing, and camping.

(C) **CLOSURES.**—The Secretary of the Army may close the parcel or any portion of the parcel to the public as the Secretary of the Army determines to be necessary to protect—

(i) public safety; or
(ii) the safety of the military members training on the parcel.

(D) **TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.**—

(i) **IN GENERAL.**—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of administrative jurisdiction over the parcel, the Secretary of the Army shall transfer to the Secretary administrative jurisdiction over the parcel.

(ii) **WITHDRAWAL.**—On transfer of the parcel under clause (i), the parcel shall be—

(I) under the jurisdiction of the Director of the Bureau of Land Management; and

(II) withdrawn from—
(aa) entry, appropriation, or disposal under the public land laws;

(bb) location, entry, and patent under the mining laws; and

(cc) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(iii) **RESERVATION.**—On transfer under clause (i), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with a memorandum of understanding entered into under subparagraph (E).

(E) **MEMORANDUM OF UNDERSTANDING RELATING TO MILITARY TRAINING.**—

(i) **IN GENERAL.**—If, after the transfer of the parcel under subparagraph (D)(i), the Secretary of the Army requests that the Secretary enter into a memorandum of understanding, the Secretary shall enter into a memorandum of understanding with the Secretary of the Army providing for the conduct of military training on the parcel.

(ii) **REQUIREMENTS.**—The memorandum of understanding entered into under clause (i) shall—

(I) address the location, frequency, and type of training activities to be conducted on the parcel;

(II) provide to the Secretary of the Army access to the parcel for the conduct of military training;

(III) authorize the Secretary or the Secretary of the Army to close the parcel or a portion of the parcel to the public as the Secretary or the Secretary of the Army determines to be necessary to protect—

(aa) public safety; or
(bb) the safety of the military members training; and

(IV) to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(F) **MILITARY OVERFLIGHTS.**—Nothing in this paragraph restricts or precludes—

(i) low-level overflights of military aircraft over the parcel, including military overflights that can be seen or heard within the parcel;

(ii) the designation of new units of special airspace over the parcel; or

(iii) the use or establishment of military flight training routes over the parcel.

(1) **POTENTIAL WILDERNESS AREA.**—

(i) **ROBLEDO MOUNTAINS POTENTIAL WILDERNESS AREA.**—

(A) **IN GENERAL.**—Certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally depicted as “Potential Wilderness” on the map entitled “Desert Peaks Complex” and dated April 19, 2016, is designated as a potential wilderness area.

(B) **USES.**—The Secretary shall permit only such uses on the land described in subparagraph (A) that were permitted on the date of enactment of this Act.

(C) **DESIGNATION AS WILDERNESS.**—

(i) **IN GENERAL.**—On the date on which the Secretary publishes in the Federal Register the notice described in clause (ii), the potential wilderness area designated under subparagraph (A) shall be—

(I) designated as wilderness and as a component of the National Wilderness Preservation System; and

(II) incorporated into the Robledo Mountains Wilderness designated by subsection (a)(6).

(ii) **NOTICE.**—The notice referred to in clause (i) is notice that—

(I) the communications site within the potential wilderness area designated under subparagraph (A) is no longer used;

(II) the associated right-of-way is relinquished or not renewed; and

(III) the conditions in the potential wilderness area designated by subparagraph (A) are compatible with the Wilderness Act (16 U.S.C. 1131 et seq.).

(m) **RELEASE OF WILDERNESS STUDY AREAS.**—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Doña Ana County administered by the Bureau of Land Management not designated as wilderness by subsection (a)—

(1) has been adequately studied for wilderness designation;

(2) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(3) shall be managed in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this subtitle; and

(C) any other applicable laws.

SEC. 1099C. BORDER SECURITY.

(a) **IN GENERAL.**—Nothing in this subtitle—

(1) prevents the Secretary of Homeland Security from undertaking law enforcement and border security activities, in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), within the wilderness areas, including the ability to use motorized access within a wilderness area while in pursuit of a suspect;

(2) affects the 2006 Memorandum of Understanding among the Department of Homeland Security, the Department of the Interior, and the Department of Agriculture regarding cooperative national security and counterterrorism efforts on Federal land along the borders of the United States; or

(3) prevents the Secretary of Homeland Security from conducting any low-level overflights over the wilderness areas that may be necessary for law enforcement and border security purposes.

(b) **WITHDRAWAL AND ADMINISTRATION OF CERTAIN AREA.**—

(1) **WITHDRAWAL.**—The area identified as “Parcel A” on the map entitled “Potrillo

Mountains Complex” and dated April 19, 2016, is withdrawn in accordance with section 1099B(k)(1).

(2) **ADMINISTRATION.**—Except as provided in paragraphs (3) and (4), the Secretary shall administer the area described in paragraph (1) in a manner that, to the maximum extent practicable, protects the wilderness character of the area.

(3) **USE OF MOTOR VEHICLES.**—The use of motor vehicles, motorized equipment, and mechanical transport shall be prohibited in the area described in paragraph (1) except as necessary for—

(A) the administration of the area (including the conduct of law enforcement and border security activities in the area); or

(B) grazing uses by authorized permittees.

(4) **EFFECT OF SUBSECTION.**—Nothing in this subsection precludes the Secretary from allowing within the area described in paragraph (1) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(c) **RESTRICTED ROUTE.**—The route excluded from the Potrillo Mountains Wilderness identified as “Restricted—Administrative Access” on the map entitled “Potrillo Mountains Complex” and dated April 19, 2016, shall be—

(1) closed to public access; but

(2) available for administrative and law enforcement uses, including border security activities.

SEC. 1099D. ORGAN MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT.

(a) **MANAGEMENT PLAN.**—In preparing and implementing the management plan for the Monument, the Secretary shall include a watershed health assessment to identify opportunities for watershed restoration.

(b) **INCORPORATION OF ACQUIRED STATE TRUST LAND AND INTERESTS IN STATE TRUST LAND.**—

(1) **IN GENERAL.**—Any land or interest in land that is within the State trust land described in paragraph (2) that is acquired by the United States shall—

(A) become part of the Monument; and

(B) be managed in accordance with—

(i) Presidential Proclamation 9131 (79 Fed. Reg. 30431); and

(ii) any other applicable laws.

(2) **DESCRIPTION OF STATE TRUST LAND.**—The State trust land referred to in paragraph (1) is the State trust land in T. 22 S., R. 01 W., New Mexico Principal Meridian and T. 22 S., R. 02 W., New Mexico Principal Meridian.

(c) **LAND EXCHANGES.**—

(1) **IN GENERAL.**—Subject to paragraphs (3) through (6), the Secretary shall attempt to enter into an agreement to initiate an exchange under section 2201.1 of title 43, Code of Federal Regulations (or successor regulations), with the Commissioner of Public Lands of New Mexico, by the date that is 18 months after the date of enactment of this Act, to provide for a conveyance to the State of all right, title, and interest of the United States in and to Bureau of Land Management land in the State identified under paragraph (2) in exchange for the conveyance by the State to the Secretary of all right, title, and interest of the State in and to parcels of State trust land within the boundary of the Monument identified under that paragraph or described in subsection (b)(2).

(2) **IDENTIFICATION OF LAND FOR EXCHANGE.**—The Secretary and the Commissioner of Public Lands of New Mexico shall jointly identify the Bureau of Land Management land and State trust and eligible for exchange under this subsection, the exact

acreage and legal description of which shall be determined by surveys approved by the Secretary and the New Mexico State Land Office.

(3) **APPLICABLE LAW.**—A land exchange under paragraph (1) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(4) **CONDITIONS.**—A land exchange under paragraph (1) shall be subject to—

(A) valid existing rights; and

(B) such terms as the Secretary and the State shall establish.

(5) **VALUATION, APPRAISALS, AND EQUALIZATION.**—

(A) **IN GENERAL.**—The value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection—

(i) shall be equal, as determined by appraisals conducted in accordance with subparagraph (B); or

(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) **APPRAISALS.**—

(i) **IN GENERAL.**—The Bureau of Land Management land and State trust land to be exchanged under this subsection shall be appraised by an independent, qualified appraiser that is agreed to by the Secretary and the State.

(ii) **REQUIREMENTS.**—An appraisal under clause (i) shall be conducted in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) **EQUALIZATION.**—

(i) **IN GENERAL.**—If the value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this subsection is not equal, the value may be equalized by—

(I) making a cash equalization payment to the Secretary or to the State, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or

(II) reducing the acreage of the Bureau of Land Management land or State trust land to be exchanged, as appropriate.

(ii) **CASH EQUALIZATION PAYMENTS.**—Any cash equalization payments received by the Secretary under clause (i)(I) shall be—

(I) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(II) used in accordance with that Act.

(6) **LIMITATION.**—No exchange of land shall be conducted under this subsection unless mutually agreed to by the Secretary and the State.

SA 4331. Mr. UDALL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1221, add the following:

(c) **LIMITATION ON USE OF FUNDS FOR LETHAL ARMS FOR THE VETTED SYRIAN OPPOSITION.**—

(1) **LIMITATION.**—Amounts authorized to be appropriated by this Act may not be expended for procuring or transferring lethal arms to the vetted Syrian opposition until the Secretary of Defense determines, and certifies in writing, that such arms are not being transferred to individuals or groups who are allied, working with, or otherwise associated with Al Qaeda and its affiliates, Al Nusrah, the Islamic State of Iraq and the Levant (ISIL), or other terrorists groups identified by the United States Government.

(2) **CONSULTATION IN DETERMINATION.**—In making a determination for purposes of paragraph (1), the Secretary of Defense shall consult with the Secretary of State, the Director of National Intelligence, and the elements of the intelligence community.

(3) **WAIVER AUTHORITY.**—The President may waive the limitation in paragraph (1) with respect to the procurement or transfer of lethal arms if the President determines that the transfer of such arms is in the national security interests of the United States.

(4) **PROVISION TO CONGRESS.**—The President shall provide each waiver under paragraph (3), and an unclassified summary thereof, to—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 4332. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. INTERNATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

(a) **ESTABLISHMENT.**—Using existing funds, the Secretary of Defense shall work in consultation with the Secretary of Energy and the Secretary of State to develop an International Infrastructure Simulation and Analysis Center.

(b) **PURPOSE.**—The International Infrastructure Simulation and Analysis Center shall serve as the focal point for gathering, analyzing, and disseminating information to the Department of Defense, Secretary of State, the Department of Energy, and National Security Council for the purposes of—

(1) providing advanced modeling, simulation, and analysis capabilities to analyze critical infrastructure interdependencies, vulnerabilities, and complexities outside the United States;

(2) providing analysis and data to policy makers and decision makers to aid in the prevention or response to humanitarian or other threats outside the United States; and

(3) providing strategic, multidisciplinary analyses of infrastructure interdependencies and the consequences of infrastructure disruptions across multiple infrastructure sectors outside the United States.

(c) **USE OF EXISTING FACILITIES.**—The International Infrastructure Simulation and Analysis Center shall utilize existing Depart-

ment of Defense or Department of Energy facilities.

(d) **CAPABILITIES.**—The Center should include the following capabilities:

(1) Process-based systems dynamic models.

(2) Mathematical network optimization models.

(3) Physics-based models of existing infrastructure.

(4) High fidelity, agent-based simulations of systems.

(5) Other systems capabilities as deemed necessary by the Secretary of Defense to fulfill the mission needs of the Department of Defense.

SA 4333. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RESEARCH ON IMPACT OF OPEN BURN PITS ON MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) **ESTABLISHMENT OF RESEARCH NETWORK.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs shall establish a research network in which public and private entities assist the Secretary in conducting research on—

(A) the impact on the health of members of the Armed Forces and veterans of exposure by such members and veterans to open burn pits in Iraq and Afghanistan; and

(B) treatment for health conditions related to such exposure.

(2) **RESEARCH CONDUCTED.**—The research conducted pursuant to this section shall include the following:

(A) Scientific studies that advance knowledge of the diagnosis and treatment of health conditions among members of the Armed Forces and veterans associated with exposure of such members and veterans to toxic chemicals that are known or likely to be present in smoke from open burn pits used in Afghanistan and Iraq after September 11, 2001.

(B) Research on the impact of exposure of individuals to open burn pits from the following fields:

(i) Environmental medicine.

(ii) Occupational medicine.

(iii) Inhalation toxicology.

(C) Research on the feasibility and advisability of using complementary and alternative medicine to treat members of the Armed Forces and veterans for health conditions arising from exposure to open burn pits.

(3) **USE OF RESEARCH.**—The Secretary shall use research conducted pursuant to this section as follows:

(A) To assist in developing best practices for treatment of health conditions caused by exposure of members of the Armed Forces or veterans to open burn pits.

(B) To assist in determining a disability rating for any veteran filing a claim for benefits under the laws administered by the Secretary based on the exposure of the veteran to an open burn pit while serving as a member of the Armed Forces.

(b) **AVAILABILITY OF INFORMATION.**—

(1) **IN GENERAL.**—The Secretary shall make available to eligible entities described in

paragraph (2) the information contained in the open burn pit registry for purposes of conducting research described in subsection (a)(2).

(2) **ELIGIBLE ENTITIES DESCRIBED.**—An eligible entity described in this paragraph is any private research institution or medical research center of an institution of higher education that—

(A) is dedicated to the conduct of research on health conditions caused by exposure to air pollutants; and

(B) is licensed and accredited under all applicable Federal, State, and local laws to conduct research described in subsection (a)(2).

(3) **SUBMITTAL OF RESEARCH.**—Any eligible entity that conducts research described in subsection (a)(2) using information from the open burn pit registry shall submit such research to the Secretary for inclusion in the database established under subsection (c).

(c) **ESTABLISHMENT OF DATABASE.**—The Secretary shall publish on an Internet database of the Department available to the public all research described in subsection (a)(2) that is submitted to the Secretary pursuant to this section to allow peer review and analysis of such research from the public.

(d) **PRIVACY.**—Any medical or other personal information obtained by the Department under this section or by an entity conducting research under this section shall be protected from disclosure or misuse in accordance with the laws on privacy applicable to such information.

(e) **DEFINITIONS.**—In this section:

(1) **COMPLEMENTARY AND ALTERNATIVE MEDICINE.**—The term “complementary and alternative medicine” shall have the meaning given that term in regulations the Secretary shall prescribe for purposes of this section and shall—

(A) to the degree practicable, be consistent with the meaning given such term by the Secretary of Health and Human Services; and

(B) include medicine or treatment that is a cultural tradition of members of Indian tribes and Native Hawaiians.

(2) **INDIAN TRIBE DEFINED.**—The term “Indian tribe” has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) **OPEN BURN PIT.**—The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(4) **OPEN BURN PIT REGISTRY.**—The term “open burn pit registry” means the registry established by the Department of Veterans Affairs under section 201(a) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012.

SA 4334. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Matters Relating to Cuba

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the “Cuba Digital and Telecommunications Advancement Act of 2016” or the “Cuba DATA Act”.

SEC. 1282. EXPORTATION OF CONSUMER COMMUNICATION DEVICES AND TELECOMMUNICATIONS SERVICES TO CUBA.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the President may permit any person subject to the jurisdiction of the United States—

(1) to export consumer communication devices and other telecommunications equipment to Cuba;

(2) to provide telecommunications services involving Cuba or persons in Cuba;

(3) to establish facilities to provide telecommunications services connecting Cuba with another country or to provide telecommunications services in Cuba;

(4) to conduct any transaction incident to carrying out an activity described in any of paragraphs (1) through (3); and

(5) to enter into, perform, and make and receive payments under a contract with any individual or entity in Cuba with respect to the provision of telecommunications services involving Cuba or persons in Cuba.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter for 4 years, the President shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives a report on—

(1) the percentage of individuals in Cuba who are able to access the Internet and the infrastructure that would be needed in Cuba to reach the goal of increasing that percentage to 50 percent by 2020;

(2) the ability of individuals in Cuba, including foreign tourists, to access data through the use of cell phones and the infrastructure that would be needed to bring the capability to access that data to rural and urban population centers in Cuba;

(3) the impact of access to telecommunications technology on the development of new businesses, co-ops, and educational opportunities in Cuba; and

(4) the impact of the telecommunications equipment and telecommunications services provided under this section on advancing the human rights objectives of the United States and how such equipment and services are being used to advance those objectives.

(c) **DEFINITIONS.**—In this section:

(1) **CONSUMER COMMUNICATION DEVICES.**—The term “consumer communication devices” means commodities and software described in section 740.19(b) of title 15, Code of Federal Regulations (or any successor regulation).

(2) **PERSON SUBJECT TO THE JURISDICTION OF THE UNITED STATES.**—The term “person subject to the jurisdiction of the United States” means—

(A) any individual, wherever located, who is a citizen or resident of the United States;

(B) any person located in the United States;

(C) any corporation, partnership, association, or other organization organized under the laws of the United States or of any State, territory, possession, or district of the United States; and

(D) any corporation, partnership, association, or other organization, wherever organized or doing business, that is owned or controlled by a person described in subparagraph (A), (B), or (C).

(3) **TELECOMMUNICATIONS SERVICES.**—The term “telecommunications services” includes—

(A) data, telephone, telegraph, Internet connectivity, radio, television, news wire feeds, and similar services, regardless of the medium of transmission and including transmission by satellite;

(B) services incident to the exchange of communications over the Internet;

(C) domain name registration services; and

(D) services that are related to consumer communication devices and other telecommunications equipment to install, repair, or replace such devices and equipment.

SEC. 1283. REPEAL OF CERTAIN AUTHORITIES PREVENTING FINANCING AND MARKET REFORM FOR CUBA.

(a) **CUBAN DEMOCRACY ACT.**—

(1) **IN GENERAL.**—Section 1704 of the Cuban Democracy Act of 1992 (22 U.S.C. 6003) is repealed.

(2) **CONFORMING AMENDMENTS.**—Section 204 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6064) is amended—

(A) in subsection (b), by amending paragraph (3) to read as follows:

“(3) sections 1705(d) and 1706 of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(d) and 6005);”;

(B) in subsection (d), by amending paragraph (3) to read as follows:

“(3) sections 1705(d) and 1706 of the Cuban Democracy Act of 1992 (22 U.S.C. 6004(d) and 6005) are repealed; and”.

(b) **CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT.**—

(1) **IN GENERAL.**—Sections 102, 103, 104, 105, and 108 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6032, 6033, 6034, 6035, and 6038) are repealed.

(2) **CONFORMING AMENDMENT.**—Section 109(a) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6039(a)) is amended by striking “(including section 102 of this Act)”.

SA 4335. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 663. COMMISSARY, EXCHANGE, AND MORALE, WELFARE, AND RECREATION BENEFITS FOR CERTAIN SAME-SEX SURVIVING SPOUSES OF MEMBERS AND FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) **IN GENERAL.**—A qualifying same-sex surviving spouse of a member or former member of the uniformed services is entitled to commissary, exchange, and morale, welfare, and recreation privilege benefits, and shall be issued a Department of Defense Identification Card for purposes of receipt of such benefits, to the same extent, and on the same basis, as the surviving spouse of a retired member of the uniformed services who is not a qualifying same-sex surviving spouse but is entitled to such benefits.

(b) **QUALIFYING SAME-SEX SURVIVING SPOUSE.**—For purposes of this section, an individual is a qualifying same-sex surviving spouse of a member or former member of the

uniformed services if the individual is the same-sex surviving spouse of any member of the uniformed services as follows:

(1) A member who died while on active duty.

(2) A member who was awarded the medal of honor.

(3) A former member who was a veteran with a service-connected disability or combination of disabilities rated as 100 percent disabling under the schedule of ratings of disabilities of the Department of Veterans Affairs.

(4) A retired member.

(c) **DOCUMENTATION.**—An individual seeking to be treated as a qualifying same-sex surviving spouse under subsection (a) shall submit to the Secretary of Defense documentation to establish the status of the individual under subsection (b) as the Secretary shall specify for purposes of this section. Such documentation shall include the following:

(1) To establish former marital status, any one of the following:

(A) A marriage certificate.

(B) A certification of domestic partnership.

(C) A death certificate for the member concerned.

(D) An affidavit by a judge advocate certifying a common-law marriage.

(E) Any other documentation the Secretary considers appropriate.

(2) To establish identity, one of the following:

(A) An identification card issued by the Federal Government.

(B) A driver's license issued by a State.

(C) A birth certificate.

(D) Any other documentation the Secretary considers appropriate.

(d) **COMPTROLLER GENERAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on extent of the inclusion by the Department of Defense of same-sex spouses and same-sex widows and widowers in the benefits provided by the Department to spouses and surviving spouses in their status as current or former military dependents (as applicable).

(2) **ELEMENTS.**—The report required by paragraph (1) shall set forth the following:

(A) The number of same-sex spouses, widows, and widowers who are eligible for benefits described in paragraph (3) as current or former military dependents.

(B) The number of individuals described in subparagraph (A) who are receiving benefits for which they are eligible.

(C) An analysis, including a complete file review of a representative sample of military personnel files, identifying policy or procedural barriers that prevent same-sex military spouses, widows, and widowers from receiving benefits as current or former military dependents.

(D) An evaluation of the compliance by Army Human Resources Command with the requirements of subsection (a).

(E) An evaluation of the compliance by Army Human Resources Command with policies in place before the date of the enactment of this Act with respect to the equitable treatment of same-sex spouses, widows, and widowers in eligibility for benefits as current or former military dependents.

(F) Recommendations for actions to correct any noncompliance identified pursuant to subparagraphs (D) and (E).

(G) Recommendations for actions to ensure that individuals described in subparagraph (A) who were inappropriately denied benefits described in paragraph (3) are notified and assisted in receiving such benefits.

(H) Any other matters the Comptroller General considers appropriate.

(3) **BENEFITS.**—The benefits described in this paragraph are as follows:

(A) Commissary, exchange and morale, welfare and recreation privileges and benefits.

(B) Health care, including medical, dental, and pharmacy services.

(C) Education benefits.

(D) Life Insurance.

(E) On-installation housing.

SA 4336. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1059. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FUNDS FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) **IN GENERAL.**—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for advertising, recruiting, or marketing activities described in subsection (b).

(b) **COVERED ACTIVITIES.**—Except as provided in subsection (c), the advertising, recruiting, and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) **EXCEPTIONS.**—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or

is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under subsection (b).

(d) **DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS DEFINED.**—In this section, the term “Department of Defense educational assistance funds” means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title.

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds.

(f) **REPORTS.**—As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this subsection.

SA 4337. Mr. BOOKER (for himself, Mr. JOHNSON, Ms. BALDWIN, Mrs. ERNST, Mr. BROWN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Fair Chance Act

SEC. 1097. SHORT TITLE.

This subtitle may be cited as the “Fair Chance to Compete for Jobs Act of 2016” or the “Fair Chance Act”.

SEC. 1098. PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER FOR FEDERAL EMPLOYMENT.

(a) **IN GENERAL.**—Subpart H of part III of title 5, United States Code, is amended by adding at the end the following:

“CHAPTER 92—PROHIBITION ON CRIMINAL HISTORY INQUIRIES PRIOR TO CONDITIONAL OFFER

“Sec.

“9201. Definitions.

“9202. Limitations on requests for criminal history record information.

“9203. Agency policies; whistleblower complaint procedures.

“9204. Adverse action.

“9205. Procedures.

“9206. Rules of construction.

“§ 9201. Definitions

“In this chapter—

“(1) the term ‘agency’ means ‘Executive agency’ as such term is defined in section 105 and includes—

“(A) the United States Postal Service and the Postal Regulatory Commission; and

“(B) the Executive Office of the President; “(2) the term ‘appointing authority’ means an employee in the executive branch of the Government of the United States that has authority to make appointments to positions in the civil service;

“(3) the term ‘conditional offer’ means an offer of employment in a position in the civil service that is conditioned upon the results of a criminal history inquiry;

“(4) the term ‘criminal history record information’—

“(A) except as provided in subparagraph (B), has the meaning given the term in section 9101(a);

“(B) includes any information described in the first sentence of section 9101(a)(2) that has been sealed or expunged pursuant to law, regardless of whether the information is accessible by State and local criminal justice agencies for the purpose of conducting background checks; and

“(C) includes information collected by a criminal justice agency, relating to an act or alleged act of juvenile delinquency, that is analogous to criminal history record information (including such information that has been sealed or expunged pursuant to law); and

“(5) the term ‘suspension’ has the meaning given the term in section 7501.

“§ 9202. Limitations on requests for criminal history record information

“(a) INQUIRIES PRIOR TO CONDITIONAL OFFER.—Except as provided in subsections (b) and (c), an employee of an agency may not request, in oral or written form (including through the Declaration for Federal Employment (Office of Personnel Management Optional Form 306), or any similar successor form), including through the USAJOBS Internet Web site or any other electronic means, that an applicant for an appointment to a position in the civil service disclose criminal history record information regarding the applicant before the appointing authority extends a conditional offer to the applicant.

“(b) OTHERWISE REQUIRED BY LAW.—The prohibition under subsection (a) shall not apply with respect to an applicant for a position in the civil service if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

“(c) EXCEPTION FOR CERTAIN POSITIONS.—

“(1) IN GENERAL.—The prohibition under subsection (a) shall not apply with respect to an applicant for an appointment to a position—

“(A) that requires a determination of eligibility described in clause (i), (ii), or (iii) of section 9101(b)(1)(A);

“(B) as a Federal law enforcement officer (as defined in section 115(c) of title 18); or

“(C) identified by the Director of the Office of Personnel Management in the regulations issued under paragraph (2).

“(2) REGULATIONS.—

“(A) ISSUANCE.—The Director of the Office of Personnel Management shall issue regulations identifying additional positions with respect to which the prohibition under subsection (a) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

“(B) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under subparagraph (A) shall—

“(i) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

“(ii) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

“§ 9203. Agency policies; complaint procedures

“The Director of the Office of Personnel Management shall—

“(1) develop, implement, and publish a policy to assist employees of agencies in complying with section 9202 and the regulations issued pursuant to such section; and

“(2) establish and publish procedures under which an applicant for an appointment to a position in the civil service may submit a complaint, or any other information, relating to compliance by an employee of an agency with section 9202.

“§ 9204. Adverse action

“(a) FIRST VIOLATION.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee of an agency has violated section 9202, the Director shall—

“(1) issue to the employee a written warning that includes a description of the violation and the additional penalties that may apply for subsequent violations; and

“(2) file such warning in the employee’s official personnel record file.

“(b) SUBSEQUENT VIOLATIONS.—If the Director of the Office of Personnel Management determines, after notice and an opportunity for a hearing on the record, that an employee that was subject to subsection (a) has committed a subsequent violation of section 9202, the Director may take the following action:

“(1) For a second violation, suspension of the employee for a period of not more than 7 days.

“(2) For a third violation, suspension of the employee for a period of more than 7 days.

“(3) For a fourth violation—

“(A) suspension of the employee for a period of more than 7 days; and

“(B) a civil penalty against the employee in an amount that is not more than \$250.

“(4) For a fifth violation—

“(A) suspension of the employee for a period of more than 7 days; and

“(B) a civil penalty against the employee in an amount that is not more than \$500.

“(5) For any subsequent violation—

“(A) suspension of the employee for a period of more than 7 days; and

“(B) a civil penalty against the employee in an amount that is not more than \$1,000.

“§ 9205. Procedures

“(a) APPEALS.—The Director of the Office of Personnel Management shall by rule establish procedures providing for an appeal from any adverse action taken under section 9204 by not later than 30 days after the date of the action.

“(b) APPLICABILITY OF OTHER LAWS.—An adverse action taken under section 9204 (including a determination in an appeal from such an action under subsection (a) of this section) shall not be subject to—

“(1) the procedures under chapter 75; or

“(2) except as provided in subsection (a) of this section, appeal or judicial review.

“§ 9206. Rules of construction

“Nothing in this chapter may be construed to—

“(1) authorize any officer or employee of an agency to request the disclosure of information described under subparagraphs (B) and (C) of section 9201(4);

“(2) create a private right of action for any person; or

“(3) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.”.

(b) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out chapter 92 of title 5, United States Code (as added by this subtitle).

(2) EFFECTIVE DATE.—Section 9202 of title 5, United States Code (as added by this subtitle), shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 91 the following:

“92. Prohibition on criminal history inquiries prior to conditional offer 9201”.

(d) APPLICATION TO LEGISLATIVE BRANCH.—

(1) IN GENERAL.—The Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) is amended—

(A) in section 102(a) (2 U.S.C. 1302(a)), by adding at the end the following:

“(12) Section 9202 of title 5, United States Code.”;

(B) by redesignating section 207 (2 U.S.C. 1317) as section 208; and

(C) by inserting after section 206 (2 U.S.C. 1316) the following new section:

“SEC. 207. RIGHTS AND PROTECTIONS RELATING TO CRIMINAL HISTORY INQUIRIES.

“(a) DEFINITIONS.—In this section, the terms ‘agency’, ‘criminal history record information’, and ‘suspension’ have the meanings given the terms in section 9201 of title 5, United States Code, except as otherwise modified by this section.

“(b) RESTRICTIONS ON CRIMINAL HISTORY INQUIRIES.—

“(1) IN GENERAL.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an employee of an employing office may not request that an applicant for employment as a covered employee disclose criminal history record information if the request would be prohibited under section 9202 of title 5, United States Code, if made by an employee of an agency.

“(B) CONDITIONAL OFFER.—For purposes of applying that section 9202 under subparagraph (A), a reference in that section 9202 to a conditional offer shall be considered to be an offer of employment as a covered employee that is conditioned upon the results of a criminal history inquiry.

“(2) RULES OF CONSTRUCTION.—The provisions of section 9206 of title 5, United States Code, shall apply to employing offices, consistent with regulations issued under subsection (d).

“(c) REMEDY.—

“(1) IN GENERAL.—The remedy for a violation of subsection (b)(1) shall be such remedy as would be appropriate if awarded under section 9204 of title 5, United States Code, if the violation had been committed by an employee of an agency, consistent with regulations issued under subsection (d), except that the reference in that section to a suspension shall be considered to be a suspension with the level of compensation provided for a covered employee who is taking unpaid leave under section 202.

“(2) PROCESS FOR OBTAINING RELIEF.—An applicant for employment as a covered employee who alleges a violation of subsection (b)(1) may rely on the provisions of title IV (other than sections 404(2), 407, and 408), consistent with regulations issued under subsection (d).

“(d) REGULATIONS TO IMPLEMENT SECTION.—

“(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Board shall, pursuant to section 304, issue regulations to implement this section.

“(2) PARALLEL WITH AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations issued by the Director of the Office of Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 to implement the statutory provisions referred to in subsections (a) through (c) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

“(e) EFFECTIVE DATE.—Section 102(a)(12) and subsections (a) through (c) shall take effect on the date on which section 9202 of title 5, United States Code, applies with respect to agencies.”.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 207 as the item relating to section 208; and

(B) by inserting after the item relating to section 206 the following new item:

“Sec. 207. Rights and protections relating to criminal history inquiries.”.

(e) APPLICATION TO JUDICIAL BRANCH.—

(1) IN GENERAL.—Section 604 of title 28, United States Code, is amended by adding at the end the following:

“(i) RESTRICTIONS ON CRIMINAL HISTORY INQUIRIES.—

“(1) DEFINITIONS.—In this subsection—

“(A) the terms ‘agency’ and ‘criminal history record information’ have the meanings given those terms in section 9201 of title 5;

“(B) the term ‘covered employee’ means an employee of the judicial branch of the United States Government, other than—

“(i) any judge or justice who is entitled to hold office during good behavior;

“(ii) a United States magistrate judge; or

“(iii) a bankruptcy judge; and

“(C) the term ‘employing office’ means any office or entity of the judicial branch of the United States Government that employs covered employees.

“(2) RESTRICTION.—A covered employee may not request that an applicant for employment as a covered employee disclose criminal history record information if the request would be prohibited under section 9202 of title 5 if made by an employee of an agency.

“(3) EMPLOYING OFFICE POLICIES; COMPLAINT PROCEDURE.—The provisions of sections 9203 and 9206 of title 5 shall apply to employing offices and to applicants for employment as covered employees, consistent with regulations issued by the Director to implement this subsection.

“(4) ADVERSE ACTION.—

“(A) ADVERSE ACTION.—The Director may take such adverse action with respect to a covered employee who violates paragraph (2) as would be appropriate under section 9204 of title 5 if the violation had been committed by an employee of an agency.

“(B) APPEALS.—The Director shall by rule establish procedures providing for an appeal from any adverse action taken under subparagraph (A) by not later than 30 days after the date of the action.

“(C) APPLICABILITY OF OTHER LAWS.—Except as provided in subparagraph (B), an adverse action taken under subparagraph (A) (including a determination in an appeal from such an action under subparagraph (B)) shall not be subject to appeal or judicial review.

“(5) REGULATIONS TO BE ISSUED.—

“(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Director shall issue regulations to implement this subsection.

“(B) PARALLEL WITH AGENCY REGULATIONS.—The regulations issued under subparagraph (A) shall be the same as substantive regulations promulgated by the Director of the Office of Personnel Management under section 1098(b)(1) of the Fair Chance to Compete for Jobs Act of 2016 except to the extent that the Director of the Administrative Office of the United States Courts may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this subsection.

“(6) EFFECTIVE DATE.—Paragraphs (1) through (4) shall take effect on the date on which section 9202 of title 5 applies with respect to agencies.”.

SEC. 1099. PROHIBITION ON CRIMINAL HISTORY INQUIRIES BY CONTRACTORS PRIOR TO CONDITIONAL OFFER.

(a) CIVILIAN AGENCY CONTRACTS.—

(1) IN GENERAL.—Chapter 47 of title 41, United States Code, is amended by adding at the end the following new section:

“§ 4713. Prohibition on criminal history inquiries by contractors prior to conditional offer

“(a) LIMITATION ON CRIMINAL HISTORY INQUIRIES.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an executive agency—

“(A) may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

“(B) shall require, as a condition of receiving a Federal contract and receiving payments under such contract that the contractor may not verbally, or through written form, request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before the contractor extends a conditional offer to the applicant.

“(2) OTHERWISE REQUIRED BY LAW.—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

“(3) EXCEPTION FOR CERTAIN POSITIONS.—

“(A) IN GENERAL.—The prohibition under paragraph (1) does not apply with respect to—

“(i) a contract that requires an individual hired under the contract to access classified information or to have sensitive law enforcement or national security duties; or

“(ii) a position that the Administrator of General Services identifies under the regulations issued under subparagraph (B).

“(B) REGULATIONS.—

“(i) ISSUANCE.—Not later than 16 months after the date of enactment of the Fair

Chance to Compete for Jobs Act of 2016, the Administrator of General Services, in consultation with the Secretary of Defense, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

“(ii) COMPLIANCE WITH CIVIL RIGHTS LAWS.—The regulations issued under clause (i) shall—

“(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

“(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

“(b) COMPLAINT PROCEDURES.—The Administrator of General Services shall establish and publish procedures under which an applicant for a position with a Federal contractor may submit to the Administrator a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

“(c) ACTION FOR VIOLATIONS OF PROHIBITION ON CRIMINAL HISTORY INQUIRIES.—

“(1) FIRST VIOLATION.—If the head of an executive agency determines that a contractor has violated subsection (a)(1)(B), such head shall—

“(A) notify the contractor;

“(B) provide 30 days after such notification for the contractor to appeal the determination; and

“(C) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

“(2) SUBSEQUENT VIOLATION.—If the head of an executive agency determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), such head shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take actions, depending on the severity of the infraction and the contractor's history of violations, including—

“(A) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

“(B) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

“(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

“(d) RULES OF CONSTRUCTION.—Nothing in this section may be construed to—

“(1) prohibit an executive agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

“(2) authorize an executive agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

“(e) DEFINITIONS.—In this section:

“(1) **CONDITIONAL OFFER.**—The term ‘conditional offer’ means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

“(2) **CRIMINAL HISTORY RECORD INFORMATION.**—The term ‘criminal history record information’ has the meaning given that term in section 9201 of title 5.”.

(2) **CLERICAL AMENDMENT.**—The table of sections of chapter 47 of such title is amended by inserting after the item relating to section 4712 the following new item:

“4713. Prohibition on criminal history inquiries by contractors prior to conditional offer.”.

(3) **EFFECTIVE DATE.**—Section 4713(a) of title 41, United States Code, as added by paragraph (1), shall apply with respect to contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(b) **DEFENSE CONTRACTS.**—

(1) **IN GENERAL.**—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2338. Prohibition on criminal history inquiries by contractors prior to conditional offer

“(a) **LIMITATION ON CRIMINAL HISTORY INQUIRIES.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), the head of an agency—

“(A) may not require that an individual or sole proprietor who submits a bid or competitive proposal for a contract to disclose criminal history record information regarding that individual or sole proprietor before determining the apparent awardee; and

“(B) shall require as a condition of receiving a Federal contract and receiving payments under such contract that the contractor may not verbally or through written form request the disclosure of criminal history record information regarding an applicant for a position related to work under such contract before such contractor extends a conditional offer to the applicant.

“(2) **OTHERWISE REQUIRED BY LAW.**—The prohibition under paragraph (1) does not apply with respect to a contract if consideration of criminal history record information prior to a conditional offer with respect to the position is otherwise required by law.

“(3) **EXCEPTION FOR CERTAIN POSITIONS.**—

“(A) **IN GENERAL.**—The prohibition under paragraph (1) does not apply with respect to—

“(i) a contract that requires an individual hired under the contract to access classified information or to have sensitive law enforcement or national security duties; or

“(ii) a position that the Secretary of Defense identifies under the regulations issued under subparagraph (B).

“(B) **REGULATIONS.**—

“(i) **ISSUANCE.**—Not later than 16 months after the date of enactment of the Fair Chance to Compete for Jobs Act of 2016, the Secretary of Defense, in consultation with the Administrator of General Services, shall issue regulations identifying additional positions with respect to which the prohibition under paragraph (1) shall not apply, giving due consideration to positions that involve interaction with minors, access to sensitive information, or managing financial transactions.

“(ii) **COMPLIANCE WITH CIVIL RIGHTS LAWS.**—The regulations issued under clause (i) shall—

“(I) be consistent with, and in no way supersede, restrict, or limit the application of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) or other relevant Federal civil rights laws; and

“(II) ensure that all hiring activities conducted pursuant to the regulations are conducted in a manner consistent with relevant Federal civil rights laws.

“(b) **COMPLAINT PROCEDURES.**—The Secretary of Defense shall establish and publish procedures under which an applicant for a position with a Department of Defense contractor may submit a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

“(c) **ACTION FOR VIOLATIONS OF PROHIBITION ON CRIMINAL HISTORY INQUIRIES.**—

“(1) **FIRST VIOLATION.**—If the Secretary of Defense determines that a contractor has violated subsection (a)(1)(B), the Secretary shall—

“(A) notify the contractor;

“(B) provide 30 days after such notification for the contractor to appeal the determination; and

“(C) issue a written warning to the contractor that includes a description of the violation and the additional remedies that may apply for subsequent violations.

“(2) **SUBSEQUENT VIOLATIONS.**—If the Secretary of Defense determines that a contractor that was subject to paragraph (1) has committed a subsequent violation of subsection (a)(1)(B), the Secretary shall notify the contractor, shall provide 30 days after such notification for the contractor to appeal the determination, and, in consultation with the relevant Federal agencies, may take actions, depending on the severity of the infraction and the contractor's history of violations, including—

“(A) providing written guidance to the contractor that the contractor's eligibility for contracts requires compliance with this section;

“(B) requiring that the contractor respond within 30 days affirming that the contractor is taking steps to comply with this section; and

“(C) suspending payment under the contract for which the applicant was being considered until the contractor demonstrates compliance with this section.

“(d) **RULES OF CONSTRUCTION.**—Nothing in this section may be construed to—

“(1) prohibit an agency from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act; or

“(2) authorize an agency to prohibit a contractor, as a condition of receiving a Federal contract and receiving payments under such contract, from procuring a consumer report (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) furnished by a consumer reporting agency (as defined in such section 603) in accordance with that Act.

“(e) **DEFINITIONS.**—In this section:

“(1) **CONDITIONAL OFFER.**—The term ‘conditional offer’ means an offer of employment for a position related to work under a contract that is conditioned upon the results of a criminal history inquiry.

“(2) **CRIMINAL HISTORY RECORD INFORMATION.**—The term ‘criminal history record information’ has the meaning given that term in section 9201 of title 5.”.

(2) **EFFECTIVE DATE.**—Section 2338(a) of title 10, United States Code, as added by paragraph (1), shall apply with respect to

contracts awarded pursuant to solicitations issued after the effective date described in section 1098(b)(2) of this subtitle.

(3) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 137 of such title is amended by inserting after the item relating to section 2337 the following new item:

“2338. Prohibition on criminal history inquiries by contractors prior to conditional offer.”.

(c) **REVISIONS TO FEDERAL ACQUISITION REGULATION.**—

(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation to implement section 4713 of title 41, United States Code, and section 2338 of title 10, United States Code, as added by this section.

(2) **CONSISTENCY WITH OFFICE OF PERSONNEL MANAGEMENT REGULATIONS.**—The Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation under paragraph (1) to be consistent with the regulations issued by the Director of the Office of Personnel Management under section 1098(b)(1) to the maximum extent practicable. The Council shall include together with such revision an explanation of any substantive modification of the Office of Personnel Management regulations, including an explanation of how such modification will more effectively implement the rights and protections under this section.

SEC. 1099A. REPORT ON EMPLOYMENT OF INDIVIDUALS FORMERLY INCARCERATED IN FEDERAL PRISONS.

(a) **DEFINITION.**—In this section, the term “covered individual”—

(1) means an individual who has completed a term of imprisonment in a Federal prison for a Federal criminal offense; and

(2) does not include an alien who is or will be removed from the United States for a violation of the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

(b) **STUDY AND REPORT REQUIRED.**—The Director of the Bureau of Justice Statistics, in coordination with the Director of the Bureau of the Census, shall—

(1) not later than 6 months after the date of enactment of this Act, design and initiate a study on the employment of covered individuals after their release from Federal prison, including by collecting—

(A) demographic data on covered individuals, including race, age, and sex; and

(B) data on employment and earnings of covered individuals who are denied employment, including the reasons for the denials; and

(2) not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, submit a report that does not include any personally identifiable information on the study conducted under paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Oversight and Government Reform of the House of Representatives; and

(D) the Committee on Education and the Workforce of the House of Representatives.

SA 4338. Mr. MCCAIN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him

to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXTENSION AND EXPANSION OF VETERANS CHOICE PROGRAM AND ESTABLISHMENT OF CONSISTENT CRITERIA AND STANDARDS RELATING TO PROVISION OF NON-DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE.

(a) **EXTENSION.**—The Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended—

(1) in section 101(p)(2), by striking “3 years” and inserting “6 years”; and

(2) in section 802(d)(1), by striking “\$10,000,000,000” and inserting “\$17,500,000,000”.

(b) **EXPANSION OF ELIGIBILITY.**—

(1) **IN GENERAL.**—Subsection (b)(2) of section 101 of such Act is amended—

(A) in subparagraph (C)(ii), by striking “; or” and inserting a semicolon;

(B) in subparagraph (D)(ii)(II)(dd), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following new subparagraph:

“(E) has received health services under the pilot program under section 403 of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) and resides in a location described in section (b)(2) of such section.”.

(2) **CONFORMING AMENDMENTS.**—

(A) **INFORMATION ON AVAILABILITY OF CARE.**—Subsection (g)(3) of such section is amended by striking “or (D)” and inserting “(D), or (E)”.

(B) **REPORT.**—Subsection (q)(2)(A) of such section is amended—

(i) in clause (iii), by striking “; and” and inserting a semicolon;

(ii) in clause (iv), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new clause:

“(v) eligible veterans described in subsection (b)(2)(E).”.

(c) **ESTABLISHMENT OF CRITERIA FOR PROVISION OF SERVICES THROUGH NON-DEPARTMENT HEALTH CARE PROVIDERS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act

(42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) **EXCEPTION.**—The criteria and standards required to be established under paragraph (1) shall not apply to hospital care and medical services furnished under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note).

(d) **QUARTERLY REPORT.**—Not less frequently than quarterly until all amounts deposited in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) are exhausted, the Secretary shall submit to the Committee on Appropriations and the Committee on Veterans’ Affairs of the Senate and the Committee on Appropriations and the Committee on Veterans’ Affairs of the House of Representatives an update on the expenditures made from such Fund to carry out section 101 of such Act during the quarter covered by the report.

(e) **EMERGENCY DESIGNATIONS.**—

(1) **IN GENERAL.**—The amendments made by subsections (a) and (b) are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(2) **DESIGNATION IN SENATE.**—In the Senate, the amendments made by subsections (a) and (b) are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SA 4339. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE XXX—FEDERAL PROPERTY MANAGEMENT REFORM

SEC. 2951. SHORT TITLE.

This title may be cited as the “Federal Property Management Reform Act of 2016”.

SEC. 2952. PURPOSE.

The purpose of this title is to increase the efficiency and effectiveness of the Federal Government in managing property of the Federal Government by—

(1) requiring the United States Postal Service to take appropriate measures to bet-

ter manage and account for property and modernize the Postal fleet;

(2) providing for increased collocation with Postal Service facilities and guidance on Postal Service leasing practices;

(3) establishing a Federal Property Council to develop guidance on and ensure the implementation of strategies for better managing Federal property;

(4) providing incentives to agencies to dispose of excess property through retention of proceeds; and

(5) providing guidance for surplus property donations to museums.

SEC. 2953. PROPERTY MANAGEMENT.

(a) **IN GENERAL.**—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

“Subchapter VII—Property Management

“§ 621. Definitions

“In this subchapter:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of General Services.

“(2) **COUNCIL.**—The term ‘Council’ means the Federal Property Council established by section 623(a).

“(3) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Management and Budget.

“(4) **DISPOSAL.**—The term ‘disposal’ means any action that constitutes the removal of any property from the inventory of the Federal agency, including sale, transfer, deed, demolition, donation, or exchange.

“(5) **FEDERAL AGENCY.**—The term ‘Federal agency’ means—

“(A) an executive department or independent establishment in the executive branch of the Government; or

“(B) a wholly owned Government corporation (other than the United States Postal Service).

“(6) **FIELD OFFICE.**—The term ‘field office’ means any office of a Federal agency that is not the headquarters office location for the Federal agency.

“(7) **POSTAL PROPERTY.**—The term ‘postal property’ means any property owned or leased by the United States Postal Service.

“(8) **PUBLIC-PRIVATE PARTNERSHIP.**—The term ‘public-private partnership’ means any partnership or working relationship between a Federal agency and a corporation, individual, or nonprofit organization for the purpose of financing, constructing, operating, managing, or maintaining 1 or more Federal real property assets.

“(9) **UNDERUTILIZED PROPERTY.**—The term ‘underutilized property’ means a portion or the entirety of any real property, including any improvements, that is used—

“(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

“(B) for program purposes that can be satisfied only with a portion of the property.

“§ 622. Collocation among United States Postal Service properties

“(a) **IDENTIFICATION OF POSTAL PROPERTY.**—Each year, the Postmaster General shall—

“(1) identify a list of postal properties with space available for use by Federal agencies; and

“(2) not later than September 30, submit the list to—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Oversight and Government Reform of the House of Representatives.

“(b) VOLUNTARY IDENTIFICATION OF POSTAL PROPERTY.—Each year, the Postmaster General may submit the list under subsection (a) to the Council.

“(c) SUBMISSION OF LIST OF POSTAL PROPERTIES TO FEDERAL AGENCIES.—

“(1) IN GENERAL.—Not later than 30 days after the completion of a list under subsection (a), the Council shall provide the list to each Federal agency.

“(2) REVIEW BY FEDERAL AGENCIES.—Not later than 90 days after the receipt of the list submitted under paragraph (1), each Federal agency shall—

“(A) review the list;

“(B) review properties under the control of the Federal agency; and

“(C) recommend collocations if appropriate.

“(d) TERMS OF COLLOCATION.—On approval of the recommendations under subsection (c) by the Postmaster General and the applicable agency head, the Federal agency or appropriate landholding entity may work with the Postmaster General to establish appropriate terms of a lease for each postal property.

“(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.

“§ 623. Establishment of a Federal Property Council

“(a) ESTABLISHMENT.—There is established a Federal Property Council.

“(b) PURPOSE.—The purpose of the Council shall be—

“(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

“(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

“(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

“(c) COMPOSITION.—

“(1) IN GENERAL.—The Council shall be composed exclusively of—

“(A) the senior real property officers of each Federal agency and the Postal Service;

“(B) the Deputy Director for Management of the Office of Management and Budget;

“(C) the Controller of the Office of Management and Budget;

“(D) the Administrator; and

“(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

“(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

“(3) EXECUTIVE DIRECTOR.—

“(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

“(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

“(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

“(ii) serve full time; and

“(iii) hold no outside employment that may conflict with duties inherent to the position.

“(d) MEETINGS.—

“(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

“(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

“(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

“(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed—

“(A) to enable Congress and heads of Federal agencies to track progress in the achievement of property management objectives on a Government-wide basis;

“(B) to improve the management of real property; and

“(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance;

“(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

“(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

“(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

“(5) compile a list of field offices that are suitable for collocation with other property assets;

“(6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property;

“(7) not later than 1 year after the date of enactment of this subchapter—

“(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

“(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

“(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

“(A) a list of the remaining excess property or surplus property that is real property, and underutilized properties of each Federal agency;

“(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;

“(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

“(D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess real or personal property or underutilized property.

“(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council

shall also consult with representatives of—

“(1) State, local, tribal authorities, and affected communities; and

“(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

“(A) commercial real estate and development;

“(B) government management and operations;

“(C) space planning;

“(D) community development, including transportation and planning;

“(E) historic preservation;

“(F) providing housing to the homeless population; and

“(G) personal property management.

“(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing, and administrative support for the Council, as appropriate.

“(h) ACCESS TO INFORMATION.—The Council shall make available, on request, all information generated by the Council in performing the duties of the Council to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(2) the Committee on Environment and Public Works of the Senate;

“(3) the Committee on Oversight and Government Reform of the House of Representatives;

“(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

“(5) the Comptroller General of the United States.

“(i) EXCLUSIONS.—In this section, surplus property shall not include—

“(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101-510));

“(2) any property that is excepted from the definition of the term ‘property’ under section 102;

“(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

“(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

“(5) any real property the Director excludes for reasons of national security;

“(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

“(A) the Secretary of the Interior, acting through—

“(i) the Director of the Bureau of Land Management;

“(ii) the Director of the National Park Service;

“(iii) the Commissioner of Reclamation; or

“(iv) the Director of the United States Fish and Wildlife Service; or

“(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

“(7) any property operated and maintained by the United States Postal Service.

“§ 624. Inventory and database

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

“(b) CONTENTS.—The database shall include—

“(1) information provided to the Administrator under section 524(a)(11)(B); and

“(2) a list of property disposals completed, including—

“(A) the date and disposal method used for each property;

“(B) the proceeds obtained from the disposal of each property;

“(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

“(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

“(E) all costs associated with the disposal.”

“(C) ACCESSIBILITY.—

“(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) GENERAL PUBLIC.—Not later than 3 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subsection (a) accessible to the public at no cost through the website of the General Services Administration.

“(d) EXCLUSIONS.—In this section, surplus property shall not include—

“(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101-510));

“(2) any property that is excepted from the definition of the term ‘property’ under section 102;

“(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

“(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

“(5) any real property the Director excludes for reasons of national security;

“(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

“(A) the Secretary of the Interior, acting through—

“(i) the Director of the Bureau of Land Management;

“(ii) the Director of the National Park Service;

“(iii) the Commissioner of Reclamation; or

“(iv) the Director of the United States Fish and Wildlife Service; or

“(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

“(7) any property operated and maintained by the United States Postal Service.

“§ 625. Information on certain leasing authorities

“(a) IN GENERAL.—Except as provided in subsection (b), not later than December 31 of each year following the date of enactment of this subchapter, a Federal agency with independent leasing authority shall submit to the Council a list of all leases, including operating leases, in effect on the date of enactment of this subchapter that includes—

“(1) the date on which each lease was executed;

“(2) the date on which each lease will expire;

“(3) a description of the size of the space;

“(4) the location of the property;

“(5) the tenant agency;

“(6) the total annual rental payment; and

“(7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

“(b) EXCEPTION.—Subsection (a) shall not apply to—

“(1) the United States Postal Service; or

“(2) any other property the President excludes from subsection (a) for reasons of national security.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

“SUBCHAPTER VII—PROPERTY MANAGEMENT

“Sec. 621. Definitions.

“Sec. 622. Collocation among United States Postal Service properties.

“Sec. 623. Establishment of a Federal Property Council.

“Sec. 624. Inventory and database.

“Sec. 625. Information on certain leasing authorities.”

(2) TECHNICAL AMENDMENT.—Section 102 of title 40, United States Code, is amended in the matter preceding paragraph (1) by striking “The” and inserting “Except as provided in subchapters VII and VIII of chapter 5 of this title, the”.

SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

“Subchapter VIII—United States Postal Service Property Management

“§ 641. Definitions

“In this subchapter:

“(1) EXCESS PROPERTY.—The term ‘excess property’ means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

“(2) POSTAL PROPERTY.—The term ‘postal property’ means any property owned or leased by, or under the control of, the Postal Service.

“(3) POSTAL SERVICE.—The term ‘Postal Service’ means the United States Postal Service.

“(4) UNDERUTILIZED PROPERTY.—The term ‘underutilized property’ means a portion or the entirety of any real property, including any improvements, that is used—

“(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

“(B) for program purposes that can be satisfied only with a portion of the property.

“§ 642. United States Postal Service property management

“The Postal Service—

“(1) shall maintain adequate inventory controls and accountability systems for postal property;

“(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

“(3) may develop a 5-year management template that—

“(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

“(B) adopts workplace practices, configurations, and management techniques that

can achieve increased levels of productivity and decrease the need for real property assets;

“(C) assesses leased space to identify space that is not fully used or occupied;

“(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

“(E) develops recommendations on ensuring the security of mail processing operations; and

“(4) shall, on a regular basis—

“(A) conduct an inventory of postal property that is real property; and

“(B) make an assessment of each property described in subparagraph (A), which shall include—

“(i) the age and condition of the property;

“(ii) the size of the property in square footage and acreage;

“(iii) the geographical location of the property, including an address and description;

“(iv) the extent to which the property is being utilized;

“(v) the actual annual operating costs associated with the property;

“(vi) the total cost of capital expenditures associated with the property;

“(vii) the number of postal employees, contractor employees, and functions housed at the property;

“(viii) the extent to which the mission of the Postal Service is dependent on the property; and

“(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, as amended by section 3, is amended by inserting after the item relating to section 626 the following:

“SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

“Sec. 641. Definitions.

“Sec. 642. United States Postal Service property management.”

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

“§ 571. General rules for deposit and use of proceeds

“(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

“(1) DEPOSIT OF NET PROCEEDS.—Net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is determined to be excess.

“(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts, for—

“(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

“(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111-308).

“(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

“(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

“(c) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

“(d) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

“(1) a transfer of excess real property to a Federal agency for agency use; or

“(2) a sale, lease, or other disposition of surplus real property.

“(e) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

“(1) IN GENERAL.—Except as otherwise provided in this subchapter, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

“(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

“(A) a transfer of excess personal property to a Federal agency for agency use; or

“(B) a sale, lease, or other disposition of surplus personal property.

“(3) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

“(A) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

“(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.”.

SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term “excess property” has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of

collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

“(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);”.

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) develop current and future workforce projections so as to have the capacity to assess the needs of the Federal workforce regarding the use of real property;

“(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

“(8) submit to the Federal Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including—

“(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

“(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

“(9) adopt workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

“(10) assess leased space to identify space that is not fully used or occupied;

“(11) on an annual basis and subject to the guidance of the Federal Property Council—

“(A) conduct an inventory of real property under control of the executive agency; and

“(B) make an assessment of each property, which shall include—

“(i) the age and condition of the property;

“(ii) the size of the property in square footage and acreage;

“(iii) the geographical location of the property, including an address and description;

“(iv) the extent to which the property is being utilized;

“(v) the actual annual operating costs associated with the property;

“(vi) the total cost of capital expenditures incurred by the Federal Government associated with the property;

“(vii) sustainability metrics associated with the property;

“(viii) the number of Federal employees and contractor employees and functions housed at the property;

“(ix) the extent to which the mission of the executive agency is dependent on the property;

“(x) the estimated amount of capital expenditures projected to maintain and operate the property during the 5-year period beginning on the date of enactment of this paragraph; and

“(xi) any additional information required by the Administrator of General Services to carry out section 623; and

“(12) provide to the Federal Property Council and the Administrator of General Services the information described in paragraph (11)(B) to be used for the establishment and maintenance of the database described in section 624.”.

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524 of title 40, United States Code, is amended by adding at the end the following:

“(c) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of paragraphs (6) through (12) of subsection (a), the term ‘executive agency’ shall have the meaning given the term ‘Federal agency’ in section 621.”.

SA 4340. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. ENVIRONMENTAL TESTING AND REMEDIATION AT MILITARY INSTALLATIONS WHERE AQUEOUS FILM FORMING FOAM HAS BEEN USED.

(a) IDENTIFICATION OF POTENTIALLY CONTAMINATED SITES.—The Secretary of Defense shall direct the service secretaries to identify and make publicly available a list of military installations located in the United States where the fire extinguishing agent Aqueous Film Forming Foam was or could have been discharged.

(b) TESTING.—The Secretary of Defense shall make available to local water authorities and residents located at or near the military installations identified pursuant to subsection (a) testing of drinking water for the presence of perfluorooctanesulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) above the current Lifetime Health Advisory (LHA) limits.

(c) ACTIONS REQUIRED AT LOCATIONS WITH CONTAMINATION FOUND ABOVE LHA LIMITS.—If testing under subsection (b) identifies PFOS and PFOA contamination above LHA limits at or around a military installation identified under subsection (a), the Secretary of Defense shall—

(1) notify local residents within 15 days of the test results;

(2) provide affected individuals with an alternative, uncontaminated drinking water source within 15 days of such results that shall remain available until a remediation plan is fully implemented;

(3) develop and begin implementation of a remediation plan within 45 days of the results, unless such a plan is not technically feasible or is cost-prohibitive, in which case the Secretary may develop and implement a plan to provide a permanent alternative water supply to affected residents; and

(4) provide public status reports on the progress of implementation of the remediation plan every 45 days until remediation is complete.

SA 4341. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1531, add the following:

(c) AVAILABILITY OF FUNDS FOR COUNTERING MOVEMENT OF PRECURSOR MATERIALS.—

(1) IN GENERAL.—Of the funds made available for the Joint Improvised Explosive Device Defeat Fund for fiscal year 2017 by this Act, up to \$15,000,000 may be used by the Secretary of Defense to provide assistance in the form of training, equipment, supplies, and services to ministries and other governmental entities of any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices. Any such assistance shall be provided for the purpose of countering the movement of such precursor materials.

(2) PROVISION THROUGH OTHER UNITED STATES AGENCIES.—If agreed upon by the Secretary of Defense and the head of another department or agency of the United States, the Secretary may transfer funds available under paragraph (1) to the head of such department or agency for the provision by such department or agency of assistance described in that paragraph to ministries and other government entities of a country identified under that paragraph.

(d) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should increase efforts to combat the use of improvised explosive devices by the terrorist group the Islamic State of Iraq and the Levant (ISIL) and the illicit smuggling of improvised explosive device precursor materials by that terrorist group.

SA 4342. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. RETURN OF CERTAIN LANDS AT FORT WINGATE TO THE ORIGINAL INHABITANTS ACT.

(a) SHORT TITLE.—This section may be cited as the “Return of Certain Lands At Fort Wingate to The Original Inhabitants Act”.

(b) DIVISION AND TREATMENT OF LANDS OF FORMER FORT WINGATE DEPOT ACTIVITY, NEW MEXICO, TO BENEFIT THE ZUNI TRIBE AND NAVAJO NATION.—

(1) IMMEDIATE TRUST ON BEHALF OF ZUNI TRIBE; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark blue on the map titled “The

Fort Wingate Depot Activity Negotiated Property Division April 2016” (in this section referred to as the “Map”) and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Zuni Tribe as part of the Zuni Reservation, unless the Zuni Tribe otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(2) IMMEDIATE TRUST ON BEHALF OF THE NAVAJO NATION; EXCEPTION.—Subject to valid existing rights and to easements reserved pursuant to subsection (c), all right, title, and interest of the United States in and to the lands of Former Fort Wingate Depot Activity depicted in dark green on the Map and transferred to the Secretary of the Interior are to be held in trust by the Secretary of the Interior for the Navajo Nation as part of the Navajo Reservation, unless the Navajo Nation otherwise elects under clause (ii) of paragraph (3)(C) to have the parcel conveyed to it in Restricted Fee Status.

(3) SUBSEQUENT TRANSFER AND TRUST; RESTRICTED FEE STATUS ALTERNATIVE.—

(A) TRANSFER UPON COMPLETION OF REMEDIATION.—Not later than 60 days after the date on which the Secretary of the Army, with the concurrence of the New Mexico Environment Department, notifies the Secretary of the Interior that remediation of a parcel of land of Former Fort Wingate Depot Activity has been completed consistent with subsection (d), the Secretary of the Army shall transfer administrative jurisdiction over the parcel to the Secretary of the Interior.

(B) NOTIFICATION OF TRANSFER.—Not later than 30 days after the date on which the Secretary of the Army transfers administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity under subparagraph (A), the Secretary of the Interior shall notify the Zuni Tribe and Navajo Nation of the transfer of administrative jurisdiction over the parcel.

(C) TRUST OR RESTRICTED FEE STATUS.—

(i) TRUST.—Except as provided in clause (ii), the Secretary of the Interior shall hold each parcel of land of Former Fort Wingate Depot Activity transferred under subparagraph (A) in trust—

(I) for the Zuni Tribe, in the case of land depicted in blue on the Map; or

(II) for the Navajo Nation, in the case of land depicted in green on the Map.

(ii) RESTRICTED FEE STATUS.—In lieu of having a parcel of land held in trust under clause (i), the Zuni Tribe, with respect to land depicted in blue on the Map, and the Navajo Nation, with respect to land depicted in green on the Map, may elect to have the Secretary of the Interior convey the parcel or any portion of the parcel to it in restricted fee status.

(iii) NOTIFICATION OF ELECTION.—Not later than 45 days after the date on which the Zuni Tribe or the Navajo Nation receives notice under subparagraph (B) of the transfer of administrative jurisdiction over a parcel of land of Former Fort Wingate Depot Activity, the Zuni Tribe or the Navajo Nation shall notify the Secretary of the Interior of an election under clause (ii) for conveyance of the parcel or any portion of the parcel in restricted fee status.

(iv) CONVEYANCE.—As soon as practicable after receipt of a notice from the Zuni Tribe or the Navajo Nation under clause (iii), but in no case later than 6 months after receipt of the notice, the Secretary of the Interior shall convey, in restricted fee status, the parcel of land of Former Fort Wingate Depot Activity covered by the notice to the Zuni

Tribe or the Navajo Nation, as the case may be.

(v) RESTRICTED FEE STATUS DEFINED.—For purposes of this section only, the term “restricted fee status”, with respect to land conveyed under clause (iv), means that the land so conveyed—

(I) shall be owned in fee by the Indian tribe to whom the land is conveyed;

(II) shall be part of the Indian tribe’s Reservation and expressly made subject to the jurisdiction of the Indian Tribe;

(III) shall not be sold by the Indian tribe without the consent of Congress;

(IV) shall not be subject to taxation by any government other than the government of the Indian tribe; and

(V) shall not be subject to any provision of law providing for the review or approval by the Secretary of the Interior before an Indian tribe may use the land for any purpose, directly or through agreement with another party.

(4) SURVEY AND BOUNDARY REQUIREMENTS.—

(A) IN GENERAL.—The Secretary of the Interior shall—

(i) provide for the survey of lands of Former Fort Wingate Depot Activity taken into trust for the Zuni Tribe or the Navajo Nation or conveyed in restricted fee status for the Zuni Tribe or the Navajo Nation under paragraph (1), (2), or (3); and

(ii) establish legal boundaries based on the Map as parcels are taken into trust or conveyed in restricted fee status.

(B) CONSULTATION.—Not later than 90 days after the date of the enactment of this section, the Secretary of the Interior shall consult with the Zuni Tribe and the Navajo Nation to determine their priorities regarding the order in which parcels should be surveyed and, to the greatest extent feasible, the Secretary shall follow these priorities.

(5) RELATION TO CERTAIN REGULATIONS.—Part 151 of title 25, Code of Federal Regulations, shall not apply to taking lands of Former Fort Wingate Depot Activity into trust under paragraph (1), (2), or (3).

(6) FORT WINGATE LAUNCH COMPLEX LAND STATUS.—Upon certification by the Secretary of Defense that the area generally depicted as “Fort Wingate Launch Complex” on the Map is no longer required for military purposes and can be transferred to the Secretary of the Interior—

(A) the areas generally depicted as “FWLC A” and “FWLC B” on the Map shall be held in trust by the Secretary of the Interior for the Zuni Tribe in accordance with this subsection; and

(B) the areas generally depicted as “FWLC C” and “FWLC D” on the Map shall be held in trust by the Secretary of the Interior for the Navajo Nation in accordance with this subsection.

(c) RETENTION OF NECESSARY EASEMENTS AND ACCESS.—

(1) RIGHTS-OF-WAY.—Entities operating on the land described herein, subject to prior easements and/or rights-of-way agreements, shall be granted a one-time 30-year extension of that agreement retroactive to the expiration of the prior agreement at existing compensation rates and subject to current Department of Interior regulations concerning easements and rights-of-ways. Compensation for future rights-of-way agreements and/or easements shall be negotiated between the parties based on prevailing market rates at the time of the negotiation.

(2) ACCESS FOR ENVIRONMENTAL RESPONSE ACTIONS.—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection

(b) shall be subject to reserved access by the United States as the Secretary of the Army and the Secretary of the Interior determine are reasonably required to permit access to lands of Former Fort Wingate Depot Activity for administrative and environmental response purposes. The Secretary of the Army shall provide to the governments of the Zuni Tribe and the Navajo Nation written copies of all access reservations under this subsection.

(3) **SHARED ACCESS.**—

(A) **PARCEL 1 SHARED CULTURAL AND RELIGIOUS ACCESS.**—In the case of the lands of Former Fort Wingate Depot Activity depicted as Parcel 1 on the Map, the lands shall be held in trust subject to a shared easement for cultural and religious purposes only. Both the Zuni Tribe and the Navajo Nation shall have unhindered access to their respective cultural and religious sites within Parcel 1. Within 1 year after the date of the enactment of this section, the Zuni Tribe and the Navajo Nation shall exchange detailed information to document the existence of cultural and religious sites within Parcel 1 for the purpose of carrying out this subparagraph. The information shall also be provided to the Secretary of the Interior.

(B) **OTHER SHARED ACCESS.**—Subject to the written consent of both the Zuni Tribe and the Navajo Nation, the Secretary of the Interior may facilitate shared access to other lands held in trust or restricted fee status pursuant to subsection (b), including, but not limited to, religious and cultural sites.

(4) **I-40 FRONTAGE ROAD ENTRANCE.**—The access road for the Former Fort Wingate Depot Activity, which originates at the frontage road for Interstate 40 and leads to the parcel of the Former Fort Wingate Depot Activity depicted as “administration area” on the Map, shall be held in common by the Zuni Tribe and Navajo Nation to provide for equal access to Former Fort Wingate Depot Activity.

(5) **COMPATIBILITY WITH DEFENSE ACTIVITIES.**—The lands of Former Fort Wingate Depot Activity held in trust or conveyed in restricted fee status pursuant to subsection (b) shall be subject to reservations by the United States as the Secretary of Defense determines are reasonably required to permit access to lands of the Fort Wingate launch complex for administrative, test operations, and launch operations purposes. The Secretary of Defense shall provide the governments of the Zuni Tribe and the Navajo Nation written copies of all reservations under this paragraph.

(d) **ENVIRONMENTAL REMEDIATION.**—Nothing in this section shall be construed as alleviating, altering, or affecting the responsibility of the United States for cleanup and remediation of Former Fort Wingate Depot Activity in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

SA 4343. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V of division A, add the following:

SEC. 565. REPORT ON AVAILABILITY OF COLLEGE CREDIT FOR SKILLS ACQUIRED DURING MILITARY SERVICE.

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of Veterans Affairs, Education, and Labor, shall submit to Congress a report on the transfer of skills into equivalent college credits or technical certifications for members of the Armed Forces leaving the military. Such report shall describe each of the following:

(1) The ability of service members to receive transfer credit or technical certifications for military experience, including skills acquired during military service or training performed in the course of performing military duties.

(2) An evaluation of those schools that do provide such credit, the type and amount of credit provided, whether the number of schools providing such credit could be expanded, and obstacles to such expansion.

(3) A listing of civilian career fields best suited for the certifications and training obtained by technically-trained service members during their time in the Armed Forces.

(4) The number of veterans who were able to receive equivalent college credits or technical certifications in the last fiscal year, and the academic level of the credits or certifications.

SA 4344. Mr. SULLIVAN (for himself, Mr. WARNER, Mr. CORNYN, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. MILITARY-TO-MILITARY EXCHANGES WITH INDIA.

To enhance military cooperation and encourage engagement in joint military operations between the United States and India, the Secretary of Defense may take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the Government of India and the United States Government—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for developing threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, tactics, techniques, and procedures, and humanitarian assistance and disaster relief;

(2) include exchanges of general and flag officers; and

(3) significantly enhance joint military operations, including maritime security, counter-piracy, counter-terror cooperation, and domain awareness in the Indo-Asia-Pacific region.

SA 4345. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1221.

SA 4346. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Countering Foreign Propaganda and Disinformation Act

SEC. 1281. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign governments, including the Governments of the Russian Federation and the People's Republic of China, use disinformation and other propaganda tools to undermine the national security objectives of the United States and key allies and partners;

(2) the Russian Federation, in particular, has conducted sophisticated and large-scale disinformation campaigns that have sought to have a destabilizing effect on United States allies and interests;

(3) in the last decade disinformation has increasingly become a key feature of the Government of the Russian Federation's pursuit of political, economic, and military objectives in Ukraine, Moldova, Georgia, the Balkans, and throughout Central and Eastern Europe;

(4) the challenge of countering disinformation extends beyond effective strategic communications and public diplomacy, requiring a whole-of-government approach leveraging all elements of national power;

(5) the United States Government should develop a comprehensive strategy to counter foreign disinformation and propaganda and assert leadership in developing a fact-based strategic narrative; and

(6) an important element of this strategy should be to protect and promote a free, healthy, and independent press in countries vulnerable to foreign disinformation.

SEC. 1282. CENTER FOR INFORMATION ANALYSIS AND RESPONSE.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in coordination with the Secretary of Defense, the Broadcasting Board of Governors, and other relevant departments and agencies, establish a Center for Information Analysis and Response (in this section referred to as the “Center”). The purposes of the Center are—

(1) to coordinate the sharing with relevant government agencies of information, subject to the appropriate classification guidelines, on foreign government information warfare efforts, including information provided by recipients of information access fund grants awarded under subsection (e) and other sources;

(2) to establish a process for the integration of relevant information on foreign propaganda and disinformation efforts into the development of national strategy; and

(3) to develop, plan, and synchronize, in coordination with the Secretary of Defense,

the Broadcasting Board of Governors, and other relevant departments and agencies, interagency initiatives to expose and counter foreign information operations directed against United States national security interests and proactively advance fact-based narratives that support United States allies and interests.

(b) **FUNCTIONS.**—The Center shall carry out the following functions:

(1) Integrating interagency efforts to track and evaluate counterfactual narratives abroad that threaten the national security interests of the United States and United States allies, subject to appropriate regulations governing the dissemination of classified information and programs.

(2) Analyzing relevant information from United States Government agencies, allied nations, think-tanks, academic institutions, civil society groups, and other nongovernmental organizations.

(3) Developing and disseminating thematic narratives and analysis to counter propaganda and disinformation directed at United States allies and partners in order to safeguard United States allies and interests.

(4) Identifying current and emerging trends in foreign propaganda and disinformation, including the use of print, broadcast, online and social media, support for third-party outlets such as think tanks, political parties, and nongovernmental organizations, in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitating the use of a wide range of information-related technologies and techniques to counter foreign disinformation by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

(6) Identifying gaps in United States capabilities in areas relevant to the Center's mission and recommending necessary enhancements or changes.

(7) Identifying the countries and populations most susceptible to foreign government propaganda and disinformation.

(8) Administering the information access fund established pursuant to subsection (e).

(9) Coordinating with allied and partner nations, particularly those frequently targeted by foreign disinformation operations, and international organizations and entities such as the NATO Center of Excellence on Strategic Communications, the European Endowment for Democracy, and the European External Action Service Task Force on Strategic Communications, in order to amplify the Center's efforts and avoid duplication.

(c) **COMPOSITION.**—

(1) **COORDINATOR.**—The Secretary of State shall appoint a full-time Coordinator to lead the Center.

(2) **STEERING COMMITTEE.**—

(A) **COMPOSITION.**—The Secretary of State shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center's mission to provide advice to the Secretary on the operations and strategic orientation of the Center and to ensure adequate support for the Center. The Steering Committee shall include the officials set forth in subparagraph (C), one senior representative designated by the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Administrator of the United States Agency for International Development, and the Chairman of the Broadcasting Board of Governors.

(B) **MEETINGS.**—The Steering Committee shall meet not less than every 3 months.

(C) **CHAIRMAN AND VICE CHAIRMEN.**—The Steering Committee shall be chaired by the Under Secretary of State for Political Affairs. A senior, Secretary of State-designated official responsible for digital media programming for foreign audiences and a senior, Secretary of Defense-designated official responsible for information operations shall serve as co-Vice Chairmen.

(D) **EXECUTIVE SECRETARY.**—The Coordinator of the Center shall serve as Executive Secretary of the Steering Committee.

(E) **PARTICIPATION AND INDEPENDENCE.**—The Chairman of the Broadcasting Board of Governors shall not compromise the journalistic freedom or integrity of relevant media organizations. Other Federal agencies may be invited to participate in the Steering Committee at the discretion of the Chairman of the Steering Committee and with the consent of the Secretary of State.

(d) **STAFF.**—

(1) **IN GENERAL.**—The Chairman may, with the consent of the Secretary and without regard to the civil service laws and regulations, appoint and terminate a Director and such other additional personnel as may be necessary to enable the Center to carry out its functions. The employment of the Director shall be subject to confirmation by the Steering Committee.

(2) **COMPENSATION.**—The Chairman may fix the compensation of the Director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(3) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairman may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(e) **INFORMATION ACCESS FUND.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of State for fiscal years 2017 and 2018 \$40,000,000 to support the Center and provide grants or contracts of financial support to civil society groups, journalists, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

(A) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States and its allies and partners.

(C) To analyze tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign governments to use disinformation, misinformation, and

propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(2) **FUNDING AVAILABILITY AND LIMITATIONS.**—All organizations that apply to receive funds under this subsection must undergo a vetting process in accordance with the relevant existing regulations to ensure their bona fides, capability, and experience, and their compatibility with United States interests and objectives.

(3) **OFFSET.**—Savings derived from projected bulk fuel cost savings in the operation and maintenance, Defense-wide account shall be made available to cover the appropriation authorized in paragraph (1).

SEC. 1283. INCLUSION IN DEPARTMENT OF STATE EDUCATION AND CULTURAL EXCHANGE PROGRAMS OF FOREIGN STUDENTS AND COMMUNITY LEADERS FROM COUNTRIES AND POPULATIONS SUSCEPTIBLE TO FOREIGN MANIPULATION.

When selecting participants for United States educational and cultural exchange programs, the Secretary of State shall give special consideration to students and community leaders from populations and countries the Secretary deems vulnerable to foreign propaganda and disinformation campaigns.

SEC. 1284. REPORTS.

(a) **IN GENERAL.**—Not later than one year after the establishment of the Center, the Secretary of State shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, submit to the appropriate congressional committees a report evaluating the success of the Center in fulfilling the purposes for which it was authorized and outlining steps to improve any areas of deficiency.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SEC. 1285. TERMINATION OF CENTER AND STEERING COMMITTEE.

The Center for Information Analysis and Response and the Steering Committee shall terminate ten years after the date of the enactment of this Act.

SEC. 1286. RULE OF CONSTRUCTION REGARDING RELATIONSHIP TO INTELLIGENCE AUTHORITIES AND ACTIVITIES.

Nothing in this Act shall be construed as superseding or modifying any existing authorities governing the collection, sharing, and implementation of intelligence programs and activities or existing regulations governing the sharing of classified information and programs.

SA 4347. Mr. Kaine (for himself and Mr. Warner) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PETERSBURG NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Petersburg National Battlefield is modified to include the land and interests in land as generally depicted on the map titled “Petersburg National Battlefield Boundary Expansion”, numbered 325/80,080, and dated March 2015. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(b) ACQUISITION OF PROPERTIES.—

(1) IN GENERAL.—The Secretary of the Interior (referred to in this section as the “Secretary”) is authorized to acquire the land and interests in land, described in subsection (a), from willing sellers only, by donation, purchase with donated or appropriated funds, exchange, or transfer.

(2) TECHNICAL AMENDMENT.—Section 313(a) of the National Parks and Recreation Act of 1978 (Public Law 95-625; 92 Stat. 3479) is amended by striking “twenty-one” and inserting “twenty-five”.

(c) ADMINISTRATION.—The Secretary shall administer any land or interests in land acquired under subsection (b) as part of the Petersburg National Battlefield in accordance with applicable laws and regulations.

(d) ADMINISTRATIVE JURISDICTION TRANSFER.—

(1) IN GENERAL.—There is transferred—

(A) from the Secretary to the Secretary of the Army administrative jurisdiction over the approximately 1,170-acre parcel of land depicted as “Area to be transferred to Fort Lee Military Reservation” on the map described in paragraph (2); and

(B) from the Secretary of the Army to the Secretary administrative jurisdiction over the approximately 1,171-acre parcel of land depicted as “Area to be transferred to Petersburg National Battlefield” on the map described in paragraph (2).

(2) MAP.—The land transferred is depicted on the map titled “Petersburg National Battlefield Proposed Transfer of Administrative Jurisdiction”, numbered 325/80,801A, dated May 2011. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) CONDITIONS OF TRANSFER.—The transfer of administrative jurisdiction under paragraph (1) is subject to the following conditions:

(A) NO REIMBURSEMENT OR CONSIDERATION.—The transfer is without reimbursement or consideration.

(B) MANAGEMENT.—The land conveyed to the Secretary under paragraph (1) shall be included within the boundary of the Petersburg National Battlefield and shall be administered as part of that park in accordance with applicable laws and regulations.

SA 4348. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. REPORT ON NATIONAL SECURITY IMPLICATIONS OF INDEPENDENT RESEARCH AND DEVELOPMENT INVESTMENTS WITHIN THE DEFENSE INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the national security implications of independent research and development investments within the defense industry. The report shall include the following:

(1) An assessment of the short-term and long-term implications for the national security of the United States with respect to innovation, modernization, and technological superiority resulting from low levels of independent research and development investment within the defense industry.

(2) For fiscal years 2015 and 2016, an analysis of how firms in the defense industry have allocated corporate earnings, including a breakdown by allocation types such as—

(A) investments in research and development, labor force, or capital improvements;

(B) merger or acquisition activities; or

(C) activities to primarily increase shareholder value.

(3) An assessment whether regulations and acquisition policies of the Department of Defense provide incentives for firms in the defense industry to place a priority on short-term targets for earnings-per-share rather than on long-term capital investments.

(4) Such recommendations for legislative or administrative action as the Secretary considers appropriate to encourage, facilitate, and enhance independent research and development investments within the defense industry, and to spur innovation within the defense industry.

SA 4349. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. BORDER SECURITY ENFORCEMENT TRANSPARENCY.

(a) DEFINITIONS.—In this section

(1) BORDER SECURITY.—The term “border security” means the prevention of unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(2) CHECKPOINT.—The term “checkpoint” means a location—

(A) where vehicles or individuals traveling through the location are stopped or boarded by an officer of U.S. Customs and Border Protection for the purposes of enforcement of United States laws and regulations; and

(B) that is not located at a port of entry along an international border of the United States.

(3) LAW ENFORCEMENT OFFICIAL.—The term “law enforcement official” means—

(A) an officer or agent of U.S. Customs and Border Protection;

(B) an officer or agent of U.S. Immigration and Customs Enforcement; or

(C) an officer or employee of a State or a political subdivision of a State who is car-

rying out the functions of an immigration officer pursuant to an agreement entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)), pursuant to authorization under title IV of the Tariff Act of 1930 (19 U.S.C. 1401 et seq.), or pursuant to any other agreement with the Department of Homeland Security.

(4) PATROL STOP.—The term “patrol stop” means seizure or interrogation of a motorist, passenger, or pedestrian initiated anywhere except as part of an inspection at a port of entry or checkpoint.

(5) PRIMARY INSPECTION.—The term “primary inspection” means an initial inspection of a vehicle or individual at a checkpoint.

(6) SECONDARY INSPECTION.—The term “secondary inspection” means a further inspection of a vehicle or individual that is conducted following a primary inspection.

(b) REQUIREMENT FOR DATA COLLECTION REGARDING STOPS AND SEARCHES INTENDED TO ENFORCE BORDER SECURITY.—A law enforcement official who initiates a patrol stop or who detains any individual beyond a brief and limited inquiry during a primary inspection, including by referral to a secondary inspection or by conducting a search of the vehicle or its occupants, shall collect the following data:

(1) The date, time, and location of the contact.

(2) The surname and date of birth of the individual subject to the contact.

(3) The law enforcement official’s basis for, or circumstances surrounding, the action, including if such individual’s perceived race or ethnicity contributed to such basis.

(4) The identifying characteristics of such individual, including the individual’s perceived race, gender, ethnicity, and approximate age.

(5) The duration of the stop, detention, or search, whether consent was requested and obtained for detention and any search, and the name of the person who provided such consent.

(6) A description of any articulable facts and behavior by the individual that justify initiating a stop or probable cause to justify any search pursuant to such contact.

(7) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(8) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(9) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest.

(10) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(11) The immigration status of the individual and whether removal proceedings were subsequently initiated against the individual.

(12) Whether force was used by the law enforcement official and if so, the type of force and justification for using force.

(13) Whether any complaint was made by the individual, and if so whether there was any follow-up made regarding the complaint.

(14) The badge number of the law enforcement official involved in the complaint.

(15) If the action was initiated by a State or local law enforcement agency, the reason for involvement of a Federal law enforcement official, the duration of the stop prior to contact with any Federal law enforcement official, the method by which a Federal law

enforcement official was informed of the stop, and whether the individual was being held by State or local officials on State criminal charges at the time of such contact.

(c) **REQUIREMENT FOR U.S. CUSTOMS AND BORDER PROTECTION DATA COLLECTION REGARDING CHECKPOINTS.**—The Commissioner of U.S. Customs and Border Protection shall collect data on the number of permanent and temporary checkpoints utilized by officers of U.S. Customs and Border Protection, the location of each such checkpoint, and a description of each such checkpoint, including the presence of any other law enforcement agencies and the use of law enforcement resources such as canines.

(d) **COMPILATION OF DATA.**—

(1) **DEPARTMENT OF HOMELAND SECURITY LAW ENFORCEMENT OFFICIALS.**—The Secretary of Homeland Security shall compile the data—

(A) collected under subsection (b) by officers of U.S. Immigration and Customs Enforcement and by officers of U.S. Customs and Border Protection; and

(B) collected under subsection (c) by the Commissioner of U.S. Customs and Border Protection.

(2) **OTHER LAW ENFORCEMENT OFFICIALS.**—The head of each agency, department, or other entity that employs law enforcement officials other than officers referred to in paragraph (1) shall—

(A) compile the data collected by such law enforcement officials pursuant to subsection (b); and

(B) submit the compiled data to the Secretary of Homeland Security.

(e) **USE OF DATA.**—The Secretary of Homeland Security shall consider the data compiled under subsection (d) in making policy and program decisions related to enforcement of border security.

(f) **ANNUAL REPORT.**—

(1) **REQUIREMENT.**—Not later than one year after the effective date of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to Congress a report on the data compiled under subsection (d) that includes all such data for the previous year.

(2) **AVAILABILITY.**—Each report submitted under paragraph (1) shall be made available to the public, except for particular data if the Secretary explicitly invokes an exemption contained in paragraphs (1) through (9) of section 552(b) of title 5, United States Code, and provides a written explanation for the exemption's applicability.

(g) **EFFECTIVE DATE.**—This section shall take effect 60 days after the date of the enactment of this Act.

SA 4350. Mr. WARNER (for himself, Mr. CARPER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. ENERGY PREPAREDNESS FOR THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

(a) **STATEMENT OF POLICY.**—It shall be the policy of the Department of Defense and the Armed Forces to ensure the readiness of the

Armed Forces for their military missions by pursuing energy preparedness, including reliable sources of electric power and the efficient use of electric power.

(b) **AUTHORITIES.**—In order to achieve the policy set forth in subsection (a), the Secretary of Defense may take the actions as follows:

(1) **ELECTRIC POWER RELIABILITY PLANS FOR MILITARY INSTALLATIONS.**—The Secretary may require the service secretaries to establish and maintain electric power reliability plans that best meet their installations' mission assurance guidelines.

(2) **RELIABILITY OF ELECTRIC POWER AND COST OF BACKUP POWER AS FACTORS IN PROCUREMENT.**—The Secretary may authorize the use of reliability and the cost of backup power as factors in the cost-benefit analysis for procurement of electric power.

SA 4351. Mr. REID (for Mr. BLUMENTHAL) submitted an amendment intended to be proposed by Mr. Reid to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 536, insert the following:

SEC. 536A. INDEXING AND PUBLIC AVAILABILITY OF DECISIONS AND OTHER DOCUMENTS IN CONNECTION WITH ACTIONS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.

Section 1552(a) of title 10, United States Code, as amended by section 536(a)(1) of this Act, is further amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4)(A) The record of the votes of each board under this section, and all other statements of findings, conclusions, and recommendations made on final determinations of applications by such board, shall be indexed and promptly made available for public inspection and copying at the Armed Forces Discharge Review/Correction Boards Reading Room located on the Concourse of the Pentagon Building in Room 2E123, Washington, DC.

“(B) Any documents made available for public inspection and copying pursuant to subparagraph (A) shall be indexed in a usable and concise form so as to enable the public to identify cases similar in issue together with the circumstances under or reasons for which the board concerned granted or denied relief. Each index shall be published quarterly, and shall be available for public inspection and distribution by sale at the Reading Room referred to in subparagraph (A).

“(C) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, the following shall be deleted from documents made available for public inspection and copying pursuant to subparagraph (A):

“(i) Identifying details of applicants and other persons.

“(ii) Names, addresses, social security numbers, and military service numbers.

“(iii) Subject to subparagraph (D), other information that is privileged or classified.

“(D) Information that is privileged or classified may be deleted pursuant to subpara-

graph (C)(iii) from documents made available for public inspection and copying pursuant to subparagraph (A) only if a written statement of the basis for such deletion is made available for public inspection.”.

SA 4352. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SECTION 1097. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) **IN GENERAL.**—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

“SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

“(a) **DEFINITIONS.**—In this section:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) **ASSISTANT SECRETARY.**—The term ‘Assistant Secretary’ means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

“(3) **COUNTERING VIOLENT EXTREMISM.**—The term ‘countering violent extremism’ means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

“(4) **DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.**—The terms ‘domestic terrorism’ and ‘international terrorism’ have the meanings given those terms in section 2331 of title 18, United States Code.

“(5) **RADICALIZATION.**—The term ‘radicalization’ means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

“(6) **VIOLENT EXTREMISM.**—The term ‘violent extremism’ means international or domestic terrorism.

“(b) **ESTABLISHMENT.**—There is in the Department an Office for Partnerships Against Violent Extremism.

“(c) **HEAD OF OFFICE.**—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

“(d) **DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.**—The Secretary shall—

“(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

“(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

“(e) **RESPONSIBILITIES.**—

“(1) **IN GENERAL.**—The Assistant Secretary shall be responsible for the following:

“(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

“(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for Government and non-government institutions.

“(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

“(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

“(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

“(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

“(I) The Department’s plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

“(II) The Department’s countering violent extremism-related engagement efforts.

“(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

“(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

“(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and non-governmental partners to utilize such research and analysis.

“(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

“(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

“(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

“(ii) maximizing other resources available to the Department.

“(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and non-governmental organizations.

“(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

“(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

“(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

“(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term ‘communities at risk’ shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

“(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

“(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

“(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

“(A) The Department’s digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar counter-messaging activities.

“(B) The Department’s countering violent extremism-related engagement and outreach activities.

“(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

“(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

“(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department’s programs and policies to counter violent extremism.

“(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or recruitment.

“(G) Information on the Department’s near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

“(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

“(A) Departmental efforts to undertake research to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

“(B) The Department’s nondiscrimination policies as they relate to countering violent extremism.

“(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

“(D) Departmental efforts to help increase support for programs and initiatives to

counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

“(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

“(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

“(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

“(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

“(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

“(4) STRATEGIC IMPLEMENTATION PLAN.—

“(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

“(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

“(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

“(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

“(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

“(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

“(4) An accounting of—

“(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

“(B) all training specifically aimed at countering violent extremism sponsored by the Department.

“(5) An analysis of how the Department’s activities to counter violent extremism correspond and adapt to the threat environment.

“(6) A summary of how civil rights and civil liberties are protected in the Department’s activities to counter violent extremism.

“(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

“(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

“(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

“(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

“(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).”; and

(2) in section 2008(b)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 801 the following:

“Sec. 802. Office for Partnerships Against Violent Extremism.”.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by striking the item relating to section 802.

SA 4353. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Open Government Data

SEC. 1097. SHORT TITLE.

(a) SHORT TITLE.—This subtitle may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

SEC. 1098. FINDINGS; AGENCY DEFINED.

(a) FINDINGS.—Congress finds the following:

(1) Federal Government data is a valuable national resource. Managing Federal Government data to make it open, available, discoverable, and useable to the general public, businesses, journalists, academics, and advocates promotes efficiency and effectiveness in Government, creates economic opportunities, promotes scientific discovery, and most importantly, strengthens our democracy.

(2) Maximizing the usefulness of Federal Government data that is appropriate for release rests upon making it readily available, discoverable, and useable—in a word: open. Information presumptively should be available to the general public unless the Federal Government reasonably foresees that disclosure could harm a specific, articulable interest protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(4) Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible, consistent with data standards imbued with authority under this subtitle and to the extent permitted by law.

(5) The effort to inventory Government data will have additional benefits, including identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(6) Communication, commerce, and data transcend national borders. Global access to Government information is often essential to promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

(b) AGENCY DEFINED.—In this subtitle, the term “agency” has the meaning given that term in section 3502 of title 44, United States Code, and includes the Federal Election Commission.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking “; and” at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

“(16) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;

“(17) the term ‘Enterprise Data Inventory’ means the data inventory developed and maintained pursuant to section 3523;

“(18) the term ‘machine-readable’ means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

“(19) the term ‘metadata’ means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

“(20) the term ‘nonpublic data asset’—

“(A) means a data asset that may not be made available to the public for privacy, security, confidentiality, regulation, or other reasons as determined by law; and

“(B) includes data provided by contractors that is protected by contract, license, patent, trademark, copyright, confidentiality, regulation, or other restriction;

“(21) the term ‘open format’ means a technical format based on an underlying open standard that is—

“(A) not encumbered by restrictions that would impede use or reuse; and

“(B) based on an underlying open standard that is maintained by a standards organization;

“(22) the term ‘open Government data’ means a Federal Government public data asset that is—

“(A) machine-readable;

“(B) available in an open format; and

“(C) part of the worldwide public domain or, if necessary, published with an open license;

“(23) the term ‘open license’ means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available—

“(A) at no cost to the public; and

“(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

“(24) the term ‘public data asset’ means a collection of data elements or a data set maintained by the Government that—

“(A) may be released; or

“(B) has been released to the public in an open format and is discoverable through a search of Data.gov.”.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“§ 3522. Requirements for Government data

“(a) MACHINE-READABLE DATA REQUIRED.—Government data assets made available by an agency shall be published as machine-readable data.

“(b) OPEN BY DEFAULT.—When not otherwise prohibited by law, and to the extent practicable, Government data assets shall—

“(1) be available in an open format; and

“(2) be available under open licenses.

“(c) OPEN LICENSE OR WORLDWIDE PUBLIC DOMAIN DEDICATION REQUIRED.—When not otherwise prohibited by law, and to the extent practicable, Government data assets

published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

“(d) INNOVATION.—Each agency may engage with nongovernmental organizations, citizens, non-profit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the agency’s public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following:

“3522. Requirements for Government data.”

(c) EFFECTIVE DATE.—Notwithstanding section 1099G, the amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(d) USE OF OPEN DATA ASSETS.—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(a) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

“(c) COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the heads of other offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.”

(b) AUTHORITY AND FUNCTIONS OF DIRECTOR.—Section 3504(h) of title 44, United States Code, is amended—

(1) in paragraph (1), by inserting “, the Federal Chief Information Officer,” after “the Director of the National Institute of Standards and Technology”;

(2) in paragraph (4)—

(A) in subparagraph (A), by striking “; and” and inserting a semicolon; and

(B) by adding at the end the following:

“(C) oversee the completeness of the Enterprise Data Inventory and the extent to which the agency is making all data collected and generated by the agency available to the public in accordance with section 3523.”;

(3) in paragraph (5), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following:

“(6) coordinate the development and review of Federal information resources management policy by the Administrator of the Office of Information and Regulatory Affairs and the Federal Chief Information Officer.”.

(c) CHANGE OF NAME OF THE OFFICE OF ELECTRONIC GOVERNMENT.—

(1) DEFINITIONS.—Section 3601 of title 44, United States Code, is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(C) by inserting after paragraph (3), as so redesignated, the following:

“(4) ‘Federal Chief Information Officer’ means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602.”.

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking “Electronic Government” and inserting “the Federal Chief Information Officer”;

(B) in subsection (a), by striking “Office of Electronic Government” and inserting “Office of the Federal Chief Information Officer”;

(C) in subsection (b), by striking “an Administrator” and inserting “a Federal Chief Information Officer”;

(D) in subsection (c), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(E) in subsection (d), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(F) in subsection (e), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking “the Administrator shall” and inserting “the Federal Chief Information Officer shall”; and

(ii) in paragraph (16), by striking “the Office of Electronic Government” and inserting “the Office of the Federal Chief Information Officer”; and

(H) in subsection (g), by striking “the Office of Electronic Government” and inserting “the Office of the Federal Chief Information Officer”.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”;

(B) in subsection (c)(1), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”; and

(C) in subsection (f)(3), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(4) E-GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in subsection (a)(2), by striking “the Administrator of the Office of Electronic Government” and inserting “the Federal Chief Information Officer”;

(B) in subsection (b), by striking “Administrator” each place it appears and inserting “Federal Chief Information Officer”; and

(C) in subsection (c), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended—

(A) in subsection (a), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(B) in subsection (b), by striking “, the Administrator,” and inserting “, the Federal Chief Information Officer,”; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking “The Administrator” and inserting “The Federal Chief Information Officer”; and

(II) by striking “proposals submitted to the Administrator” and inserting “proposals

submitted to the Federal Chief Information Officer”;

(ii) in paragraph (2), by striking “the Administrator” and inserting “the Federal Chief Information Officer”; and

(iii) in paragraph (4), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(6) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 36 of title 44, United States Code, is amended by striking the item relating to section 3602 and inserting the following:

“3602. Office of the Federal Chief Information Officer.”.

(B) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking “Administrator of the Office of Electronic Government” and inserting “Federal Chief Information Officer”.

(C) OFFICE OF ELECTRONIC GOVERNMENT.—Section 507 of title 31, United States Code, is amended by striking “The Office of Electronic Government” and inserting “The Office of the Federal Chief Information Officer”.

(D) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—Section 305 of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” and inserting “Federal Chief Information Officer”.

(E) CAPITAL PLANNING AND INVESTMENT CONTROL.—Section 11302(c)(4) of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”.

(F) RESOURCES, PLANNING, AND PORTFOLIO MANAGEMENT.—The second subsection (c) of section 1319 of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”.

(G) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 2222(i)(6) of title 10, United States Code, is amended by striking “section 3601(4)” and inserting “section 3601(3)”.

(ii) Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3100(k)(1)) is amended by striking “section 3601(4)” and inserting “section 3601(3)”.

(7) RULE OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require a new appointment by the President.

SEC. 1099D. DATA INVENTORY AND PLANNING.

(a) ENTERPRISE DATA INVENTORY.—

(1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 1099B, is amended by adding at the end the following:

“§ 3523. Enterprise data inventory

“(a) AGENCY DATA INVENTORY REQUIRED.—

“(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director of the Office of Management and Budget, shall develop and maintain an enterprise data inventory (in this section referred to as the ‘Enterprise Data Inventory’) that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after

the effective date of this section, with the ultimate goal of including all data assets, to the extent practicable.

“(2) CONTENTS.—The Enterprise Data Inventory shall include each of the following:

“(A) Data assets used in agency information systems, including program administration, statistical, and financial activity.

“(B) Data assets shared or maintained across agency programs and bureaus.

“(C) Data assets that are shared among agencies or created by more than 1 agency.

“(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly referred to as the ‘Freedom of Information Act’).

“(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is currently available to the public.

“(F) Non-public data assets.

“(G) Government data assets generated by applications, devices, networks, and equipment, categorized by source type.

“(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency shall use the guidance provided by the Director issued pursuant to section 3504(a)(1)(C)(i) to make public data assets included in the Enterprise Data Inventory publicly available in an open format and under an open license.

“(c) NON-PUBLIC DATA.—Non-public data included in the Enterprise Data Inventory may be maintained in a non-public section of the inventory.

“(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

“(1) shall make the Enterprise Data Inventory available to the public on Data.gov;

“(2) shall ensure that access to the Enterprise Data Inventory and the data contained therein is consistent with applicable law and regulation; and

“(3) may implement paragraph (1) in a manner that maintains a non-public portion of the Enterprise Data Inventory.

“(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

“(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

“(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

“(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by section 5, is amended by inserting after the item relating to section 3522 the following:

“3523. *Enterprise data inventory.*”.

(b) STANDARDS FOR ENTERPRISE DATA INVENTORY.—Section 3504(a)(1) of title 44, United States Code, is amended—

(1) in subparagraph (A), by striking “; and” and inserting a semicolon;

(2) in subparagraph (B)(vi), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) issue standards for the Enterprise Data Inventory described in section 3523, including—

“(i) a requirement that the Enterprise Data Inventory include a compilation of metadata about agency data assets; and

“(ii) criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

“(I) the expectation of confidentiality associated with an individual data asset;

“(II) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(III) the cost and value to the public of converting the data into a manner that could be understood and used by the public;

“(IV) the expectation that all data assets that would otherwise be made available under section 552 of title 5 (commonly referred to as the ‘Freedom of Information Act’) be disclosed; and

“(V) any other considerations that the Director determines to be relevant.”.

(c) FEDERAL AGENCY RESPONSIBILITIES.—Section 3506 of title 44, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking “security;” and inserting the following: “security by—

“(i) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and

“(ii) to the extent practicable, encouraging the adoption of open form for all open Government data created or obtained before the date of enactment of this clause;”.

(B) in paragraph (4), by striking “subchapter; and” and inserting “subchapter and a review of each agency’s Enterprise Data Inventory described in section 3523;”.

(C) in paragraph (5), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(6) in consultation with the Director, develop an open data plan as a part of the requirement for a strategic information resources management plan described in paragraph (2) that, at a minimum and to the extent practicable—

“(A) requires the agency to develop processes and procedures that—

“(i) require each new data collection mechanism to use an open format; and

“(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data;

“(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability, recommendations for improvements, and complaints about adherence to open data requirements in accordance with subsection (d)(2);

“(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data;

“(D) requires the agency to update the plan at an interval determined by the Director;

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

“(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.”;

(2) in subsection (c), by striking “With respect to” and inserting “Except as provided under subsection (i), with respect to”;

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “shall”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “shall” before “ensure”;

(ii) in subparagraph (A), by striking “sources” and inserting “sources and uses”; and

(iii) in subparagraph (C), by inserting “, including providing access to open Government data online” after “economical manner”;

(C) in paragraph (2), by inserting “shall” before “regularly”;

(D) in paragraph (3)—

(i) by inserting “shall” before “provide”; and

(ii) by striking “; and” and inserting a semicolon;

(E) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “may” before “not”; and

(ii) by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

“(5) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required by subsection (b)(6); and

“(6) may engage the public in using open Government data and encourage collaboration by—

“(A) publishing information on open Government data usage in regular, timely intervals, but not less than annually;

“(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

“(C) assisting civil society groups and members of the public working to expand the use of open Government data; and

“(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data.”; and

(4) by adding at the end the following:

“(j) COLLECTION OF INFORMATION EXCEPTION.—Notwithstanding subsection (c), an agency is not required to meet the requirements of paragraphs (2) and (3) of such subsection if—

“(1) the waiver of those requirements is approved by the head of the agency;

“(2) the collection of information is—

“(A) online and electronic;

“(B) voluntary and there is no perceived or actual tangible benefit to the provider of the information;

“(C) of an extremely low burden that is typically completed in 5 minutes or less; and

“(D) focused on gathering input about the performance of, or public satisfaction with, an agency providing service; and

“(3) the agency publishes representative summaries of the collection of information under subsection (c).”.

(d) REPOSITORY.—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices. The repository shall—

(1) include definitions, regulation and policy, checklists, and case studies related to open data, this subtitle, and the amendments made by this subtitle; and

(2) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(e) **SYSTEMATIC AGENCY REVIEW OF OPERATIONS.**—Section 305 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following: “To the extent practicable, each agency shall use existing data to support such reviews if the data is accurate and complete.”;

(2) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) determining the status of achieving the mission, goals, and objectives of the agency as described in the strategic plan of the agency published pursuant to section 306.”; and

(3) by adding at the end the following:

“(d) **OPEN DATA COMPLIANCE REPORT.**—Not later than 1 year after the date of enactment of this subsection, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with the Open, Public, Electronic, and Necessary Government Data Act and the amendments made by that Act.”.

(f) **GAO REPORT.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies—

(1) the value of information made available to the public as a result of this subtitle and the amendments made by this subtitle;

(2) whether it is valuable to expand the publicly available information to any other data assets; and

(3) the completeness of the Enterprise Data Inventory at each agency required under section 3523 of title 44, United States Code, as added by this section.

SEC. 8. TECHNOLOGY PORTAL.

(a) **AMENDMENT.**—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after section 3511 the following:

“§ 3511A. Technology portal

“(a) **DATA.GOV REQUIRED.**—The Administrator of General Services shall maintain a single public interface online as a point of entry dedicated to sharing open Government data with the public.

“(b) **COORDINATION WITH AGENCIES.**—The Director of the Office of Management and Budget shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a).”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by this subtitle, is amended by inserting after the item relating to section 3511 the following:

“3511A. Technology portal.”.

(c) **DEADLINE.**—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall meet the requirements of section 3511A(a) of title 44, United States Code, as added by subsection (a).

SEC. 1099E. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

(a) **AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.**—

(1) **GENERAL RESPONSIBILITIES.**—Section 11315(b) of title 40, United States Code, is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(4) data asset management, format standardization, sharing of data assets, and publication of data assets;

“(5) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44;

“(6) ensuring that agency data conforms with open data best practices;

“(7) ensuring compliance with the requirements of subsections (b), (c), (d), and (f) of section 3506 of title 44;

“(8) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improving data use;

“(9) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

“(10) reviewing the information technology infrastructure of the agency and the impact of such infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

“(11) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

“(12) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.”.

(2) **ADDITIONAL DEFINITIONS.**—Section 11315 of title 40, United States Code, is amended by adding at the end the following:

“(d) **ADDITIONAL DEFINITIONS.**—In this section, the terms ‘data’, ‘data asset’, ‘Enterprise Data Inventory’, and ‘open Government data’ have the meanings given those terms in section 3502 of title 44.”.

(b) **AMENDMENT.**—Section 3603(f) of title 44, United States Code, is amended by adding at the end the following:

“(8) Work with the Office of Government Information Services and the Director of the Office of Science and Technology Policy to promote data interoperability and comparability of data assets across the Government.”.

SEC. 1099F. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) **AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.**—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in subsection (b).

(b) **REQUIREMENTS OF AGENCY REVIEW.**—The report required under subsection (a) shall assess the coverage, quality, methods, effec-

tiveness, and independence of the agency’s evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and analyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, international and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(c) **GAO REVIEW OF AGENCY REPORTS.**—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted pursuant to subsection (a) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 4354. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 819, strike lines 7 through 13 and insert the following:

(B) An assessment of the ratio of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense required to best contribute to the readiness of the Reserves and of the National Guard for its Federalized and non-Federalized missions.

SA 4355. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 138, between lines 17 and 18, insert the following:

“(5) The Chief of the National Guard Bureau and the Vice Chief of the National Guard Bureau.

SA 4356. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 925.

SA 4357. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 715, between lines 6 and 7, insert the following:

“(F) An officer from the National Guard Bureau in the grade of general.

SA 4358. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 502, strike subsection (rr).

SA 4359. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, between lines 7 and 8, insert the following:

“(C) in the case of a unit of the Army National Guard or the Army Reserve, the number of full-time support individuals required for the unit to carry out its mission requirements; and

SA 4360. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS FOR THE NON-FEDERALIZED NATIONAL GUARD TO SUPPORT CIVILIAN AUTHORITIES IN PREVENTION AND RESPONSE TO DOMESTIC DISASTERS.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “REPORT.—” and inserting “REPORT ON STATE OF THE NATIONAL GUARD.—(1)”;

(2) by striking “(b) SUBMISSION OF REPORT TO CONGRESS.—” and inserting “(2)”;

(3) by striking “annual report of the Chief of the National Guard Bureau” and inserting “annual report required by paragraph (1)”; and

(4) by adding at the end the following new subsection (b):

“(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2017 through 2021, the Chief of the National Guard Bureau shall submit to the congressional defense committees and the officials specified in paragraph (5) a report setting forth the personnel, training, and equipment required by the National Guard during the next fiscal year to carry out its mission, while not Federalized, to provide prevention, protection mitigation, response, and recovery activities in support of civilian authorities in connection with natural and man-made disasters.

“(2) To determine the annual personnel, training, and equipment requirements of the National Guard referred to in paragraph (1), the Chief of the National Guard Bureau shall take into account, at a minimum, the following:

“(A) Core civilian capabilities gaps for the prevention, protection, mitigation, response, and recovery activities in connection with natural and man-made disasters, as collected by the Department of Homeland Security from the States.

“(B) Threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

“(3) Personnel, training, and equipment requirements shall be collected from the States, validated by the Chief of the National Guard Bureau, and be categorized in the report required by paragraph (1) by each of the following:

“(A) Emergency support functions of the National Response Framework.

“(B) Federal Emergency Management Agency regions.

“(4) The annual report required by paragraph (1) shall be prepared in consultation with the chief executive of each State, other appropriate civilian authorities, and the Council of Governors.

“(5) In addition to the congressional defense committees, the annual report required by paragraph (1) shall be submitted to the following officials:

“(A) The Secretary of Defense.

“(B) The Secretary of Homeland Security.

“(C) The Council of Governors.

“(D) The Secretary of the Army.

“(E) The Secretary of the Air Force.

“(F) The Commander of the United States Northern Command.

“(G) The Commander of the United States Cyber Command.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“**§ 10504. Chief of the National Guard Bureau: annual reports**”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10504 and inserting the following new item:

“10504. Chief of the National Guard Bureau: annual reports.”.

SA 4361. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title III, add the following:

SEC. 314. STRATEGIC PLAN FOR MANUFACTURING WORKFORCE.

Subsection (f)(1) of section 2521 of title 10, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) The overall manufacturing workforce goals, process development, technical training and education, and credentialing for the program.”.

SA 4362. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle I—Technology Innovation and Acquisition Provisions

SEC. 899G. PILOT PROGRAM ON DISTRIBUTION OF ROYALTIES RECEIVED BY DEPT OF DEFENSE LABORATORIES.

(a) IN GENERAL.—Except as provided in subsections (b) and (d), any royalties or other payments received by a Federal agency from the licensing and assignment of inventions under agreements entered into by Department of Defense laboratories, and from the licensing of inventions of Department of Defense laboratories, shall be retained by the laboratory which produced the invention and shall be disposed of as follows:

(1)(A) The laboratory director shall pay each year the first \$2,000, and thereafter at least 20 percent, of the royalties or other payments, other than payments of patent

costs as delineated by a license or assignment agreement, to the inventor or coinventors, if the inventor's or coinventor's rights are assigned to the United States.

(B) A laboratory director may provide appropriate incentives, from royalties or other payments, to laboratory employees who are not an inventor of such inventions but who substantially increased the technical value of the inventions.

(C) The laboratory shall retain the royalties and other payments received from an invention until the laboratory makes payments to employees of a laboratory under subparagraph (A) or (B).

(2) The balance of the royalties or other payments shall be transferred by the agency to its laboratories, with the majority share of the royalties or other payments from any invention going to the laboratory where the invention occurred. The royalties or other payments so transferred to any laboratory may be used or obligated by that laboratory during the fiscal year in which they are received or during the 2 succeeding fiscal years—

(A) to reward scientific, engineering, and technical employees of the laboratory, including developers of sensitive or classified technology, regardless of whether the technology has commercial applications;

(B) to further scientific exchange among the laboratories of the agency;

(C) for education and training of employees consistent with the research and development missions and objectives of the agency or laboratory, and for other activities that increase the potential for transfer of the technology of the laboratories of the agency;

(D) for payment of expenses incidental to the administration and licensing of intellectual property by the agency or laboratory with respect to inventions made at that laboratory, including the fees or other costs for the services of other agencies, persons, or organizations for intellectual property management and licensing services; or

(E) for scientific research and development consistent with the research and development missions and objectives of the laboratory.

(3) All royalties or other payments retained by the laboratory after payments have been made pursuant to paragraphs (1) and (2) that are unobligated and unexpended at the end of the second fiscal year succeeding the fiscal year in which the royalties and other payments were received shall be paid into the Treasury of the United States.

(b) **DISPOSITION OF EXCESS ROYALTIES AND OTHER PAYMENTS.**—If, after payments to inventors under subsection (a), the royalties or other payments received by an agency in any fiscal year exceed 5 percent of the budget of the agency for that year, 75 percent of such excess shall be paid to the Treasury of the United States and the remaining 25 percent may be used or obligated under subsection (a)(2). Any funds not so used or obligated shall be paid into the Treasury of the United States.

(c) **TREATMENT OF PAYMENTS TO EMPLOYEES.**—Any payment made to an employee under this section shall be in addition to the regular pay of the employee and to any other awards made to the employee, and shall not affect the entitlement of the employee to any regular pay, annuity, or award to which the employee is otherwise entitled or for which the employee is otherwise eligible or limit the amount thereof. Any payment made to an inventor as such shall continue after the inventor leaves the laboratory. Payments made under this section while the

inventor is still employed at the laboratory shall not exceed \$500,000 per year and after the inventor leaves the laboratory shall not exceed \$150,000 per year to any one person, unless the President approves a larger award (with the excess over \$500,000 being treated as a Presidential award under section 4504 of title 5, United States Code).

(d) **INVENTION MANAGEMENT SERVICES.**—A laboratory receiving royalties or other payments as a result of invention management services performed for another Federal agency or laboratory under section 207 of title 35, United States Code, may retain such royalties or payments to the extent required to offset payments to inventors under subparagraph (A) of subsection (a)(1), costs and expenses incurred under subparagraph (D) of subsection (a)(2), and the cost of foreign patenting and maintenance for any invention of the other agency. All royalties and other payments remaining after offsetting the payments to inventors, costs, and expenses described in the preceding sentence shall be transferred to the agency for which the services were performed, for distribution in accordance with subsection (a)(2).

(e) **CERTAIN ASSIGNMENTS.**—If the invention involved was one assigned to the laboratory—

(1) by a contractor, grantee, or participant, or an employee of a contractor, grantee, or participant, in an agreement or other arrangement with the agency; or

(2) by an employee of the agency who was not working in the laboratory at the time the invention was made,

the agency unit that was involved in such assignment shall be considered to be a laboratory for purposes of this section.

(f) **SUNSET.**—The pilot program under this section shall terminate 5 years after the date of the enactment of this Act.

SEC. 899H. METHODS FOR ENTERING INTO RESEARCH AGREEMENTS.

Section 2358(b) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “or”;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(5) by transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of this title; or

“(6) by procurement for experimental purposes pursuant to section 2373 of this title.”.

SEC. 899I. PREFERENCE FOR USE OF OTHER TRANSACTIONS AND EXPERIMENTAL AUTHORITY.

In the execution of science and technology programs, the Secretary of Defense shall establish a preference for using transactions other than contracts, cooperative agreements, and grants entered into pursuant to sections 2371 and 2371b of title 10, United States Code, and authority for procurement for experimental purposes pursuant to section 2373 of title 10, United States Code.

SEC. 899J. MODIFICATION OF COST SHARING REQUIREMENT FOR USE OF OTHER TRANSACTION AUTHORITY.

Section 2371b(d)(1) of title 10, United States Code, is amended by striking subparagraph (C) and inserting the following new subparagraph:

“(C) At least one third of the total cost of the prototype project is to be paid out of funds provided by parties to the transaction other than the Federal Government, including funds from third party financial investment.”.

SEC. 899K. ENHANCED AUTHORITY OF CONTRACT AUTHORITY FOR ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPE UNITS.

Section 819(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2302 note) is amended by striking “the lesser of” and all that follows through “\$20,000,000” and inserting “the amount of expenditure consistent with a major system, as defined in section 2302d of title 10, United States Code”.

SEC. 899L. PERMANENCY AND ENHANCEMENT OF AUTHORITY FOR PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Subsection (f) of section 2374a of title 10, United States Code, is amended to read as follows:

“(f) **USE OF PRIZE AUTHORITY.**—Use of prize authority under this section shall be considered the use of competitive procedures for purposes of chapter 137 of this title.”.

SA 4363. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 740. REQUIREMENTS REGARDING UPDATE BY SECRETARY OF DEFENSE OF DEPLOYMENT HEALTH FORMS.

(a) **POST DEPLOYMENT HEALTH ASSESSMENT.**—When first updating the post deployment health assessment conducted by the Department of Defense after the date of the enactment of this Act, the Secretary of Defense shall include in such assessment a question relating to whether a member of the Armed Forces has witnessed or observed any in-service stressor, including any event, activity, or incident, during the deployment of the member.

(b) **INSTRUCTION ON DEPLOYMENT HEALTH.**—When first updating Department of Defense Instruction 6490.03 “Deployment Health” after the date of the enactment of this Act, the Secretary of Defense shall ensure that a description of any in-service stressor, including any event, activity, incident, or being a witness to any such event, activity, or incident, experienced by a member of the Armed Forces that may have caused or contributed to post-traumatic stress disorder (PTSD) or mild traumatic brain injury (mTBI) while in combat or on active duty in the Armed Forces and any records and data relating to that in-service stressor are electronically uploaded into the military personnel files and medical records of the member for the permanent record of the member.

SA 4364. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROTECTING FINANCIAL AID FOR STUDENTS AND TAXPAYERS.

(a) **SHORT TITLE.**—This section may be cited as the “Protecting Financial Aid for Students and Taxpayers Act”.

(b) **FINDINGS.**—Congress finds the following:

(1) From 1998 to 2013, enrollment in for-profit institutions of higher education increased by 314 percent, from 498,176 students to 2,064,920 students.

(2) In the 2012–2013 academic year, students who enrolled at for-profit institutions of higher education received \$26,469,028,523 in Federal Pell Grants and student loans.

(3) Eight out of the 10 top recipients of Post- 9/11 Educational Assistance funds are for-profit institutions of higher education. These 8 companies have received \$2,900,000,000 in taxpayer funds to enroll veterans from 2009 to 2013.

(4) An analysis of 15 publicly traded companies that operate institutions of higher education shows that, on average, such companies spend 28 percent of expenditures on advertising, marketing, and recruiting.

(c) **RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.**—Section 119 of the Higher Education Opportunity Act (20 U.S.C. 1011m) is amended—

(1) in the section heading, by inserting “**AND RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES**” after “**FUNDS**”;

(2) in subsection (d), by striking “subsections (a) through (c)” and inserting “subsections (a), (b), (c), and (e)”;

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

“(e) **RESTRICTIONS ON SOURCES OF FUNDS FOR RECRUITING AND MARKETING ACTIVITIES.**—

“(1) **IN GENERAL.**—An institution of higher education, or other postsecondary educational institution, may not use revenues derived from Federal educational assistance funds for recruiting or marketing activities described in paragraph (2).

“(2) **COVERED ACTIVITIES.**—Except as provided in paragraph (3), the recruiting and marketing activities subject to paragraph (1) shall include the following:

“(A) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

“(B) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student’s potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

“(i) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other Internet communications regarding enrollment; and

“(ii) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

“(C) Such other activities as the Secretary of Education may prescribe, including paying for promotion or sponsorship of education or military-related associations.

“(3) **EXCEPTIONS.**—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under paragraph (2).

“(4) **FEDERAL EDUCATIONAL ASSISTANCE FUNDS.**—In this subsection, the term ‘Federal educational assistance funds’ means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

“(A) Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

“(B) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

“(C) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

“(D) Section 1784a, 2005, or 2007 of title 10, United States Code.

“(E) Title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.).

“(F) The Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.).

“(5) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Federal educational assistance funds.

“(6) **REPORTS.**—Each institution of higher education, or other postsecondary educational institution, that derives 65 percent or more of revenues from Federal educational assistance funds shall report annually to the Secretary and to Congress and shall include in such report—

“(A) the institution’s expenditures on advertising, marketing, and recruiting;

“(B) a verification from an independent auditor that the institution is in compliance with the requirements of this subsection; and

“(C) a certification from the institution that the institution is in compliance with the requirements of this subsection.”.

SA 4365. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:

SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(a) **INCREASE IN THRESHOLD.**—Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), by striking “\$3,000” and inserting “\$10,000”; and

(2) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting “with a price not greater than the micro-purchase threshold”.

(b) **OMB GUIDANCE.**—The Director of the Office of Management and Budget shall update the guidance in Circular A–123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(c) **CONVENIENCE CHECKS.**—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A–123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. SIMPLIFICATION OF THE PROCESS FOR PREPARATION AND EVALUATION OF PROPOSALS FOR CERTAIN SERVICE CONTRACTS.

(a) **CONTRACTING UNDER TITLE 41, UNITED STATES CODE.**—Section 3306(c) of title 41, United States Code, is amended—

(1) in paragraph (1), by inserting “except as provided in paragraph (3),” in subparagraphs (B) and (C) after the subparagraph designation; and

(2) by adding at the end the following new paragraphs:

“(3) **EXCEPTIONS FOR CERTAIN INDEFINITE DELIVERY, INDEFINITE QUANTITY MULTIPLE-AWARD CONTRACTS AND CERTAIN FEDERAL SUPPLY SCHEDULE CONTRACTS.**—If the head of an agency issues a solicitation for multiple task or delivery order contracts under section 4103 of this title, or a Federal supply schedule contract under section 501(b) of title 40 and section 152(3) of this title, for the same or similar services and intends to make a contract award to each qualifying offeror—

“(A) cost or price to the Federal Government need not, at the Government’s discretion, be considered under subparagraph (B) of paragraph (1) as an evaluation factor for the contract award; and

“(B) if, pursuant to subparagraph (A), cost or price to the Federal Government is not considered as an evaluation factor for the contract award—

“(i) the disclosure requirement of subparagraph (C) of paragraph (1) shall not apply; and

“(ii) cost or price to the Federal Government shall be considered in conjunction with the issuance of a task or delivery order under any contract resulting from the solicitation that is awarded pursuant to section 501(b) of title 40 and section 152(3) of this title.

“(4) **QUALIFYING OFFEROR DEFINED.**—In paragraph (3), the term ‘qualifying offeror’ means an offeror that—

“(A) is determined to be a responsible source;

“(B) submits a proposal that conforms to the requirements of the solicitation; and

“(C) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.”.

(b) **CONTRACTING UNDER TITLE 10, UNITED STATES CODE.**—Section 2305(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (A), by inserting “(except as provided in subparagraph (C))” in clauses (ii) and (iii) after “shall”; and

(2) by adding at the end the following new subparagraphs:

“(C) If the head of an agency issues a solicitation for multiple task or delivery order contracts under section 2304a(d)(1)(B) of this title for the same or similar services and intends to make a contract award to each qualifying offeror—

“(i) cost or price to the Federal Government need not, at the Government’s discretion, be considered under clause (ii) of subparagraph (A) as an evaluation factor for the contract award; and

“(ii) if, pursuant to clause (i), cost or price to the Federal Government is not considered as an evaluation factor for the contract award—

“(I) the disclosure requirement of clause (iii) of subparagraph (A) shall not apply; and

“(II) cost or price to the Federal Government shall be considered in conjunction with the issuance pursuant to section 2304c(b) of this title of a task or delivery order under any contract resulting from the solicitation.

“(D) In subparagraph (C), the term ‘qualifying offeror’ means an offeror that—

“(i) is determined to be a responsible source;

“(ii) submits a proposal that conforms to the requirements of the solicitation; and

“(iii) the contracting officer has no reason to believe would likely offer other than fair and reasonable pricing.”.

SEC. 829L. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—The head of an agency may carry out a pilot program, to be known as a “commercial solutions opening pilot program”, under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) **HEAD OF AN AGENCY.**—In this section, the term “head of an agency” means the following:

(A) The Secretary of Defense.

(B) The Secretary of Homeland Security.

(C) The Administrator of General Services.

(3) **APPLICABILITY OF SECTION.**—This section applies to the following agencies:

(A) The Department of Defense.

(B) The Department of Homeland Security.

(C) The General Services Administration.

(b) **TREATMENT AS COMPETITIVE PROCEDURES.**—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered—

(1) in the case of the Department of Defense, to be use of competitive procedures for purposes of chapter 137 of title 10, United States Code; and

(2) in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) **LIMITATION.**—The head of an agency may not enter into a contract under the pilot program for an amount in excess of \$10,000,000.

(d) **GUIDANCE.**—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) **ELEMENTS OF REPORT.**—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) In the case of the Department of Defense, an assessment of the ability under the pilot program to attract proposals from non-traditional defense contractors (as defined in

section 2302(9) of title 10, United States Code).

(C) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(D) A recommendation on whether the authority for the pilot program should be made permanent.

(3) The congressional committees specified in this paragraph are the following:

(A) With respect to the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(B) With respect to the Department of Homeland Security and the General Services Administration, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) **DEFINITION.**—In this section, the term “innovative” means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) **TERMINATION.**—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829M. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

Section 134 of title 41, United States Code, is amended by striking “\$100,000” and inserting “\$500,000”.

SEC. 829N. CATEGORY MANAGEMENT.

(a) **GUIDANCE.**—The Office of Management and Budget shall issue guidance to support the implementation of category management by executive agencies. The guidance shall address, at a minimum, the following:

(1) Principles and practices for—

(A) addressing common agency needs for goods and services through the use of data analytics, application of best-in-class practices, and an understanding of market and agency cost drivers and other relevant considerations;

(B) reducing duplication of contract vehicles for the same or similar requirements;

(C) collecting and interagency sharing of pricing data, contract terms and conditions, and other information as appropriate;

(D) strengthening demand management practices; and

(E) meeting other policy objectives achieved through Federal contracting, including—

(i) ensuring that small businesses, qualified HUBZone small business concerns, small businesses owned and controlled by socially and economically disadvantaged individuals, service-disabled veteran-owned small businesses, and small businesses owned and controlled by women are provided with the maximum practicable opportunities, as available to other potential contractors, to participate in Federal acquisitions; and

(ii) strengthening sustainability and accessibility requirements in Federal acquisitions.

(2) The roles and responsibilities of the Office of Management and Budget, the General Services Administration, and other agencies, as appropriate, in furthering category management principles and practices.

(3) Metrics for measuring results achieved through application of category management principles and practices.

(b) **RESPONSIBILITIES OF AGENCY CHIEF ACQUISITION OFFICERS.**—Section 1702(b)(3) of title 41, United States Code, is amended—

(1) by redesignating subparagraphs (D), (E), (F), and (G) as subparagraphs (E), (F), (G), and (H), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

“(D) establishing and overseeing a category management program for the agency’s spend in consultation with the agency Chief Information Officer, the agency Chief Financial Officer, and other agency officials, as appropriate;”.

SEC. 829O. INNOVATION SET ASIDE PILOT PROGRAM.

(a) **IN GENERAL.**—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) **AUTHORITY.**—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small Business Act (15 U.S.C. 644), a Federal agency, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) **CONDITIONS FOR USE.**—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) **NUMBER OF PILOTS.**—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) **AWARD AMOUNT.**—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed \$2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than \$2,000,000 but not greater than \$5,000,000 (including any options).

(f) **GUIDANCE AND REPORTING.**—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term “new entrant contractor”, with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SA 4366. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

“SEC. 708. DEPARTMENT COORDINATION.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘joint duty training program’ means the training program established under subsection (e)(9)(A);

“(2) the term ‘joint requirement’ means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

“(3) the term ‘Joint Task Force’ means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of 2 or more components of the Department operating under the guidance of a single Director; and

“(4) the term ‘situational awareness’ means knowledge and unified understanding of unlawful cross-border activity, including—

“(A) threats and trends concerning illicit trafficking and unlawful crossings;

“(B) the ability to forecast future shifts in such threats and trends;

“(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

“(D) the operational capability to conduct continuous and integrated surveillance of

the air, land, and maritime borders of the United States.

“(b) DEPARTMENT LEADERSHIP COUNCILS.—

“(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

“(2) FUNCTION.—Department leadership councils shall—

“(A) serve as coordinating forums;

“(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

“(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

“(3) CHAIRPERSON; MEMBERSHIP.—

“(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

“(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

“(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

“(c) JOINT REQUIREMENTS COUNCIL.—

“(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

“(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

“(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

“(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

“(C) make prioritized capability recommendations for the joint requirements approved under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

“(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

“(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

“(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

“(d) JOINT OPERATIONAL PLANS.—

“(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

“(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

“(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

“(e) JOINT TASK FORCES.—

“(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

“(2) JOINT TASK FORCE DIRECTORS.—

“(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

“(B) EXTENSION.—The Secretary may extend the appointment of a Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

“(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office than the Director of the Joint Task Force.

“(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

“(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(B) provide operational plans and requirements for standard operating procedures and contingency operations;

“(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(D) set and accomplish strategic objectives through integrated operational planning and execution;

“(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

“(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

“(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

“(H) carry out other duties and powers the Secretary determines appropriate.

“(5) PERSONNEL AND RESOURCES.—

“(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

“(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

“(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that

integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

“(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

“(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

“(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

“(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

“(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

“(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

“(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

“(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

“(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

“(C) not later than January 31 of each year beginning in 2017, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

“(9) JOINT DUTY TRAINING PROGRAM.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a joint duty training program in the Department for the purposes of—

“(I) enhancing coordination within the Department; and

“(II) promoting workforce professional development; and

“(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

“(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

“(i) National security strategy.

“(ii) Strategic and contingency planning.

“(iii) Command and control of operations under joint command.

“(iv) International engagement.

“(v) The homeland security enterprise.

“(vi) Interagency collaboration.

“(vii) Leadership.

“(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

“(C) TRAINING REQUIRED.—

“(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv),

an individual shall complete the joint duty training program before being appointed Director or Deputy Director of a Joint Task Force.

“(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

“(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

“(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

“(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

“(A) coordinating and directing operations along the land and maritime borders of the United States;

“(B) cybersecurity; and

“(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

“(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

“(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

“(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

“(12) REVIEW.—

“(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

“(B) CONTENTS.—The review required under subparagraph (A) shall include—

“(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

“(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

“(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

“(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

“(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

“(13) LIMITATION ON JOINT TASK FORCES.—

“(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

“(i) do not include operational functions related to incident management, including coordination of operations; and

“(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c)

and section 509(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

“(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

“(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

“Sec. 708. Department coordination.”.

SA 4367. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—DHS ACCOUNTABILITY

SECTION 6001. SHORT TITLE.

This division may be cited as the “DHS Accountability Act of 2016”.

SEC. 6002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term “congressional homeland security committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and

(D) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(3) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

TITLE LXXI—DEPARTMENT MANAGEMENT AND COORDINATION

SEC. 6101. MANAGEMENT AND EXECUTION.

(a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (F) and inserting the following:

“(F) An Under Secretary for Management, who shall be first assistant to the Deputy Secretary of Homeland Security for purposes of subchapter III of chapter 33 of title 5, United States Code.”; and

(B) by adding at the end the following:

“(K) An Under Secretary for Strategy, Policy, and Plans.”; and

(2) by adding at the end the following:

“(g) VACANCIES.—

“(1) ABSENCE, DISABILITY, OR VACANCY OF SECRETARY OR DEPUTY SECRETARY.—Notwithstanding section 3345 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary is available to exercise the duties of the Office of the Secretary.

“(2) FURTHER ORDER OF SUCCESSION.—Notwithstanding section 3345 of title 5, United States Code, the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.

“(3) NOTIFICATION OF VACANCIES.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of any vacancies that require notification under sections 3345 through 3349d of title 5, United States Code (commonly known as the ‘Federal Vacancies Reform Act of 1998’).”

(b) IN GENERAL.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

“(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and orderly consolidation of functions and personnel in the Department, including—

“(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;

“(B) the development of standardized and automated management information to manage and oversee programs and make informed decisions to improve the efficiency of the Department;

“(C) the development of effective program management and regular oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and

“(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation.”;

(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and

(C) by inserting after paragraph (9) the following:

“(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

“(11) Reporting to the Government Accountability Office every 6 months to dem-

onstrate measurable, sustainable progress made in implementing the corrective action plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.”;

(2) by striking subsection (b) and inserting the following:

“(b) WAIVERS FOR CONDUCTING BUSINESS WITH SUSPENDED OR DEBARRED CONTRACTORS.—Not later than 5 days after the date on which the Chief Procurement Officer or Chief Financial Officer of the Department issues a waiver of the requirement that an agency not engage in business with a contractor or other recipient of funds listed as a party suspended or debarred from receiving contracts, grants, or other types of Federal assistance in the System for Award Management maintained by the General Services Administration, or any successor thereto, the Under Secretary for Management shall submit to the congressional homeland security committees and the Inspector General of the Department notice of the waiver and an explanation of the finding by the Under Secretary that a compelling reason exists for the waiver.”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

“(d) SYSTEM FOR AWARD MANAGEMENT CONSULTATION.—The Under Secretary for Management shall require that all Department contracting and grant officials consult the System for Award Management (or successor system) as maintained by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor is excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.”.

SEC. 6102. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

“SEC. 708. DEPARTMENT COORDINATION.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘joint duty training program’ means the training program established under subsection (e)(9)(A);

“(2) the term ‘joint requirement’ means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

“(3) the term ‘Joint Task Force’ means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of 2 or more components of the Department operating under the guidance of a single Director; and

“(4) the term ‘situational awareness’ means knowledge and unified understanding of unlawful cross-border activity, including—

“(A) threats and trends concerning illicit trafficking and unlawful crossings;

“(B) the ability to forecast future shifts in such threats and trends;

“(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

“(D) the operational capability to conduct continuous and integrated surveillance of

the air, land, and maritime borders of the United States.

“(b) DEPARTMENT LEADERSHIP COUNCILS.—

“(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

“(2) FUNCTION.—Department leadership councils shall—

“(A) serve as coordinating forums;

“(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

“(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

“(3) CHAIRPERSON; MEMBERSHIP.—

“(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

“(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

“(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

“(c) JOINT REQUIREMENTS COUNCIL.—

“(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

“(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

“(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

“(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

“(C) make prioritized capability recommendations for the joint requirements approved under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

“(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

“(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

“(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

“(d) JOINT OPERATIONAL PLANS.—

“(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

“(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

“(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

“(e) JOINT TASK FORCES.—

“(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

“(2) JOINT TASK FORCE DIRECTORS.—

“(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

“(B) EXTENSION.—The Secretary may extend the appointment of a Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

“(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office than the Director of the Joint Task Force.

“(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

“(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(B) provide operational plans and requirements for standard operating procedures and contingency operations;

“(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(D) set and accomplish strategic objectives through integrated operational planning and execution;

“(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

“(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

“(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

“(H) carry out other duties and powers the Secretary determines appropriate.

“(5) PERSONNEL AND RESOURCES.—

“(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and offices of the Department to a Joint Task Force.

“(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

“(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the De-

partment and State, local, tribal, or territorial law enforcement or military entities.

“(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

“(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

“(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

“(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

“(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

“(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

“(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

“(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

“(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

“(C) not later than January 31 of each year beginning in 2017, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

“(9) JOINT DUTY TRAINING PROGRAM.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a joint duty training program in the Department for the purposes of—

“(I) enhancing coordination within the Department; and

“(II) promoting workforce professional development; and

“(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

“(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

“(i) National security strategy.

“(ii) Strategic and contingency planning.

“(iii) Command and control of operations under joint command.

“(iv) International engagement.

“(v) The homeland security enterprise.

“(vi) Interagency collaboration.

“(vii) Leadership.

“(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

“(C) TRAINING REQUIRED.—

“(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), an individual shall complete the joint duty

training program before being appointed Director or Deputy Director of a Joint Task Force.

“(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

“(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

“(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

“(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

“(A) coordinating and directing operations along the land and maritime borders of the United States;

“(B) cybersecurity; and

“(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

“(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

“(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

“(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

“(12) REVIEW.—

“(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

“(B) CONTENTS.—The review required under subparagraph (A) shall include—

“(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

“(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

“(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

“(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

“(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

“(13) LIMITATION ON JOINT TASK FORCES.—

“(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

“(i) do not include operational functions related to incident management, including coordination of operations; and

“(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 302

of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

“(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

“(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

“Sec. 708. Department coordination.”.

SEC. 6103. NATIONAL OPERATIONS CENTER.

Section 515 of the Homeland Security Act of 2002 (6 U.S.C. 321d) is amended—

(1) in subsection (a)—

(A) by striking “emergency managers and decision makers” and inserting “emergency managers, decision makers, and other appropriate officials”; and

(B) by inserting “and steady-state activity” before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “and tribal governments” and inserting “tribal, and territorial governments, the private sector, and international partners”; and

(ii) by striking “in the event of” and inserting “for events, threats, and incidents involving”;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.”;

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

“(c) REPORTING REQUIREMENTS.—Each Federal agency shall provide the National Operations Center with timely information—

“(1) relating to events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

“(2) concerning the status and potential vulnerability of the critical infrastructure and key resources of the United States;

“(3) relevant to the mission of the Department of Homeland Security; or

“(4) as may be requested by the Secretary under section 202.”; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading, by striking “FIRE SERVICE” and inserting “EMERGENCY RESPONDER”;

(B) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT OF POSITIONS.—The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.”;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

SEC. 6104. HOMELAND SECURITY ADVISORY COUNCIL.

(a) IN GENERAL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security and homeland security-related matters.”.

SEC. 6105. STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is amended by adding at the end the following:

“SEC. 709. OFFICE OF STRATEGY, POLICY, AND PLANS.

“(a) IN GENERAL.—There is established in the Department an Office of Strategy, Policy, and Plans.

“(b) HEAD OF OFFICE.—The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary and be appointed by the President, by and with the advice and consent of the Senate.

“(c) FUNCTIONS.—The Office of Strategy, Policy, and Plans shall—

“(1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;

“(2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, offices, and activities across the Department;

“(3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including leading and conducting the quadrennial homeland security review under section 707;

“(4) manage Department leadership councils and provide analytics and support to such councils;

“(5) manage international coordination and engagement for the Department;

“(6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and

“(7) carry out such other responsibilities as the Secretary determines appropriate.

“(d) COORDINATION BY DEPARTMENT COMPONENTS.—To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance.

“(e) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

“(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Strategy, Policy, and Plans shall—

“(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

“(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

“(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

“(D) ensure the accuracy of metrics and statistical data provided to Congress.

“(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary

for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled ‘Yearbook of Immigration Statistics’ prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 708 the following:

“Sec. 709. Office of Strategy, Policy, and Plans.”.

SEC. 6106. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

“SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

“(3) COUNTERING VIOLENT EXTREMISM.—The term ‘countering violent extremism’ means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

“(4) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms ‘domestic terrorism’ and ‘international terrorism’ have the meanings given those terms in section 2331 of title 18, United States Code.

“(5) RADICALIZATION.—The term ‘radicalization’ means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

“(6) VIOLENT EXTREMISM.—The term ‘violent extremism’ means international or domestic terrorism.

“(b) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.

“(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

“(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

“(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

“(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

“(e) RESPONSIBILITIES.—

“(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

“(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department

that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

“(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for Government and non-government institutions.

“(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

“(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

“(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

“(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

“(I) The Department’s plan to leverage new and existing Internet and other technologies and social media platforms to improve non-government efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

“(II) The Department’s countering violent extremism-related engagement efforts.

“(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

“(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

“(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and non-governmental partners to utilize such research and analysis.

“(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

“(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

“(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

“(ii) maximizing other resources available to the Department.

“(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and non-governmental organizations.

“(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

“(E) In coordination with the Administrator, providing guidance regarding the use

of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

“(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

“(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term ‘communities at risk’ shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

“(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

“(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

“(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

“(A) The Department’s digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, non-governmental, and foreign partners engaged in similar counter-messaging activities.

“(B) The Department’s countering violent extremism-related engagement and outreach activities.

“(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

“(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

“(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department’s programs and policies to counter violent extremism.

“(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or recruitment.

“(G) Information on the Department’s near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

“(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

“(A) Departmental efforts to undertake research to improve the Department’s understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

“(B) The Department’s nondiscrimination policies as they relate to countering violent extremism.

“(C) Departmental efforts to help promote community engagement and partnerships to

counter violent extremism in furtherance of the strategy.

“(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

“(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

“(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

“(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

“(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

“(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

“(4) STRATEGIC IMPLEMENTATION PLAN.—

“(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

“(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

“(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

“(1) A description of the status of the programs and policies of the Department for countering violent extremism in the United States.

“(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

“(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

“(4) An accounting of—

“(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

“(B) all training specifically aimed at countering violent extremism sponsored by the Department.

“(5) An analysis of how the Department's activities to counter violent extremism correspond and adapt to the threat environment.

“(6) A summary of how civil rights and civil liberties are protected in the Department's activities to counter violent extremism.

“(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

“(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

“(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

“(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

“(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).”; and

(2) in section 2008(b)(1)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 801 the following:

“Sec. 802. Office for Partnerships Against Violent Extremism.”.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 802.

TITLE LXXII—DEPARTMENT ACCOUNTABILITY, EFFICIENCY, AND WORKFORCE REFORMS

SEC. 6201. DUPLICATION REVIEW.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled “Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits”.

(c) EXCLUSION.—This section shall not apply to international activities related to the protective mission of the United States Secret Service, or to the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended by adding at the end the following:

“(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 306(a) of title 5, United States Code, and the requirements under section 3506 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include how—

“(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

“(2) the budget of the Department aligns with priorities specified in the information technology strategic plan;

“(3) unnecessary duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

“(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

“(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

“(6) the Chief Information Officer will inform Congress of high risk projects and cybersecurity risks; and

“(7) the Chief Information Officer plans to maximize the use and purchase of commercial off-the-shelf information technology products and services.”.

SEC. 6203. SOFTWARE LICENSING.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended by adding at the end the following:

“(d) SOFTWARE LICENSING.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every 2 years thereafter, the Chief Information Officer, in consultation with Chief Information Officers of components of the Department, shall—

“(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

“(B) assess the needs of the Department for software licenses for the subsequent 2 fiscal years;

“(C) assess the actions that could be carried out by the Department to achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

“(D) determine how the use of technological advancements will impact the needs for software licenses for the subsequent 2 fiscal years;

“(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

“(F) consult with the Federal Chief Information Officer to identify best practices in the Federal government for purchasing and maintaining software licenses.

“(2) EXCESS SOFTWARE LICENSING.—

“(A) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1)(A) that the number of software licenses held by the Department exceed the needs of the Department as assessed under paragraph (1)(B), the Secretary, not later than 90 days after the date on which the inventory is completed, shall establish a plan for bringing the number of such software licenses into balance with such needs of the Department.

“(B) PROHIBITION ON PROCUREMENT OF EXCESS SOFTWARE LICENSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), upon completion of a plan established under paragraph (1)(A), no additional budgetary resources may be obligated for the procurement of additional software licenses of the same types until such time as the needs of the Department equals or exceeds the number of used and unused licenses held by the Department.

“(ii) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

“(3) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a copy of each inventory conducted under paragraph (1)(A), each plan established under paragraph (2)(A), and each exception exercised under paragraph (2)(B)(ii).”.

(b) GAO REVIEW.—Not later than 1 year after the date on which the results of the first inventory are submitted to Congress under subsection 703(d) of the Homeland Security Act of 2002, as added by subsection (a), the Comptroller General of the United States shall assess whether the Department complied with the requirements under paragraphs (1) and (2)(A) of such section 703(d) and provide the results of the review to the congressional homeland security committees.

SEC. 6204. WORKFORCE STRATEGY.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended to read as follows:

“SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

“(a) IN GENERAL.—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

“(b) RESPONSIBILITIES.—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer shall—

“(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

“(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

“(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

“(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

“(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

“(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

“(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

“(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

“(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

“(10) ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5, United States Code.

“(c) COMPONENT STRATEGIES.—

“(1) IN GENERAL.—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

“(2) STRATEGY REQUIREMENTS.—In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services, including—

“(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

“(B) the identification of critical skills requirements over the 5-year period, any current or anticipated deficiency in critical skills required at the Department, and the training or other measures required to address those deficiencies in skills;

“(C) recruitment of qualified candidates and retention of qualified employees;

“(D) supervisory and management requirements;

“(E) travel and related personnel support costs;

“(F) the anticipated cost and impact on mission performance associated with replacing Federal personnel due to their retirement or other attrition; and

“(G) other appropriate factors.

“(d) ANNUAL SUBMISSION.—Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

“(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c); and

“(2) the number of on-board staffing for Federal employees from the prior fiscal year;

“(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 743 of the Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111-117; 31 U.S.C. 501 note) with respect to—

“(A) support service contracts;

“(B) federally funded research and development center contracts; and

“(C) science, engineering, technical, and administrative contracts; and

“(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).”

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

“SEC. 883. WHISTLEBLOWER PROTECTIONS.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘new employee’ means an individual—

“(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2016; and

“(B) who has not previously served as an employee of the Department;

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, against an employee of the Department;

“(3) the term ‘supervisor’ means a supervisor, as defined under section 7103(a) of title 5, United States Code, who is employed by the Department; and

“(4) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of section 2302(b) of title 5, United States Code.

“(b) ADVERSE ACTIONS.—

“(1) PROPOSED ADVERSE ACTIONS.—In accordance with paragraph (2), the Secretary shall propose against a supervisor whom the Secretary, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action the following adverse actions:

“(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

“(B) With respect to the second prohibited personnel action, removal.

“(2) PROCEDURES.—

“(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) ANSWER AND EVIDENCE.—

“(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the proposed adverse action, the Secretary shall carry out the adverse action.

“(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543 of title 5, United States Code, shall not apply with respect to an adverse action carried out under this subsection.

“(3) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the Secretary carries out an adverse action against a supervisor under another provision of law, the Secretary may carry out an additional adverse action under this subsection based on the same prohibited personnel action.

“(c) TRAINING FOR SUPERVISORS.—In consultation with the Special Counsel and the Inspector General of the Department, the Secretary shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections available to employees of the Department—

“(1) to employees appointed to supervisory positions in the Department who have not previously served as a supervisor; and

“(2) on an annual basis, to all employees of the Department serving in a supervisory position.

“(d) INFORMATION ON WHISTLEBLOWER PROTECTIONS.—

“(1) RESPONSIBILITIES OF SECRETARY.—The Secretary shall be responsible for—

“(A) the prevention of prohibited personnel practices;

“(B) the compliance with and enforcement of applicable civil service laws, rules, and regulations and other aspects of personnel management; and

“(C) ensuring (in consultation with the Special Counsel and the Inspector General of the Department) that employees of the Department are informed of the rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, including—

“(i) information regarding whistleblower protections available to new employees during the probationary period;

“(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

“(iii) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of the Department, Congress, or other Department employee designated to receive such disclosures.

“(2) TIMING.—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new

employee of the Department not later than 6 months after the date the new employee is appointed.

“(3) INFORMATION ONLINE.—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public website of the Department, and on any online portal that is made available only to employees of the Department.

“(4) DELEGATES.—Any employee to whom the Secretary delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (1).

“(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies—

“(1) to provide equal employment protection for employees of the Department (including pursuant to section 2302(b)(1) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); or

“(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135), as amended by this Act, is amended by striking the item relating to section 883 and inserting the following:

“Sec. 883. Whistleblower protections.”.

SEC. 6206. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Under Secretary for Management, shall submit to the congressional homeland security committees a report, which may include a classified or other appropriately controlled annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable, that—

(1) provides a detailed accounting of the management and administrative expenditures and activities of each component of the Department and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities;

(2) examines major physical assets of the Department, as defined by the Secretary;

(3) reviews the size, experience level, and geographic distribution of the operational personnel of the Department;

(4) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies; and

(5) examines—

(A) how employees who carry out management and administrative functions at Department headquarters coordinate with employees who carry out similar functions at—

(i) each component of the Department;

(ii) the Office of Personnel Management; and

(iii) the General Services Administration; and

(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

SEC. 6207. ABOLISHMENT OF CERTAIN OFFICES.

(a) ABOLISHMENT OF THE DIRECTOR OF SHARED SERVICES.—The position of Director of Shared Services in the Department is abolished.

(b) ABOLISHMENT OF THE OFFICE OF THE DIRECTOR OF COUNTERNARCOTICS ENFORCEMENT.—

(1) ABOLISHMENT.—The Office of the Director of Counternarcotics Enforcement in the Department is abolished.

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 843(b)(1)(B) of the Homeland Security Act of 2002 (6 U.S.C. 413(b)(1)(B)) is amended by striking “by—” and all that follows through the end and inserting “by the Secretary; and”.

TITLE LXXIII—DEPARTMENT TRANSPARENCY AND ASSESSMENTS

SEC. 6301. HOMELAND SECURITY STATISTICS AND METRICS.

(a) IN GENERAL.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended by striking subsection (b) and inserting the following:

“(b) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

“(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Management shall—

“(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

“(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

“(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

“(D) ensure the accuracy of metrics and statistical data provided to Congress.

“(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Management the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled ‘Yearbook of Immigration Statistics’ prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.”.

(b) IMMIGRATION FUNCTIONS.—Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 298(a)) is amended—

(1) in paragraph (1), by striking “to the Committees on the Judiciary and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Government Affairs of the Senate,” and inserting “the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the congressional homeland security committees”; and

(2) in paragraph (2), by adding at the end the following:

“(I) The number of persons known to have overstayed the terms of their visa, by visa type.

“(J) An estimated percentage of persons believed to have overstayed their visa, by visa type.

“(K) A description of immigration enforcement actions.”.

(c) BORDER SECURITY METRICS.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Committee on the Judiciary of the Senate; and

(iv) the Committee on the Judiciary of the House of Representatives.

(B) CONSEQUENCE DELIVERY SYSTEM.—The term “Consequence Delivery System” means the series of consequences applied by the Border Patrol to persons unlawfully entering the United States to prevent unlawful border crossing recidivism.

(C) GOT AWAY.—The term “got away” means an unlawful border crosser who—

(i) is directly or indirectly observed making an unlawful entry into the United States; and

(ii) is not a turn back and is not apprehended.

(D) KNOWN MIGRANT FLOW.—The term “known migrant flow” means the sum of the number of undocumented migrants—

(i) interdicted at sea;

(ii) identified at sea, but not interdicted;

(iii) that successfully entered the United States through the maritime border; or

(iv) not described in clause (i), (ii), or (iii), which were otherwise reported, with a significant degree of certainty, as having entered, or attempted to enter, the United States through the maritime border.

(E) MAJOR VIOLATOR.—The term “major violator” means a person or entity that has engaged in serious criminal activities at any land, air, or sea port of entry, including—

(i) possession of illicit drugs;

(ii) smuggling of prohibited products;

(iii) human smuggling;

(iv) weapons possession;

(v) use of fraudulent United States documents; or

(vi) other offenses that are serious enough to result in arrest.

(F) SITUATIONAL AWARENESS.—The term “situational awareness” means knowledge and unified understanding of current unlawful cross-border activity, including—

(i) threats and trends concerning illicit trafficking and unlawful crossings;

(ii) the ability to forecast future shifts in such threats and trends;

(iii) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

(iv) the operational capability to conduct persistent and integrated surveillance of the international borders of the United States.

(G) TRANSIT ZONE.—The term “transit zone” means the sea corridors of the western Atlantic Ocean, the Gulf of Mexico, the Caribbean Sea, and the eastern Pacific Ocean through which undocumented migrants and illicit drugs transit, either directly or indirectly, to the United States.

(H) TURN BACK.—The term “turn back” means an unlawful border crosser who, after making an unlawful entry into the United States, promptly returns to the country from which such crosser entered.

(I) UNLAWFUL BORDER CROSSING EFFECTIVENESS RATE.—The term “unlawful border crossing effectiveness rate” means the percentage that results from dividing—

(i) the number of apprehensions and turn backs; and

(ii) the number of apprehensions, estimated unlawful entries, turn backs, and got aways.

(J) UNLAWFUL ENTRY.—The term “unlawful entry” means an unlawful border crosser who enters the United States and is not apprehended by a border security component of the Department.

(2) METRICS FOR SECURING THE BORDER BETWEEN PORTS OF ENTRY.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security between ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and technologically measured data, of—

(I) total attempted unlawful border crossings;

(II) the rate of apprehension of attempted unlawful border crossings; and

(III) the number of unlawful entries;

(ii) a situational awareness achievement metric, which measures situational awareness achieved in each Border Patrol sector;

(iii) an unlawful border crossing effectiveness rate;

(iv) a probability of detection, which compares the estimated total unlawful border crossing attempts not detected by the Border Patrol to the unlawful border crossing effectiveness rate, as informed by clause (i);

(v) an illicit drugs seizure rate for drugs seized by the Border Patrol, which compares the ratio of the amount and type of illicit drugs seized by the Border Patrol in any fiscal year to the average of the amount and type of illicit drugs seized by the Border Patrol in the immediately preceding 5 fiscal years;

(vi) a weight-to-frequency rate, which compares the average weight of marijuana seized per seizure by the Border Patrol in any fiscal year to such weight-to-frequency rate for the immediately preceding 5 fiscal years;

(vii) estimates of the impact of the Consequence Delivery System on the rate of recidivism of unlawful border crossers over multiple fiscal years; and

(viii) an examination of each consequence referred to in clause (vii), including—

(I) voluntary return;

(II) warrant of arrest or notice to appear;

(III) expedited removal;

(IV) reinstatement of removal;

(V) alien transfer exit program;

(VI) Operation Streamline;

(VII) standard prosecution; and

(VIII) Operation Against Smugglers Initiative on Safety and Security.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Refugee Resettlement of the Department of Health and Human Services and the Executive Office for Immigration Review of the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors, informed by situational awareness.

(3) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by

situational awareness, to measure the effectiveness of security at ports of entry. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) estimates, using alternative methodologies, including survey data and randomized secondary screening data, of—

(I) total attempted inadmissible border crossings;

(II) the rate of apprehension of attempted inadmissible border crossings; and

(III) the number of unlawful entries;

(ii) the amount and type of illicit drugs seized by the Office of Field Operations of U.S. Customs and Border Protection at United States land, air, and sea ports during the previous fiscal year;

(iii) an illicit drugs seizure rate for drugs seized by the Office of Field Operations, which compares the ratio of the amount and type of illicit drugs seized by the Office of Field Operations in any fiscal year to the average of the amount and type of illicit drugs seized by the Office of Field Operations in the immediately preceding 5 fiscal years;

(iv) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine seizure effectiveness rate, which is the percentage resulting from dividing—

(I) the amount of cocaine seized by the Office of Field Operations; and

(II) the total estimated cocaine flow rate at ports of entry along the land border;

(v) the number of infractions related to travelers and cargo committed by major violators who are apprehended by the Office of Field Operations at ports of entry, and the estimated number of such infractions committed by major violators who are not apprehended;

(vi) a measurement of how border security operations affect crossing times, including—

(I) a wait time ratio that compares the average wait times to total commercial and private vehicular traffic volumes at each port of entry;

(II) an infrastructure capacity utilization rate that measures traffic volume against the physical and staffing capacity at each port of entry;

(III) a secondary examination rate that measures the frequency of secondary examinations at each port of entry; and

(IV) an enforcement rate that measures the effectiveness of secondary examinations at detecting major violators; and

(vii) a cargo scanning rate that includes—

(I) a comparison of the number of high-risk cargo containers scanned by the Office of Field Operations at each United States seaport during the fiscal year to the total number of high-risk cargo containers entering the United States at each seaport during the previous fiscal year;

(II) the percentage of all cargo that is considered “high-risk” cargo; and

(III) the percentage of high-risk cargo scanned—

(aa) upon arrival at a United States seaport before entering United States commerce; and

(bb) before being laden on a vessel destined for the United States.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Office of Refugee Resettlement of the Department of Health and Human Services and the Executive Office for

Immigration Review of the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner across all field offices, informed by situational awareness.

(4) METRICS FOR SECURING THE MARITIME BORDER.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of security in the maritime environment. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) situational awareness achieved in the maritime environment;

(ii) an undocumented migrant interdiction rate, which compares the migrants interdicted at sea to the total known migrant flow;

(iii) an illicit drugs removal rate, for drugs removed inside and outside of a transit zone, which compares the amount and type of illicit drugs removed, including drugs abandoned at sea, by the Department’s maritime security components in any fiscal year to the average of the amount and type of illicit drugs removed by the Department’s maritime components for the immediately preceding 5 fiscal years;

(iv) in consultation with the Office of National Drug Control Policy and the United States Southern Command, a cocaine removal effectiveness rate, for cocaine removed inside a transit zone and outside a transit zone; which compares the amount of cocaine removed by the Department’s maritime security components by the total documented cocaine flow rate, as contained in Federal drug databases;

(v) a response rate, which compares the ability of the maritime security components of the Department to respond to and resolve known maritime threats, whether inside and outside a transit zone, by placing assets on-scene, to the total number of events with respect to which the Department has known threat information; and

(vi) an intergovernmental response rate, which compares the ability of the maritime security components of the Department or other United States Government entities to respond to and resolve actionable maritime threats, whether inside or outside the Western Hemisphere transit zone, by targeting maritime threats in order to detect them, and of those threats detected, the total number of maritime threats interdicted or disrupted.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Drug Enforcement Agency, the Department of Defense, and the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(5) AIR AND MARINE SECURITY METRICS IN THE LAND DOMAIN.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall develop metrics, informed by situational awareness, to measure the effectiveness of the aviation assets and operations of the Office of Air and Marine of U.S.

Customs and Border Enforcement. The Secretary shall annually implement the metrics developed under this subsection, which shall include—

(i) an effectiveness rate, which compares Office of Air and Marine flight hours requirements to the number of flight hours flown by such Office;

(ii) a funded flight hour effectiveness rate, which compares the number of funded flight hours appropriated to the Office of Air and Marine to the number of actual flight hours flown by such Office;

(iii) a readiness rate, which compares the number of aviation missions flown by the Office of Air and Marine to the number of aviation missions cancelled by such Office due to maintenance, operations, or other causes;

(iv) the number of missions cancelled by such Office due to weather compared to the total planned missions;

(v) the number of subjects detected by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts;

(vi) the number of apprehensions assisted by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts;

(vii) the number and quantity of illicit drug seizures assisted by the Office of Air and Marine through the use of unmanned aerial systems and manned aircrafts; and

(viii) the number of times that usable intelligence related to border security was obtained through the use of unmanned aerial systems and manned aircraft.

(B) METRICS CONSULTATION.—In developing the metrics required under subparagraph (A), the Secretary shall—

(i) consult with the appropriate components of the Department; and

(ii) as appropriate, work with other agencies, including the Department of Justice, to ensure that authoritative data sources are utilized.

(C) MANNER OF COLLECTION.—The data used by the Secretary shall be collected and reported in a consistent and standardized manner, informed by situational awareness.

(d) DATA TRANSPARENCY.—The Secretary shall—

(i) in accordance with applicable privacy laws, make data related to apprehensions, inadmissible aliens, drug seizures, and other enforcement actions available to the public, academic research, and law enforcement communities; and

(ii) provide the Office of Immigration Statistics of the Department with unfettered access to the data described in paragraph (1).

(e) EVALUATION BY THE GOVERNMENT ACCOUNTABILITY OFFICE AND THE SECRETARY OF HOMELAND SECURITY.—

(1) METRICS REPORT.—

(A) MANDATORY DISCLOSURES.—The Secretary shall submit an annual report containing the metrics required under paragraphs (2) through (5) of subsection (c) and the data and methodology used to develop such metrics to—

(i) the appropriate congressional committees; and

(ii) the Comptroller General of the United States.

(B) PERMISSIBLE DISCLOSURES.—The Secretary, for the purpose of validation and verification, may submit the annual report described in subparagraph (A) to—

(i) the National Center for Border Security and Immigration;

(ii) the head of a national laboratory within the Department laboratory network with prior expertise in border security; and

(C) a Federally Funded Research and Development Center sponsored by the Department.

(2) GAO REPORT.—Not later than 270 days after receiving the first report under paragraph (1)(A), and biennially thereafter for the following 10 years, the Comptroller General of the United States, shall submit a report to the appropriate congressional committees that—

(A) analyzes the suitability and statistical validity of the data and methodology contained in such report; and

(B) includes recommendations to Congress on—

(i) the feasibility of other suitable metrics that may be used to measure the effectiveness of border security; and

(ii) improvements that need to be made to the metrics being used to measure the effectiveness of border security.

(3) STATE OF THE BORDER REPORT.—Not later than 60 days after the end of each fiscal year through fiscal year 2025, the Secretary shall submit a “State of the Border” report to the appropriate congressional committees that—

(A) provides trends for each metric under paragraphs (2) through (5) of subsection (c) for the last 10 years, to the extent possible;

(B) provides selected analysis into related aspects of illegal flow rates, including legal flows and stock estimation techniques; and

(C) includes any other information that the Secretary determines appropriate.

(4) METRICS UPDATE.—

(A) IN GENERAL.—After submitting the final report to the Comptroller General under paragraph (1), the Secretary may re-evaluate and update any of the metrics required under paragraphs (2) through (5) of subsection (c) to ensure that such metrics—

(i) meet the Department’s performance management needs; and

(ii) are suitable to measure the effectiveness of border security.

(B) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before updating the metrics under subparagraph (A), the Secretary shall notify the appropriate congressional committees of such updates.

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

“SEC. 210G. ANNUAL HOMELAND SECURITY ASSESSMENT.

“(a) DEPARTMENT ANNUAL ASSESSMENT.—

“(1) IN GENERAL.—Not later than March 31 of each year beginning in the year after the date of enactment of this section, and each year thereafter for 7 years, the Under Secretary for Intelligence and Analysis shall prepare and submit to the congressional homeland security committees a report assessing the current threats to homeland security and the capability of the Department to address those threats.

“(2) FORM OF REPORT.—In carrying out paragraph (1), the Under Secretary for Intelligence and Analysis shall submit an unclassified report, and as necessary, a classified annex.

“(b) OFFICE OF INSPECTOR GENERAL ANNUAL ASSESSMENT.—Not later than 90 days after the date on which a report required under subsection (a) is submitted to the congressional homeland security committees, the Inspector General of the Department shall prepare and submit to the congressional homeland security committees a report, which shall include an assessment of the capability of the Department to address the

threats identified in the report required under subsection (a) and recommendations for actions to mitigate those threats.

“(c) MITIGATION PLAN.—Not later than 90 days after the date on which a report required under subsection (b) is submitted to the congressional homeland security committees, the Secretary shall submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as amended by this Act, is amended by inserting after the item relating to section 210F the following:

“Sec. 210G. Annual homeland security assessment.”.

SEC. 6303. DEPARTMENT TRANSPARENCY.

(a) FEASIBILITY STUDY.—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than \$5,000, by entities that receive a Federal grant award under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), respectively.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the congressional homeland security committee a report on the results of the study required under subsection (a).

SEC. 6304. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

“SEC. 319. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

“(a) REQUIREMENT TO PUBLICLY LIST UNCLASSIFIED RESEARCH & DEVELOPMENT PROGRAMS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall maintain a detailed list, accessible on the website of the Department, of—

“(A) each research and development project that is not classified, and all appropriate details for each such project, including the component of the Department responsible for the project;

“(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and

“(C) each task order for a University-based center of excellence not associated with a research and development project.

“(2) EXCEPTIONS.—

“(A) OPERATIONAL SECURITY.—The Secretary, or a designee of the Secretary with the rank of Assistant Secretary or above, may exclude a project from the list required under paragraph (1) if the Secretary or such designee provides to the appropriate congressional committees—

“(i) the information that would otherwise be required to be publicly posted under paragraph (1); and

“(ii) a written certification that—

“(I) the information that would otherwise be required to be publicly posted under paragraph (1) is controlled unclassified information, the public dissemination of which would jeopardize operational security; and

“(II) the publicly posted list under paragraph (1) includes as much information

about the program as is feasible without jeopardizing operational security.

“(B) COMPLETED PROJECTS.—Paragraph (1) shall not apply to a project completed or otherwise terminated before the date of enactment of this section.

“(3) DEADLINE AND UPDATES.—The list required under paragraph (1) shall be—

“(A) made publicly accessible on the website of the Department not later than 1 year after the date of enactment of this section; and

“(B) updated as frequently as possible, but not less frequently than once per quarter.

“(4) DEFINITION OF RESEARCH AND DEVELOPMENT.—For purposes of the list required under paragraph (1), the Secretary shall publish a definition for the term ‘research and development’ on the website of the Department.

“(b) REQUIREMENT TO REPORT TO CONGRESS ON CLASSIFIED PROJECTS.—Not later than January 1, 2017, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report that lists each ongoing classified project at the Department, including all appropriate details of each such project.

“(c) INDICATORS OF SUCCESS OF TRANSITIONED PROJECTS.—

“(1) IN GENERAL.—For each project that has been transitioned from research and development to practice, the Under Secretary of Science and Technology shall develop and track indicators to demonstrate the uptake of the technology or project among customers or end-users.

“(2) REQUIREMENT.—To the fullest extent possible, the tracking of a project required under paragraph (1) shall continue for the 3-year period beginning on the date on which the project was transitioned from research and development to practice.

“(3) INDICATORS.—The indicators developed and tracked under this subsection shall be included in the list required under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) ALL APPROPRIATE DETAILS.—The term ‘all appropriate details’ means—

“(A) the name of the project, including both classified and unclassified names if applicable;

“(B) the name of the component carrying out the project;

“(C) an abstract or summary of the project;

“(D) funding levels for the project;

“(E) project duration or timeline;

“(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;

“(G) expected objectives and milestones for the project; and

“(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Homeland Security of the House of Representatives; and

“(C) the Committee on Oversight and Government Reform of House of Representatives.

“(3) CLASSIFIED.—The term ‘classified’ means anything containing—

“(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;

“(B) Restricted Data or data that was formerly Restricted Data, as defined in section

11y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y));

“(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 309 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3345); or

“(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order.

“(4) CONTROLLED UNCLASSIFIED INFORMATION.—The term ‘controlled unclassified information’ means information described as ‘Controlled Unclassified Information’ under Executive Order 13556 (50 U.S.C. 3501 note) or any successor order.

“(5) PROJECT.—The term ‘project’ means a research or development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 318 the following:

“Sec. 319. Transparency in research and development.”

SEC. 6305. REPORTING ON NATIONAL BIO AND AGRO-DEFENSE FACILITY.

(a) IN GENERAL.—Section 310 of the Homeland Security Act of 2002 (6 U.S.C. 190) is amended by adding at the end the following:

“(e) SUCCESSOR FACILITY.—The National Bio and Agro-Defense Facility, the planned successor facility to the Plum Island Animal Disease Center as of the date of enactment of this subsection, shall be subject to the requirements under subsections (b), (c), and (d) in the same manner and to the same extent as the Plum Island Animal Disease Center.

“(f) CONSTRUCTION OF THE NATIONAL BIO AND AGRO-DEFENSE FACILITY.—

“(1) REPORT REQUIRED.—Not later than September 30, 2016, and not less frequently than twice each year thereafter, the Secretary of Homeland Security and the Secretary of Agriculture shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—

“(A) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—

“(i) current cost and schedule estimates;

“(ii) any revisions to previous estimates described in clause (i); and

“(iii) total obligations to date;

“(B) a description of activities carried out to prepare for the transfer of research to the facility and the activation of that research; and

“(C) a description of activities that have occurred to decommission the Plum Island Animal Disease Center.

“(2) SUNSET.—The reporting requirement under paragraph (1) shall terminate on the date that is 1 year after the date on which the Secretary of Homeland Security certifies to the congressional homeland security committees that construction of the National Bio and Agro-Defense Facility has been completed.”

(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of and submit to Congress a report on the construction and future planning of the National Bio and Agro-Defense Facility, which shall include—

(1) the extent to which cost and schedule estimates for the project conform to capital

planning leading practices as determined by the Comptroller General;

(2) the extent to which the project’s planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General; and

(3) the extent to which disposal of the Plum Island Animal Disease Center conforms to capital planning leading practices as determined by the Comptroller General.

SEC. 6306. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—

(1) audit the award of grants and procurement contracts to identify—

(A) instances in which a grant or contract was improperly awarded to a suspended or debarred entity; and

(B) whether corrective actions were taken following such instances to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department to assess whether—

(A) suspension and debarment criteria are consistently applied throughout the Department; and

(B) disparities exist in the application of the criteria, particularly with respect to business size and category.

SEC. 6307. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking “YEAR” and inserting “YEARS”;

(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the ‘appropriate committees’) a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.”; and

(3) by striking subsection (c) and inserting the following:

“(c) PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

“(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

“(2) estimated annual deployment schedules for all physical asset major acquisitions over the 5-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

“(d) SENSITIVE AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

“(e) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available

to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d)."

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135), as amended by this Act, is amended by striking the item relating to section 874 and inserting the following:

"Sec. 874. Future Years Homeland Security Program."

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

SEC. 6308. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) **IN GENERAL.**—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(7) review available capabilities and capacities across the homeland security enterprise and identify redundant, wasteful, or unnecessary capabilities and capacities from which resources can be redirected to better support other existing capabilities and capacities."; and

(2) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

"(1) **IN GENERAL.**—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year after the fiscal year in which a quadrennial homeland security review is conducted under subsection (a)(1), the Secretary shall submit to Congress a report on the quadrennial homeland security review."; and

(B) in paragraph (2)—

(i) in subparagraph (H), by striking "and" at the end;

(ii) by redesignating subparagraph (I) as subparagraph (L); and

(iii) by inserting after subparagraph (H) the following:

"(I) a description of how the conclusions under the quadrennial homeland security review will inform efforts to develop capabilities and build capacity of States, local governments, Indian tribes, territories, and private entities, and of individuals, families, and communities;

"(J) proposed changes to the authorities, organization, governance structure, or business processes (including acquisition processes) of the Department in order to better fulfill responsibilities of the Department;

"(K) if appropriate, a classified or other appropriately controlled document containing any information required to be submitted under this paragraph that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable; and"

SEC. 6309. REPORTING REDUCTION.

(a) **OFFICE OF COUNTERNARCOTICS ANNUAL BUDGET REVIEW AND EVALUATION OF COUNTERNARCOTICS ACTIVITIES REPORT.**—Section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458) is amended by striking subsection (f).

(b) **OFFICE OF COUNTERNARCOTICS SEIZURE REPORT.**—Section 705(a) of the Office of Na-

tional Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(c) **ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.**—Section 1902(a)(13) of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by striking "an annual" and inserting "a biennial".

(d) **JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL NUCLEAR DETECTION ARCHITECTURE.**—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNIAL";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "once each year—" and inserting "once every other year—"; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking "the previous year" and inserting "the previous 2 years"; and

(II) in clause (iii), by striking "the previous year." and inserting "the previous 2 years."; and

(C) in paragraph (2), by striking "once each year," and inserting "once every other year."; and

(2) in subsection (b)—

(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNIAL";

(B) in paragraph (1), by striking "of each year," and inserting "of every other year."; and

(C) in paragraph (2), by striking "annual" and inserting "biennial".

SEC. 6310. ADDITIONAL DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (17) through (22), respectively;

(2) by redesignating paragraphs (9) through (12) as paragraphs (12) through (15), respectively;

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively;

(4) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(5) by inserting before paragraph (1) the following:

"(1) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.";

(6) in paragraph (3), as so redesignated—

(A) by inserting "(A)" after "(3)"; and

(B) by adding at the end the following:

"(B) The term 'congressional homeland security committees' means—

"(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(ii) the Committee on Homeland Security of the House of Representatives;

"(iii) the Homeland Security Subcommittee of the Committee on Appropriations of the Senate; and

"(iv) the Homeland Security Subcommittee of the Committee on Appropriations of the House of Representatives.";

(7) by inserting after paragraph (4), as so redesignated, the following:

"(5) The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

"(A) identifying and validating needs;

"(B) assessing alternatives to select the most appropriate solution;

"(C) clearly establishing well-defined requirements;

"(D) developing realistic cost assessments and schedules;

"(E) planning stable funding that matches resources to requirements;

"(F) demonstrating technology, design, and manufacturing maturity;

"(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

"(H) adopting and executing standardized processes with known success across programs;

"(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

"(J) integrating capabilities into the mission and business operations of the Department.";

(8) by inserting after paragraph (10), as so redesignated, the following:

"(11) The term 'homeland security enterprise' means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academics, and other policy experts."; and

(9) by inserting after paragraph (15), as so redesignated, the following:

"(16) The term 'management integration and transformation'—

"(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, logistics and material resource management, asset security, and human capital management; and

"(B) includes governing processes and procedures, management systems, personnel activities, budget and resource planning, training, real estate management, and provision of security, as they relate to functions cited in subparagraph (A)."

TITLE LXXIV—MISCELLANEOUS

SEC. 6401. ADMINISTRATIVE LEAVE.

(a) **SHORT TITLE.**—This section may be cited as the "Administrative Leave Act of 2016".

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of paid leave to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

“§ 6329a. Administrative leave

“(a) DEFINITIONS.—In this section—

“(1) the term ‘administrative leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service; and

“(B) that is not authorized under any other provision of law;

“(2) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office; and

“(3) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

“(b) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

“(A) specifically authorized under law; and

“(B) not administrative leave.

(3) RECORDS.—An agency shall record administrative leave separately from leave authorized under any other provision of law.

“(c) REGULATIONS.—

(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

“(A) prescribe regulations to carry out this section; and

“(B) prescribe regulations that provide guidance to agencies regarding—

“(i) acceptable agency uses of administrative leave; and

“(ii) the proper recording of—

“(I) administrative leave; and

“(II) other leave authorized by law.

(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

“(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”.

(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government

Reform of the House of Representatives a report identifying agency practices, as of the date of enactment of this Act, of placing an employee in administrative leave for more than 5 consecutive days when the placement was not specifically authorized by law.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329 the following:

“6329a. Administrative leave.”.

(d) INVESTIGATIVE LEAVE AND NOTICE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

“§ 6329b. Investigative leave and notice leave

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office;

“(2) the term ‘Chief Human Capital Officer’ means—

“(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or

“(B) the equivalent;

“(3) the term ‘committees of jurisdiction’, with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;

“(4) the term ‘Director’ means the Director of the Office of Personnel Management;

“(5) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include—

“(i) an intermittent employee who does not have an established regular tour of duty during the administrative workweek; or

“(ii) the Inspector General of an agency;

“(6) the term ‘investigative leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service;

“(B) that is not authorized under any other provision of law; and

“(C) in which an employee who is the subject of an investigation is placed;

“(7) the term ‘notice leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service;

“(B) that is not authorized under any other provision of law; and

“(C) in which an employee who is in a notice period is placed; and

“(8) the term ‘notice period’ means a period beginning on the date on which an employee is provided notice required under law of a proposed adverse action against the employee and ending on the date on which an agency may take the adverse action.

“(b) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

“(1) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—

“(A) investigative leave if the employee is the subject of an investigation;

“(B) notice leave if the employee is in a notice period; or

“(C) notice leave following a placement in investigative leave if, not later than the day

after the last day of the period of investigative leave—

“(i) the agency proposes or initiates an adverse action against the employee; and

“(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).

“(2) REQUIREMENTS.—An agency may place an employee in leave under paragraph (1) only if the agency has—

“(A) made a determination with respect to the employee under subsection (c)(1);

“(B) considered the available options for the employee under subsection (c)(2); and

“(C) determined that none of the available options under subsection (c)(2) is appropriate.

“(c) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

“(1) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

“(A) pose a threat to the employee or others;

“(B) result in the destruction of evidence relevant to an investigation;

“(C) result in loss of or damage to Government property; or

“(D) otherwise jeopardize legitimate Government interests.

“(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:

“(A) Assigning the employee to duties in which the employee is no longer a threat to—

“(i) safety;

“(ii) the mission of the agency;

“(iii) Government property; or

“(iv) evidence relevant to an investigation.

“(B) Allowing the employee to take leave for which the employee is eligible.

“(C) Requiring the employee to telework under section 6502(c).

“(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

“(E) For an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

“(3) DURATION OF LEAVE.—

“(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.

“(B) NOTICE LEAVE.—Placement of an employee in notice leave shall be for a period not longer than the duration of the notice period.

“(4) EXPLANATION OF LEAVE.—

“(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.

“(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—

“(i) the applicable limitations under paragraph (3); and

“(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

“(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

“(A) return the employee to regular duty status;

“(B) take 1 or more of the actions authorized under paragraph (2), meaning—

“(i) assigning the employee to duties in which the employee is no longer a threat to—

“(I) safety;

“(II) the mission of the agency;

“(III) Government property; or

“(IV) evidence relevant to an investigation;

“(ii) allowing the employee to take leave for which the employee is eligible;

“(iii) requiring the employee to telework under section 6502(c);

“(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

“(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

“(C) propose or initiate an adverse action against the employee as provided under law; or

“(D) extend the period of investigative leave under subsections (d) and (e).

“(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

“(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

“(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

“(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officers Council shall issue guidance to ensure that if the Chief Human Capital Officer of an agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

“(4) EXTENSIONS FOR OIG EMPLOYEES.—

“(A) APPROVAL.—In the case of an employee of an Office of Inspector General—

“(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

“(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall

designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

“(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that if the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to a designee, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

“(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to the—

“(A) committees of jurisdiction;

“(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

“(C) Committee on Oversight and Government Reform of the House of Representatives.

“(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

“(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

“(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

“(B) which shall not be binding on the agency.

“(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

“(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace during the investigation may—

“(1) pose a threat to the employee or others;

“(2) result in the destruction of evidence relevant to an investigation;

“(3) result in loss of or damage to Government property; or

“(4) otherwise jeopardize legitimate Government interests.

“(g) REPORTING AND RECORDS.—

“(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

“(A) the basis for the determination made under subsection (c)(1);

“(B) an explanation of why an action under subsection (c)(2) was not appropriate;

“(C) the length of the period of leave;

“(D) the amount of salary paid to the employee during the period of leave;

“(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

“(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

“(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

“(A) to any committee of Congress, upon request;

“(B) to the Office of Personnel Management; and

“(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

“(h) REGULATIONS.—

“(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance to agencies regarding—

“(A) acceptable purposes for the use of—

“(i) investigative leave; and

“(ii) notice leave;

“(B) the proper recording of—

“(i) the leave categories described in subparagraph (A); and

“(ii) other leave authorized by law;

“(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

“(i) pose a threat to the employee or others;

“(ii) result in the destruction of evidence relevant to an investigation;

“(iii) result in loss or damage to Government property; or

“(iv) otherwise jeopardize legitimate Government interests; and

“(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

“(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

“(i) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”

(2) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking “and” at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

“(xi) a determination made by an agency under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

“(I) pose a threat to the employee or others;

“(II) result in the destruction of evidence relevant to an investigation;

“(III) result in loss of or damage to Government property; or

“(IV) otherwise jeopardize legitimate Government interests; and”.

(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the

Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives on the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1)(D) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) **TELEWORK.**—Section 6502 of title 5, United States Code, is amended by adding at the end the following:

“(c) **REQUIRED TELEWORK.**—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable.”.

(5) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

“6329b. Investigative leave and notice leave.”.

(e) **LEAVE FOR WEATHER AND SAFETY ISSUES.**—

(1) **IN GENERAL.**—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

“§ 6329c. Weather and safety leave

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office; and

“(2) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

“(b) **LEAVE FOR WEATHER AND SAFETY ISSUES.**—An agency may approve the provision of leave under this section to an em-

ployee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—

“(1) an act of God;

“(2) a terrorist attack; or

“(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

“(c) **RECORDS.**—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

“(d) **REGULATIONS.**—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including—

“(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and

“(2) the proper recording of leave provided under this section.

“(e) **RELATION TO OTHER LAWS.**—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”.

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329b, as added by this section, the following:

“6329c. Weather and safety leave.”.

(f) **ADDITIONAL OVERSIGHT.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Personnel Management shall complete a review of agency policies to determine whether agencies have complied with the requirements of this section and the amendments made by this section.

(2) **REPORT TO CONGRESS.**—Not later than 90 days after completing the review under paragraph (1), the Director shall submit to Congress a report evaluating the results of the review.

SEC. 6402. UNITED STATES GOVERNMENT REVIEW OF CERTAIN FOREIGN FIGHTERS.

(a) **REVIEW.**—Not later than 30 days after the date of enactment of this Act, the President, acting through the Secretary, shall initiate a review of known instances since 2011 in which a person has traveled or attempted to travel to a conflict zone in Iraq or Syria from the United States to join or provide material support or resources to a terrorist organization.

(b) **SCOPE OF REVIEW.**—The review under subsection (a) shall—

(1) include relevant unclassified and classified information held by the United States Government related to each instance described in subsection (a);

(2) ascertain which factors, including operational issues, security vulnerabilities, systemic challenges, or other issues, which may have undermined efforts to prevent the travel of persons described in subsection (a) to a conflict zone in Iraq or Syria from the United States, including issues related to the timely identification of suspects, information sharing, intervention, and interdiction; and

(3) identify lessons learned and areas that can be improved to prevent additional travel

by persons described in subsection (a) to a conflict zone in Iraq or Syria, or other terrorist safe haven abroad, to join or provide material support or resources to a terrorist organization.

(c) **INFORMATION SHARING.**—The President shall direct the heads of relevant Federal agencies to provide the appropriate information that may be necessary for the Secretary to complete the review required under this section.

(d) **SUBMISSION TO CONGRESS.**—Not later than 120 days after the date of enactment of this Act, the Secretary, consistent with the protection of classified information, shall submit a report to the appropriate congressional committees that includes the results of the review required under this section, including information on travel routes of greatest concern, as appropriate.

(e) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this section.

(f) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(G) the Committee on Appropriations of the Senate;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Committee on the Judiciary of the House of Representatives;

(K) the Committee on Armed Services of the House of Representatives;

(L) the Committee on Foreign Affairs of the House of Representatives;

(M) the Committee on Appropriations of the House of Representatives; and

(N) the Committee on Financial Services of the House of Representatives.

(2) **MATERIAL SUPPORT OR RESOURCES.**—The term “material support or resources” has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 6403. NATIONAL STRATEGY TO COMBAT TERRORIST TRAVEL.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that it should be the policy of the United States—

(1) to continue to regularly assess the evolving terrorist threat to the United States;

(2) to catalog existing Federal Government efforts to obstruct terrorist and foreign fighter travel into, out of, and within the United States, and overseas;

(3) to identify such efforts that may benefit from reform or consolidation, or require elimination;

(4) to identify potential security vulnerabilities in United States defenses against terrorist travel; and

(5) to prioritize resources to address any such security vulnerabilities in a risk-based manner.

(b) **NATIONAL STRATEGY AND UPDATES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the President shall submit a national strategy to

combat terrorist travel to the appropriate congressional committees. The strategy shall address efforts to intercept terrorists and foreign fighters and constrain the domestic and international travel of such persons. Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, including, as appropriate, a classified annex.

(2) **UPDATED STRATEGIES.**—Not later than 180 days after the date on which a new President is inaugurated, the President shall submit an updated version of the strategy described in paragraph (1) to the appropriate congressional committees.

(3) **COORDINATION.**—The President shall direct—

(A) the Secretary to develop the initial national strategy and updates required under this subsection; and

(B) the heads of other Federal agencies, as appropriate, to coordinate with the Secretary of Homeland Security in the development of such strategy and updates.

(4) **CONTENTS.**—The strategy required under this subsection shall—

(A) include an accounting and description of all Federal Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;

(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;

(C) delineate goals for—

(i) closing the security vulnerabilities identified under subparagraph (B); and

(ii) enhancing the ability of the Federal Government to constrain domestic and international travel by terrorists and foreign fighters; and

(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (C) and the means needed to carry out such actions, including—

(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;

(ii) new programs, projects, or activities that are requested, under development, or undergoing implementation;

(iii) new authorities or changes in existing authorities needed from Congress;

(iv) specific budget adjustments being requested to enhance United States security in a risk-based manner; and

(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph.

(5) **SUNSET.**—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.

(c) **DEVELOPMENT OF IMPLEMENTATION PLANS.**—For each national strategy required under subsection (b), the President shall—

(1) direct the Secretary to develop an implementation plan for the Department; and

(2) coordinate with the heads of other relevant Federal agencies to ensure the development of implementing plans for each such agency.

(d) **IMPLEMENTATION PLANS.**—

(1) **IN GENERAL.**—The President shall submit an implementation plan developed under subsection (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, each such implementation plan shall be submitted in unclassified form, but may include a classified annex.

(2) **ANNUAL UPDATES.**—The President shall submit an annual updated implementation plan to the appropriate congressional committees during the 10-year period beginning on the date of enactment of this Act.

(e) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this section.

(f) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Committee on Foreign Relations of the Senate;

(6) the Committee on Appropriations of the Senate;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Armed Services of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives;

(10) the Committee on the Judiciary of the House of Representatives;

(11) the Committee on Foreign Affairs of the House of Representatives; and

(12) the Committee on Appropriations of the House of Representatives.

SEC. 6404. NORTHERN BORDER THREAT ANALYSIS.

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) **NORTHERN BORDER.**—The term “Northern Border” means the land and maritime borders between the United States and Canada.

(b) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human

smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) **ANALYSIS REQUIREMENTS.**—For the threat analysis required under subsection (b), the Secretary shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.

(d) **CLASSIFIED THREAT ANALYSIS.**—To the extent possible, the Secretary shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4368. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 973 and insert the following:

SEC. 973. MODERNIZATION OF SECURITY CLEARANCE INFORMATION TECHNOLOGY ARCHITECTURE.

(a) **IN GENERAL.**—The Secretary of Defense, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall develop and implement an information technology system (in this section referred to as the “System”) to—

(1) modernize and sustain the security clearance information architecture of the National Background Investigations Bureau and the Department of Defense;

(2) support decision-making processes for the evaluation and granting of personnel security clearances;

(3) improve cyber security capabilities with respect to sensitive security clearance data and processes;

(4) reduce the complexity and cost of the security clearance process;

(5) provide information to managers on the financial and administrative costs of the security clearance process;

(6) strengthen the ties between counterintelligence and personnel security communities; and

(7) improve system standardization in the security clearance process.

(b) **GUIDANCE REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Director of National Intelligence and the Director of the Office of Personnel Management, shall issue guidance establishing the

respective roles, responsibilities, and obligations of the Secretary and Directors with respect to the development and implementation of the System.

(c) **ELEMENTS OF SYSTEM.**—In developing the System under subsection (a), the Secretary shall—

(1) conduct a review of security clearance business processes and, to the extent practicable, modify such processes to maximize compatibility with the security clearance information technology architecture to minimize the need for customization of the System;

(2) conduct business process mapping (as such term is defined in section 2222(i) of title 10, United States Code) of the business processes described in paragraph (1);

(3) use spiral development and incremental acquisition practices to rapidly deploy the System, including through the use of prototyping and open architecture principles;

(4) establish a process to identify and limit interfaces with legacy systems and to limit customization of any commercial information technology tools used;

(5) establish automated processes for measuring the performance goals of the System; and

(6) incorporate capabilities for the continuous monitoring of network security and the mitigation of insider threats to the System.

(d) **COMPLETION DATE.**—The Secretary shall complete the development and implementation of the System by not later than September 30, 2019.

(e) **BRIEFING.**—Beginning on December 1, 2016, and on a quarterly basis thereafter until the completion date of implementation of the System under subsection (d), the Secretary shall provide a briefing to the appropriate committees of Congress on the progress of the Secretary in developing and implementing the System.

(f) **REVIEW OF APPLICABLE LAWS.**—The Secretary shall review laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government. Not later than 90 days after the date of the enactment of this Act, the Secretary shall provide to the appropriate committees of Congress a briefing that includes—

(1) the results of the review; and

(2) recommendations, if any, for consolidating and clarifying laws, regulations, and executive orders relating to the maintenance of personnel security clearance information by the Federal Government.

(g) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations of the Senate, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4369. Mr. DURBIN (for himself, Mr. COCHRAN, Mr. REID, Mr. BLUNT, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. FEINSTEIN, Ms. COLLINS, Mrs. MURRAY, Mr. CASEY, and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. TREATMENT OF CERTAIN PROVISIONS RELATING TO LIMITATIONS, TRANSPARENCY, AND OVERSIGHT REGARDING MEDICAL RESEARCH CONDUCTED BY THE DEPARTMENT OF DEFENSE.

(a) **MEDICAL RESEARCH AND DEVELOPMENT PROJECTS.**—Section 756, relating to a prohibition on funding and conduct of certain medical research and development projects by the Department of Defense, shall have no force or effect.

(b) **RESEARCH, DEVELOPMENT, TEST, AND EVALUATION EFFORTS AND PROCUREMENT ACTIVITIES RELATED TO MEDICAL RESEARCH.**—Section 898, relating to a limitation on authority of the Secretary of Defense to enter into contracts, grants, or cooperative agreements for congressional special interest medical research programs under the congressionally directed medical research program of the Department of Defense, shall have no force or effect.

SA 4370. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1026, insert the following:

SEC. 1026A. ADDITIONAL COUNTRIES UNDER PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE TO CERTAIN COUNTRIES INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1033 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 968), as amended by section 1026 of this Act, is further amended by adding at the end the following new paragraphs:

“(5) Iran.

“(6) Sudan.”.

SA 4371. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1053(a) and insert the following:

(a) Section 2576a of title 10, United States Code, is amended by adding at the end the following new subsections:

“(g) **DETERMINATION OF ELIGIBLE DEFENSE ITEMS.**—

“(1) **CONTROLLED DEFENSE ITEMS ELIGIBLE FOR TREATMENT.**—

“(A) **IN GENERAL.**—Subject to the provisions of this paragraph, the controlled defense items that may be treated as eligible

defense items for purposes of this section shall include items that—

“(i) can be readily put to civilian use by State and local law enforcement agencies; and

“(ii) are suitable for transfer to State and local law enforcement agencies pursuant to this section.

“(B) **INITIAL ELIGIBLE DEFENSE ITEMS.**—The controlled defense items to be treated as eligible defense items for purposes of this section as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 are the following:

“(i) Camouflage uniforms and clothing.

“(ii) Fixed wing manned aircraft.

“(iii) Rotary wing manned aircraft.

“(iv) Unmanned aerial vehicles.

“(v) Wheeled armored vehicles.

“(vi) Wheeled tactical vehicles.

“(vii) Specialized firearms and ammunition under .50-caliber.

“(viii) Explosives and pyrotechnics, including explosive breaching tools.

“(ix) Breaching apparatus.

“(x) Riot batons.

“(C) **INTERPRETATION OF THIS SECTION.**—Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13688.

“(D) **LIST OF CONTROLLED DEFENSE ITEMS TREATABLE AS ELIGIBLE DEFENSE ITEMS.**—The Secretary of Defense shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established by Executive Order 13688, maintain, and periodically update, a list of controlled defense items that are currently appropriate for treatment as eligible defense items for purposes of this section. The list shall be established and maintained in accordance with the regulations for purposes of this section under subsection (g).

“(2) **CONTROLLED DEFENSE ITEMS NOT ELIGIBLE FOR TREATMENT.**—

“(A) **IN GENERAL.**—A controlled defense item may not be treated as an eligible defense item for purposes of this section if—

“(i) the item is made exclusively for the military; and

“(ii) the item, or a substantially similar item, cannot be purchased by State or local law enforcement agencies in the private sector even after the item is demilitarized.

“(B) **INITIAL PROHIBITED ITEMS.**—Unless and until determined otherwise by the Secretary for purposes of this section, the controlled defense items that may not be treated as eligible defense items for purposes of this section are the following:

“(i) Tracked armored vehicles.

“(ii) Weaponized aircraft, vessels, and vehicles of any kind.

“(iii) Firearms of .50-caliber or higher.

“(iv) Ammunition of .50-caliber or higher.

“(v) Grenades, flash bang grenades, grenade launchers, and grenade launcher attachments.

“(vi) Bayonets.

“(vii) Mine Resistant Ambush Protected (MRAP) vehicles.

“(viii) Tasers developed primarily for use by the military.

“(C) **INTERPRETATION OF THIS SECTION.**—Subparagraph (B) shall supersede the equipment lists issued pursuant to Executive Order 13688.

“(D) **LIST OF CONTROLLED ITEMS NOT TREATABLE AS ELIGIBLE DEFENSE ITEMS.**—The Secretary shall, acting through the Director of the Defense Logistics Agency and in consultation with the Working Group established pursuant to Executive Order 13688, maintain, and periodically update, a list of

controlled defense items that are currently prohibited from treatment as eligible defense items for purposes of this section.

“(3) RETURN OF ITEMS NOT TREATED AS ELIGIBLE DEFENSE ITEMS NOT IMMEDIATELY REQUIRED.—

“(A) RETURN OF INITIAL PROHIBITED ITEMS NOT GENERALLY REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 of a controlled defense item that is not eligible for treatment as an eligible defense item pursuant to paragraph (2)(B) shall not be required to return such item to the Department pursuant to Executive Order 13688.

“(B) RETURN OF ITEMS SUBSEQUENTLY TREATED AS NOT ELIGIBLE NOT REQUIRED.—The regulations for purposes of this section shall provide that a law enforcement agency in possession of a controlled defense item that is no longer eligible for treatment as an eligible defense item pursuant to paragraph (2)(D) shall not be required to return such item to the Department pursuant to Executive Order 13688.

“(C) CONSTRUCTION.—Nothing in this section shall be construed to require a law enforcement agency, pursuant to Executive Order 13688, to return to the Department equipment obtained from the Federal Government, or obtained using Federal funds, if such equipment was obtained by the agency in a manner consistent with all applicable laws and regulations.

“(D) TRANSFER OF OWNERSHIP.—Nothing in this section shall be construed as a transfer of ownership of any equipment obtained from the Federal Government pursuant to this section.

“(h) PROHIBITION ON REQUIREMENT FOR TIMELY USE OF TRANSFERRED ITEMS.—The regulations for purposes of this section may not require the use of an eligible defense item transferred under this section within one year of the receipt of the item by the State or local law enforcement agency concerned.

“(i) NOTICE ON REQUESTS FOR TRANSFERS TO STATE AND LOCAL OFFICIALS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a State or local law enforcement agency may not request transfer of an eligible defense item under this section, including pursuant to interagency transfer under subsection (t), unless the law enforcement agency has provided notice of the request to the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency.

“(2) EXCEPTION.—

“(A) ITEMS FOR UNDERCOVER OPERATIONS.—A State or local law enforcement agency requesting transfer of an eligible defense item is not required to comply with paragraph (1) if the item requested is for an active undercover operation.

“(B) ALTERNATIVE NOTICE REQUIREMENT.—A State or local law enforcement agency receiving an item under this section pursuant to a request covered by subparagraph (A) shall notify the head and legislative body of the State or political subdivision of a State of which the law enforcement agency is an agency of the request not later than 10 business days after operation concerned becomes an open record.

“(j) TRAINING REQUIREMENTS.—

“(1) MINIMUM TRAINING REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS.—

“(A) IN GENERAL.—On and after the date that is three years after the date of the en-

actment of the National Defense Authorization Act for Fiscal Year 2017, eligible defense items may not be transferred to a State or local law enforcement agency of a State under this section unless the Governor of the State (or the designee of the Governor) certifies to the Director of the Defense Logistics Agency that the State has in place minimum training requirements for all sworn law enforcement officers in the State, including—

“(i) a requirement that anyone that has decision-making authority on the deployment of a SWAT team attends the National Tactical Officers Association unit commanders course or an equivalent within 1 year of commencing the exercise of such authority;

“(ii) specialized leadership training requirements for unit commanders who have—

“(I) decision-making authority on the deployment of SWAT teams and tactical military vehicles; or

“(II) responsibility for drafting policies on the use of force and SWAT team deployment;

“(iii) annual specialized SWAT team training requirements for all SWAT team members, including in law enforcement tactics used in tactical operations;

“(iv) annual training requirements for all law enforcement officers that are members of specialized tactical units other than SWAT teams (including high-risk warrant service teams, hostage rescue teams, and drug enforcement task forces);

“(v) annual training on the general policing standards of the law enforcement agency on equipment such as eligible defense items;

“(vi) annual training on sensitivity, including training on ethnic and racial bias, cultural diversity, and police interaction with the disabled, mentally ill, and new immigrants;

“(vii) annual training in crowd control tactics for any officers that may be called upon to participate in crowd control efforts; and

“(viii) such other training as recommended by the evaluation conducted pursuant to section 1051(d) of the National Defense Authorization Act for Fiscal Year 2016.

“(B) SATISFACTION BY RECENT HIRES.—The requirements under subparagraph (A) shall provide for the first completion of the training concerned by an individual who becomes an officer in a law enforcement agency by not later than one year after the date on which the individual becomes an officer in the law enforcement agency.

“(C) RECORD-KEEPING.—Each law enforcement agency to which eligible defense items are transferred pursuant to this section shall retain training records of each officer authorized to use such items, either in the personnel file of the officer or by the training division or equivalent entity of the agency, for not less than three years after the date on which the training occurs, and shall provide a copy of such records to the Director of the Defense Logistics Agency upon request.

“(2) INTERPRETATION OF THIS SECTION.—The training requirements in paragraph (1)(A) shall, for the purpose of obtaining equipment under this section, supersede and override the training requirements issued pursuant to Executive Order 13688.

“(k) CONSTRUCTION WITH OTHER DLA AUTHORITY.—Nothing in this section shall be construed to override, alter, or supersede the authority of the Director of the Defense Logistics Agency to dispose of property of the Department of Defense that is not an eligible defense item to law enforcement agencies under another other provision of law.

“(l) DEFINITIONS.—In this section:

“(1) The term ‘bayonet’ means a large knife designed to be attached to the muzzle of a rifle, shotgun, or long gun for the purposes of hand-to-hand combat.

“(2) The term ‘breaching apparatus’ means a tool designed to provide law enforcement rapid entry into a building or through a secured doorway, including battering rams or similar entry devices, ballistic devices, and explosive devices.

“(3) The term ‘controlled defense item’ means property of the Department of Defense that is subject to the restrictions of the United States Munitions List (22 Code of Federal Regulations Part 121) or the Commerce Control List (15 Code of Federal Regulations Part 774).

“(4) The term ‘eligible defense item’ means a controlled defense item that is eligible for transfer to a law enforcement agency pursuant to this section.

“(5) The term ‘fixed wing manned aircraft’ means a powered aircraft with a crew aboard, such as airplanes, that uses a fixed wing for lift.

“(6) The term ‘grenade launcher’ means a firearm or firearm accessory designed to launch small explosive projectiles.

“(7) The term ‘riot baton’ means a non-expandable baton of greater length than service-issued types that are intended to protect its wielder during melees by providing distance from assailants. The term does not include a service-issued telescopic or fixed length straight baton.

“(8) The term ‘specialized firearm and ammunition under .50-caliber’ means a weapon and corresponding ammunition for specialized operations or assignments. The term does not include service-issued handguns, rifles, or shotguns that are issued or approved by an agency to be used during the course of regularly assigned duties.

“(9) The term ‘State Coordinator’ means an individual appointed by the Governor of a State—

“(A) to manage requests of State and local law enforcement agencies of the State for eligible defense items; and

“(B) to ensure the appropriate use of eligible defense items transferred under this section by such law enforcement agencies.

“(10) The term ‘State or local law enforcement agency’ means a State or local agency or entity with law enforcement officers that have arrest and apprehension authority and whose primary function is to enforce the laws. The term includes a local educational agency with such officers. The term does not include a firefighting agency or entity.

“(11) The term ‘SWAT team’ means a Special Weapons and Tactics team or other specialized tactical team composed of State or local sworn law enforcement officers.

“(12) The term ‘tactical military vehicle’ means an armored vehicle having military characteristics resulting from military research and development processes that is designed primarily for use by forces in the field in direct connection with, or support of, combat or tactical operations.

“(13) The term ‘tracked armored vehicle’ means a vehicle that provides ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

“(14) The term ‘unmanned aerial vehicle’ means a remotely piloted, powered aircraft without a crew aboard.

“(15) The term ‘wheeled armored vehicle’ means any wheeled vehicle either purpose-built or modified to provide ballistic protection to its occupants, such as an Armored Personnel Carrier.

“(16) The term ‘wheeled tactical vehicle’ means a vehicle purpose-built to operate onroad and offroad in support of military operations, such as a HMMWV (‘Humvee’), 2.5 ton truck, 5 ton truck, or a vehicle with a breaching or entry apparatus attached.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “A Review of the U.S. Livestock and Poultry Sectors: Marketplace Opportunities and Challenges.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., to conduct a hearing entitled “Protecting America from the Threat of ISIS.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. RUBIO. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 26, 2016, at 10 a.m., in room SR-428A of the Russell Senate Office Building to conduct a hearing entitled “Oversight of the SBA’s 7(a) Loan Guarantee Program.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. RUBIO. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 26, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME, CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS, AND GLOBAL WOMEN’S ISSUES

Mr. RUBIO. Mr. President, I ask unanimous consent that the Com-

mittee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women’s Issues be authorized to meet during the session of the Senate on May 26, 2016, at 9 a.m., to conduct a hearing entitled “Cartels and the U.S. Heroin Epidemic: Combating Drug Violence and Public Health Crisis.”

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator JOHN BOOZMAN, intend to object to proceeding to the nomination of Jane Toshiko Nishida, to be an Assistant Administrator of the Environmental Protection Agency; dated May 25, 2016.

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that CDR Andrew Cook, a defense legislative fellow in my office, be granted privileges of the floor during the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that Noam Levinson and Andrea Witte, be granted floor privileges through July 15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent that the following people: Marian Gibson, Debra Prescott, Eric Hanson, and Tim McCrosson, detailees to the Homeland Security and Governmental Affairs Committee, be granted privileges of the floor for the remainder of the second session of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 94-201, as amended by Public Law 105-275, appoints the following individual as a member of the Board of Trustees of the American Folklife Center of the Library of Congress: John Patrick Rice of Nevada.

SEQUENTIAL REFERRAL—PN1385

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that upon the reporting out of or discharge of PN1385—which has been referred to the Committee on Commerce, Science, and Transportation—the nomination then be referred to the Committee on Armed Services for a period not to exceed 45 calendar days,

after which the nomination, if still in committee, be discharged and placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 574 through 590 and all nominations on the Secretary’s desk; that the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate’s action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Scott F. Benedict
Col. Jason Q. Bohm
Col. Brian W. Cavanaugh
Col. Daniel B. Conley
Col. Francis L. Donovan
Col. Ryan P. Heritage
Col. Christopher A. McPhillips
Col. William H. Seely, III
Col. Robert B. Sofge, Jr.
Col. Matthew G. Trollinger

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Linda L. Singh

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Jon C. Kreitz

IN THE AIR FORCE

The following named officer for appointment as Chief of the Air Force Reserve and appointment to the grade of lieutenant general in the Reserve of the Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8038:

To be lieutenant general

Maj. Gen. Maryanne Miller

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position

of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kenneth S. Wilsbach

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Charles Q. Brown, Jr.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Darryl A. Williams

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael D. Lundy

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Jeffrey S. Buchanan

The following named officer for appointment as the Dean of the Academic Board, United States Military Academy, and for appointment to the grade indicated under title 10, U.S.C., section 4335:

To be brigadier general

Col. Cindy R. Jebb

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Sidney N. Martin

IN THE NAVY

The following named officer for appointment as Vice Chief of Naval Operations and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5035:

To be admiral

Vice Adm. William F. Moran

The following named officer for appointment as Chief of Naval Personnel and appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5141:

To be vice admiral

Rear Adm. (lh) Robert P. Burke

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Thomas J. Moore

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Jan E. Tighe

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. David G. Bassett
Brig. Gen. Willard M. Burleson, III
Brig. Gen. Christopher G. Cavoli
Brig. Gen. David C. Coburn
Brig. Gen. Stephen E. Farman
Brig. Gen. Bryan P. Fenton
Brig. Gen. Malcolm B. Frost
Brig. Gen. Patricia A. Frost
Brig. Gen. Douglas M. Gabram
Brig. Gen. Peter A. Gallagher
Brig. Gen. John A. George
Brig. Gen. Randy A. George
Brig. Gen. Michael L. Howard
Brig. Gen. Sean M. Jenkins
Brig. Gen. John P. Johnson
Brig. Gen. Richard G. Kaiser
Brig. Gen. John S. Kern
Brig. Gen. Robert L. Marion
Brig. Gen. Timothy P. McGuire
Brig. Gen. Dennis S. McKean
Brig. Gen. Terrence J. McKerrick
Brig. Gen. Christopher P. McPadden
Brig. Gen. Daniel G. Mitchell
Brig. Gen. Frank M. Muth
Brig. Gen. Erik C. Peterson
Brig. Gen. Leopoldo A. Quintas, Jr.
Brig. Gen. Kurt J. Ryan
Brig. Gen. Mark C. Schwartz
Brig. Gen. Wilson A. Shoffner, Jr.
Brig. Gen. Kurt L. Sonntag
Brig. Gen. Scott A. Spellmon
Brig. Gen. Randy S. Taylor
Brig. Gen. Eric J. Wesley

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. Michelle J. Howard

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1431 AIR FORCE nomination of Christopher R. McNulty, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1467 AIR FORCE nominations (45) beginning ZACHARY P. AUGUSTINE, and ending BRIAN A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1468 AIR FORCE nominations (14) beginning WILLIAM J. FECKE, and ending JANET K. URBANSKI, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1471 AIR FORCE nominations (61) beginning MICHAEL CHRISTOPHER AHL, and ending LISA MARIE WOTKOVVICZ, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1472 AIR FORCE nominations (41) beginning TIMOTHY JAMES ANDERSON, and ending JUSTIN L. WOLTHUIZEN, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1473 AIR FORCE nominations (99) beginning VICTORIA D. ABLES, and ending MATTHEW G. ZINN, which nominations were received by the Senate and appeared in the Congressional Record of May 18, 2016.

IN THE ARMY

PN1273 ARMY nomination of Fany L. Rivera, which was received by the Senate and appeared in the Congressional Record of March 17, 2016.

PN1298 ARMY nomination of Todd E. Schroeder, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1345 ARMY nomination of Monica J. Milton, which was received by the Senate and appeared in the Congressional Record of April 14, 2016.

PN1410 ARMY nominations (284) beginning MICHELLE M. AGPALZA, and ending D012971, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1411 ARMY nominations (327) beginning JACOB I. ABRAMI, and ending G010400, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1412 ARMY nominations (455) beginning RICHARD R. AARON, and ending D012923, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1413 ARMY nomination of Carl J. Wojtaszek, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1414 ARMY nomination of G010339, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1415 ARMY nomination of Michael A. Izzo, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1416 ARMY nomination of Joshua R. Pounders, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1432 ARMY nomination of Ernest C. Lee, Jr., which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1433 ARMY nominations (132) beginning TERRANCE W. ADAMS, and ending CYNTHIA M. ZAPOTOCZNY, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1434 ARMY nominations (53) beginning JENNIFER L. ADAMSBUCKHOUSE, and ending MELVIN W. ZIMMER, JR., which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1435 ARMY nominations (184) beginning JEFFREY A. ABELE, and ending JAMES M. ZIEBA, which nominations were received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1436 ARMY nomination of Kathryn A. Katz, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1437 ARMY nomination of Bryan P. Hendren, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1438 ARMY nomination of Weston C. Goring, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1439 ARMY nomination of Srilalitha Donepudi, which was received by the Senate and appeared in the Congressional Record of May 11, 2016.

PN1474 ARMY nomination of Daniel P. Fisher, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1475 ARMY nomination of Darin J. Blatt, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1476 ARMY nomination of Zoltan L. Krompecher, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1477 ARMY nomination of John D. Wingeart, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1478 ARMY nomination of Janelle V. Kutter, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1479 ARMY nomination of Kevin T. Reeves, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1481 ARMY nomination of Ankita B. Patel, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

PN1485 ARMY nomination of Marshall H. Smith, which was received by the Senate and appeared in the Congressional Record of May 18, 2016.

IN THE FOREIGN SERVICE

PN1370 FOREIGN SERVICE nominations (6) beginning Mariano J. Beillard, and ending William G. Verzani, which nominations were received by the Senate and appeared in the Congressional Record of April 14, 2016.

IN THE MARINE CORPS

PN1123 MARINE CORPS nomination of David M. Sousa, which was received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1136 MARINE CORPS nominations (46) beginning JEFFREY J. ABRAMAITYS, and ending ERICH H. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1137 MARINE CORPS nominations (91) beginning RICHARD T. ANDERSON, and ending SETH E. YOST, which nominations were received by the Senate and appeared in the Congressional Record of January 28, 2016.

PN1146 MARINE CORPS nominations (323) beginning VICTOR M. ABELSON, and ending MATTHEW P. ZUMMO, which nominations were received by the Senate and appeared in the Congressional Record of February 1, 2016.

IN THE NAVY

PN1199 NAVY nomination of Jason A. Grant, which was received by the Senate and appeared in the Congressional Record of March 3, 2016.

PN1278 NAVY nomination of Darren J. Donley, which was received by the Senate and appeared in the Congressional Record of March 17, 2016.

PN1310 NAVY nomination of Marc D. Boran, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1311 NAVY nomination of Scott P. Smith, which was received by the Senate and appeared in the Congressional Record of April 5, 2016.

PN1417 NAVY nominations (38) beginning JOSEPH F. ABRUTZ, III, and ending MICHAEL P. WOLCHKO, which nominations were received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1418 NAVY nomination of David H. McAlister, which was received by the Senate and appeared in the Congressional Record of April 28, 2016.

PN1449 NAVY nomination of Devin D. Burns, which was received by the Senate and

appeared in the Congressional Record of May 11, 2016.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 486 through 498 en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. MCCONNELL. I ask unanimous consent that the bills be read a third time and passed, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

BARRY G. MILLER POST OFFICE

The bill (S. 2465) to designate the facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, as the Barry G. Miller Post Office, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2465

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BARRY G. MILLER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 15 Rochester Street in Bergen, New York, shall be known and designated as the “Barry G. Miller Post Office”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Barry G. Miller Post Office”.

KENNETH M. CHRISTY POST OFFICE BUILDING

The bill (S. 2891) to designate the facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, as the “Kenneth M. Christy Post Office Building,” was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2891

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. KENNETH M. CHRISTY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 525 North Broadway in Aurora, Illinois, shall be known and designated as the “Kenneth M. Christy Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to

be a reference to the “Kenneth M. Christy Post Office Building”.

CAMP PENDLETON MEDAL OF HONOR POST OFFICE

The bill (H.R. 136) to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the “Camp Pendleton Medal of Honor Post Office,” was ordered to a third reading, was read the third time, and passed.

W. RONALD COALE MEMORIAL POST OFFICE BUILDING

The bill (H.R. 1132) to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the “W. Ronald Coale Memorial Post Office Building,” was ordered to a third reading, was read the third time, and passed.

LIONEL R. COLLINS, SR. POST OFFICE BUILDING

The bill (H.R. 2458) to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the “Lionel R. Collins, Sr. Post Office Building,” was ordered to a third reading, was read the third time, and passed.

HAROLD GEORGE BENNETT POST OFFICE

The bill (H.R. 2928) to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the “Harold George Bennett Post Office,” was ordered to a third reading, was read the third time, and passed.

DARYLE HOLLOWAY POST OFFICE BUILDING

The bill (H.R. 3082) to designate the facility of the United States Postal Service located at 5919 Chef Mentour Highway in New Orleans, Louisiana, as the “Daryle Holloway Post Office Building,” was ordered to a third reading, was read the third time, and passed.

FRANCIS MANUEL ORTEGA POST OFFICE

The bill (H.R. 3274) to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the “Francis Manuel Ortega Post Office,” was ordered to a third reading, was read the third time, and passed.

MELVOID J. BENSON POST OFFICE
BUILDING

The bill (H.R. 3601) to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the "Melvoid J. Benson Post Office Building," was ordered to a third reading, was read the third time, and passed.

MAYA ANGELOU MEMORIAL POST
OFFICE

The bill (H.R. 3735) to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the "Maya Angelou Memorial Post Office," was ordered to a third reading, was read the third time, and passed.

FIRST LIEUTENANT SALVATORE S.
CORMA II POST OFFICE BUILDING

The bill (H.R. 3866) to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building," was ordered to a third reading, was read the third time, and passed.

SECOND LT. ELLEN AINSWORTH
MEMORIAL POST OFFICE

The bill (H.R. 4046) to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office, was ordered to a third reading, was read the third time, and passed.

SGT. 1ST CLASS TERRY L.
PASKER POST OFFICE BUILDING

The bill (H.R. 4605) to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the "Sgt. 1st Class Terry L. Pasker Post Office Building," was ordered to a third reading, was read the third time, and passed.

SPECIALIST ROSS A. MCGINNIS
MEMORIAL POST OFFICE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 433 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 433) to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylv-

ania, as the "Specialist Ross A. McGinnis Memorial Post Office."

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 433) was ordered to a third reading, was read the third time, and passed.

PATENTS FOR HUMANITY
PROGRAM IMPROVEMENT ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1402 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1402) to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today the Senate is passing legislation to strengthen an important humanitarian innovation prize created by the U.S. Patent and Trademark Office, PTO. Since 2012, the Patents for Humanity Award has recognized selected patent holders who use their inventions to address humanitarian needs. The legislation the Senate passed today will strengthen the award program and encourage innovators to continue using their work for humanitarian goals.

The innovations that are recognized by the Patents for Humanity Award program help underserved people throughout the world. Award winners have worked to improve nutrition, provide clean drinking water, fix broken bones in remote hospitals that lack x-ray technology, bring solar-powered energy to villages that are off the power grid, and combat the problem of dangerous counterfeit drugs, among other achievements. Winners of the Patents for Humanity Award demonstrate that our patent system does more than drive economic gain for individual companies; it can incentivize research and discoveries that promote humanitarian good.

Winners of the Patents for Humanity Award receive a one-time certificate to accelerate a process or application at the PTO, as described in the program rules. For several years, small businesses and global health groups have told me that the prize would be more usable, particularly for small business innovators, if the acceleration certifi-

cates awarded were transferable to a third party. Award winners who are not able to use the acceleration certificate themselves will be able to transfer the certificate to another inventor, including through sale, allowing the winner to receive a cash benefit. By making the certificates transferable, we are increasing the value of this humanitarian innovation prize without using a single taxpayer dollar.

The thoughtful structure of the Patents for Humanity Award program, set forth in its founding documents in the Federal Register, will ensure that this program remains sustainable and does not unduly burden the PTO or other patent applicants whose applications are pending before the Office. The award is granted to only a select number of patent holders per year—approximately 10 or fewer, with a further 20 applications receiving honorable mentions—and the PTO has provided clear guidance on the types of processes for which the certificates may be used. Program judges are selected based on recognized subject matter expertise, with clear competition criteria, and rules in place to prevent conflicts of interest. These practices and safeguards, which are described in detail in the Federal Register at 79 Fed. Reg. 18670 and 77 Fed. Reg. 6544, will ensure that the program continues to operate appropriately and well.

The Patents for Humanity Program Improvement Act is a straightforward and bipartisan bill that will strengthen this valuable innovation program and encourage inventions to be used for humanitarian good. I thank other Senators for supporting this bill and urge the House to pass it without delay.

Mr. MCCONNELL. I further ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1402) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patents for Humanity Program Improvement Act".

SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.

(a) IN GENERAL.—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled "Humanitarian Awards Pilot Program", published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including by sale) the entitlement to such acceleration certificate to another person.

(b) REQUIREMENT.—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations

under the notice entitled "Humanitarian Awards Pilot Program", published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER-CARE SYSTEM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of and the Senate proceed to the consideration of S. Res. 466.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 466) recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRASSLEY. Mr. President, the month of May gives us the chance to raise awareness about the challenges of children in the foster care system and to consider ways to improve policies and practices to ensure that children are in safe, loving, and permanent homes. There are nearly 415,000 children living in foster care; more than 255,000 entered the foster care system in 2014 alone.

According to the Adoption and Foster Care Analysis and Reporting System, AFCARS, data for fiscal year 2014, the vast majority of foster children reside with a foster parent: 29 percent live in the foster family home of a relative, and 46 percent live in the foster family home of a non-relative. The rest live in institutions, 8 percent; groups homes, 6 percent; pre-adoptive homes, 4 percent; trial home visits, 5 percent; supervised independent living, 1 percent; or are runaways, 1 percent.

As co-founder and co-chair of the Senate Caucus on Foster Youth, I led a bipartisan and bicameral group of colleagues in introducing legislation recognizing May as National Foster Care Month. The resolution aims to bring foster care issues to the forefront and recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care.

While there have been vast improvements over the years, there are many challenges still facing our Nation's youth. These children have experienced abuse or neglect, often both. They can be moved from home to home, transferred from one school to the next, and endure trauma and mental health challenges. Older foster youth face difficult

challenges as well. They deal with separation from their parents, educational instability, separation disorders, and depression, as well as challenge of transitioning to adulthood on their own. Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least seven school changes while in care. The number of youth who age out of foster care has steadily increased for the past decade as well.

The resolution encourages Congress to implement policy that further the goals of safety and permanency. The resolution currently has 24 co-sponsors.

Because there are so many issues that affect youth in the foster care system, it is important that members of Congress understand the realities beyond the beltway. That is why I helped form the Senate Caucus on Foster Youth. Our caucus was created to be a clearinghouse for members in the Senate to discuss policy issues that cross many committee jurisdictions. Our caucus was also created to help generate better ideas and best practices. We want people to learn from both youth and experts. And we want these ideas to be put into practice. Today, 21 Senators are committed members of the Foster Youth Caucus. It is a bipartisan caucus that focuses on understanding the challenges that foster youth face and finding solutions that can improve their lives.

Because of the challenges facing older youth, I held a hearing as chairman of the Judiciary Committee to examine the interplay between the foster care system and the juvenile justice system when children are involved with both systems. The hearing focused on what data, or lack thereof, currently exists about children involved in both systems, the risk factors associated with foster children who become exposed to the juvenile justice system, and how to improve on current best practices implemented by the foster care and juvenile justice systems.

My goal for holding this hearing was to spark innovative solutions and to forge relationships between two distinct groups—the juvenile justice system and child welfare system. The experts in these fields must come together to help dually involved youth who are in need of services.

It was also a renewed call for Congress to pass the Juvenile Justice and Delinquency Prevention Reauthorization Act, which I helped author. If this measure is enacted, States participating in the juvenile justice grants program couldn't lock up foster care children merely for running away from a foster home. Some of these runaways are fleeing abusive situations and detention isn't the right place for them. Our bill, which awaits action by the full Senate, also encourages States receiving juvenile justice formula

grants to screen children with mental illness or substance abuse issues. Finally, our bill would encourage States to rely on policies and practices that reflect the most recent research on what works best with troubled youth.

Also during May, the Senate Caucus on Foster Youth held several forums to allow foster youth to share their experiences and to hear from experts about how policies can be improved for children and families.

The caucus hosted a three-part series of panel discussions on the impact of substance abuse and mental health disorders on children and families involved in the child welfare system. We heard directly from youth, learned more about how the opioid epidemic is impacting families, how to prevent foster care by working with families, and how to better achieve positive outcomes through in-home services. We were fortunate to have Iowa's Judge William Owens from the Wapello County Family Drug Court. Judge Owens highlighted how professionals working with child welfare-involved families have changed their practice and policies in his county leading to improved outcomes for families.

On the same topic, I co-hosted Dr. Phil who shared his expertise with policymakers in helping families in crisis dealing with substance abuse issues. He focused on the link between the current opioid epidemic and the rising number of children placed in foster care.

The caucus also partnered with other child welfare organizations on a briefing about foster parent recruitment and retention. The frontline caregivers for hundreds of thousands of children in foster care are foster parents. They provide physical care, emotional support, education advocacy, and, many times, a permanent home and future for these kids. Sometimes they are relatives; sometimes they are complete strangers. But no matter who they are, they are opening their hearts and homes to children in need. Because more children are coming into care, we need to do all we can to recruit quality foster parents to keep these kids safe, healthy, in school, and thriving in society.

At the end of the month, I helped co-sponsor a briefing to discuss effective practices for youth transitioning out of foster care. Because 26,000 young people leave foster care without a forever family and with limited resources and little support, we need to do better to guide and help this population successfully navigate the real world of adulthood. It was an opportunity to learn about intensive, individualized and clinically focused case management and counseling, which has proven results for long-term success.

Finally, I participated in a Senate Finance Committee hearing titled,

"Can Evidence Based Practices Improve Outcomes for Vulnerable Individuals and Families?" As a senior member of the Finance Committee and the author of many child welfare laws that have gone through that committee, I was able to listen and ask questions of experts about how we can move to more evidenced-based programs and learn from programs that are successful.

The hope for panel discussions and briefings is to find innovative solutions—whether through legislation or awareness and shifts in practice.

This year, I also urged the Department of Education to work with States to implement a provision I helped pass in the Every Student Succeeds Act. This education bill includes new data collection and reporting provisions to shine a light on achievement gaps for students who have long been overlooked in federally funded education, including homeless and foster youth.

I have also worked on several bills this year to improve foster care policies.

The Modernizing the Interstate Placement of Children in Foster Care Act would reduce the amount of time it takes to place children by incentivizing more States to implement the National Electronic Interstate Compact Enterprise, or NEICE system. Six pilot States that utilized NEICE, on average, reduced wait times for children by 30 percent and anticipate savings of \$1.6 million per year in reduced copying, mailing, and administrative costs. Throughout the country, caseworkers often avoid exploring out-of-state placements because of the long delays in processing the paperwork. Our bill gives incentives to States to join the NEICE system and streamline the paperwork to make foster care placements and eventual adoption happen faster. The more we can do to give children safe, stable homes, the better. The increased displacement of kids due to parental substance abuse, including opioid abuse, makes this cause especially important.

The Protecting Families Affected by Substance Abuse Act would reauthorize for 5 years the regional partnership grants that were created in 2006 when I was chairman of the Finance Committee. While the original intent of the 2006 grants was to address methamphetamine abuse, the scope expanded to other substances as new problems emerged. Opioid addiction is a key focus of the new bill, as we have seen the havoc prescription painkillers and heroin continue to have on families and communities around the nation. The grants support regional partnerships for services including early intervention and preventive services; child and family counseling; mental health services; parenting skills training; and replication of successful models for providing family-based, com-

prehensive long-term substance abuse treatment services.

Supporting Foster Youth Who Age Out—this bill would allow States to use these Federal dollars for foster youth services up to age 23 and further help those who age out of care with more opportunities to transition to adulthood. It also would allow greater flexibility for States to use their funds in a manner that best benefits the youth population they serve. The legislation builds on the Chafee Foster Care Independence Program, created by then-Senator John Chafee in 1999 to better support youth who age out of the foster care system at the age of 18. The program provides financial support for youth who are transitioning to adulthood with the goal to make them self-sufficient.

For years, I have tried to call attention to the issues facing foster care youth, which consists of more than 415,000 children nationwide, more than 6,000 of whom live with one of Iowa's approximately 2,700 foster families. As founder and co-chair of the Senate Caucus on Foster Youth, I often have the opportunity to hear firsthand from kids growing up in foster care. Foster youth long to be heard. These children need permanency and a loving family, not to be shuffled around from home to home. They tell me that important improvements have recently been made, but there are still gaps in services that could be solved with a combination of policy changes and citizen involvement.

While this population of youth deserves year-round attention, we honor them this month. This is an especially important time to have discussions about how we can improve their lives and strengthen their families. It is important, too, that we remember all of the other individuals involved in helping children who are in the foster care system—including caseworkers, social workers, guardians, child welfare advocates, and foster families.

Our work on this issue will continue.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 466) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 16, 2016, under "Submitted Resolutions.")

SUPPORTING THE DESIGNATION OF MAY 2016 AS "MENTAL HEALTH MONTH"

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 480, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 480) supporting the designation of May 2016 as "Mental Health Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 480) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

RECOGNIZING THE SIGNIFICANCE OF MAY 2016 AS ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res 481, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 481) recognizing the significance of May 2016 as Asian/Pacific American Heritage Month and as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, I rise today to join in the recognition and celebration of the month of May as Asian Pacific American Heritage Month. This month, we celebrate the many contributions Asian American and Pacific Islanders, AAPI, have made to the United States and their cultures, traditions, and history. In 1978, Congress passed a joint congressional resolution to commemorate Asian/Pacific American Heritage Week during the first week of May in 1979, and in 1992, Congress passed legislation that annually designated May as Asian Pacific American Heritage Month.

Congress chose May because two important anniversaries occurred during this month. On May 7, 1843, the first Japanese immigrants arrived in America. May 10 is the anniversary of the transcontinental railroad's completion in 1869. Many of the workers who laid the tracks for this railroad were Chinese immigrants. These two dates only begin to describe the innumerable contributions that Asian Americans and Pacific Islanders have made to this

country. The AAPI community of over 18 million draws from a variety of distinct cultures, each of which has enriched American society and challenged our Nation to aspire to be better. This community comprises 45 distinct ethnicities and more than 100 different languages. Through hard work and a steadfast commitment to American ideals, Asian Americans, Native Hawaiians, and Pacific Islanders have strengthened this country as leaders, laborers, activists, artists, and trailblazers.

I remember our beloved former colleague, Senator Daniel K. Inouye, who lost an arm defending America during World War II as part of the "Go for Broke" 442nd Regiment, which was composed almost entirely of American soldiers of Japanese ancestry and became the most decorated unit for its size and length of service in the history of American warfare. In Maryland, Asian Americans and Pacific Islanders have made significant contributions and serve our Nation with distinction. The Honorable Theodore D. Chuang of Bethesda, for example, is a U.S. District Judge of the U.S. District Court for the District of Maryland and is the first Asian American judge in history to sit on the Federal bench in Maryland or the Fourth Circuit, which includes Maryland and four other States.

As the former chairman and current ranking member of the Senate Foreign Relations Subcommittee on East Asia and the Pacific, I have been closely engaged on issues affecting the Asia-Pacific American community and their families abroad. I will continue to work on behalf of this community, especially on issues such as human rights, security, and peace. I have, therefore, cosponsored two resolutions related to Asian Pacific Heritage Month. One resolution—the one the Senate is currently considering—recognizes the accomplishments of Asian American and Pacific Islanders and May 2016 as Asian Pacific American Heritage Month. The other resolution notes the historical significance of Japanese internment and its end. I support this resolution, too, because as we honor Asian Americans, we must remember and acknowledge that dark stain on our history as we redouble our efforts to ensure that the United States of America remains a beacon of tolerance and inclusion. Discrimination based on the actual or perceived race, ethnicity, national origin, religion, gender, or sexual orientation of people is anathema to the values we cherish as Americans.

Once again, I would like to thank Asian Americans, Native Hawaiians, and Pacific Islander Americans in Maryland and all around the country for their tremendous contributions to and sacrifices for our Nation.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed

to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 481) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 3011

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3011) to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR FRIDAY, MAY 27, 2016, THROUGH MONDAY, JUNE 6, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, May 27, at 12:30 p.m.; Tuesday, May 31, at 8:30 a.m.; Friday, June 3, at 1 p.m.; I further ask that when the Senate adjourns on Friday, June 3, it next convene at 2 p.m. on Monday, June 6; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to

date, and the time for the two leaders be reserved for their use later in the day; I ask that following leader remarks, the Senate be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 12:30 P.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Friday, May 27, 2016, at 12:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS

MARGUERITE SALAZAR, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF REGISTERED AGENTS AND BROKERS FOR A TERM OF TWO YEARS. (NEW POSITION)

DEPARTMENT OF DEFENSE

THOMAS ATKIN, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ERIC ROSENBAUGH, RESIGNED.

DANIEL P. FEEHAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE FREDERICK VOLLRATH, RESIGNED.

FEDERAL MARITIME COMMISSION

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2020. (REAPPOINTMENT)

DEPARTMENT OF STATE

PETER MICHAEL MCKINLEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. TIMOTHY P. WILLIAMS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JOSEPH J. STREFF

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ROBERT A. CRISOSTOMO
COL. ANTHONY P. DIGIACOMO II
COL. DANIEL J. HILL
COL. KENNETH A. NAVA

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

L.T. GEN. DAVID H. BERGER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOSEPH H. IMWALLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DOUGLAS MAURER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DANIEL L. CHRISTENSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HOWARD D. WATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DANIEL MORALES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

STEFAN M. GROETSCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JEFFREY M. BIERLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MICHAEL G. ZAKAROFF

CONFIRMATIONS

Executive nominations confirmed by the Senate May 26, 2016:

UNITED NATIONS

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE VIENNA OFFICE OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

INTERNATIONAL ATOMIC ENERGY AGENCY

LAURA S. H. HOLGATE, OF VIRGINIA, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE INTERNATIONAL ATOMIC ENERGY AGENCY, WITH THE RANK OF AMBASSADOR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. SCOTT F. BENEDICT
COL. JASON Q. BOHM
COL. BRIAN W. CAVANAUGH
COL. DANIEL B. CONLEY
COL. FRANCIS L. DONOVAN
COL. RYAN P. HERITAGE
COL. CHRISTOPHER A. MCPHILLIPS
COL. WILLIAM H. SEELY III
COL. ROBERT B. SOFGE, JR.
COL. MATTHEW G. TROLLINGER

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. LINDA L. SINGH

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JON C. KREITZ

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF THE AIR FORCE RESERVE AND APPOINT-

MENT TO THE GRADE OF LIEUTENANT GENERAL IN THE RESERVE OF THE AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8038:

To be lieutenant general

MAJ. GEN. MARYANNE MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH S. WILSBACH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CHARLES Q. BROWN, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DARRYL A. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL D. LUNDY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY S. BUCHANAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE DEAN OF THE ACADEMIC BOARD, UNITED STATES MILITARY ACADEMY, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 4335:

To be brigadier general

COL. CINDY R. JEBB

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. SIDNEY N. MARTIN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

To be admiral

VICE ADM. WILLIAM F. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL PERSONNEL AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5141:

To be vice admiral

REAR ADM. (LH) ROBERT P. BURKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. THOMAS J. MOORE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JAN E. TIGHE

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. DAVID G. BASSETT

BRIG. GEN. WILLARD M. BURLESON III
BRIG. GEN. CHRISTOPHER G. CAVOLI
BRIG. GEN. DAVID C. COBURN
BRIG. GEN. STEPHEN E. FARMEN
BRIG. GEN. BRYAN P. FENTON
BRIG. GEN. MALCOLM B. FROST
BRIG. GEN. PATRICIA A. FROST
BRIG. GEN. DOUGLAS M. GABRAM
BRIG. GEN. PETER A. GALLAGHER
BRIG. GEN. JOHN A. GEORGE
BRIG. GEN. RANDY A. GEORGE
BRIG. GEN. MICHAEL L. HOWARD
BRIG. GEN. SEAN M. JENKINS
BRIG. GEN. JOHN P. JOHNSON
BRIG. GEN. RICHARD G. KAISER
BRIG. GEN. JOHN S. KEM
BRIG. GEN. ROBERT L. MARION
BRIG. GEN. TIMOTHY P. MCGUIRE
BRIG. GEN. DENNIS S. MCKEAN
BRIG. GEN. TERRENCE J. MCKENRICK
BRIG. GEN. CHRISTOPHER P. MCPADDEN
BRIG. GEN. DANIEL G. MITCHELL
BRIG. GEN. FRANK M. MUTH
BRIG. GEN. ERIK C. PETERSON
BRIG. GEN. LEOPOLDO A. QUINTAS, JR.
BRIG. GEN. KURT J. RYAN
BRIG. GEN. MARK C. SCHWARTZ
BRIG. GEN. WILSON A. SHOFFNER, JR.
BRIG. GEN. KURT L. SONNTAG
BRIG. GEN. SCOTT A. SPELLMANN
BRIG. GEN. RANDY S. TAYLOR
BRIG. GEN. ERIC J. WESLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. MICHELLE J. HOWARD

IN THE AIR FORCE

AIR FORCE NOMINATION OF CHRISTOPHER R. MCNULTY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH ZACHARY P. AUGUSTINE AND ENDING WITH BRIAN A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH WILLIAM J. FECKE AND ENDING WITH JANET K. URBANSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL CHRISTOPHER AHL AND ENDING WITH LISA MARIE WOTKOWICZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY JAMES ANDERSON AND ENDING WITH JUSTIN L. WOLTHUIZEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

AIR FORCE NOMINATIONS BEGINNING WITH VICTORIA D. ABLES AND ENDING WITH MATTHEW G. ZINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 18, 2016.

IN THE ARMY

ARMY NOMINATION OF FANY L. RIVERA, TO BE MAJOR.
ARMY NOMINATION OF TODD E. SCHROEDER, TO BE COLONEL.

ARMY NOMINATION OF MONICA J. MILTON, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHELLE M. AGPALZA AND ENDING WITH D012971, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATIONS BEGINNING WITH JACOB I. ABRAMI AND ENDING WITH G010400, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATIONS BEGINNING WITH RICHARD R. AARON AND ENDING WITH D012923, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

ARMY NOMINATION OF CARL J. WOJTASZEK, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF G010339, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MICHAEL A. IZZO, TO BE COLONEL.

ARMY NOMINATION OF JOSHUA R. POUNDERS, TO BE MAJOR.

ARMY NOMINATION OF ERNEST C. LEE, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH TERRANCE W. ADAMS AND ENDING WITH CYNTHIA M. ZAPOTOCZNY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATIONS BEGINNING WITH JENNIFER L. ADAMSBUCKHOUSE AND ENDING WITH MELVIN W. ZIMMER, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATIONS BEGINNING WITH JEFFREY A. ABELE AND ENDING WITH JAMES M. ZIEBA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 11, 2016.

ARMY NOMINATION OF KATHRYN A. KATZ, TO BE MAJOR.

ARMY NOMINATION OF BRYAN P. HENDREN, TO BE MAJOR.

ARMY NOMINATION OF WESTON C. GORING, TO BE MAJOR.

ARMY NOMINATION OF SRILALITHA DONEPUDI, TO BE MAJOR.

ARMY NOMINATION OF DANIEL P. FISHER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DARIN J. BLATT, TO BE COLONEL.

ARMY NOMINATION OF ZOLTAN L. KROMPECHER, TO BE COLONEL.

ARMY NOMINATION OF JOHN D. WINGEART, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JANELLE V. KUTTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF KEVIN T. REEVES, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ANKITA B. PATEL, TO BE MAJOR.

ARMY NOMINATION OF MARSHALL H. SMITH, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DAVID M. SOUSA, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH JEFFREY J. ABRAMAITYS AND ENDING WITH ERICH H. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

MARINE CORPS NOMINATIONS BEGINNING WITH RICHARD T. ANDERSON AND ENDING WITH SETH E. YOST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 28, 2016.

MARINE CORPS NOMINATIONS BEGINNING WITH VICTOR M. ABELSON AND ENDING WITH MATTHEW P. ZUMMO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 1, 2016.

IN THE NAVY

NAVY NOMINATION OF JASON A. GRANT, TO BE COMMANDER.

NAVY NOMINATION OF DARREN J. DONLEY, TO BE CAPTAIN.

NAVY NOMINATION OF MARC D. BORAN, TO BE CAPTAIN.

NAVY NOMINATION OF SCOTT P. SMITH, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JOSEPH F. ABRUTZ III AND ENDING WITH MICHAEL P. WOLCHKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 28, 2016.

NAVY NOMINATION OF DAVID H. MCALISTER, TO BE CAPTAIN.

NAVY NOMINATION OF DEVIN D. BURNS, TO BE LIEUTENANT COMMANDER.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARIANO J. BEILLARD AND ENDING WITH WILLIAM G. VERZANI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 14, 2016.

EXTENSIONS OF REMARKS

ISAAC MONTANO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Isaac Montano for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Isaac Montano is a 9th grader at Pomona High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Isaac Montano is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Isaac Montano for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

REMEMBERING THE PALESTINE
FLOOD VICTIMS

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. HENSARLING. Mr. Speaker, today I rise in somber tone. I wanted to take a moment to remember six lives that were recently lost in Texas' 5th Congressional District.

On April 29th, East Texas experienced a storm system that swept through during the latter part of the day into the evening and night. During the early Saturday morning hours, the city of Palestine in Anderson County, Texas had reports of 7.5 inches of rain that fell in less than an hour. Several homes were destroyed in the neighborhoods, businesses flooded and ultimately lives were changed forever.

I would like to take a moment to remember Lenda Asberry and her great-grandchildren: Jamonicka Johnson, 6, Von Anthony Johnson Jr., 7, Devonte Asberry, 8, and Venetia Asberry, 9. Also, Giovanni Olivas, 30, who leaves behind a wife and two children. Spouses, children, parents, aunts, uncles, friends, neighbors, teachers, all left to grieve for these loved ones.

Let us all remember in our thoughts and prayers these families, businesses and the city of Palestine's people as they rebuild their property and lives.

FY17 NATIONAL DEFENSE
AUTHORIZATION ACT

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. ISRAEL. Mr. Speaker, I rise today to express my disappointment with the way the Majority has undermined the welfare of our troops by inserting poisonous language into the National Defense Authorization Act (NDAA) for Fiscal Year 2017.

Last week I unfortunately had to vote against the FY 17 NDAA. I want to state that it pained me to take that vote. Throughout my career I have supported our service members in every respect. I have worked tirelessly on veterans issues. I have worked closely with Department of Defense leadership to ensure our troops on the front lines have had every resource they needed to be successful and that our troops and their families at home were well taken care of.

Last week, the Majority injected their reckless ideology into the bill: a provision that would explicitly allow defense contractors to discriminate against LGBT employees. The language seeks to nullify an executive order prohibiting federal contractors from laying off or otherwise punishing employees because of their sexual orientation. Instead of passing a bill supporting our troops, they hid behind our troops in opposing LGBT Americans.

In doing this, the Majority placed the welfare of our troops in jeopardy, potentially robbing them of much needed resources, and undermined protections for LGBT employees of federal contractors created by a Presidential Executive Order.

As I stated earlier, this was a difficult vote to cast. However, I also know that this was the correct vote to cast. This body should not be risking national security nor sanctioning discrimination.

I urge the Republican Majority to delete this language in a House-Senate conference. They should not play politics with our national security.

RECOGNIZING THE 98TH ANNIVERSARY
OF THE REPUBLIC DAY OF
AZERBAIJAN

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. COHEN. Mr. Speaker, I rise today to recognize the 98th anniversary of the Republic Day of Azerbaijan, and to extend my best wishes to all Azerbaijanis as they celebrate Republic Day. May 28th marks the founding of the Democratic Republic of Azerbaijan, when

the people of Azerbaijan first gained their independence from the Russian Empire in 1918. Although Azerbaijan's independence was ended by Soviet forces in 1920, it is noteworthy that the Democratic Republic of Azerbaijan was the world's first secular parliamentary democratic republic in a predominantly Muslim nation—earning diplomatic recognition from the United States during the administration of President Woodrow Wilson. We also recall, with admiration, that the Democratic Republic of Azerbaijan granted universal suffrage to its citizens in 1918, making it the first Muslim country to give women the right to vote.

Following the collapse of the Soviet Union, Azerbaijan restored its independence on October 18, 1991, when its Parliament adopted the Constitution Act on the Restoration of the State of Independence of the Republic of Azerbaijan.

The last twenty-five years of independence have not been without challenges for the people of Azerbaijan. At the fall of the Soviet Union, Azerbaijan found itself in an armed conflict over occupied territory by Armenia. In 1993, the United Nations Security Council adopted four resolutions demanding complete, unconditional and immediate withdrawal of Armenian forces from the occupied territories of Azerbaijan. Despite the U.N. resolutions, today, more than 20 percent of Azerbaijan's territory, including Nagorno-Karabakh and seven surrounding districts, remain under Armenian occupation.

Additionally, a 1994 ceasefire agreement has been breached over the years with the most recent provocation occurring in 2016 while the Azerbaijani President was en route to Azerbaijan following a successful nuclear summit in the U.S. I am pleased that Azerbaijan immediately called for peace in the aftermath of the skirmish and remains committed to a peaceful resolution of the conflict with Armenia.

Azerbaijan is a key global security partner for the United States. As an active member of NATO's Partnership for Peace program, Azerbaijan cooperates with the United States in countering terrorism, nuclear proliferation, and narcotics trafficking. Azerbaijani troops serve shoulder to shoulder with U.S. soldiers in Afghanistan, as they previously did in Kosovo and Iraq. In support of the International Security Assistance Force in Afghanistan, Azerbaijan has extended important over-flight clearances for U.S. and NATO flights as well as regularly providing landing and refueling operations at its airports for U.S. and NATO forces. Azerbaijan also plays an important role in the Northern Distribution Network, a supply route to Afghanistan, by making available its ground and Caspian naval transportation facilities.

Azerbaijan has emerged as a key player for enhancing global energy security. The Baku-Tbilisi-Ceyhan oil pipeline and the Baku-Tbilisi-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Erzurum gas pipeline are the main arteries delivering Caspian Sea energy resources to global markets, and completion of the Southern Gas Corridor—which will run from the Caspian Sea through Azerbaijan, Georgia, Turkey, Greece, and Albania into Italy—will increase the energy security of key American allies by increasing the amount of natural gas from the Caspian Sea to European markets.

Notably, Azerbaijan also provides roughly 40 percent of Israel's oil consumption. What may be more surprising to some is that Azerbaijan—a predominantly Muslim country—enjoys friendly ties with Israel beyond oil sales. Jews have resided in Azerbaijan for 2,500 years without persecution and today, the Jewish community in Azerbaijan numbers over 12,000. Azerbaijan is also home to Christian communities and has been praised for its religious tolerance by the European Parliament.

As co-chair of the Congressional Azerbaijan Caucus, I congratulate the people of Azerbaijan on the monumental occasion of Republic Day in their national history. May the partnership between the United States and Azerbaijan progress and continue to benefit both of our nations.

IN HONOR OF THE RETIREMENT
OF MR. NORMAN BEATTY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. GARRETT. Mr. Speaker, I rise today to honor Mr. Norman Beatty who is retiring after 32 years of service at First Hope Bank in Hope, NJ. During his tenure at First Hope Bank, Mr. Beatty served as Chairman of the Board, Chief Executive Officer, and President. He graduated Blair Academy in 1958, the United States Military Academy in 1963 (BS), and the University of Alabama Graduate School of Business in 1971, where he received an MBA and an MS in Human Resources. Additionally, he served 20 years in the Army from 1963–1983. Retiring as a Lieutenant Colonel in 1983, he joined First Hope Bank and worked with his father, Lewis C. Beatty.

Mr. Beatty played an essential role in the New Jersey Bankers Association, where he served as Chairman of the Agricultural Committee, Treasurer, Secretary, Vice Chairman, Chair, and on the Executive Committee.

During Mr. Beatty's tenure, New Jersey's two banking organizations, the Savings League and Bankers Association, merged in 2009. Mr. Beatty was then named the Co-Chairman of the NJ Bankers Association. Within the American Bankers Association he represented New Jersey on the Community Bankers Council and the Membership Council. From 2010 to 2014 he served as a member of the American Bankers Association's Board of Directors and Chairman of its Audit Committee.

Mr. Beatty is a charter member of the Hope Area Chamber of Commerce Board of Directors where he held the positions of President, Vice President, and Secretary/Treasurer. The Township of Hope recognized Mr. Beatty as

its Outstanding Citizen in 1998 and recognized him with the Founding Father award in 2009. The Warren County Chamber of Commerce selected Mr. Beatty as its Business Person of the Year in 2002. In 2011 Warren County Community College inducted Mr. Beatty into its Hall of Fame.

I am proud to have Mr. Beatty as a member of our community and want to recognize his decades of service to Northern New Jersey, to the banking industry, and to our nation.

BEAU MARTINEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Beau Martinez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Beau Martinez is a 12th grader at Wheat Ridge High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Beau Martinez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Beau Martinez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

PAYING TRIBUTE TO LIEUTENANT
COLONEL SHARLENE M. PIGG, AS
SHE PREPARES TO RETIRE
AFTER 20 YEARS OF SERVICE TO
THE UNITED STATES ARMY AND
TO OUR NATION

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. CRENSHAW. Mr. Speaker, I rise today to pay tribute to the military service of Lieutenant Colonel Sharlene M. Pigg, USA, as she officially retires on September 1, 2016, after an exemplary 20-year career. Lieutenant Colonel Pigg is finishing her career as the commander of the Army's Jacksonville Recruiting Battalion which covers 45,079 square miles, 609 zip codes, 87 counties, and is in the jurisdiction of 377 public schools. In this role, she has matched our tremendously talented North-eastern Florida youths with rewarding careers in the United States Army.

First enlisting in the Florida Army National Guard in 1991, she served in communications and public affairs while earning her Bachelor of Arts Degree in Political Science at Stetson University and also participating in the ROTC program at Embry Riddle Aeronautical University. Upon graduation, as a Distinguished

Honor Graduate, she was commissioned as a Second Lieutenant in aviation in the United States Army. She later completed the Army Command and General Staff College.

Over the years, her career has led her to many and varied assignments both in the United States and overseas. They include: 160th Signal Brigade Adjutant at Camp Arifjan, Kuwait; Aide de Camp to the Army Forces Command Deputy Commanding General; and Team Chief, Army Forces Command G-1 Strength Management Branch at Fort McPherson, Georgia; Aide de Camp to the Commanding General of the Combined Security Transition Command, Afghanistan; Recruiting Operations Officer for Georgia Tech Army ROTC, Atlanta, Georgia; Commander, Headquarters and Headquarters Company, 1/210th Aviation Regiment, Fort Rucker, Alabama; Battalion S-1, 1/52nd Aviation Battalion, K-16, Korea; Assistant Brigade S-2, 159th Aviation Brigade, Fort Campbell, Kentucky; Platoon Leader, A/5-101st, Fort Campbell, Kentucky; and Executive Officer, Headquarters and Headquarters Troop, 3/6 Cavalry Squadron, Camp Humphreys, Korea.

Prior to coming to Jacksonville, Florida, Lieutenant Colonel Pigg served at the Pentagon in two assignments: first as the Officer Policy Integrator for the Director of Military Personnel Management, Army G-1 and most recently, as the Women in the Army Branch Chief. In this position her team drafted the details of the Army's plans to integrate women into combat units.

She will join her husband Chad Pigg and their young son, Beckam, in Atlanta, Georgia, upon relinquishing her duties as Battalion Commander on June 3. I send Lieutenant Colonel Pigg my thanks for a job well done and a career of service in the United States Army.

Mr. Speaker, I ask you and Members of the House to join me in congratulating Lieutenant Colonel Sharlene Pigg on her hard work and dedication to the country during her career in the Army. We wish her, her husband Chad, and son Beckam all of the best.

RECOGNIZING DR. GRAZYNA J.
KOZACZKA

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. KATKO. Mr. Speaker, I rise today to recognize Dr. Grazyna Kozaczka. Dr. Kozaczka is a native of Krakow, Poland, where she received her doctoral degree in American Literature from the Jagiellonian University. Dr. Kozaczka is a distinguished scholar and renowned Professor of English at Cazenovia College in Cazenovia, New York. Dr. Kozaczka is also the Director of the Honors Programs at Cazenovia College.

Dr. Kozaczka will be honored at the 2016 Syracuse, New York Polish Festival, receiving the "2016 Pole of the Year" Award. She will be recognized for her dedication to studying Polish American history and for all of her scholarly achievements.

Dr. Kozaczka has published scholarly essays, short fiction, as well as popular articles

in both Polish and English. She is the President of the Polish American Historical Association, a member of the Polish Institute of Arts and Sciences of America, and a member of The Jozef Pilsudski Institute of America and the Modern Language Association.

I am honored to recognize Dr. Grazyna J. Kozaczka for her incredible scholarly accomplishments and for being named the "2016 Pole of the Year" by the Syracuse Polish Scholarship Fund, Inc.

RECOGNIZING THE ACHIEVEMENT
AND SERVICE OF MR. JAMES W.
KEATING

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. RYAN of Ohio. Mr. Speaker, I am proud to rise today to recognize the extraordinary service of Mr. James Keating. Jim, a lifelong resident of Warren, Ohio, recently announced his retirement from a remarkable career spanning 23 years as the Human Resources Director for Trumbull County.

Jim had previously been the Human Resources Director for Heltzel Steel and served 12 years as an elected councilman in Warren. During his tenure at Trumbull County, Jim managed labor relations with five bargaining units within the Sheriff's Office and four with the American Federation of State, County and Municipal Employees units, including contract negotiations and resolving grievances. In 2006, Jim established a county-wide committee to develop a personnel policy manual that could be adopted by all Trumbull County elected officials.

In leading this committee, Jim exhibited not only his extensive knowledge of human resources policy, but also his ability to lead and establish consensus among county officials. The result was a personnel policy manual that was adopted and is now followed by all elected officials and departments in Trumbull County government. This brings the entire county into legal compliance, fostering fairness and uniformity in human resources practices, and significantly reduces the county's liability exposure.

As a result of his success with the county-wide policy manual in Trumbull County, Jim was tapped by the County Commissioners Association of Ohio's County Risk Sharing Authority (COSA) in 2012 to be a member of the COSA Personnel Policy Best Practices Panel. As a member of this Panel, which received the Ohio Public Employer Labor Relations Association and National Public Employer Labor Relations Association 2013 Pacesetter Awards, Jim helped take his success with a county-wide manual in Trumbull County to counties throughout the State. Ultimately, Jim's leaves a professional and productive labor-management environment he has successfully fostered at Trumbull County.

In addition to his knowledge of labor law, Jim is known for his common-sense, respectful approach to labor negotiations. His professional and logical demeanor brings out the best in both sides, and reduces the tendency

for proceedings to become adversarial—rightfully earning Jim a reputation for fairness in negotiations. For his leadership in Trumbull County and for the example he has set for government hiring practices across State of Ohio, Jim was awarded the 2014 Ohio Public Employer Labor Relations Association's "Award of Excellence".

Jim has served his city and his county, and he has earned the respect of his peers. We have been lucky to have him in our community, and Jim will now have an opportunity to spend more time with his wonderful wife, Bernadette, his three children, Brendan, Ryan and Mary Kathryn, and three grandchildren, Justin, Alexis, and Donovan. Mr. Speaker, I wish Jim a great retirement.

CONVENING OF THE 'RELIGIONS
AGAINST TERRORISM' CON-
FERENCE TO BE HELD IN
ASTANA, KAZAKHSTAN

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to highlight the upcoming conference in Astana, Kazakhstan entitled 'Religions Against Terrorism.' I was honored to be invited to this conference by Chairman Tokayev, Chairman of the Senate of the Parliament of the Republic of Kazakhstan, and regret that I will not be able to attend this important event.

The conference will bring together political and religious leaders from around the world who are dedicated to ensuring that religious freedom is the rule rather than the exception. These leaders will also spend their valuable time discussing ways in which we can help defeat those who wish to pervert and twist religions into vehicles of hate and destruction.

Between 2003 and 2012, Kazakhstan was host to four important gatherings that drew senior members from many different religions including Islam, Christianity, Buddhism, Judaism, Hinduism, and Taoism. By holding the upcoming conference, Kazakhstan once again leads its region and the world in working toward a time when all religions are respected and those wishing to do harm under the color of religion are undermined and stopped from doing so at every turn.

Mr. Speaker, under the leadership of President Nazarbayev, Kazakhstan has, since the earliest days of its independence, been a valued leader in promoting religious tolerance. This legacy continues with the upcoming 'Religions Against Terrorism' conference and will, I am sure, continue far into the future. I wish my friends a successful conference and applaud their laudable efforts.

HONORING MARY BABULA

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. POCAN. Mr. Speaker, I rise today to honor Mary Babula from Madison, Wisconsin

who passed away at the end of last year. Mary dedicated her life to advocating for the rights of children and teachers in her community. While her presence in our district is sorely missed, her legacy lives on in our community.

Mary Babula began her career in early childhood care as a volunteer at Christian Day Care Center in Madison while earning her Bachelor of Arts in Social Work at University of Wisconsin-Madison. After graduating, she became a teacher at the Christian Day Care Center and was later named its third Executive Director. Mary also served as Director of the Wisconsin Early Childhood Association (WECA), where she tirelessly devoted her time advancing positive policy changes for children by focusing on the needs of the professionals who provided child care for Wisconsin's families.

Under Mary's leadership, WECA established the Wisconsin Child Care Improvement Project, which launched Child Care Resource and Referral agencies statewide. Throughout her time as director, Mary helped develop and refine multiple programs, including TEACH, REWARD, YoungStar Conference and Training, and the Food Program, which continue to provide support services to child care centers around the state. In her spare time, Mary was also a relentless advocate for the rights of children and early child care professionals at the local, state, and federal level.

Mary's lifetime commitment to our community and her work as an activist has been invaluable to Wisconsin. Her legacy will live on through the services Wisconsin provides to its children and families.

Mr. Speaker, it is with great honor that I recognize Ms. Mary Babula today.

TESTIMONY OF CONGRESSMAN
TED POE (TX-02) TO THE TEXAS
LEGISLATURE: COMMITTEE ON
JUDICIARY AND CIVIL JURIS-
PRUDENCE IN REGARDS TO
CHARGE NO. 1

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. POE of Texas. Mr. Speaker, as a former Harris County Judge and prosecutor and the cofounder and chairman of the Congressional Victims' Rights Caucus, protecting the most vulnerable in our society is a top priority for me.

I first learned about human trafficking when I was overseas in the Ukraine and soon discovered that modern day slavery occurs in the United States as well, including all around Texas, which is unfortunately a hub given its proximity to the border and many large highways, ports, and airports.

The United States views itself as a leader in the fight against human trafficking, even going as far as to grade other countries on their efforts to combat trafficking in persons. Yet, before the Justice for Victims of Trafficking Act (JVTA) became law, I heard about common issues from anti-trafficking organizations on the national, state, and local levels as well as law enforcement and local leaders:

The federal government barely funds efforts to combat trafficking in the United States.

Trafficking victims are often arrested and treated as criminals, but buyers are often not.

Many Americans including those that interact with trafficking victims—law enforcement, educators, medical professionals, and others—do not know about human trafficking or understand how to identify victims.

A bipartisan, bicameral group of Members of Congress, led in the House by myself, a Texas Republican, and Congresswoman CAROLYN MALONEY, a New York Democrat, and in the Senate by a Texas Republican, Senator JOHN CORNYN, an Oregon Democrat, Senator RON WYDEN, who came together, recognizing these issues, and wrote a bill to address them, relying a lot on what we learned from Texas, a trailblazer in addressing human trafficking.

A core provision of JVTa is the Domestic Trafficking Victims' Fund. It is clear that more resources need to be put towards human trafficking, but the question is where to get the money. The answer is to supplement current funding, which should be a priority through general appropriations, with financing from the criminals. Let those who harm vulnerable people pay for the damage they have caused. A \$5,000 special assessment is collected from those convicted of human trafficking and other related charges, which goes into the Domestic Trafficking Victims' Fund to finance grant programs that address trafficking including law enforcement operations, training, and victims' services.

A fundamental goal of JVTa is for victims of human trafficking to be treated as victims and not criminals. This is addressed in a number of provisions in the law, including a newly created community-based block grant. The grant promotes the use of a collaborative model (government and non-profits working together) by cities and states to address child trafficking through the enhancement of anti-trafficking law enforcement units, the creation or continuation of problem solving courts like the GIRLS court in Houston, and shelters and services for victims. The bill also changes statutory language that references child prostitution to child trafficking and encourages a safe harbor model in the states.

We also focus on the demand—buyers, those that exploit women and children. While many call these people "johns," I call them child molesters. John is a name from the Bible, a good guy, not someone who pays money to abuse a fellow person. JVTa clarifies that those who buy sex from trafficking victims are human traffickers, can and should be punished under federal law, and are subject to the same penalties as sellers. Gone are the days of boys being boys. We can no longer turn a blind eye to this crime.

These core provisions of the legislation guide JVTa as a whole as a victim-centered, tough on crime, fiscally responsible measure that makes certain that the United States is truly a leader in ending modern day slavery.

I commend the Texas Legislature for making our state a leader in fighting against the scourge of human trafficking. I appreciate the weight given to this important bill and look forward to continuing to work together to protect our children, the vulnerable in our society, and making sure the bad guys pay.

A society will be judged by how it treats the most vulnerable.

And that's just the way it is.

CALIE LINDEMANN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Calie Lindemann for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Calie Lindemann is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Calie Lindemann is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Calie Lindemann for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

ACKNOWLEDGING THE REMARKABLE ACHIEVEMENTS AND INCREDIBLE PERSEVERANCE OF THE DEWEYVILLE HIGH SCHOOL CLASS OF 2016

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. BABIN. Mr. Speaker, I rise today on the floor of the United States House of Representatives to acknowledge a group of inspiring young men and women—the 56 members of Deweyville High School's graduating class of 2016. From March 11 to March 28, 2016, Deweyville, Texas, was subjected to unprecedented rains and destructive flooding in which more than half of the student community lost everything.

In the face of this cataclysm, Deweyville's Senior Class of 2016 took selfless action to alleviate the suffering within their community, and strengthen the recovery effort. These seniors helped collect, distribute, and serve food to others across their community. They worked hard to relocate Deweyville elementary school equipment away from the flooding and served as guides for disaster relief personnel. And, after their community suffered the loss of their elementary school, Deweyville High School students set aside their own convenience and opened up their high school facilities to the elementary school students.

Mr. Speaker, the 2016 Deweyville High School graduating seniors are to be acknowledged and celebrated as paragons of servant leadership. Students across the United States can learn from their example.

I want to take this time to personally commend each and every one of the 2016 graduates of Deweyville High School, both for their academic achievement and for the hundreds of hours they labored to protect and restore their community and the 36th District of Texas. You have my sincere gratitude and my thanks;

Torianna Elizabeth Allard, Alahna Nichole Apodaca, Caleb Jordan Bass, Charlotte Christine Bates, Danna Marie Beecher, Jeridan David Brooks, Samantha Carol Burch, Dakota Cliff Buxton, Benjamin Brock Carpenter, Trent Michael Carpenter, Sarah Kathryn Carter, Kylie Zale Chance, Jillian Marie Davis, Spencer Allen Davis, Mallory Ruth Dotson, Shaylin Nicole Dupuy, Trent David Forse, Abigail Grace Gentz, Timothy Michael Gibbon, Triston Riley Gordon, Tiffanie Skylar Green, Mallory René Hand, Nolan Todd Haney, Kayla Nicole Hanks, Hope Isabella Hardin, Jared Shayne Hendrix, Jimmy Dale Hendrix, Mitchell Kyler Henson, Thomas Ryan Henson, Josey Myranda Hutto, Kobe Allen Jernigan, Brett Ryan Ladner, Ryan Russell Lee, Dalton Patrick Marsh, Megan Ashley Mathis, Taylar Michelle May, Taylor Elise McKay, Callie Jordan Nelms, Skylar Lee Nichols, Trey Allen Nicholson, Steven Brac Parkhurst, Dakota Taylor Pelt, Blaze Dean Rainwater, Jason Don Reider, Lindsey Renee Schaffer, Cherry Faye Seaman, Naomi Brianne Sims, Melynda Leanne Sizemore, Victoria Brooke Spell, Kaleb Gene Stephenson, Dylan Scott Talbert, Layne Ray Verdine, Aaron Walter Webb, Michael Montgomery Williams, Ryan Duane Williams, Zachary Taylor Wood.

Congratulations to each of you and thank you for your commitment to serving others. I wish each of you the best in your future endeavors.

TRIBUTE HONORING THE LIFE OF MR. VERDELL TRICE, A MAN FOR ALL SEASONS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Mr. Verdell Trice was no ordinary man. He was born and raised in Mississippi almost a hundred years ago. He joined the military, returned home, got married, migrated to Chicago and lived a very active, involved and productive life. Mr. Trice had a business mind and developed, managed and operated several productive businesses.

At one time Mr. Trice is reported to have owned 5 service stations on the Westside of Chicago. He and his family were active members and leaders in the St. Paul CME Church, which he and his wife Mrs. Mattie Jennings Trice served with distinction.

Mr. Verdell Trice was an education activist and leader. He worked with Marshall High School and was also President of the local school council and a real advocate for students.

Mr. Verdell Trice was a "Black thinker" and community advocate. He helped to organize and sustain the 5th City Development Corporation, organized and managed the 5th City

Automotive Center and was an active member of State Senator Rickey Hendon's political organization.

Mr. Verdell Trice and his wife owned and lived in their home on the southeast side of Chicago, but he was a true Westsider, and spent the majority of his time in the East and West Garfield Park areas of Chicago. He and his brother, who died from an accident not long ago, were like two peas in a pod. They both worked into their nineties and left their marks on the communities where they lived and worked.

HONORING THE SERVICE OF FRANK HART, JR.

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. BARR. Mr. Speaker, I rise to honor a great American, Frank Hart, Jr. Mr. Hart was born in 1926 in Sharpsburg, Kentucky. While a student at Sharpsburg High School in January of 1944, he enlisted as a reserve in the U.S. Army Air Corps. He graduated in May of 1944.

Mr. Hart entered the U.S. Army Air Corps for active duty on August 8, 1944. He was in training as an aviation cadet, but was physically unable to serve. He then volunteered for gunnery school and was shipped to Florida for training. As a new corporal, he was sent in June of 1945 for training on a B-29 bomber crew as a "Right Scanner" on an Overseas Training Unit. The training was to end on August 21 and all crews were set to be sent overseas. August 14 was V-J Day and the war with Japan ended. Mr. Hart was promoted to sergeant and later earned another stripe as staff sergeant. Mr. Hart was discharged at Ft. Leavenworth, Kansas on June 26, 1946.

Following his time in the U.S. Army Air Corps, Mr. Hart enrolled in the University of Kentucky along with many other veterans. The legendary coach Paul "Bear" Bryant began his first year at the University of Kentucky that same year.

Mr. Hart married Beulah Moore in 1947 and began his farming career. They have been married more than sixty eight years and have two adult children, three grandchildren, and a new great-grandchild.

Mr. Hart, now retired, farmed and raised tobacco crops for fifty years. He also worked in highway construction, ran a service station, and worked at the Lexington Bluegrass Army Depot.

As a part of the Greatest Generation, Mr. Hart is to be commended for his service to his country. Because of his willingness to sacrifice, and the willingness of his fellow men and women in uniform, our freedoms are secured. Mr. Hart truly is an outstanding American and an inspiration to us all. I am proud to recognize his service before the United States House of Representatives.

PERSONAL EXPLANATION

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mrs. MILLER of Michigan. Mr. Speaker, on Tuesday, May 24, 2016, I missed the following votes: H. Res. 742, H. Res. 743, H.R. 2576, H.R. 5077, and H.R. 897.

Had I been present, I would have voted "yes" on each of these roll call votes.

CHRISTIAN MUCILLI

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Christian Mucilli for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Christian Mucilli is a 12th grader at Wheat Ridge High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Christian Mucilli is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Christian Mucilli for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING THE EDISON 64

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor the Edison 64. These 64 former Thomas Edison High School students from Philadelphia, Pennsylvania, made the ultimate sacrifice, giving their lives fighting in the Vietnam War—becoming the highest number of casualties from the war experienced by any high school in the United States.

Honoring these former students has been an ongoing tradition. In 1989, through private funds and fundraising, staff and students dedicated a bronze memorial plaque for public display in the new Edison-Fareira High School. A memorial garden was also built on the school premises. Twenty-five years later, on November 8, 2014, a Pennsylvania Historical Marker was dedicated on the site of the original Thomas A. Edison High School located at 8th Street and Lehigh Avenue. This tradition of respect continues on to the present where annual candle lighting ceremonies are held to honor the young men whose lives were ended too early. The ceremonies are educational in

nature, the focus of which is sharing Edison's proud legacy with the current student body and new staff. Ceremonies are held prior to the Memorial Day Holiday. Over a hundred veterans, some survivor families and many Edison alumni attend this very special assembly.

The newest honorarium for the Edison 64 will take place on May 27, 2016. In commemoration of the sacrifice of these young men and in recognition of the loss to the community, Luzerne Street between Whitaker Avenue and North 5th Street (in front of the new Edison High School located at 151 West Luzerne Street) will be renamed "Edison 64 Memorial Street."

Mr. Speaker, the unselfish sacrifice, courage and dedication to the welfare of our country will never be forgotten and I ask that you and my distinguished colleagues join me in honoring the memory of the Edison 64.

PERSONAL EXPLANATION

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. SHIMKUS. Mr. Speaker, on roll call No. 258 I mistakenly voted yea when I intended to vote nay.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. WELCH. Mr. Speaker, I would like to indicate that I inadvertently voted "No" on Roll Call 237. I intended to vote "Yes".

HONORING COLONEL BERT RICE

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Colonel Bert Rice—a United States veteran and dedicated civilian employee—on the occasion of his retirement after more than 60 years of service to his country.

A Montana native, Colonel Rice joined the U.S. Army Reserves as a private in 1956. He earned his degree from Montana State University and, as an ROTC distinguished graduate, was commissioned a 2nd Lieutenant of infantry in 1959. He went on to achieve his Master's Degree in supervision and management at Central Michigan University in 1977.

Colonel Rice's highly decorated active duty career spanned 30 years, including two tours of duty in Vietnam, where he flew armed helicopters and, in his second tour, commanded Company B, 25th Aviation Battalion, 25th Infantry Division. Colonel Rice also served in Iran during its revolution in 1979. His many

stateside assignments include three years with the Pentagon.

In 2003, Colonel Rice was hired by the Department of the Army at Fort Meade, Maryland, where he worked until his recent retirement. He served as project officer and program manager for several important efforts that included infrastructure improvements and the major BRAC undertaking that brought thousands of new jobs to the base and the region.

While too numerous to mention in their entirety, Colonel Rice's military decorations include the Silver Star, Legion of Merit, Distinguished Flying Cross with OLC, Bronze Star with OLC, Joint Service Medal and the Army Commendation Medal with OLC. He also has many civilian accolades.

Colonel Rice's many volunteer efforts reflect the servant-hearted manner in which he approached every aspect of his life. He served as Commander-in-Chief of the Military Order of World Wars, an organization for retired military. In 2007, Colonel Rice was named Greater Odenton Improvement Association's Citizen of the Year for his community service.

Colonel Rice is a dedicated husband to his wife of 56 years and a committed father to two Army combat veterans. He also has four grandchildren.

Mr. Speaker, I have had the privilege of personally knowing Colonel Rice since his days serving on the Anne Arundel County Council. I know him to be a hard-working, patriotic and ever-helpful community leader. I ask that you join with me today to honor Colonel Bert Rice, whose life of service to the United States is deserving of our deepest gratitude. It is with great pride that I congratulate him on his retirement and wish him many more years of continued success and happiness.

PERSONAL EXPLANATION

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. ELLISON. Mr. Speaker, during Roll Call Vote number 242 on the McNerney amendment to H.R. 5055, I mistakenly recorded my vote as no when I should have voted yes.

HUMAN RIGHTS DEFENDER AND POLITICAL PRISONER, TRAN HUYNH DUY THUC

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. LORETTA SANCHEZ of California. Mr. Speaker, for the past few days, I've followed President Obama's engagement with the citizens and government of Vietnam. It was a momentous occasion for the Vietnamese people to have their struggles acknowledged by the President of the United States.

I commend President Obama for emphasizing human rights and promoting freedom of speech, assembly, and expression; as well as

internet freedom, education and economic reforms. Yet, I am disappointed that President Obama did not call for the release of all political prisoners and did not publicly name the human rights activists who were detained and prevented from meeting with him.

I would like to call attention to a courageous human rights defender and political prisoner, Mr. Tran Huynh Duy Thuc. As a blogger and entrepreneur, Mr. Thuc peacefully called for political and economic reform in Vietnam. In 2009, Mr. Thuc was arrested, and in 2010, during a one-day trial, he was prosecuted for "conducting activities aimed at overthrowing the people's administration" under Article 79 of the Penal Code. The Vietnamese government sentenced him to 16 years imprisonment and 5 years house arrest upon release. To protest the ongoing injustices and mark the seventh year of his unjust imprisonment in the Nghe An prison, Mr. Thuc has begun an indefinite hunger strike.

I urge you to stand in solidarity with me to shine a light on Mr. Thuc's plight as he courageously fights for the basic freedoms and rights that Americans treasure.

CYNTHIA DOMINGUEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Cynthia Dominguez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Cynthia Dominguez is a 12th grader at Sobesky Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Cynthia Dominguez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Cynthia Dominguez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. CARNEY. Mr. Speaker, I wish to clarify my position on roll call vote 242 cast on May 25, 2016.

On Roll Call Vote Number 242, on agreeing to Mr. McNerney of California's Amendment, I voted "No." It was my intention to vote "Aye."

THE WORST CASUALTY OF WAR IS TO BE FORGOTTEN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. POE of Texas. Mr. Speaker, on Monday, we celebrate Memorial Day and across the nation Americans will gather to pay tribute to our soldiers, sailors, airmen and Marines who go overseas and do not return. They are from every state and territory. They are from farms, ranches and cities. They are of all races and both sexes. They are rich and poor, but generally they are young. They are patriots, defenders of freedom and volunteers to serve our great nation. We remember all of those who have paid the ultimate sacrifice so that we can live freely.

It all started in 1868 when widows and girlfriends of soldiers killed in the War Between the States started putting flowers on the graves of Confederate and Union soldiers in Arlington Cemetery. And thus began what was initially called "Dedication Day," and now Memorial Day.

If we recall our history we must remember that during the War Between the States, there were 350,000 Confederates that were killed and 455,000 Union soldiers that were killed, and regardless of the politics, they were all Americans—America's youth. And thus began what we now call Memorial Day, the last Monday in May.

Memorial Day is a special event for people in Texas because, around 125,000 Texans are serving our nation, today and every day. Texans have always been willing to volunteer to support our country, and that says a lot about our country.

In another war, the war to end all wars, 5,000 Texans gave their lives. Boys who grew up on farms in Texas suddenly became men as they found themselves in the muddy, rainy, and bloody trenches an ocean away.

Life in the trenches was hard. Men were constantly bombarded with artillery and machine gun fire. And they often faced the danger of going over the trenches and crossing no man's land, trying to repel the enemy forces attempting the same.

In the midst of battle and in the face of the enemy, some men displayed tremendous gallantry and were awarded medals for their actions. However, the greatest casualty of war is to be forgotten. More soldiers died during World War I than in Korea, Vietnam, both Iraq Wars and Afghanistan combined. It is only fitting that they are honored in our nation's capital.

After the long process of passing the creation of the WWI memorial and creating and funding the WWI commission through Congress, it was signed into law. Now, we have finally arrived at a design for the National WWI memorial at Pershing Park. The "Weight of Sacrifice" was chosen by the WWI commission. Soon, veterans of the war to end all wars will be properly honored in our nation's capital.

This Memorial Day, we remember those who served and who did not make it back home. On Monday, I will be honoring our fallen heroes at the Houston National Cemetery,

as Americans across the nation observe this day of remembrance. We remember their sacrifices and that of their families. To those who gave their all to serve our country, America is eternally grateful. We remember each and every one of them because the worst casualty of war is to be forgotten.

And that is just the way it is.

HONORING THE LIFE AND LEGACY OF MR. BOSIE EDWARDS

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Bosie Edwards was no ordinary man, he was multi-talented, seriously focused and good at practically everything that he did. I have known him for many years because he was always intimately connected and actively engaged in the community. He was an excellent social worker and was recognized as one of the top gang intervention and youth violence prevention specialists in the city. Of course that was only one aspect of his being. When it came to music he was top of the line, a maestro, a band leader, a choreographer, a smooth jazz, rhythm and blues music man, gentleman of leisure, and the top band in town. I have heard them many, many times and never got enough.

Finally Bosie has been a regular on cable television with his own very interesting show which has been watched religiously by thousands of individual on a regular basis.

Yes, Bosie Edwards made a great impact on the lives of those who knew and/or came into contact with him.

I extend condolences to his family, friends and all who knew and loved him.

DOMINIQUE SARTIRANA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Dominique Sartirana for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Dominique Sartirana is a 12th grader at Stanley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Dominique Sartirana is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Dominique Sartirana for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING CAROL SHIMIZU ON HER RETIREMENT

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Carol Shimizu on the occasion of her retirement after 48 years of dedicated public service as an educator.

Carol's educational career began in 1968 as a preschool and kindergarten teacher in Germany. She moved to San Jose where she went on to become a high school English and childhood development teacher and later an administrator. Shimizu was hired as principal of Dublin High School (DHS) in 2004.

Under her stewardship, both the physical and academic environment at DHS has been transformed, and the school is now widely regarded as one of the top high schools in California. The rate of students heading to four-year colleges has risen dramatically, with graduates going on to the nation's most prestigious colleges, universities, and postsecondary programs.

DHS saw its Academic Performance Index (API) climb every year during her tenure, jumping from 793 to an all-time high of 880 in the last year the API was measured by the state. The number of honors and AP courses offered increased from 12 to 24, while both enrollment and scores for students taking AP, SAT, ACT, and PSAT rose dramatically, earning DHS AP Honor Roll status from the College Board.

Carol successfully initiated Academies and Pathways in Engineering, BioMedical, Culinary Arts, Visual and Performing Arts, and Digital Media. DHS also implemented a comprehensive College and Career Readiness program for all students, including the addition of the "Gael Period", Freshmen Seminar, and the Freshmen Mentoring Program.

In addition, under Carol's leadership DHS's facilities have been extensively modernized, remodeled, and rebuilt to support 21st century learning. The \$120 million of renovation and expansion overseen by Carol has successfully accommodated a campus population that has nearly doubled during her time as principal.

Carol has fostered lasting, productive partnerships in the community and has laid the groundwork for an ever-expanding offering of programs and opportunities for all DHS students. I wish to congratulate her on a long and distinguished career, and wish her health and happiness in retirement.

COMMEMORATING THE 80TH ANNIVERSARY OF THE RMS "QUEEN MARY"

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. HAHN. Mr. Speaker, I rise to honor the 80th Anniversary of the maiden voyage of the RMS *Queen Mary*.

On May 27, 1936, over a quarter million spectators were on hand in Southampton,

England to experience the magnificent world debut of the *Queen Mary*. At the time, the *Queen Mary* was the most advanced ship ever built, but its long storied history is what we are truly celebrating this month.

The *Queen Mary* was the grandest ocean liner in the world carrying dignitaries like Prime Minister Winston Churchill, royalty like the Duke and Duchess of Windsor, and Hollywood celebrities like Bob Hope and Clark Gable.

When World War II began, this luxury ocean liner was transformed into a key vessel for our Allied forces. The ship carried over 16,000 American soldiers from New York to Great Britain. It continued operating throughout the war, and due to the *Queen Mary's* high speed it was difficult for German U boats to catch it.

On numerous occasions, the ship carried Prime Minister Winston Churchill across the Atlantic for meetings with our fellow Allied Forces. The ship was a key asset in assuring our ultimate victory.

After our victory in Europe, thousands of our brave soldiers traveled home onboard the *Queen Mary*, and were given a hero's welcome as the vessel returned to American ports.

Today, the RMS *Queen Mary* is proudly docked in Long Beach, California. It serves as a treasured attraction where guests can come aboard and learn more about the history of this extravagant vessel. The ship features a full service hotel and hosts school groups, conventions and tourists from all over the world. To date, the *Queen Mary* has welcomed over 60 million guests.

Mr. Speaker, it is my privilege to help celebrate the 80th Anniversary of the RMS *Queen Mary*. I am proud to represent the City of Long Beach in my district, which has the great honor of having this truly magical vessel permanently docked in its harbor.

INTRODUCTION OF THE SAVE OUR COMMUNITIES FROM RISKY TRAINS ACT OF 2016

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. NORTON. Mr. Speaker, in light of recent train derailments across the country and ongoing transportation security threats, I rise to introduce the Save Our Community from Risky Trains Act of 2016, which directs the U.S. Department of Transportation (DOT) to find ways to the greatest extent possible to re-route trains that are carrying certain hazardous materials from selected high-threat urban areas, including the District of Columbia. Just this month, sixteen cars of a CSX freight train derailed in a densely residential neighborhood of the nation's capital, disrupting Metrorail, passenger rail, and freight rail service and putting families at risk. Among the derailed freight train cars, cars carrying sodium hydroxide, calcium chloride and ethanol—which is flammable and led to a Metrorail shutdown—spilled. The neighborhood was lucky that there were no injuries, but the continuing threat to the safety and security of urban communities is clear.

In 2007, the House passed the Rail and Public Transportation Security Act of 2007, which included my amendment to protect the District and similar communities nationwide from dangerous hazardous material shipments by mandating that federal regulations and penalties be developed to increase security and safety for the shipment of these materials through high-threat urban areas. My amendment was not included in the final bill signed into law. While freight companies have begun working with DOT to voluntarily reroute the shipment of certain materials that are toxic by inhalation, poisonous by inhalation, or explosive from these communities, there is no federal law requiring them to reroute the materials.

This bill would require the DOT Secretary to issue regulations to require enhanced security measures for shipments of security-sensitive materials. The bill also requires railroad carriers to use the most secure route and storage pattern to avoid moving certain hazardous materials by rail through selected high-threat urban areas. These security sensitive materials include a highway route-controlled quantity of a Class 7 (radioactive) material; more than 25 kilograms of a division 1.1, 1.2, or 1.3 explosive; more than one liter per package of a material poisonous by inhalation; shipment in other than a bulk packaging of 2,268 kilograms gross weight or more of one class of hazardous materials for which placarding of a vehicle, rail car, or freight container is required; and select agents or toxins regulated by the Centers for Disease Control and Prevention.

High-profile derailments in North Dakota, Virginia, West Virginia, and Canada demonstrate the need for this legislation. Ethanol, which is flammable, still travels through big cities, and even within a few blocks of the U.S. Capitol. This bill will protect our communities from the risk created by trains carrying hazardous materials.

I urge support for this bill.

IN HONOR OF NATIONAL JUBILEE DAY

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. BUTTERFIELD. Mr. Speaker, I rise to celebrate the very important Supreme Court decision in *Ancient Egyptian Arabic Order of Nobles of the Mystic Shrine et al. v. Michaux et al.* that was handed down on June 3, 1929. The Court's unanimous decision in this case affirmed the legal right of African Americans to participate in fraternal orders similar to those of Caucasian Americans. I also rise to celebrate the second annual Jubilee Day Celebration that will occur here in Washington, D.C. on June 5, 2016 to honor the 86th anniversary of this historic decision.

The struggle for legal clarity on whether or not African Americans could continue to practice the tenants and principles of the Mystic Shrine began in 1914 after a lawsuit was filed in Georgia and a judge granted an injunction, barring African Americans from using the

names, titles, emblems, and regalia that were also used by Caucasian Shriners in the state. Several more lawsuits and injunctions in other states further limited African Americans abilities to participate in Masonic fraternities until a case in 1918 expanded these restrictions nationwide. In 1926, the Texas Supreme Court affirmed a lower court's decision that barred African Americans from practicing Masonry in state and that decision was appealed to the United States Supreme Court. Finally, after 15 long years of fighting a costly legal battle for the right to exist and to legally practice, the United States Supreme Court handed down a unanimous decision on June 3, 1929, granting African Americans the right to continue their participation in Masonic fraternities similar to those of Caucasian Americans.

Mr. Speaker, we are all aware of the tremendous contributions made by our local Prince Hall Shriners to make our communities better places. These selfless individuals give countless hours of service to our communities, provide generous college scholarships to economically disadvantaged youth, and contribute significant funds to hospitals and research institutions. All of these things would not be possible without the Supreme Court's decision in June 1929.

Mr. Speaker, even after the Supreme Court's decision in 1929, the struggle for equality and recognition continued, and it continues in many places to this day. In my home state of North Carolina, it took until November 21, 2008 for the Most Worshipful Prince Hall Grand Lodge of Free and Accepted Masons of North Carolina and Jurisdictions, Inc. to gain the acceptance and official recognition of their white Masonic brothers of the Ancient, Free and Accepted Masons of North Carolina.

Mr. Speaker, I ask my colleagues to join me in congratulating the 41st Imperial Potentate of Prince Hall Shriners, Rochelle J. Julian, in commemorating the 86th anniversary of the Supreme Court's unanimous decision in *Ancient Egyptian Arabic Order of Nobles of the Mystic Shrine et al. v. Michaux et al.* and in wishing a joyous celebration to everyone that will be in Washington, D.C. participating in the festivities for the National Jubilee Day Celebration.

BRITTANY VALENCIA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Brittany Valencia for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Brittany Valencia is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Brittany Valencia is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Brittany Valencia for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING THE LIFE OF MARTIN EUGENE (GENE) CAMPBELL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to honor the memory of Martin Eugene (Gene) Campbell, who died on May 17, 2016. Mr. Campbell was a pioneering member of the Florida Legislature and later became an essential figure in Belle Glade, Florida, where he served as Assistant Principal of Glades Central High School for over 20 years, working hand in hand with the late Dr. Effie C. Grear.

Mr. Campbell was born in Gadsden, Alabama and earned a B.A. from Auburn University. His teaching career began in Germany, where he met his wife Carmen. They returned to Palm Beach County where he taught American history at Howell Watkins Junior High School.

After serving as president of the Palm Beach County Classroom Teachers Association, Mr. Campbell, a lifelong democrat, was elected to non-consecutive terms in the state legislature in 1974 and 1978, representing West Palm Beach.

While in Tallahassee, he earned a reputation as a good-government reformer and as a relentless champion for public education. Known as "Casino Geno," Mr. Campbell introduced legislation to expand gaming to Florida as early as 1975. Ahead of his time, Mr. Campbell was motivated solely by increasing teacher salaries and improving the quality of Florida's education system.

Upon retiring from politics, he dedicated himself to the Glades Central community and became an unapologetic cheerleader for Belle Glade and the western Palm Beach County region.

Mr. Campbell was married to Carmen Campbell, a longtime fellow educator. The couple had three children, Carmen, Donald and Daniel, each of whom have dedicated themselves to education as well. They are blessed with four grandchildren.

Mr. Campbell was a towering figure who engendered respect and love among everyone in the political process and educational field. He was a good friend and mentor to many and will be dearly missed.

PERSONAL EXPLANATION

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. ESTY. Mr. Speaker, I want to state for the record that on Monday, May 23, I unfortunately missed two roll call votes in order to attend my daughter's graduation. Had I been present I would have voted:

1. No—motion to suspend the rules and pass H.R. 4889 (Roll Number 229). Had I been present, I would have voted no on H.R. 4889 (Roll Call 229).

2. Aye—motion to suspend the rules and pass H.R. 3998 (Roll Number 230). Had I been present, I would have voted aye on H.R. 3998 (Roll Call 230).

HONORING THE LIFE AND SACRIFICE OF PURPLE STAR RECIPIENT PAUL GOINS AND HIS TEAM

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. BABIN. Mr. Speaker, I rise today to honor the life and sacrifice of Paul Goins and five of his brave team members who lost their lives in support of America's mission overseas.

Paul's path was defined by an abiding desire to serve his country and seek out opportunities to drive positive change—he answered this call his entire life. After serving in the United States Marines, Paul worked with the Federal Bureau of Prisons and the private sector before serving his country at the Combined Security Transition Command in Afghanistan. On February 10, 2014, Paul (Goins) was training and equipping allies of the International Military Coalition in Kabul when he was killed in an explosion. My prayers and condolences go out to Paul's family; his children, grandchildren and his loving wife.

I also honor five other members of Paul's team who were called abroad and gave the ultimate sacrifice as they worked to make the world a safer place. These six recipients of the Purple Star receive an honor of the upmost distinction for making the ultimate sacrifice while helping the United States of America accomplish vital security and foreign policy objectives across the globe.

RECOGNIZING THE MEDAL OF HOPE SOCIETY

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. WENSTRUP. Mr. Speaker, I rise today to recognize the Medal of Hope Society, an organization in Ohio's Second District committed to honoring civilians among us who proudly serve our wounded and fallen veterans.

Founded by one of my constituents, Mr. Richard Lynch, the Medal of Hope Society is an organization comprised of wounded military combat veterans & Gold Star family members. Every year, these men and women recognize a special civilian who demonstrates great dedication to our nation's heroes, both living and deceased, who have taken up arms in the War on Terror.

As a veteran of this war, I have seen firsthand the heroism and sacrifice of members of our military. I've witnessed the bloodshed and

loss of life. So I sincerely thank those who dedicate their lives and work tirelessly to make sure our returning troops are receiving the care and support they need. And thank you, Medal of Hope Society, for recognizing their noble commitment.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. GRANGER. Mr. Speaker, on Roll Call no. 248, had I been present, I would have voted Aye. On Roll Call no. 250, had I been present, I would have voted Aye.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,223,047,535,897.31. We've added \$8,596,170,486,984.23 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CELINCE GALLEGOS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Celince Gallegos for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Celince Gallegos is a 12th grader at Stanley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Celince Gallegos is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Celince Gallegos for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING NED WATERS

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. WEBSTER of Florida. Mr. Speaker, it is with sincere appreciation that I recognize Ned Waters for his extraordinary vision to establish Operation Outdoor Freedom which is sponsored by Florida Commissioner of Agriculture, Adam Putnam. Recently, Mr. Waters announced his retirement from service with Operation Outdoor Freedom.

Mr. Waters and his wife realized the need for a program to give back to wounded warriors coming back from war. By encouraging all of his friends to donate time, money, property, and gifts, they started the program that was then called the Wounded Warrior Sportsman Fund. Operation Outdoor Freedom provides wounded veterans with outdoor activities that they enjoy at no cost. This program has evolved from the first single outing to over 70 chapters statewide. Operation Outdoor Freedom grants wounded veterans a unique opportunity for recreation and rehabilitation. By creating an atmosphere so that wounded warriors can spend time with like-minded veterans, Operation Outdoor Freedom has changed many lives for the better.

I am truly grateful for Ned Waters' work to provide opportunities to wounded veterans and Purple Heart Recipients who have fought to defend our freedom. Our community and our state are better due to his service.

RECOGNIZING THE RETIREMENT OF CHUCK KAVANAUGH

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. YARMUTH. Mr. Speaker, I rise today to recognize the career of Charles J. "Chuck" Kavanaugh as he retires after 20 years as Executive Vice President of the Building Industry Association of Greater Louisville, formerly the Home Builders Association of Louisville.

For two decades, Chuck has helped construct and remodel houses throughout Louisville—places where families can build their own foundation for a successful future. He has also worked with businesses large and small to help grow and expand their factories, office buildings, and workspaces, creating jobs and significantly impacting our local economy.

Under his leadership, the Building Industry Association of Louisville has become second-largest of the nearly 700 homebuilders groups affiliated with the National Association of Home Builders. And his hard work and success have not gone unnoticed by the NAHB, who have previously named him "Executive Officer of the Year" and President of the Association's Executive Officers Council, a position he attained after being elected by his peers.

Throughout his career at the Building Industry Association of Greater Louisville—and previously as Vice President of the former Louisville Area Chamber of Commerce—Chuck has

spent his life helping others. He is also a Founder of the Building Industries' Charitable Foundation, where he has dedicated his time and effort to their important partnership with YouthBuild and Kosair Charities.

I want to thank Chuck for his dedication to our community, his service to homeowners and business owners throughout our city, and—above all—his advice and friendship during all these years. On behalf of the people of Kentucky's Third Congressional District and the City of Louisville, I extend my best wishes to Chuck as he begins his much-deserved retirement.

PERSONAL EXPLANATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. COSTA. Mr. Speaker, I inadvertently voted 'aye' for the Clarifying Congressional Intent in Providing for DC Home Rule Act of 2016 (Roll Call No. 248) when my intention was to vote 'no' on the legislation. I support local budget autonomy for the District of Columbia.

RECOGNIZING DR. STEPHEN HANKE ON HIS RETIREMENT

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Dr. Stephen Hanke on the occasion of his retirement after 44 years of dedicated public service as an educator.

Dr. Hanke served as a teacher, principal, and assistant superintendent in four school districts before being appointed as Superintendent of the Dublin Unified School District (DUSD) in 2006. Under his stewardship, DUSD has attained unprecedented levels of achievement.

DUSD saw its Academic Performance Index (API) climb every year during his tenure to an all-time high of 904 in 2013, the last year the API was measured by California. As the new Smarter Balanced Assessments (SBAC) scores were released last fall, DUSD was once again among the highest-performing school districts in the state.

Dr. Hanke successfully transformed the culture and defined DUSD's core values by creating and implementing the Vision 20/20 Strategic Plan. DUSD became focused on continuous improvement through the development of a Professional Learning Community. As a result, six schools earned the distinction of being named a California Distinguished School.

Under Dr. Hanke's leadership, DUSD also created a STEM Enrichment Academy and emerged as a regional leader in putting technology in the classrooms. The infusion of STEM combined with some of the state's most rigorous graduation requirements have made students more prepared for college and career success than ever before.

In addition, Dr. Hanke's tenure coincided with a period of rapid expansion, as he oversaw 40 modernization projects and the addition of three elementary schools and a middle school. The signature enhancements were \$120 million of renovation and expansion at Dublin High School, which is now regarded as one of the premier campuses in California. Despite the pressures of managing growth, DUSD maintained financial stability even through the most difficult times.

Dr. Hanke has fostered lasting, productive partnerships in the community and has laid the groundwork for an ever-expanding offering of programs and opportunities for all Dublin students. I wish to congratulate him on his long and distinguished career, and wish him health and happiness in retirement.

HONORING THE SERVICE AND MEMORY OF WORLD WAR II SOLDIER SECOND LIEUTENANT OWEN BAYLISS COFFMAN

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. RUIZ. Mr. Speaker, I rise today to honor the service and memory of World War II hero and soldier, Second Lieutenant Owen Bayliss Coffman of Palm Springs, California. His remarkable life was cut short when he answered our nation's call to service in the Second World War. It is my intention to honor the memory of this hero by recording the history of his service to our great country.

Owen Bayliss Coffman was born on February 1, 1920 in Palm Springs, California to Owen Earl and Helen Ann Bayliss Coffman. Owen attended school in Palm Springs, completing his primary school education at Frances Stevens School. For four years, Owen rode a bus from Palm Springs to Banning High School, where he graduated in 1938. He left our Coachella Valley to attend Stanford University where he earned a bachelor's degree in 1942. Owen strongly desired to serve his country in uniform, and a bad back that never healed correctly after breaking it at the age of 20 almost kept him from military service. While at Stanford, Owen enlisted in the U.S. Army Air Corps and came to active duty in 1943. Owen completed his basic training in Santa Ana, California and completed his flight training at March Field. He earned his wings in Yuma, Arizona and was awarded the rank of second lieutenant. Owen and his crew shipped off to Peterborough, England. On his second bombing mission over Poland, his crew was recalled over the North Sea. His plane went down due to inclement weather. Of the ten men on his plane, seven were killed and three parachuted to safety. Owen sacrificed his life in service to our country.

Owen was buried at the American Military Cemetery near Cambridge. His grandmother wished for his remains to stay in England, saying, "Leave him in the land of my ancestors, where he will forever be honored with his fallen comrades."

Mr. Speaker, Owen Bayliss Coffman is an American hero whose life and service deserve

to the fullest extent our abilities to honor him. It is with my deepest respect that I commend and remember this brave young man from Palm Springs. Owen joined hands with countless other patriots to safeguard the freedoms we enjoy. He is a shining example to all of us, and it is my sincere hope that by preserving his memory, we inspire a new generation to look to Second Lieutenant Owen Bayliss Coffman's shining example of self-less service, patriotism, and dedication to freedom.

COURTNEY CONERTY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Courtney Conerty for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Courtney Conerty is an 8th grader at Woodrow Wilson Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Courtney Conerty is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Courtney Conerty for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today regarding missed votes on Monday, May 23, 2016 and Tuesday, May 24, 2016 due to my son's graduation from high school.

Had I been present for roll call vote number 229, H.R. 4889, the Kelsey Smith Act, I would have voted "nay."

Had I been present for roll call vote number 230, H.R. 3998, the Securing Access to Networks in Disaster Act, I would have voted "yea."

Had I been present for roll call vote number 231, Ordering the Previous Question for H. Res. 743, I would have voted "yea."

Had I been present for roll call vote number 232, H. Res. 743, Adoption of the Rule Providing for Consideration of H.R. 5055, I would have voted "yea."

Had I been present for roll call vote number 233, Ordering the Previous Question for H. Res. 742, I would have voted "yea."

Had I been present for roll call vote number 234, H. Res. 742, Adoption of the Rule Providing for Consideration of H.R. 897 and H.R. 2576, I would have voted "yea."

Had I been present for roll call vote number 235, H.R. 5077, the Intelligence Authorization Act for Fiscal Year 2017, I would have voted "yea."

Had I been present for roll call vote number 236, the Democrat Motion to Recommit H.R. 897, I would have voted "nay."

Had I been present for roll call vote number 237, H.R. 897, the Zika Vector Control Act, I would have voted "yea."

Had I been present for roll call vote number 238, Passage of the House Amendment to the Senate Amendment to H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, I would have voted "yea."

IN RECOGNITION OF CORPORAL
ROBERT L. SNOW

HON. JOHN C. CARNEY, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. CARNEY. Mr. Speaker, I rise today to recognize Corporal Robert L. Snow and his many years of service to the state of Delaware.

When Mr. Snow first joined the New Castle County Police Department in 1968, he made history as the first African American police officer for the NCCPD. His addition to the force came at a time of upheaval in Wilmington, as violence and anger engulfed the city following the murder of the Rev. Dr. Martin Luther King, Jr.

Despite these circumstances, Mr. Snow was able to break down barriers by committing fully to his duties as a police officer, where he earned the respect and admiration of his colleagues. Throughout his career, he demonstrated a keen understanding of the importance of building lasting, positive relationships in the community through compassion, respect and professionalism. Most importantly, Mr. Snow has always shown a willingness to put the safety and security of others above his own.

Corporal Snow's efforts have made a difference for future generations by paving the way and setting an example for police officers across our state. Many continue to be inspired by Mr. Snow's bravery and ability to conquer racism in becoming an exemplary member of the law enforcement community for 20 years. As Delaware's lone member of the U.S. House of Representatives, I am grateful for his dedication to public safety and I'm honored to join in recognizing his distinguished career.

Once again, I'd like to thank Corporal Snow for his service, and to congratulate him on the dedication of the Community/Training Room at the Cpl. Paul J. Sweeney Public Safety Building in his honor.

IN HONOR OF THE 125TH ANNIVERSARY OF THE CONNECTICUT BEEKEEPERS ASSOCIATION

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Ms. ESTY. Mr. Speaker, I rise to recognize the Connecticut Beekeepers Association, which is celebrating its 125th anniversary this weekend. The Connecticut Beekeepers Association is vital to promoting and protecting honeybees in communities across Connecticut. The appreciation our state's beekeepers receive doesn't come close to matching their impact on our health and our economy.

Honeybees pollinate one-third of the food on our plates and roughly 90 crops found in the United States. To give you an idea of the role honeybees play in our food security, picture walking into your local grocery store and finding the produce aisles half-empty. That's what a future without honeybees would look like.

Unfortunately, honeybees are dying off at an alarming rate, due to Colony Collapse Disorder and stressors such as disease, habitat loss, and pesticides. The Connecticut Beekeepers Association is working tirelessly to save our pollinators. It's bringing together beekeepers, farmers, businesses, and consumers and educating the public about the importance of honeybees.

The Connecticut Beekeepers Association knows that the best way to engage people in this important work is to keep it fun. They even brought live bees to a New Britain Bees baseball game to show kids how hives work.

I am proud to support the Connecticut Beekeepers Association's efforts for a healthy, sustainable honeybee population in the future. On this historic anniversary, I commend the Connecticut Beekeepers Association on 125 years of excellence in beekeeping and environmental stewardship.

TRIBUTE TO HILLIARD, OHIO POLICE OFFICER SEAN R. JOHNSON

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. STIVERS. Mr. Speaker, I rise today to honor the life and service of Hilliard, Ohio Police Officer Sean R. Johnson who passed away last week in a tragic training accident.

Officer Johnson's dedication to public service was evident as he made the decision to

join the Air Force after graduating high school in 1988. After serving in the military and earning the rank of Senior Airman, Officer Johnson was Honorably Discharged and soon brought on at the Fairfield County Sheriffs Department in 1995. At the Fairfield County Sheriff's Department, he graduated from the Police Academy and worked as a Special Deputy until 1997.

After working in court security and as a liquor control agent, Officer Johnson joined the Hilliard Division of Police in October 1999, and would stay with the department for the next 16 years. Throughout his time with the Hilliard Division of Police, he was distinguished as one of the most valuable members of the department, earning numerous Achievement Citations for his service above the normal call of duty in dangerous circumstances.

He was also active in the community as a Crisis Intervention Team Officer, where he was well known for calming and talking to people during difficult times in their lives. While serving, Officer Johnson earned an Associate's Degree in Law Enforcement from Columbus State Community College. All of this, he did while also being a father to two children.

I'm extremely thankful for the service of Officer Sean Johnson and all first responders.

DESTINY MARTINEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 26, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Destiny Martinez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Destiny Martinez is a 12th grader at Stanley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Destiny Martinez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Destiny Martinez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SENATE—*Friday, May 27, 2016*

The Senate met at 12:30 and 5 seconds p.m. and was called to order by the Honorable BILL CASSIDY, a Senator from the State of Louisiana.

—————

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 27, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL CASSIDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. CASSIDY thereupon assumed the Chair as Acting President pro tempore.

—————

**ADJOURNMENT UNTIL TUESDAY,
MAY 31, 2016, AT 8:30 A.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until Tuesday, May 31, 2016, at 8:30 a.m.

Thereupon, the Senate, at 12:30 and 39 seconds p.m., adjourned until Tuesday, May 31, 2016, at 8:30 a.m.

HOUSE OF REPRESENTATIVES—Friday, May 27, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIBBLE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 27, 2016.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving and merciful God, we give You thanks for giving us another day.

You have kept Your covenant with every generation. In a world shadowed by the many infidelities and many inconsistencies of frail humanity, grant us faith in Your enduring love and patience with us.

Confirm the Members of the people's House in Your power as they meet with their constituents in the coming week. Help them to accomplish the tasks You set before them.

Since You have called them to serve this great Nation, grant them the gifts to discern Your holy will and accomplish deeds of justice and integrity, today and every day of their service.

May all that is done this day be for Your greater honor and glory.
Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 744, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

MAY 27, 2016.

Hon. PAUL D. RYAN,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 27, 2016 at 9:22 a.m.:

That the Senate passed without amendment H.R. 136.

That the Senate passed without amendment H.R. 1132.

That the Senate passed without amendment H.R. 2458.

That the Senate passed without amendment H.R. 2928.

That the Senate passed without amendment H.R. 3082.

That the Senate passed without amendment H.R. 3274.

That the Senate passed without amendment H.R. 3601.

That the Senate passed without amendment H.R. 3735.

That the Senate passed without amendment H.R. 3866.

That the Senate passed without amendment H.R. 4046.

That the Senate passed without amendment H.R. 4605.

That the Senate passed without amendment H.R. 433.

That the Senate passed S. 2465.

That the Senate passed S. 2891.

That the Senate passed S. 1402.

Appointment:

American Folklife Center of the Library of Congress.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, May 26, 2016.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: On March 25, 2016, pursuant to section 3307 of Title 40, United

States Code, the Committee on Transportation and Infrastructure met in open session to consider 23 resolutions included in the General Services Administration's Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. The 23 resolutions considered include 16 alteration projects, four construction projects, one building design and two leases. The projects authorized have either already been funded or are consistent with previous funding levels. In total, these resolutions represent \$195 million in avoided lease costs and offsets.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on May 25, 2016.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

CONSTRUCTION/ALTERATION—NEW U.S. COURTHOUSE ANNEX, CHARLES R. JONAS COURTHOUSE, CHARLOTTE, NC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of an annex of approximately 198,000 gross square feet, including approximately 83 parking spaces, and the repair and alteration of the Charles R. Jonas Courthouse located at 401 West Trade Street in Charlotte, North Carolina, at an additional design cost of \$5,284,000, a total estimated construction cost of \$140,594,000, and total management and inspection cost of \$10,282,000 at a total additional authorization of \$156,160,000 for a total estimate project cost, including prior authorizations, of \$164,660,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse annex and renovation of the existing courthouse, combined, contain no more than ten courtrooms, including four for District Judges, two for Senior District Judges, two for Magistrate Judges and two for Bankruptcy Judges.

Provided further, that the design of the new courthouse annex shall not deviate from the U.S. Courts Design Guide, except as reflected in the attached prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16
Congressional District: 12

FY 2016 Project Summary

The General Services Administration (GSA) proposes design and construction of an annex of approximately 198,000 gross square feet, including approximately 83 parking spaces, and repair, along with alteration of the Charles R. Jonas Courthouse at 401 West Trade Street in Charlotte, NC. GSA will acquire the site from the City of Charlotte. The project will meet the 10-year space needs of the court and court-related agencies and the site will accommodate the anticipated 30-year needs of the court. The Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Charlotte, NC.

Through Public Law 108-199 (FY 2004), Congress appropriated a total of \$8,500,000 for site acquisition and design of a new stand-alone courthouse in Charlotte to house the long-term needs of the U.S. District Court. GSA, in collaboration with the Court, has determined that alteration of the existing Jonas Courthouse, in conjunction with the construction of a new courthouse annex can best meet the space requirements of the district courts, with the application of the Judiciary's courtroom sharing policies and allowing for continued occupation of the historic Jonas Courthouse.

FY 2016 Committee Approval Requested

(Annex – Additional Design, Construction, Management & Inspection)	\$108,848,000
(Jonas Courthouse – Design, Construction, Management & Inspection)	<u>\$47,312,000</u>
(Design, Construction, Management & Inspection)	<u>\$156,160,000</u>

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Design, Construction, Management & Inspection)	\$156,160,000
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GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16
Congressional District: 12

Overview of Project

The original Jonas Courthouse was constructed in 1918 and was extended to more than double its size in 1934. The building consists of six courtrooms (two district, one senior, one magistrate, and two bankruptcy). The major tenants in the building are the U.S. District, Bankruptcy Courts, and U S Marshals Service. The building is listed in the National Register of Historic Places.

The construction of the annex will provide additional space needed by the Courts to meet 10-year space needs. The annex will be linked functionally and by building systems to the existing Jonas Courthouse, and will be located on the current parking lot, directly southwest of the existing Courthouse. GSA will reacquire the Jonas courthouse as part of an exchange with the City of Charlotte. The annex and Jonas Courthouse will provide 10 courtrooms and 15 chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. When complete, the new annex and renovation of the Jonas Courthouse will provide for the 10-year space requirements, and the structures/site will allow for expansion to meet the anticipated 30-year needs of the U.S. District Court in Charlotte.

Renovation of the Jonas Courthouse will address several critical building needs, focusing on replacement and repair of the building's major systems, including plumbing, fire protection and electrical systems, which all require extensive refurbishment or replacement due to their age and lack of energy efficiency. The renovations will also include interior construction and interior finishes.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16

Congressional District: 12

Site Information

To Be Acquired by Exchange Approximately 3 acres

Annex Building Area¹

GSF Annex (excluding inside parking) 161,000
 GSF Annex (including inside parking) 198,000
 Inside parking spaces 83

Jonas Building Area

GSF 134,428

Estimated Project Budget**Estimated Site and Design**

Site (FY 2004) \$400,000
 Design Annex (FY 2004) \$8,100,000
 Additional Design Annex \$635,000
 Design Jonas CT \$4,649,000
Total Design **\$13,784,000**

Estimated Construction Cost (ECC)

Annex (\$517/gsf, including inside parking) \$102,338,000
 Jonas CT \$38,256,000
Total ECC **\$140,594,000**

Estimated Management and Inspection (M&I)

Annex \$5,875,000
 Jonas CT \$4,407,000
Total M&I **\$10,282,000**

Estimated Total Project Cost (ETPC)* \$164,660,000²

¹ Square footages and number of parking spaces are approximate. The actual project may contain a variance in gross square footage from that listed in this prospectus.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16

Congressional District: 12

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design and Construction (Annex/R&A)	FY 2017	FY 2023

Tenant Agencies

U.S. District and Magistrate Court, U.S. Bankruptcy Court, Probation, Court of Appeals, Office of the U.S. Attorney, U.S. Marshals Service, trial preparation space for the Federal Public Defender and the Office of the U.S. Attorney, and GSA.

Estimated Major Work Items (Jonas Courthouse)

HVAC Replacement	\$9,711,000
Interior Construction	\$7,963,000
Electrical Replacement	\$7,553,000
Interior Finishes	\$6,436,000
Fire Protection	\$2,158,000
Plumbing Replacement	\$1,726,000
Elevator Replacement	\$1,549,000
Special Construction	\$901,000
Site work	<u>\$259,000</u>
Total ECC	\$38,256,000

² As noted in the estimated project above, GSA identified sub-totals comprising the estimated project budget which are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ than what is represented in this prospectus by the various subcomponents.

GSA

PBS

PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC

Prospectus Number: PNC-CTC-CH16
Congressional District: 12

Justification

The existing Jonas Courthouse is unable to meet the current and future requirements of the Judiciary. The current space and building infrastructure do not meet today's standards for security, operational functionality, accessibility, and environmental efficiency. Originally, the proposed strategy for satisfying the long-term needs of the courts in Charlotte was to consolidate the U.S. District Court for the Western District of North Carolina and various other Court-related agencies into one, newly constructed structure.

As a site acquisition solution in 2004, GSA and the City of Charlotte exchanged the Jonas Courthouse for a 3.2 acre site located at 501 E. Trade Street. To continue housing and operations for the courts until the new stand-alone courthouse could be constructed, GSA leased the Jonas Courthouse back from the city.

At the request of the local court in Charlotte in 2012, GSA began to examine the possibility of satisfying the Courts' requirements through the reacquisition of the Jonas Courthouse from the City (via a return exchange of the 501 E. Trade Street site), and the construction of a new annex. The proposed annex will be constructed on the Jonas Courthouse parking lot. This option allows the Federal Government to reacquire the currently occupied historic facility and continue its long-term use, as well as decrease the size and scope (from the previously authorized 390,724 gsf) of the potential new construction in Charlotte.

Due to the age of the existing Jonas Courthouse, upgrades or replacement of major building systems, including plumbing, heating, ventilating, and air conditioning, electrical, and life safety, are needed to enable continued operation for the Courts and to address energy efficiency. There is no restricted circulation path for judges and they must use the freight elevator and public corridors to access their chambers. The freight elevator and public corridors are also used to transport prisoners, there is no sallyport, and the number of holding cells for courtrooms is inadequate. The addition of the annex will meet the long-term space needs of the Courts, while also addressing security and circulation deficiencies that currently exist in the Jonas Courthouse.

Together, the new annex and renovation of the Jonas Courthouse will improve security, create discrete circulation, provide for future growth, co-locate the court family, and positively impact downtown Charlotte.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16

Congressional District: 12

Design Guide Exceptions

The following exception to the U.S. Courts Design Guide was approved by the Judicial Conference of the United States on September 15, 2015:

- Regional urinalysis laboratory (additional 1,499 usable square feet) with costs for this exception at approximately \$1,157,000.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	2	4	4	4
- Senior	1	1	2	4*
- Visiting	0	0	0	1
Magistrate	1	2	2	2
Bankruptcy	2	3	2	3
Circuit	0	1	0	1
Total:	6	11	10	15

*There are currently 4 active judges that will take senior status by the time of project completion.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16
Congressional District: 12

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
108-199	2004	\$8,500,000	Site and Design
114-113*	2016	\$156,160,000	Design, ECC, M&I
Appropriations to Date		\$164,660,000	Site and Design

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, Charlotte is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Charlotte is \$156,160,000.

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
House T&I	7/24/2002	\$7,401,000	Site and Design for 347,097 gsf; 50 inside parking spaces
Senate EPW	9/26/2002	\$7,401,000	Site and Design for 347,097 gsf; 50 inside parking spaces
House T&I	7/23/2003	\$1,034,000	Site and Design for 390,724 gsf; 60 inside parking spaces
Senate EPW	6/23/2004	\$1,034,000	Site and Design for 390,724 gsf; 60 inside parking spaces
House & Senate Approvals to Date		\$8,435,000	

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - CHARLES R. JONAS COURTHOUSE
CHARLOTTE, NC**

Prospectus Number: PNC-CTC-CH16
Congressional District: 12

Recommendation

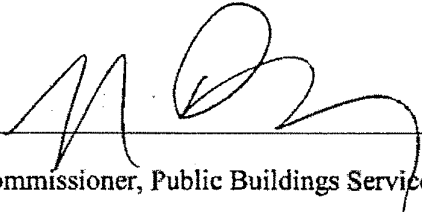
CONSTRUCTION

Certification of Need

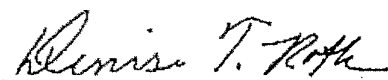
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on APR 22 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

New U.S. Courthouse Annex
Charles R. Jonas Courthouse

May 2016

PNC-CTC-CH16
Charlotte, NC

*Proposed Total USF is based on program requirements; The actual project will reuse some existing spaces and will further allocate the USF during Design.

Special Space	USF
Courtrooms	12,000
Chambers	4,600
Conference/Training	5,460
Private Toilet	2,100
ADP	150
Food Service	1,315
Mail Room	880
Sally Port	950
Holding Cells/Secure Area	1,800
Total	29,255

Because the project is being designed as a connected complex, variances in usf may occur as a result of design and placement of certain functions. The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project. USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

COMMITTEE RESOLUTION

CONSTRUCTION/ALTERATION—NEW U.S. COURT-
HOUSE ANNEX, JAMES M. ASHLEY AND THOMAS
W.L. ASHLEY U.S. COURTHOUSE, TOLEDO, OH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of an annex of approximately 96,000 gross square feet, including approximately 20 inside parking spaces, and the repair and alteration of the James M. Ashley and Thomas W.L. Ashley U.S. Court-

house located at 1716 Spielbusch Avenue in Toledo, Ohio, at an additional site and design cost of \$7,758,000, a total estimated construction cost of \$83,522,000, and total management and inspection cost of \$6,504,000 at a total additional authorization of \$97,784,000 for a total estimated project cost, including prior authorizations, of \$104,284,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements

adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse annex and renovation of the existing courthouse, combined, contain no more than six courtrooms, including two for District Judges, one for Senior District Judges, one for Magistrate Judges and two for Bankruptcy Judges.

Provided further, that the design of the new courthouse annex shall not deviate from the U.S. Courts Design Guide.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

FY 2016 Project Summary

The General Services Administration (GSA) proposes design and construction of an annex of approximately 96,000 gross square feet, including approximately 20 inside parking spaces, and repair and alteration of the James M. Ashley and Thomas W.L. Ashley U.S. Courthouse at 1716 Spielbusch Avenue in Toledo, OH. The project will meet the 10-year space needs of the court and court-related agencies and the structure/site will allow for expansion to meet the anticipated 30-year needs of the court. The Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Toledo, OH.

Through Public Law 108-199 (FY 2004), Congress appropriated a total of \$6,500,000 for site preparation and design of a new stand-alone courthouse in Toledo, OH, to house the long-term needs of the U.S. District Court. GSA, in collaboration with the Court, has determined that alteration of the existing Ashley Courthouse in conjunction with the construction of a new courthouse annex can best meet the space requirements of the district and bankruptcy courts with the application of the Judiciary's courtroom sharing policies and allowing for continued occupation of the historic Ashley Courthouse.

FY 2016 Committee Approval Requested

(Annex – Additional Site, Design, Construction, Management & Inspection)	\$60,363,000
(Ashley Courthouse – Site, Design, Construction, Management & Inspection)	<u>\$37,421,000</u>
Total (Design, Construction, Management & Inspection)	\$97,784,000

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Design, Construction, Management & Inspection)	\$97,784,000
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Overview of the Project

The Ashley Courthouse, built in 1932, is located on the northern end of Toledo's Civic Mall. GSA has not conducted a major renovation to the building since construction. The building is listed in the National Register of Historic Places. GSA will modernize the existing Ashley Courthouse in conjunction with the construction of a new adjoining courthouse annex to meet the Judiciary's current and long-term needs in Toledo. When complete, the new annex and renovation of the Ashley Courthouse will provide for the 10-year space requirements, and the structures/site will allow for expansion to meet the anticipated 30-year needs of the U.S. District Court. The project includes a total of six courtrooms and eight chambers. The project reflects senior district and magistrate judge

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

sharing policies, does not include courtrooms for projected new judgeships, and has no exceptions to the U.S. Courts Design Guide. The project will also support the needs of the United States Attorneys and the United States Marshals Services and court support services.

GSA will first construct the new annex and once complete, the Ashley Courthouse will be vacated during the renovation. The new annex will be constructed on the site received under exchange in 2001. Alteration work within the Ashley Courthouse includes upgrades to heating, ventilating, and air conditioning, electrical systems, lighting, plumbing, life safety systems (including fire alarm replacement); elevator replacement; accessibility upgrades; tenant improvements; façade repairs; roof replacement; and hazardous material abatement.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Site Information¹

Government-Owned..... Approximately 9.5 acres

Annex Building Area²

GSF Annex (excluding inside parking) 86,000
GSF Annex (including inside parking) 96,000
Inside parking spaces 20

Ashley Building Area

GSF (excluding inside parking) 91,767

¹ The Government-owned site includes approximately 7.5 acres of land acquired in 2001 through a property exchange with the City of Toledo and approximately 2 acres for the Ashley Courthouse site.

² Square footages and number of parking spaces are approximate. The actual project may contain a variance in gross square footage from that listed in this prospectus.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Estimated Project Budget³**Estimated Site Preparation and Design**

Site Preparation (FY 2004)	\$1,200,000
Additional Site Preparation Annex	\$225,000
Additional Site Preparation Ashley	\$1,005,000
Design (FY 2004)	\$5,300,000
Additional Design Annex	\$3,498,000
Design Ashley CT	<u>\$3,030,000</u>
Total Design	\$14,258,000

Estimated Construction Cost (ECC)

Annex (\$553/gsf, including inside parking)	\$53,080,000
Ashley CT	<u>\$30,442,000</u>
Total ECC	\$83,522,000

Estimated Management and Inspection (M&I)

Annex	\$3,560,000
Ashley CT	<u>\$2,944,000</u>
Total M&I	\$6,504,000

Estimated Total Project Cost (ETPC)*..... \$104,284,000⁴

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

³ Original budget for site and design totaled \$6,500,000. \$5,497,000 was used for the design of a larger stand-alone courthouse. The remaining \$1,073,000 will be used on the project proposed in this prospectus.

⁴ As noted in the estimated project budget above, GSA identified sub-totals comprising the estimated project budget which are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ than what is represented in this prospectus by the various subcomponents.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Schedule

	Start	End
Design and Construction	FY 2016	FY 2023

Tenant Agencies

U.S. District Court, Probation & Pretrial Services, U.S. Bankruptcy Court, U.S. Marshals Service, Office of the U.S. Attorney, U.S. Trustees, trial preparation space for Federal Public Defender, and GSA.

Estimated Major Work Items (Ashley Courthouse)

Interior Alterations	\$10,812,000
HVAC Upgrades	6,945,000
Electrical Upgrades	4,645,000
Exterior Construction	3,334,000
Life Safety Upgrades	860,000
Roof Replacement	856,000
Site Preparation	767,000
Swing Space	753,000
Security/Blast Mitigation	572,000
Elevator Replacement	463,000
Plumbing Upgrades	<u>435,000</u>
Total ECC	\$30,442,000

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Justification

The existing Ashley Courthouse is unable to meet the current and future requirements of the Judiciary. The current space and building infrastructure do not meet today's standards for security, operational functionality, accessibility, and environmental efficiency. The courthouse does not have secure circulation for judges or separate circulation for the public and prisoners. In addition, the building's systems are beyond their useful life, do not comply with fire/life safety standards, and do not meet the Architectural Barriers Act Accessibility Standards.

In 2001, a site was acquired in an exchange with the City of Toledo, and, in 2004, design funds were appropriated for a new courthouse project. Requirements for the original stand-alone new courthouse concept were driven by the projected need for courtrooms and chambers for existing and projected new judges. Design development was completed, but the project did not move forward at that time. The proposed project to reconfigure the existing space in the Ashley Courthouse and to construct a new courthouse annex in lieu of the previously proposed stand-alone courthouse is based on several factors, including space reduction efforts undertaken by the Judiciary and reduction in U.S. Marshals Service space requirements. GSA worked in close collaboration with the Court to determine that alteration of the existing Ashley Courthouse in conjunction with the construction of a new courthouse annex can best meet the space requirements of all impacted offices. In addition, the Office of the U.S. Attorney will move from leased space to the Ashley Courthouse, resulting in savings of \$594,000 in future annual lease payments to the private sector. The new requirements also reduce the Courts' space needs to meet the Judiciary courtroom sharing policies and do not include courtrooms for projected new judgeships. The project scope includes a reduction of two courtrooms from the original housing plan in support of the new stand-alone courthouse.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Space Requirements of the U.S. Courts

	Current*		Proposed	
	Courtrooms*	Judges	Courtrooms	Judges
District				
- Active	2	2	2	2
- Senior	1	2	1	2
- Visiting**	0	1	0	1
Magistrate	1	1	1	1
Bankruptcy	2	2	2	2
Total:	6	8	6	8

* Four of the six spaces used as courtrooms in the Ashley Courthouse are significantly undersized and do not meet minimum U.S. Courts Design Guide (USCDG) standards. The two district judge courtrooms that do meet USCDG standards will be retained and re-purposed for use as bankruptcy courtrooms.

** Per USCDG standards, dedicated courtrooms are not provided for visiting judges.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

Prospectus Number: POH-CTC-TO16
Congressional District: 9

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
108-199	2004	\$6,500,000	Site Preparation & Design
114-113*	2016	\$97,784,000	Additional Site Preparation and Design; ECC and M&I
Appropriations to Date		\$104,284,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which Toledo is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Toledo is \$97,784,000.

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
Senate EPW	9/26/2002	\$5,993,000	Site preparation, Design for 219,136 gsf; 35 inside parking spaces
House T&I	7/24/2002	\$5,993,000	Site preparation, Design for 206,828 gsf; 20 inside parking spaces

Recommendation

CONSTRUCTION

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE ANNEX
ALTERATION - JAMES M. ASHLEY AND
THOMAS W. L. ASHLEY U. S. COURTHOUSE
TOLEDO, OH**

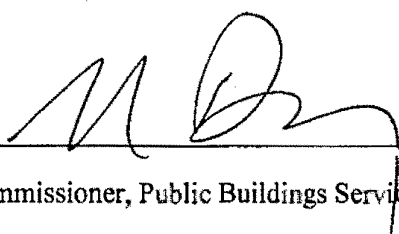
Prospectus Number: POH-CTC-TO16
Congressional District: 9

Certification of Need

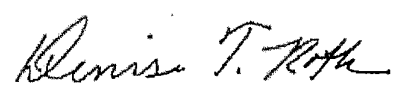
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on APR 22 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

May 2016

Housing Plan
New U.S. Courthouse Annex
James M. Ashley and Thomas W.L. Ashley U.S. Courthouse
POH-CTC-T017
Toledo, Ohio

	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Government Owned Locations												
James M. Ashley & Thomas W.L. Ashley U.S. Courthouse												
U.S. District Court	12	12	3,004	-	17,177	20,181	-	-	-	-	-	-
U.S. Bankruptcy Court (courtrooms/chambers)	10	10	1,341	-	4,705	6,046	10	10	482	554	9,831	10,867
U.S. Bankruptcy Clerk	14	14	3,698	1,120	1,159	3,977	14	14	4,179	2,799	987	7,965
Circuit Library	-	-	2,893	-	215	3,108	-	-	-	-	-	-
U.S. District Court - Magistrate	5	5	473	-	1,734	2,207	-	-	-	-	-	-
U.S. District Clerk	9	9	4,817	3,017	592	8,426	-	-	-	-	-	-
U.S. Probation Office/Prettrial	-	-	-	-	-	-	18	18	4,220	506	1,642	6,368
U.S. Marshals Service	18	18	2,114	-	1,503	3,617	-	-	-	-	-	-
DOJ Office of the U.S. Attorney	-	-	397	-	43	440	27	27	5,958	1,740	3,300	10,998
GSA - Public Buildings Service	2	2	365	-	-	365	2	2	450	-	-	450
Federal Public Defender	-	-	-	-	-	-	-	-	450	-	-	450
U.S. Trustees (meeting space only)	-	-	-	-	-	-	-	-	1,132	-	-	1,132
Joint Use	-	-	1,030	-	361	1,391	-	-	2,219	-	-	2,580
Vacant	-	-	599	-	-	599	-	-	11,545	-	-	11,545
Subtotal	70	70	20,731	4,137	27,489	52,357	71	71	30,634	5,600	16,121	52,355
New Annex												
U.S. District Court (courtrooms/chambers)	-	-	-	-	-	-	12	12	764	928	23,774	25,465
U.S. District Clerk	-	-	-	-	-	-	14	14	7,366	3,716	4,018	15,100
U.S. District Court - Magistrate	-	-	-	-	-	-	5	5	120	277	5,518	5,916
Grand Jury	-	-	-	-	-	-	-	-	-	-	1,433	1,433
DOJ U.S. Marshals Service	-	-	-	-	-	-	20	20	3,015	1,334	5,643	9,993
Subtotal	-	-	-	-	-	-	51	51	11,265	6,254	40,385	57,905
Lease Locations												
Four Seagate												
DOJ Office of the U.S. Attorney	26	26	24,278	-	-	24,278	-	-	-	-	-	-
Toledo Business Technology Center												
U.S. Probation Office/Prettrial	18	18	6,102	-	-	6,102	-	-	-	-	-	-
Ohio Building												
U.S. Trustees (meeting space only)	-	-	1,132	-	-	1,132	-	-	-	-	-	-
Total	114	114	57,243	4,137	27,489	88,869	172	172	41,899	11,854	56,506	110,260

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

Special Space	USF
Holding Cells	2,120
Physical	1,066
Physical Fitness	1,300
Restrooms	1,993
Conferences	6,957
Conference Rooms	1,374
Detention/interview	130
Private Elevator	1770
ADP	20,289
Courtrooms	13,301
Judicial Chambers	2,322
Food Service	2,804
Judicial Hearing Room	180
Mail Room	900
Library	56,506

COMMITTEE RESOLUTION
CONSTRUCTION—NEW U.S. COURTHOUSE,
GREENVILLE, SC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of a new U.S. courthouse of approximately 193,000 gross square feet, including approximately 70 inside parking spaces, in Greenville, South Carolina, at an additional site and design cost of \$2,483,000, a

total estimated construction cost of \$86,140,000, and total management and inspection cost of \$5,376,000 at a total additional authorization of \$93,999,000 for a total estimated project cost, including prior authorizations, of \$104,999,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements

adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than seven courtrooms, including three for District Judges, two for Senior District Judges, and two for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide, except as reflected in the attached prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16

Congressional District: 04

FY 2016 Project Summary

The General Services Administration (GSA) proposes the design and construction of a new U.S. Courthouse of approximately 193,000 gross square feet, including approximately 70 inside parking spaces in Greenville, SC. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies and the site will accommodate the anticipated 30-year needs of the court. The site has been selected and all land parcels acquired. The Judiciary's Courthouse Project Priorities List (approved by the Judicial Conference of the United States on September 17, 2015) includes a courthouse project in Greenville, SC.

FY 2016 House and Senate Committee Approval Requested**(Additional Site and Design, Construction, Management & Inspection)\$93,999,000****FY 2016 Funding Requested (as outlined in the FY 2016 Spend Plan)****(Additional Site and Design, Construction, Management & Inspection) \$93,999,000****Overview of Project**

The courts and related agencies are currently located in the C.F. Haynsworth Federal Building and U.S. Courthouse (FB-CT) in Greenville, SC, as well as various leased locations and government-owned locations in Spartanburg and Anderson, SC. The new courthouse will provide seven courtrooms and nine chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. A portion of those agencies housed in leased space will relocate to the new courthouse.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16
Congressional District: 04

Site Information

Acquired..... 1.7 acres

Building Area¹

Gross square feet (excluding inside parking)..... 161,300

GSF (including inside parking) 193,000

Inside parking spaces 70

Estimated Project Budget

Estimated Site (FY 2004)\$5,300,000

Estimated Additional Site\$100,000

Estimated Design (FY 2004)\$5,700,000

Estimated Additional Design\$2,383,000

Estimated Construction Cost (ECC) (\$446/gsf including inside parking) ..\$86,140,000

Estimated Management and Inspection (M&I)\$5,376,000

Estimated Total Project Cost (ETPC)* \$104,999,000²

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule

Design & Construction

Start*

FY 2011

End

FY 2021

*Design began in 2011 and proceeded to concepts. Design will restart upon approval of this prospectus.

Tenant Agencies

U.S. District Court; Satellite Circuit Library; Probation Office; U.S. Marshals Service; trial preparation space for the Federal Public Defender and Office of the U.S. Attorney; and GSA.

¹ Square footages and number of parking spaces are approximate. The actual project may contain a variance in gross square footage from that listed in this prospectus.

² As noted in the estimated project budget above, GSA identified sub-totals comprising the estimated project budget which are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ than what is represented in this prospectus by the various subcomponents.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16
Congressional District: 04

Justification

The existing Haynsworth FB-CT, constructed in 1937, does not meet the United States Courts Design Guide standards, has significant operational and building condition issues, does not provide for future expansion, and lacks adequate security. There is almost no separation of circulation within the facility among judges, prisoners, and the public and no prisoner sallyport. Circulation to chambers and the central cellblock is via public corridors and the facility's one elevator. Only the first floor courtroom has an adjacent holding cell. A restricted access parking lot is shared by judges, staff, and the USMS for prisoner unloading. The new courthouse will greatly improve the efficiency and security of court operations. As a result of inadequate facilities and lack of available expansion space in the FB-CT, several court-related agencies currently occupy space in leased buildings elsewhere in Greenville. Relocation of agencies from leased space to the new courthouse will result in savings of approximately \$377,000 in future annual lease payments to the private sector.

Due to changes in program since previous project approval, courtroom sharing, and exclusion of projected new judgeships, the proposed project has decreased in size and scope (from the previously approved 257,347 gsf).

Design Guide Exceptions

The following exception to the U.S. Courts Design Guide was approved by the Fourth Circuit Council March 3, 2016 and by the Judicial Conference of the United States on March 15, 2016:

- Expanded jury assembly suit (additional 436 usable square feet) with costs for this exception at approximately \$291,000.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16
Congressional District: 04

Space Requirements of the U.S.

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
-Active	2	2	3	3
-Senior	1	1	2	3
-Visiting				1
Magistrate	2	2	2	2
Bankruptcy*	1	1		
Court of Appeals*		2		
Total:	6	8	7	9

*Bankruptcy and Court of Appeals are currently located in the Haynsworth FB-CT and the Donald Russell FB-CT in Spartanburg, SC. The Haynsworth FB-CT will be considered for future housing of Bankruptcy and Court of Appeals as part of a pending feasibility study.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16
Congressional District: 04

Future of Existing Federal Building(s)³

GSA plans to reuse the existing Haynsworth FB-CT to house the following agencies: U.S. Court of Appeals; U.S. Bankruptcy Court and Clerk; Federal Public Defender; Small Business Administration; and the U.S. Marshals Service. This plan is tentative pending confirmation of agency program requirements and a feasibility study to determine costs and implementation strategy, as well as future use of the Russell FB-CT and Anderson FB-CT.

Challenges with Implementing the Plan: Funding for reuse of the existing Haynsworth FB-CT will likely require a future prospectus-level project. GSA will complete a feasibility study to determine appropriate future funding request, schedule, and implementation of any proposed future project. As the scope and budget are further refined, GSA will update the committee.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
108-199	2004	\$11,000,000	Site and Design
114-113*	2016	\$93,999,000	Site, Design, ECC & M&I
Appropriations to Date		\$104,999,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, Greenville is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for Greenville is \$93,999,000.

³ This section is included to address recommendations in the following GAO Report: Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses (GAO-14-48).

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16
Congressional District: 04

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
House T&I	7/24/2002	\$8,307,000	Design for 237,409 gsf; 74 inside parking spaces
Senate EPW	9/26/2002	\$8,307,000	Design for 237,409 gsf; 74 inside parking spaces
House T&I	7/23/2003	\$2,627,000	Additional Site and Design for 257,347 gsf; 74 inside parking spaces
Senate EPW	6/23/2004	\$2,627,000	Additional Site and Design for 257,347 gsf; 74 inside parking spaces
House Approvals to Date		\$10,934,000	
Senate Approvals to Date		\$10,934,000	

Recommendation

CONSTRUCTION

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
GREENVILLE, SC**

Prospectus Number: PSC-CTC-GR16

Congressional District: 04

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on _____

APR 22 2016

Recommended: _____

Commissioner, Public Buildings Service

Approved: _____

Administrator, General Services Administration

PSC-CTC-GR16
Greenville, SCHousing Plan
New Courthouse

May 2016

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)			Total	Personnel		Usable Square Feet (USF)			Total
	Office	Total	Office	Storage	Special		Office	Total	Office	Storage	Special	
Government-Owned Locations												
C.F. Haynsworth FBCT *												
U.S. Court of Appeals (courtrooms & chambers)	2	2	604	-	3,813	4,417	-	5	-	9,639	9,639	
U.S. District Court - Clerk	18	18	6,248	-	1,252	7,500	-	-	-	-	-	
U.S. District Court (courtrooms/chambers)	7	7	2,155	1,180	9,925	13,260	-	-	-	-	-	
U.S. District Court - Magistrate	6	6	1,228	-	8,042	9,270	-	-	-	-	-	
Grand Jury	-	-	500	-	1,272	1,772	-	-	-	-	-	
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	-	-	-	2	2	-	5,253	5,253	
U.S. Bankruptcy Clerk	-	-	-	-	-	-	3	3	3,731	400	4,281	
Federal Public Defender	-	-	-	-	-	-	2	2	4,265	-	4,265	
DOJ Office of US Attorneys	-	-	308	-	-	308	-	-	-	-	-	
DOJ U.S. Marshals Service	17	17	4,510	-	2,879	7,389	2	2	838	-	838	
GSA Public Building Service	2	2	445	-	593	1,038	-	-	-	-	-	
Joint Use	-	-	-	-	526	526	-	-	-	526	526	
Vacant Space	-	-	775	-	54	829	-	-	-	-	-	
Potential Leases for backfill	-	-	-	-	-	-	115	115	21,926	-	21,926	
Subtotal	52	52	16,773	1,180	28,356	46,309	124	129	30,760	15,818	46,728	
New Courthouse												
Circuit Satellite Library	-	-	-	-	-	-	3	3	-	6,153	6,153	
U.S. District Court Clerk	-	-	-	-	-	-	25	25	16,596	750	19,423	
U.S. District Court (courtrooms/chambers)	-	-	-	-	-	-	14	14	-	39,951	39,951	
U.S. District Court - Magistrate	-	-	-	-	-	-	8	8	-	11,831	11,831	
Grand Jury	-	-	-	-	-	-	-	-	1,433	-	1,433	
U.S. Probation Office	-	-	-	-	-	-	58	58	11,294	-	12,748	
Federal Public Defender	-	-	-	-	-	-	-	-	450	-	450	
DOJ - Office of US Attorneys	-	-	-	-	-	-	-	-	1,400	-	1,400	
DOJ - United States Marshals Service	-	-	-	-	-	-	37	37	9,048	4,016	13,064	
Joint Use	-	-	-	-	-	-	-	-	-	800	800	
GSA Public Building Service	-	-	-	-	-	-	2	2	570	200	770	
Subtotal	-	-	-	-	-	-	147	147	40,791	66,482	108,023	
Donald Stuart Russell CT - Spartanburg, SC *												
U.S. Court of Appeals	2	2	3,172	-	-	3,172	-	-	-	-	-	
U.S. District Court (courtrooms/chambers)	7	7	6,359	-	6,864	13,223	-	-	-	-	-	
U.S. District Courts Clerk	3	3	703	-	-	703	-	-	-	-	-	
U.S. Bankruptcy Court (courtrooms/chambers)	5	5	2,359	-	2,670	5,029	-	-	-	-	-	
DOJ - United States Marshals Service	17	17	3,338	-	3,485	6,823	-	-	-	-	-	
Subtotal	34	34	15,931	-	13,019	28,950	-	-	-	-	-	
G. Ross Anderson Jr. FBCT - Anderson, SC *												
U.S. District Court (courtrooms/chambers)	6	6	5,485	-	6,166	11,651	-	-	-	-	-	
U.S. District Court - Magistrate	2	2	2,590	258	-	2,848	-	-	-	-	-	
DOJ - United States Marshals Service	3	3	1,612	-	344	1,956	-	-	-	-	-	
U.S. District Court - Clerk	4	4	1,014	-	287	1,301	-	-	-	-	-	
Subtotal	15	15	10,701	258	6,797	17,756	-	-	-	-	-	
Lease Locations												

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

COMMITTEE RESOLUTION

CONSTRUCTION—NEW U.S. COURTHOUSE,
SAN ANTONIO, TEXAS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the design and construction of a new U.S. courthouse of approximately 305,000 gross square feet, including approximately 83 inside parking spaces, in San Antonio, Texas, at a total es-

timated construction cost of \$123,142,000, and total management and inspection cost of \$7,439,000 at a total additional authorization of \$130,581,000 for a total estimated project cost, including prior authorizations, of \$144,581,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements

adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than eight courtrooms, including four for District Judges, two for Senior District Judges, and two for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide, except as reflected in the attached prospectus.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

FY 2016 Project Summary

The General Services Administration (GSA) proposes the design and construction of a new U.S. Courthouse of approximately 305,000 gross square feet, including approximately 83 inside parking spaces, in San Antonio, Texas. GSA will construct the courthouse to meet the 10-year space needs of the court and court-related agencies and the site will accommodate the anticipated 30-year needs of the court. Construction of the San Antonio courthouse project is on the Judiciary's Courthouse Project Priority list (approved by the Judicial Conference of the United States on September 17, 2015).

FY 2016 House and Senate Committee Approval Requested

(Construction, Management & Inspection).....\$130,581,000

FY 2016 Funding (as outlined in the FY 2016 Spend Plan)

(Design, Construction, Management & Inspection)\$132,581,000

Overview of Project

The courts currently occupy space in the John H. Wood Jr. Courthouse, the Adrian A. Spears Training Center, and the Federal Building. The site for the new courthouse is the former City Police Headquarters site, located at 214 West Nueva Street. Consistent with the agreement between GSA and the City of San Antonio, the Wood Courthouse and the Spears Training Center will be transferred to the City of San Antonio in exchange for the former Police Headquarters site.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

The new courthouse will consolidate all of the district court and associated U.S. Marshals Service space into one facility. The new courthouse will provide eight courtrooms and thirteen chambers consistent with the application of courtroom sharing policies and limitation on the provision of space for projected judgeships. The new courthouse will meet the 10-year needs of the courts and the site will accommodate the anticipated 30-year needs.

Site Information

To Be Acquired by Exchange 7 acres

Building Area¹

Building without parking 268,000 gsf
Building with parking 305,000 gsf
Structured parking spaces 83

¹ Square footages and number of parking spaces are approximate. The project may contain a variance in gross square footage from that listed in this prospectus upon measurement and review of the design drawings.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

Estimated Project Budget

Allocated Site Cost (FY 2010).....	5,000,000
Design (FY 2004 & FY 2010)	\$7,000,000
Estimated Additional Design	\$2,000,000
Estimated Construction Cost (ECC) (\$404/gsf including inside parking)	\$123,142,000
Estimated Management and Inspection (M&I).....	\$7,439,000
Estimated Total Project Cost (ETPC)*.....	\$144,581,000²

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule**Start*****End**

Design and Construction

FY 2011

FY 2021

***Design began in 2011 and proceeded to Design Development for the core and shell of the new building. Design will restart upon approval of this prospectus.**

Tenant Agencies

Court of Appeals, U.S. District Court, Pretrial Services, Probation Office, Judiciary Training Center, United States Marshals Service, and trial preparation space for the Federal Public Defender and the Office of the U.S. Attorney, and GSA.

² GSA requests approval for a total project cost. The sub-totals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual total cost to perform the entire project may differ than what is represented in this prospectus by the various subcomponents.

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

Justification

The Wood Courthouse is an adaptive reuse of a theater built for the 1968 HemisFair. The circular building has no exterior windows except for the glass façade of the main entry. The current judges are all housed in the Wood Courthouse and utilize eight available courtrooms. There are four active district judges, one senior district judge, and three magistrate judges in San Antonio. Three district judges will be eligible for senior status in the 10-year planning period and will require replacement. In addition to the courtrooms and chambers, the court also occupies over 69,000 usable square feet (usf) in the Federal Building for clerks, probation office, pretrial services, and other support space. The U.S. Marshals occupy over 7,300 usf in the Federal Building.

The Wood courthouse does not lend itself to the courts' and Marshals' security needs. There is no separate circulation for the public, judges, and prisoners, no sallyport, and inadequate space for the number of prisoners awaiting court proceedings. The building's circular design reduces the space efficiency factor, results in pie-shaped courtrooms which lack adequate spectator seating, and the curved corridors are narrow with many blind spots. The courtroom holding cells open directly into the restricted corridor, and a majority of the holding cells are too small to adequately meet the requirements for prisoner holding. The main entries to judges' chambers are located off the main public lobby. Due to space constraints, district clerk operations are split between the Wood Courthouse and the adjacent Federal Building. This project will provide for co-location of the courts and related agencies into one location for more efficient and secure operations.

The previously approved courthouse construction project is for a smaller site (3-4 acres), larger building (334,335 gsf), and fewer inside parking spaces (37). Due to changes in program, courtroom sharing, and exclusion of projected new judgeships, the proposed project is approximately 305,000 gsf with approximately 83 inside parking spaces on approximately 7 acres.

GSA**PBS**

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

After considering more than 18 possible locations and conducting a series of public hearings, the new courthouse site, which was the former location of the San Antonio Police Headquarters, was selected as the site with the greatest benefit to the Federal Government. GSA entered into an exchange arrangement with the City of San Antonio to exchange the Wood Courthouse and the Spears Training Center for the former Police Headquarters site. The larger courthouse site also offers compatibility with the city's Master Plan and potential for future consolidation of federal activities in a city with a growing federal presence. The site has been cleared of all existing structures, the utilities (gas line, storm sewer, sanitary sewer) have all been relocated, and the site has been environmentally cleaned and graded and is ready for construction.

Design Guide Exceptions

The following exceptions to the U.S. Courts Design Guide were approved by the Fifth Circuit Council on March 5, 2016 and by the Judicial Conference of the United States on March 15, 2016:

- Regional urinalysis laboratory (additional 838 usable square feet)
- Expanded jury assembly suite (additional 1150 usable square feet)

Associated costs for these exceptions are approximately \$1,199,000.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16
Congressional District: 20

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	4	4	4	4
- Senior	1	1	2	4
Magistrate	3	3	2	3
Court of Appeals		2*		2
Total:	8	10	8	13

*The Court of Appeals judges are currently in leased space.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
108-199	2004	\$8,000,000	Site and Design
111-117	2010	\$4,000,000	Design
114-113*	2016	\$132,581,000	Design, ECC, M&I
Appropriations to Date		\$144,581,000	

*Public Law 114-113 funded \$947,760,000 for new construction projects of the Federal Judiciary as prioritized in the Federal Judiciary Courthouse Project Priorities list, of which, San Antonio is included. GSA's Spend Plan describes each project to be undertaken with this funding. The FY 2016 need for San Antonio is \$132,581,000.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**

Prospectus Number: PTX-CTC-SA16

Congressional District: 20

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Proposed Project
Senate EPW	9/26/2002	\$6,926,000	Design for 325,113 gsf; 37 inside parking spaces
House T&I	9/26/2002	\$6,926,000	Design for 325,113 gsf; 37 inside parking spaces
House T&I	7/23/2003	\$1,251,000	Additional Design for 377,691 gsf; 37 inside parking spaces
Senate EPW	6/23/2004	\$19,251,000	Site and Additional Design for 377,691 gsf; 37 inside parking spaces
House T&I	7/21/2004	\$18,000,000	Site for 377,691 gsf; 37 inside parking spaces
House T&I	11/5/2009	\$4,000,000	Additional Design for 334,335 gsf; 83 inside parking spaces
Senate EPW	2/24/2010	\$4,000,000	Additional Design for 334,335 gsf; 83 inside parking spaces
House Approvals to Date		\$30,177,000	
Senate Approvals to Date		\$30,177,000	

Recommendation

CONSTRUCTION

GSAPBS

**PROSPECTUS
NEW U.S. COURTHOUSE
SAN ANTONIO, TEXAS**


Prospectus Number: PTX-CTC-SA16
Congressional District: 20

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on APR 22 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
New Courthouse												
Administrative Office of Courts	-						2	2	-	-	-	6,748
U.S. Court of Appeals	-						12	12	2,048	265	2,651	4,964
Circuit Libraries	-						2	2	566	460	2,863	3,889
U.S. District Court - Clerk	-						83	83	18,244	2,700	9,456	30,401
U.S. District Court (courtrooms/chambers)	-						16	16	5,952	39,770	48,968	
Federal Public Defender	-						2	2	450	-	-	450
U.S. District Court - Magistrate	-						9	9	3,361	373	9,712	13,446
Grand Jury	-						-	-	438	40	955	1,433
U.S. Pretrial Services Office	-						42	42	7,225	575	2,968	10,706
U.S. Probation Office	-						121	121	22,782	147	3,420	26,349
DOJ Office Of U.S. Attorneys	-						-	-	-	-	-	-
GSA Public Buildings Service, Field Offices	-						1	1	250	-	-	2,500
DOJ United States Marshals Service	-						100	100	10,848	624	16,906	28,378
Joint Use	-						-	-	-	-	-	640
Total:	-						390	390	74,664	8,430	96,089	179,122
John H. Wood Jr. Courthouse												
U.S. Court of Appeals	6	6	1,960		175	2,135	-	-	-	-	-	-
U.S. District Court - Clerk	60	60	15,387		1,897	17,284	-	-	-	-	-	-
U.S. District Court (courtrooms/chambers)	10	10	15,216	125	39,412	54,753	-	-	-	-	-	-
Grand Jury	-	-	264	-	1,394	1,658	-	-	-	-	-	-
DOJ United States Marshals Service	69	69	7,026	228	3,523	10,777	-	-	-	-	-	-
Joint Use	-	-	-	-	887	887	-	-	-	-	-	-
Sub Total:	145	145	39,853	353	47,288	87,494	-	-	-	-	-	-
Adrian A. Spears Training Center												
Administrative Office of Courts	2	2	3,454	-	8,367	11,821	-	-	-	-	-	-
Federal Building												
U.S. District Court - Clerk	22	22	14,630	-	1,846	16,476	-	-	-	-	-	-
Federal Public Defender	27	27	8,240	341	438	9,039	27	27	8,240	341	458	9,039
U.S. District Court - Magistrate	9	9	368	1,117	120	1,605	-	-	-	-	-	-
U.S. Pretrial Services Office	42	42	8,174	-	1,734	9,908	-	-	-	-	-	-
U.S. Probation Office	121	121	30,667	956	1,926	33,549	-	-	-	-	-	-
DOJ Bureau Of Prisons	14	14	6,024	-	192	6,216	14	14	6,024	-	192	6,216
DOJ Federal Protective Service	5	5	1,402	-	-	1,402	5	5	1,402	-	1,402	
USDA Food Safety And Inspection Service	6	6	470	-	-	470	-	-	470	-	-	470
Congress House Of Representatives	3	3	1,709	-	-	1,709	3	3	1,709	-	-	1,709
USDA Natural Resources Conservation Service	-	-	2,961	-	182	3,143	104	104	68,166	-	10,484	78,650
DOJ Office Of U.S. Attorneys	14	14	4,543	2,565	408	7,518	-	-	-	1,326	-	9,333
U.S. Regional And Field Offices	23	23	8,796	-	537	9,333	23	23	8,796	-	-	-
SSA Social Security Administration	19	19	6,274	-	1,036	7,310	-	-	-	-	-	-
DOJ United States Marshals Service	3	3	2,025	-	-	2,025	3	3	2,025	-	-	2,025
USDA Farm Service Agency-County	-	-	2,749	159	4,405	7,313	-	-	2,749	159	2,905	5,813
Joint Use	-	-	5,500	145	2,083	7,728	-	-	-	-	-	-
Vacant Unassigned Space	-	-	-	-	-	-	-	-	-	-	-	-
Sub Total:	308	308	106,404	5,283	14,927	126,614	185	185	101,451	1,826	14,576	117,853
McCombs Plaza (Lease)												
U.S. Court of Appeals	6	6	3,119	-	-	3,119	6	6	3,119	-	-	3,119
Pyramid Building (Lease)												
DOJ Office Of U.S. Attorneys	104	104	65,205	-	10,302	75,507	-	-	-	-	-	-
Total:	565	565	218,035	5,636	80,884	304,555	581	581	179,234	10,256	110,665	300,094

PTX-CTC-SA16
San Antonio, Texas

Housing Plan
New U.S. Courthouse

May, 2016

Special Space	USF
ADP	4,484
Library	2,732
Laboratory	1,282
Food Service	120
Courtroom	25,553
Judicial Hearing	787
Jury Room	3,530
Judicial Chambers	10,784
Fitness Locker Room	3,101
Mail Rooms	1,031
Break Rooms	4,633
Vaults	1,146
Equipment Storage	2,958
File Storage	4,086
Vestibules	839
Sallyport	3,133
Secured Room	2,275
Holding Cell	5,380
Conference/Training	14,603
Restroom	3,632
Total:	96,089

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

COMMITTEE RESOLUTION
ALTERATION—CONSOLIDATION ACTIVITIES
PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the reconfiguration and renovation of space within government-owned and leased buildings during fiscal year 2017 to improve space utiliza-

tion, optimize inventory, and decrease reliance on leased space at a total cost of \$75,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that an Expenditure Plan be submitted to the Committee prior to the expenditure of any funds.

Provided, that consolidation projects result in reduced annual rent paid by the tenant agency.

Provided, that no consolidation project exceeds \$20,000,000 in costs.

Provided further, that preference is given to consolidation projects that achieve an office utilization rate of 130 usable square feet or less per person.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PCA-0001-MU17

FY 2017 Project Summary

The General Services Administration (GSA) proposes the reconfiguration and renovation of space within Government-owned and leased buildings during Fiscal Year (FY) 2017 to support GSA's ongoing consolidation efforts to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government's environmental footprint.

Beginning in FY 2014, GSA implemented its Consolidation Activities special emphasis program, aimed at helping agencies reduce their reliance on costly leased space to meet long-term housing requirements by developing strategies to use space more efficiently and maximize use of the existing federally owned inventory. Through its FY 2014 and FY 2015 Consolidation Activities projects, GSA is helping its partner agencies reduce space by more than 1 million square feet and reduce agency rent payments to GSA by \$36 million and decrease GSA payments to private lessors, avoiding future lease payments totaling an estimated \$76 million annually.

FY 2017 Committee Approval and Appropriation Requested\$75,000,000

Program Summary

As part of its ongoing effort to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government's environmental footprint, GSA is identifying consolidation opportunities within its inventory of real property assets. These opportunities are presented through surveys and studies, partnering with client agencies, and through agency initiatives, such as Client Portfolio Planning. Projects will vary in size by location and agency mission and operations; however, no single project will exceed \$20 million in GSA costs. Funds will support consolidation of tenant agencies and will not be available for GSA internal consolidations. Preference will be given to projects that result in an Office Utilization Rate of 130 usable square feet per person or less and a total project payback period of 10 years or less.

Typical projects include the following:

- Reconfiguration and alteration of existing Federal space to accommodate incoming agency relocation/consolidation. (Note: May include reconfigurations of existing occupied Federal tenant space)
- Incidental alterations and system upgrades, such as fire sprinklers or heating, ventilation and air-conditioning, needed as part of relocation and consolidation.

GSA

PBS

**PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PCA-0001-MU17

Projects will be evaluated using the following criteria:

- Preference will be given to projects that are identified as a reduction opportunity in a Customer Portfolio Plan that has been agreed to by both GSA and the subject agency and that meet the other criteria.
- Proposed consolidation projects will result in a reduction in annual rent paid by the affected customer agency.
- Preference is given to consolidations within or into owned buildings over consolidations within or into leased space.
- Consolidation of expiring leases into owned buildings will be given preference over those business cases for lease cancellations that include a cancellation cost.
- Co-location with other agencies with shared resources and special space will be given preference.
- Links to other consolidation projects will be given preference.

Justification

Consistent with Administration initiatives, such as the June 2010 Presidential Memorandum, *Disposing of Unneeded Federal Real Estate*, and the Office of Management and Budget Memorandum M-12-12, *Promoting Efficient Spending to Support Agency Operations*, as well as Congressional efforts to dispose of excess and underutilized properties, GSA continually analyzes opportunities to improve space utilization and realize long-term cost savings for the Government. Funding for space consolidations is essential so that GSA can execute those opportunities.

Projects funded under this authorization will enable agencies to consolidate within Government-controlled leased space or relocate from either Government-controlled leased or federally owned space to federally owned space that more efficiently meets mission needs. These consolidations will result in improved space utilization, cost savings for the American taxpayers, and a reduced environmental impact.

FY 2017 Committee Approval and Appropriation Requested.....\$75,000,000

GSA

PBS

**PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS**

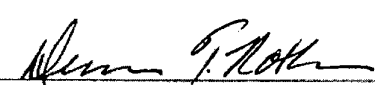
Prospectus Number: PCA-0001-MU17

Certification of Need

Current Administration and Congressional initiatives call for improved space utilization, lower costs for the Government and a reduced environmental footprint. It has been determined that the proposed consolidation program is the most practical solution to meeting those goals.

Submitted at Washington, DC, on February 8, 2016Recommended: 

Commissioner, Public Buildings Service

Approved: 

Administrator, General Services Administration

May 27, 2016

7681

COMMITTEE RESOLUTION

ALTERATION—ENERGY AND WATER RETROFIT
AND CONSERVATION MEASURES PROGRAM,
VARIOUS BUILDINGS

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-*

resentatives, that pursuant to 40 U.S.C. § 3307,
appropriations are authorized for repairs and
alterations to implement energy and water
retrofit and conservation measures, as well
as high performance energy projects, in Gov-
ernment-owned buildings during fiscal year
2017 at a total cost of \$10,000,000, a prospectus

for which is attached to and included in this
resolution.

Provided, that the General Services Admin-
istration shall not delegate to any other
agency the authority granted by this resolu-
tion.

GSA

PBS

**PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PEW-0001-MU17

FY 2017 Project Summary

The General Services Administration (GSA) proposes the implementation of energy and water retrofit and conservation measures, as well as high performance energy projects, in Government-owned buildings during Fiscal Year (FY) 2017.

FY 2017 Committee Approval and Appropriation Requested\$10,000,000

Program Summary

GSA proposes the implementation of energy and water retrofit and conservation measures in Government-owned buildings during FY 2017.

The Energy and Water Conservation Measures Program (Program) is designed to reduce on-site energy and water consumption through building alteration projects or retrofits of existing buildings systems. These projects are an important part of GSA's approach to reach mandated percentage reduction goals through 2025.

GSA has identified projects in federal buildings across the country through surveys and studies. These projects will have positive savings-to-investment ratios, must provide reasonable payback periods that reflect GSA's priority of being a green proving ground of next generation technologies and may generate rebates and savings from utility companies and incentives from grid operators.

This prospectus requests approval for proposed projects involving energy and water retrofit work, geothermal and other High Performance Green Building retrofit work, as well as design/construction work for new facilities that incorporate these technologies. The projects contained in this prospectus are for a diverse set of design and retrofit projects with engineering solutions to reduce energy or water consumption or costs, or any combination thereof.

Projects will vary in size by location and by delivery method. Typical projects include the following:

- Upgrading heating, ventilation and air-conditioning (HVAC) systems with new, high-efficiency systems, including the installation of energy management control systems.
- Altering constant volume air distribution systems to variable air flow systems by adding variable air flow boxes, fan volume control dampers and related climatic controls.

GSA

PBS

**PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PEW-0001-MU17

- Installing building automation control systems, such as night setback thermostats and time clocks, to control HVAC systems.
- Installing automatic occupancy light controls, lighting fixture modifications and associated wiring to reduce the electrical consumption per square foot through the use of higher efficiency lamps and use of non-uniform task lighting design.
- Installing new or modifying existing temperature control systems.
- Replacing electrical motors with multi-speed or variable-speed motors.
- Insulating roofs, pipes, HVAC duct work, and mechanical equipment.
- Installing and caulking storm windows and doors to prevent the passage of air and moisture into the building envelope.
- Providing advanced metering projects that enable building managers to better monitor and optimize energy performance.
- Providing and implementing water conservation projects.
- Providing and installing renewable projects, including photovoltaic systems, solar hot water systems and wind turbines.
- Providing distributed generation systems.
- Drilling to install vertical and horizontal geothermal loops.
- Installing heat pumps and other types of geothermal equipment.
- Installing building insulation and seals to enhance equipment performance and reduce the size and energy consumption of geothermal and other energy-efficient equipment.
- Installing wastewater recycling processes for use on lawns, in toilets and for washing cars.
- Insulating roofs, pipes, HVAC duct work, and mechanical equipment.

GSA

PBS

**PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PEW-0001-MU17

Justification

The Energy Policy Act of 2005 (Public Law 109-58) required a two percent energy usage reduction as measured in BTU/GSF per year from 2006 through 2017 over a 2003 baseline. Guidance issued by the Department of Energy pursuant to this requirement states that savings anticipated from advanced metering can range from 2 to 45% annually when used in combination with continuous commissioning efforts. The provisions of Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management," concerning energy consumption reduction were incorporated into law as the Energy Independence and Security Act of 2007 (EISA). These two statutes increased the energy reduction mandates to three percent per year.

All Federal agencies are directed to reduce overall energy use in buildings they operate by 30% from 2003 levels and reduce overall water use by 16% from 2007 levels. Increased energy and water efficiency in buildings and operations will require capital investment for changes and modifications to physical systems that consume energy and water, as well as other high performance green building initiatives and infrastructure designs and retrofits.

In addition, EISA included provisions that exceed the requirements of the Energy Policy Act of 2005. One such long-term requirement is to eliminate fossil fuel-generated energy consumption in new and renovated Federal buildings by FY 2030 by achieving targeted reductions beginning with projects designed in FY 2010. Other shorter-term measures include increasing the use of solar hot water heating (to 30%), installation of advanced meters for steam and gas (previously only electricity was covered) and broader application of energy efficiency in all major renovations.

Approval of this FY 2017 request will enable GSA to continue to provide leadership in energy/water conservation and efficiency to both the public and private sectors and to continue its efforts to meet or exceed the ambitious statutorily mandated goals.

FY2017 Committee Approval and Appropriation Requested\$10,000,000

GSA

PBS

**PROSPECTUS - ALTERATION
ENERGY AND WATER RETROFIT AND CONSERVATION MEASURES PROGRAM
VARIOUS BUILDINGS**

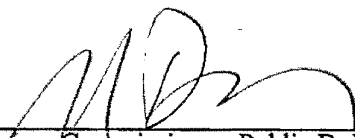
Prospectus Number: PEW-0001-MU17

Certification of Need

It has been determined that the practical solution to achieving the identified building energy and water management goals is to proceed with the energy and water retrofit and conservation work indicated above.

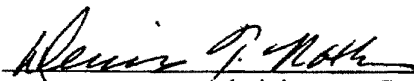
Submitted at Washington, DC, on February 8, 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—FIRE PROTECTION AND LIFE
SAFETY PROGRAM, VARIOUS BUILDINGS

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-*

resentatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations to upgrade, replace, and improve fire protection systems and life safety features in government-owned buildings during Fiscal Year 2017 at a total cost of \$20,000,000,

a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PFP-0001-MU17

FY 2017 Project Summary

This prospectus proposes alterations to upgrade, replace, and improve fire protection systems and life safety features in Government-owned buildings during fiscal year (FY) 2017.

Since FY 2010, GSA has received \$7,600,00 in funding in support of the Fire Protection and Life Safety Program. With these funds, GSA has been able to undertake 68 fire protection and life safety projects to remove or reduce code deficiencies, hazards and building-wide and localized risks in 60 Government owned buildings nationwide.

FY 2017 Committee Approval and Appropriation Requested.....\$20,000,000

Program Summary

As part of its fire protection and life safety efforts, GSA is currently identifying projects in federal buildings throughout the country through surveys and studies. These projects will vary in size, location, and delivery method. The approval and appropriation requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include the following:

- Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.
- Installing emergency voice communication systems to facilitate occupant notification and evacuation in Federal buildings during an emergency.
- Installing or expanding, as necessary, fire sprinkler systems to provide a reasonable degree of protection for life and property from fire in Federal buildings.
- Constructing additional exit stairs or enclosing existing exit stairs to facilitate the safe and timely evacuation of building occupants in the event of an emergency.

Justification

GSA periodically assesses all facilities using technical professionals to identify hazards and initiate correction or risk-reduction protection strategies so that its buildings do not present an unreasonable risk to GSA personnel, occupant agencies, or the general public. Completion of these proposed projects will improve the overall level of safety from fire and similar risks in GSA-controlled Federal buildings nationwide.

FY 2017 Committee Approval and Appropriation Requested.....\$20,000,000

GSA

PBS

**PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS**


Prospectus Number: PFP-0001-MU17

Certification of Need

Over the years, a number of fire protection and life safety issues have been identified that need to be addressed to reduce fire risk. The proposed program is the best solution to meet a validated Government need.


Submitted at Washington, DC, on February 8, 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—JUDICIARY CAPITAL SECURITY
PROGRAM, VARIOUS BUILDINGS

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for alterations
to improve physical security in Government-
owned buildings occupied by the Judiciary
and U.S. Marshals Service during Fiscal
Year 2017 in lieu of future construction of
new facilities at a total cost of \$26,700,000, a

prospectus for which is attached to and in-
cluded in this resolution.

Provided further, that the General Services
Administration shall not delegate to any
other agency the authority granted by this
resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PJCS-0001-MU17

FY 2017 Project Summary

This prospectus proposes alterations to improve physical security in Government-owned buildings occupied by the Judiciary and the U.S. Marshals Service (USMS) during fiscal year (FY) 2017 in lieu of future construction of new facilities.

FY 2017 Committee Approval and Appropriation Requested..... \$26,700,000

Program Summary

The Judiciary Capital Security Program (JCS) is dedicated to improving physical security in buildings occupied by the Judiciary and USMS in lieu of construction of brand new facilities, thereby providing cost savings and expedited delivery. These projects will vary in size, location, and delivery method and improve the separation of circulation for the public, judges, and prisoners. Funding provided for the security improvement projects would address elements such as additional doors, reconfiguring or adding corridors, reconfiguring or adding elevators and sallyports, and constructing physical or visual barriers.

Justification

The JCS will provide a vehicle for addressing security deficiencies in a timely and less costly manner when constructing a new courthouse is unlikely in the foreseeable future. In FY 2012, FY 2013, and FY 2015, GSA's appropriation included funding for this special emphasis program to undertake security improvements to buildings occupied by the Judiciary. In addition, the FY 2016 President's Budget includes funding for this program. The projects in this program are based on studies undertaken by the Judiciary. This prospectus requests separate funding to address specifically such security conditions at existing Federal Courthouses for locations that are unlikely to be considered for construction of a new courthouse. The Judiciary's asset management planning process serves to help compile a preliminary assessment of potential JCS projects that identify courthouses with poor security ratings nationwide.

GSA

PBS

**PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS**

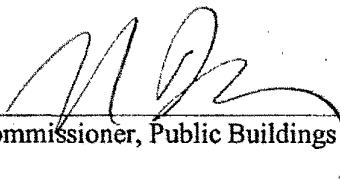
Prospectus Number: PJCS-0001-MU17

Certification of Need

Over the years, a number of security issues have been identified that need to be addressed to reduce risk to physical security. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—MINTON-CAPEHART FEDERAL
BUILDING, INDIANAPOLIS, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and

alterations to undertake structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianapolis, Indiana at a design cost of \$1,099,000, an estimated construction cost of \$8,807,000 and a management and inspection

cost of \$878,000 for a total estimated project cost of \$10,784,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN17
Congressional District: 7

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street Indianapolis, IN. The proposed project will address safety and operability issues of the rapidly deteriorating garage.

FY 2017 Committee Approval and Appropriation Requested

(Design, Estimated Construction Cost, Management & Inspection)\$10,784,000

Major Work Items

Superstructure repairs and demolition; electrical and fire protection replacement/upgrades

Project Budget

Design	\$1,099,000
Estimated Construction Cost (ECC)	8,807,000
Management and Inspection (M&I)	878,000
Estimated Total Project Cost (ETPC)*	\$10,784,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2020

Building

The Minton-Capehart Federal Building, built in 1974, is six stories above grade and includes a mezzanine and basement. The attached parking garage, which is original to the building, is two stories, with the first story partially below grade and partially exposed to the elements. The garage provides 464 parking spaces, which are occupied by law enforcement and Government-owned vehicles, including 75 parking spaces for the nearby Birch Bayh Courthouse Federal tenants. The upper deck serves as a partial cover for the lower deck. The garage is elevated and entirely open to the atmosphere and elements. The garage's upper deck is joined to the federal building's first floor entry and plaza. The lower level has a dock area that is attached to the federal building.

GSAPBS

**PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN17
Congressional District: 7

Tenant Agencies

Department of Housing and Urban Development, Department of Justice, Department of the Treasury, Department of Veterans Affairs, Department of Labor, Federal Railroad Administration, Department of Homeland Security, GSA, Department of Transportation, National Labor Relations Board, Social Security Administration, and Judiciary (parking only)

Proposed Project

The proposed project scope includes concrete repairs and upgrades to lateral load resistance which will extend the life of the parking structure for several decades. The upper level slab will be replaced and a new traffic-bearing membrane will be installed over the top of the new slab. Existing beams will be repaired at locations where concrete has spalled. New concrete shear walls will be constructed. The project also includes improvements to the supporting columns, shear walls and exterior stairwells, as well as improvements to the lighting and fire protection and installation of bollards at the garage entrance and exits.

Major Work Items

Superstructure Repairs and Demolition	\$5,970,000
Electrical Replacement/Upgrades	2,563,000
Fire Protection Replacement/Upgrades	<u>274,000</u>
Total ECC	\$8,807,000

Justification

The garage is over 40 years old and is in urgent need of a major renovation. The garage is suffering from multiple concrete related failures including: delamination on the floor slabs and beams and slab reinforcement with extensive section loss; concrete spalling, and delamination at some column facades; water leakage on the underside of the supported level; and, deteriorated expansion joints. The current electrical infrastructure will be upgraded/replaced to meet current codes. The installation of bollards on both the entrance and exit ramps of the garage will enhance security.

Interim short-term repairs have been undertaken with minor repair and alteration program funds over the past decade in an attempt to address immediate safety measures. The corrosion, spalling, and delamination of the structure is threatening tenant and property safety. Sections of the garage have been closed down due to the risk. Currently, there are two parking spaces closed in the lower level due to falling concrete. Ten additional

GSA**PBS**

**PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN17
Congressional District: 7

parking spaces are closed in the lower level due to water leaks from the upper deck, which have damaged several vehicles. Until a major repair is completed, tenant safety will continue to be threatened, continued and expanded closures of sections of the garage will be required, and continued degradation of the garage deck will occur.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
P.L. 111-5 (ARRA)	Modernization	2009	\$48,086,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSAPBS

**PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

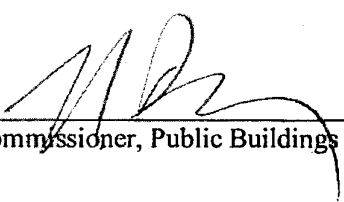
Prospectus Number: PIN-0133-IN17
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—F. EDWARD HEBERT FEDERAL
BUILDING, NEW ORLEANS, LA

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for repairs and
alterations for the modernization of the F.
Edward Hebert Federal Building located at
600 S. Maestri Place in New Orleans, Lou-
isiana at a design cost of \$5,740,000, an esti-
mated construction cost of \$55,606,000 and a
management and inspection cost of \$5,262,000

for a total estimated project cost of
\$66,608,000, a prospectus for which is attached
to and included in this resolution.

Provided, that the General Services Admin-
istration shall not delegate to any other
agency the authority granted by this resolu-
tion.

GSAPBS

**PROSPECTUS – ALTERATION
F. EDWARD HEBERT FEDERAL BUILDING
NEW ORLEANS, LA**

Prospectus Number: PLA-0034-NO17
Congressional District: 2

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the modernization of the F. Edward Hebert Federal Building, located at 600 S. Maestri Place in New Orleans, LA. Alteration of this 76-year old building includes replacing aging building systems and significant interior improvements needed for building safety and efficiency.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$66,608,000

Major Work Items

Interior construction; heating ventilation and air conditioning (HVAC), mechanical, electrical, elevator, life safety/emergency, plumbing systems replacements; exterior construction

Project Budget

Design	\$5,740,000
Estimated Construction Cost (ECC)	55,606,000
Management and Inspection (M&I)	<u>5,262,000</u>
Estimated Total Project Cost (ETPC)*	\$66,608,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2020

Building

The Hebert Federal Building, constructed in 1939 as a Federal Building and U.S. Post Office, is a 271,000 gross square foot, steel-framed, 11-story building with a below grade basement. An example of the sleek 1930's Modernistic style, the building is listed in the National Register of Historic Places. The original U.S. Postal Service presence has been reduced, and currently the building serves primarily as a federal building.

GSA

PBS

**PROSPECTUS – ALTERATION
F. EDWARD HEBERT FEDERAL BUILDING
NEW ORLEANS, LA**

Prospectus Number: PLA-0034-NO17
Congressional District: 2

Tenant Agencies

Court of Appeals, Internal Revenue Service, Department of Justice, Department of Labor, Department of Agriculture, National Labor Relations Board, U.S. Postal Service

Proposed Project

Interior construction includes building a common corridor on each of floors 3-10 to improve circulation and access to building services; construction of a new accessible restroom core with water and energy-efficient restrooms and sufficient ventilation; and replacement of the building's telecommunications infrastructure. A state-of-the-art lighting system will be installed and fully integrated into the building's energy management system. The project also includes modernizing a number of outdated internal building systems. Electrical switchgear will be replaced and located out of the basement, per city code. HVAC work includes replacement of major components, as well as relocation of the central plant from the basement to the first floor of the building. Elevators will be replaced. The existing fire alarm and sprinkler systems, including the fire pump, will be replaced. The original plumbing system will be replaced. Minor exterior work will repair corrosion and improve accessibility. Swing space within the building will be needed to accommodate tenant moves during construction will be provided from within the building.

Major Work Items

Interior Construction	\$16,924,000
Electrical Replacement	13,317,000
HVAC/Mechanical Replacement	13,017,000
Elevator Replacement	4,787,000
Life Safety/Emergency System Replacement	3,677,000
Exterior Construction	2,208,000
Plumbing Replacement	<u>1,676,000</u>
Total ECC	\$55,606,000

GSA

PBS

**PROSPECTUS – ALTERATION
F. EDWARD HEBERT FEDERAL BUILDING
NEW ORLEANS, LA**

Prospectus Number: PLA-0034-NO17
Congressional District: 2

Justification

While the Hebert Federal Building is structurally sound, the building requires significant interior alterations and systems replacement. Years of interior renovation due to changes in tenant occupancy have resulted in an office environment that is not fully compliant with fire and life safety codes and that has inefficient building circulation and poor telecommunication infrastructure on floors 3-10. Additionally, only one unisex toilet room that conforms to most accessibility requirements has been created on each floor; however, not all are accessible from public spaces and require entering tenant space to gain access. On some floors, tenants must cross through other tenant agency space to reach restrooms and elevators, creating access and egress problems and firetraps in certain locations. The telecommunication infrastructure requires a number of upgrades to make it competitive with commercial space, eliminate safety hazards, and reduce the cost and difficulty of future tenant build-out and technology changes. Miles of abandoned-in-place phone cabling will be removed, freeing up valuable pathways and space on equipment room floors and walls.

Most of the building systems are outdated and have reached the end of their useful lives. The building's central plant and electrical switchgear are located in the basement, which is prone to flooding in heavy rain events. All central plant and electrical equipment will also be replaced and relocated from the basement to the first floor, per city code. The fire alarm and sprinkler systems have exceeded their anticipated life spans and require complete replacement. Currently, only one contractor within a 150-mile radius is capable of working on the old, outdated fire alarm system. Elevators are problematic and also require replacement.

The plumbing and ventilation stacks in the existing restrooms are original to the building and require frequent and extensive maintenance. The existing restrooms will be recaptured as rentable space, realigning space and eliminating pockets of unmarketable vacant space.

Historic elements, such as the original main lobby doors and elevator lobbies on all floors, will be refurbished.

The building's exterior envelope is in very good condition and needs only minor repair to replace sealant and correct damage from corrosion. Minor exterior construction is required to improve accessibility to the building.

GSA

PBS

**PROSPECTUS – ALTERATION
F. EDWARD HEBERT FEDERAL BUILDING
NEW ORLEANS, LA**

Prospectus Number: PLA-0034-NO17
Congressional District: 2

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$89,297,000
Lease	\$191,633,000
New Construction:	\$98,127,000

The 30-year, present value cost of alteration is \$102,336,000 less than the cost of leasing, with an equivalent annual cost advantage of \$5,494,000.

Recommendation

ALTERATION

GSAPBS

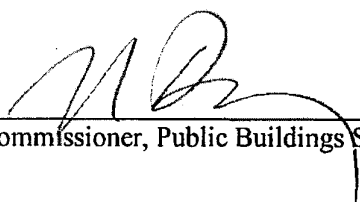
**PROSPECTUS – ALTERATION
F. EDWARD HEBERT FEDERAL BUILDING
NEW ORLEANS, LA**

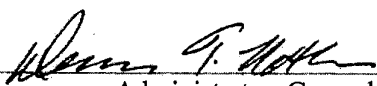
Prospectus Number: PLA-0034-NO17
Congressional District: 2

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—JOHN F. KENNEDY FEDERAL
BUILDING, BOSTON, MA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and

alterations to replace the deficient roof, outdated chiller, and ventilation air duct systems and upgrade the lighting controls system in the John F. Kennedy Federal Building located at 15 New Sudbury Street in Boston, Massachusetts at a design cost of \$3,207,000, an estimated construction cost of \$34,202,000 and a management and inspection

cost of \$2,864,000 for a total estimated project cost of \$40,273,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MA**

Prospectus Number: PMA-0131-BN17
Congressional District: 8

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to replace the deficient roof, outdated chiller, and ventilation air duct (VAD) systems and upgrade the lighting controls system in the John F. Kennedy Federal Building (JFK), located at 15 New Sudbury Street, Boston, MA. The proposed project will improve building performance and facilitate code compliance.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$40,273,000

Major Work Items

Roof replacement; electrical upgrades and heating, ventilation and air conditioning (HVAC) systems replacement/upgrades; hazardous abatement

Project Budget

Design	\$ 3,207,000
Estimated Construction Cost (ECC)	34,202,000
Management and Inspection (M&I)	<u>2,864,000</u>
Estimated Total Project Cost (ETPC)*	\$40,273,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2020

Building

JFK consists of a 27-story, high-rise tower, an adjacent five-story, low-rise structure connected by a glass-enclosed walkway, 226 structured parking spaces, and 31 surface parking spaces. The building was constructed in 1966 of steel reinforced concrete and contains approximately 1,046,000 gross square feet. The building is located in the Government Center area of the city, which includes Boston City Hall.

GSA

PBS

**PROSPECTUS – ALTERATION
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MA**

Prospectus Number: PMA-0131-BN17
Congressional District: 8

Tenant Agencies

Department of Labor, Department of the Treasury, Department of Health and Human Services, Department of Justice, Department of Veterans Affairs, Department of Homeland Security, Equal Employment Opportunity Commission, Social Security Administration, Department of Defense, U.S. Congress – Senate and the Government Publishing Office, GSA, and Department of Commerce.

Proposed Project

The proposed project replaces the deficient roofing system, including the flashing and sealants, with a new membrane roofing system coupled with high-efficiency insulation on the low-rise, high-rise, and breezeway portions of the building. The roof system will integrate a new roof-mounted photovoltaic array installed on the low-rise roof. In addition, the project contains abatement of potential PCBs during roof demolition work and upgrades the building's permanent roof anchor/fall arrest system providing additional safeguards.

Existing chillers will be replaced with new high efficiency units with non-chlorofluorocarbon refrigerants. Waste condensate from new chiller replacement will be used to provide additional hot water for snowmelt or domestic hot water. The existing VAD system will be replaced and reconfigured with a highly efficient variable air volume system with reheat and a direct digital control system. The existing ductwork will be replaced or cleaned. Any new equipment will be fully compatible with and tied into the existing building automation system (BAS).

The existing lighting control system will be upgraded to incorporate an occupancy and daylighting strategies throughout the tenant floors and bi-level lighting in the stairways as well as an occupancy/dimming strategy in the garage,

GSA

PBS

**PROSPECTUS – ALTERATION
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MA**

Prospectus Number: PMA-0131-BN17
Congressional District: 8

Major Work Items

Roof Replacement	\$2,984,000
Electrical Upgrades	1,287,000
HVAC Replacement/Upgrades	24,323,000
Hazardous Abatement	<u>5,608,000</u>
Total ECC	\$34,202,000

Justification

The project will allow for roof replacement prior to full failure of the existing roofing system in a manner that is minimally disruptive to the tenant agencies. The low-rise structure has already suffered leaks that have severely affected tenant operations. If unfunded, recurring localized failures or full roof material failure risk damage to interior finishes, tenant property and mission, and other historic building elements. Increased energy consumption due to deterioration of insulation is also a risk. Additionally, the project will incorporate permanent roof-mounted fall protection features for personnel, ensuring proper life safety compliance.

The current VAD system lacks control and responsiveness. Increased energy consumption, poor tenant comfort, and failing indoor air quality are recurring problems throughout the building. Existing chillers have reached the end of their useful life and require replacement. Upgrading the existing lighting controls and BAS will result in decreased energy consumption, thereby reducing monthly utilities..

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

GSAPBS

**PROSPECTUS – ALTERATION
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MA**

Prospectus Number: PMA-0131-BN17
Congressional District: 8

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
P.L. 111-5 (ARRA)	Blast Mitigation Window Project	2009	\$33,217,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSAPBS

**PROSPECTUS – ALTERATION
JOHN F. KENNEDY FEDERAL BUILDING
BOSTON, MA**

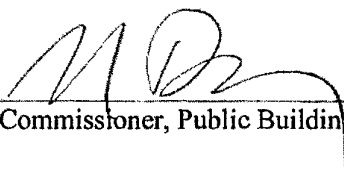
Prospectus Number: PMA-0131-BN17
Congressional District: 8

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

AMENDED COMMITTEE RESOLUTION
ALTERATION—985 MICHIGAN AVENUE,
DETROIT, MI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for

repairs and alterations to extend service life, improve operational efficiency, and to undertake interior alterations for the reconfiguration and consolidation of federal agencies into the facility at 985 Michigan Avenue in Detroit, Michigan at additional estimated project costs of \$14,617,000, a prospectus for which is attached to and included in this res-

olution. This resolution amends the resolution adopted by the Committee on July 16, 2014 related to prospectus PMI-1951-DE15.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**AMENDED PROSPECTUS – ALTERATION
985 MICHIGAN AVENUE
DETROIT, MI**

Prospectus Number: PMI-0800-DE17
Congressional District: 14

FY 2017 Project Summary

The General Services Administration (GSA) requests additional approval and funding for a repair and alteration project to renovate 985 Michigan Avenue in Detroit, MI to extend service life, improve operational efficiency, and undertake interior alterations for reconfiguration and consolidation of federal agencies into the facility. The consolidation of federal agencies will decrease reliance on leased space, improve space utilization, and incorporate alternative workplace solutions. The Government is expected to achieve savings due to lease cost avoidance of approximately \$7,900,000 per year.

The building was constructed in 1995 as a build-to-suit lease to be occupied by the Internal Revenue Service (IRS). GSA exercised a \$1 lease purchase option at the end of the lease term and assumed ownership of the building on April 16, 2015.

This prospectus amends PMI-1951-DE15, which was approved in FY 2015, to reflect budget increases subsequent to preparation of the FY 2015 prospectus. Further analysis conducted after the execution of the purchase option and submission of the FY 2015 prospectus identified additional elements resulting in increased costs for interior construction work and electrical upgrades and reduced/eliminated costs associated with the elevator systems, parking garage, and exterior repairs.

FY 2017 Committee Approval Requested

(Construction, Management and Inspection)..... \$14,617,000¹

FY 2017 Committee Appropriation Requested

(Construction, Management and Inspection).....\$81,303,000

Major Work Items

Interior construction; heating ventilation and air conditioning (HVAC), electrical, fire, and life safety replacement/upgrades; elevator and plumbing upgrades; demolition; exterior construction

¹ Balance of approval needed for project equals \$14,617,000. (Project approval of \$74,913,000 – House Committee on Transportation and Infrastructure resolution dated July 16, 2014, and the Senate Committee on Environment and Public Works resolution dated April 28, 2015)

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
985 MICHIGAN AVENUE
DETROIT, MI**

Prospectus Number: PMI-0800-DE17
Congressional District: 14

Project Budget

Design (FY 2015)	\$8,227,000
Estimated Construction Cost (ECC)	75,647,000
Management and Inspection (M&I)	5,656,000
Estimated Total Project Cost (ETPC)*	\$89,530,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design	FY 2015	FY 2017
Construction	FY 2017	FY 2019

Building

The office building is 10 stories above grade with a basement and has approximately 866,000 gross square feet. The majority of the mechanical equipment is housed in a three-story structure adjacent to the building. The building has a 10-story parking garage with approximately 850 spaces.

Tenant Agencies

Department of the Treasury, Department of Justice, Department of Homeland Security, Department of Labor, State Department, GSA, U.S. Air Force Reserves, U.S. Office of Special Counsel, Social Security Administration, and Health and Human Services-IG

Proposed Project

GSA proposes to renovate the building to extend its useful life and consolidate federal agencies from leased locations in Detroit, MI. Renovation of the building systems includes improvements to the HVAC systems that will result in energy savings, repairs to elevators for code compliance, repairs to the building's windows and facade, replacement/upgrades of fire protection systems, improvements to the electrical infrastructure, plumbing upgrades, and renovation of common areas.

Department of Treasury – Internal Revenue Service (IRS) is currently located at the 985 Michigan Avenue building and another leased location. Interior alterations will be made to allow for the reconfiguration of IRS space and consolidation of Federal agencies into

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
985 MICHIGAN AVENUE
DETROIT, MI**

Prospectus Number: PMI-0800-DE17
Congressional District: 14

space released by the IRS with the other largest consolidations being Department of Homeland Security and Department of Justice. Other proposed backfill agencies are currently housed in leased facilities.

Major Work Items

Interior Construction	\$28,075,000
HVAC Replacement/Upgrades	18,283,000
Electrical Replacement/Upgrades	12,545,000
Fire and Life Safety Replacement/Upgrades	7,635,000
Demolition	4,181,000
Exterior Construction	3,899,000
Plumbing Upgrades	826,000
Elevator Upgrades	<u>203,000</u>
Total ECC	\$75,647,000

Justification

This project will create a multi-tenant federal building by significantly reducing the IRS' footprint in the building and consolidating a number of federal agencies (including the IRS) from leased facilities into the 985 Michigan Avenue facility. The Government is expected to achieve savings due to lease cost avoidance of approximately \$7,900,000 per year.

The building is 20 years old and was constructed for data center activities, many systems are inefficient and are approaching the end of their useful lives. Mechanical, electrical, elevator, and plumbing systems have operated 24/7, 365-days/year since the building was constructed in 1995. Upgrades to the building's infrastructure are required to extend service life, reduce energy consumption and operating expenses, and ensure long-term occupancy of federal tenants. The HVAC system was built for data center functionality and is inefficient and oversized for office use. Fire and life safety systems are not compliant with current code. Additionally, the building envelope is showing signs of deterioration.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
985 MICHIGAN AVENUE
DETROIT, MI**

Prospectus Number: PMI-0800-DE17
Congressional District: 14

for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
113-235	2015	\$8,227,000 ²	Design
Appropriations to Date		\$8,227,000	Design

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	7/16/2014	\$74,913,000	Design and Construction
Senate EPW	4/28/2015	\$74,913,000	Design and Construction

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:\$86,165,000
 Lease:\$457,177,000
 New Construction:\$374,294,000

The 30-year, present value cost of alteration is \$288,129,000 less than the cost of new construction, with an equivalent annual cost advantage of \$15,470,000.

Recommendation

ALTERATION

² As identified in FY2015 GSA Spend Plan

GSAPBS

**AMENDED PROSPECTUS – ALTERATION
985 MICHIGAN AVENUE
DETROIT, MI**

Prospectus Number: PMI-0800-DE17
Congressional District: 14

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—PATRICK V. MCNAMARA FEDERAL
BUILDING GARAGE, DETROIT, MI

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. §3307,
appropriations are authorized for repairs and*

alterations to undertake critical structural
and related system upgrades of the Patrick
V. McNamara Federal Building parking ga-
rage located at 477 Michigan Avenue in De-
troit, Michigan at a design cost of \$1,058,000,
an estimated construction cost of \$8,822,000
and a management and inspection cost of

\$840,000 for a total estimated project cost of
\$10,720,000, a prospectus for which is attached
to and included in this resolution.

*Provided, that the General Services Admin-
istration shall not delegate to any other
agency the authority granted by this resolu-
tion.*

GSAPBS

**PROSPECTUS – ALTERATION
PATRICK V. McNAMARA FEDERAL BUILDING GARAGE
DETROIT, MI**

Prospectus Number: PMI-0133-DE17
Congressional District: 14

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake critical structural and related system upgrades of the Patrick V. McNamara Federal Building parking garage, located at 477 Michigan Avenue in Detroit, MI. The proposed project will correct serious life safety deficiencies and operability issues of the rapidly deteriorating garage.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$10,720,000

Major Work Items

Superstructure repairs and demolition; fire protection and electrical upgrades; and plumbing and heating ventilation, and air conditioning (HVAC) replacement/upgrades

Project Budget

Design	\$1,058,000
Estimated Construction Cost (ECC)	8,822,000
Management and Inspection (M&I)	<u>840,000</u>
Estimated Total Project Cost (ETPC)	\$10,720,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2019

Building

The McNamara Federal Building, built in 1972, is 27-stories above grade with two basement levels, a mezzanine, and a rooftop mechanical penthouse. The parking garage, which abuts the federal building, was also constructed in 1972 and provides mission-critical parking for federal agencies housed in the McNamara Federal Building. The five-story, steel reinforced concrete Garage structure is approximately 119,000 gross square feet with 215 parking spaces. Three of the five levels are below grade, one level is at grade, and one level is above grade. There is an entrance from the second level of the garage to the basement of the federal building.

GSAPBS

**PROSPECTUS – ALTERATION
PATRICK V. McNAMARA FEDERAL BUILDING GARAGE
DETROIT, MI**

Prospectus Number: PMI-0133-DE17
Congressional District: 14

Tenant Agencies

Department of Justice, Department of Homeland Security, Judiciary, Department of Veterans Affairs, GSA, U.S. Army Corps of Engineers, Health and Human Services, Department of Housing and Urban Development, Equal Employment Opportunity Commission, National Labor Relations Board, Railroad Retirement Board, Small Business Administration, Department of the Treasury, and Congress – Senate

Proposed Project

The proposed project includes replacement, with concrete, of portions of the slab, as well as the asphalt driving surfaces. A waterproof membrane will be installed to protect the structural concrete from water infiltration, and the exterior concrete stairs will also be repaired. The project will also include replacement of signage, and improvements to the storm drain, plumbing, electrical, fire protection, and mechanical systems, including the exhaust ventilation system.

Major Work Items

Superstructure Repairs and Demolition	\$7,015,000
Fire Protection Upgrades	243,000
Plumbing Replacement/Upgrades	405,000
HVAC Replacement/Upgrades	760,000
Electrical Upgrades	<u>399,000</u>
Total ECC	\$8,822,000

Justification

The McNamara Federal Building parking garage provides mission-critical parking for federal agencies housed in the federal building, including secure parking for federal law enforcement agencies. Original to the construction of the garage, the existing concrete slab structure is rapidly deteriorating with spalling concrete and rusted reinforced steel visible where sections of concrete have fallen from slabs. The asphalt-topped concrete decks are in very poor condition, with large potholes that have the potential to damage vehicles and injure pedestrians. Portions of the garage have been temporarily closed due to spalling concrete and water-related degradation. Interim repairs put in place over the years are also susceptible to spalling due to the continued water penetration and de-icing salts. Presently, GSA identified two areas that have potential for further structural failure that are being closely monitored. Short-term repairs undertaken over the past 10 years with minor repair and alteration program funds are in need of a permanent solution. In addition to the structural repairs needed, the storm drain, fire and life safety, electrical

GSAPBS

**PROSPECTUS – ALTERATION
PATRICK V. McNAMARA FEDERAL BUILDING GARAGE
DETROIT, MI**

Prospectus Number: PMI-0133-DE17
Congressional District: 14

and mechanical, and emergency lighting systems are all failing due to age and conditions and are non-compliant with current codes. The majority of storm drains are cracked and inoperable, which forces water to seep through cracks in the concrete, causing further degradation of the structure. Sprinkler pipes and drain lines are corroded throughout the garage, and the incidence of failure is increasing over time. Ruptures in the sprinkler pipe have caused water damage in occupied space in the basement of the federal building due to the inoperable storm drains.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA

PBS

**PROSPECTUS – ALTERATION
PATRICK V. McNAMARA FEDERAL BUILDING GARAGE
DETROIT, MI**


Prospectus Number: PMI-0133-DE17
Congressional District: 14

Certification of Need


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—2306/2312 BANNISTER ROAD
FEDERAL BUILDING, KANSAS CITY, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and

alterations to modernize select aging and deteriorating building systems and infrastructure of the 2306/2312 Bannister Road Federal Building in Kansas City, Missouri at a design cost of \$5,512,000, an estimated construction cost of \$55,887,000 and a management and inspection cost of \$5,135,000 for a total esti-

mated project cost of \$66,534,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
2306/2312 BANNISTER ROAD FEDERAL BUILDING
KANSAS CITY, MO**

Prospectus Number: PMO-39/35-KC17
Congressional District: 05

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to modernize select aging and deteriorating building systems and infrastructure of the 2306/2312 Bannister Road Federal Building in Kansas City, MO, to support the ongoing mission and to meet the long-term requirements for the United States Marine Corps (USMC) data center operations and relocation of other federal agencies from several locations.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$66,534,000

Major Work Items

Roof, heating, ventilation and air conditioning (HVAC), electrical, and fire/ life safety replacements; interior alterations; hazardous asbestos abatement

Project Budget

Design	\$5,512,000
Estimated Construction Cost (ECC)	55,887,000
Management and Inspection (M&I)	5,135,000
Estimated Total Project Cost (ETPC)*	\$66,534,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule**Start****End**

Design and Construction

FY 2017

FY 2021

Building

The 2306/2312 Bannister Road Federal Building is a one-story, steel frame structure with a flat roof and exterior walls made of masonry block backing and a brick veneer. The 561,378 gross square foot facility was constructed in 1953. The Federal building sits on the adjacent property to the east of the Bannister Federal Complex (BFC), however, the building is not and has never been part of the BFC. It was originally built as a

GSA

PBS

**PROSPECTUS – ALTERATION
2306/2312 BANNISTER ROAD FEDERAL BUILDING
KANSAS CITY, MO**

Prospectus Number: PMO-39/35-KC17
Congressional District: 05

warehouse; however, approximately 312,726 usable square feet (usf) of space at the 2306 Bannister location was converted into office space in 1965 and used by the Internal Revenue Service (IRS) for tax processing until 2006. The remaining current warehouse space of 142,163 usf (2312 Bannister) is conditioned and was renovated for new tenants. The USMC moved into the facility in 2008 and currently uses 38,277 usf for data center operations, with an additional 17,207 usf under construction for completion in 2016.

Tenant Agencies

Department of Defense – USMC and U.S. Army North; Department of Homeland Security – Federal Emergency Management Agency (FEMA); Department of Agriculture – Farm Service Agency (USDA-FSA); GSA

Proposed Project

The proposed project will modernize select 62-year old building systems, address the aging infrastructure, and correct fire and life safety deficiencies to meet the long-term needs of USMC and other federal agencies. The flat roof will be replaced with energy-efficient, light-colored roofing materials with added insulation, drainage improvements, and installation of fall protection. The HVAC system work will replace aging air handling units, boilers, the air distribution system, humidification, and hot water piping. The interior alterations include replacing plumbing fixtures and addressing Architectural Barriers Act Accessibility Standards issues in the restrooms; replacing the ceiling associated with HVAC, ductwork, and fire protection.. The electrical system work will include replacing the interior and exterior lighting, refurbishing two electrical substation transformers, replacing the building automation system, and install sub-metering. The proposed project will address fire and life safety concerns by correcting deficiencies and improving emergency access/egress deficiencies to comply with National Fire Protection Association guidelines and Occupational Safety and Health Administration regulations. Any hazardous materials that are encountered, including asbestos-containing materials, will be remediated.

GSA

PBS

**PROSPECTUS – ALTERATION
2306/2312 BANNISTER ROAD FEDERAL BUILDING
KANSAS CITY, MO**

Prospectus Number: PMO-39/35-KC17
Congressional District: 05

Major Work Items

Roof Replacement	\$18,621,000
HVAC Replacement	12,666,000
Interior Alterations	10,378,000
Electrical Replacement	6,345,000
Fire and Life Safety Replacement	5,980,000
Hazardous Abatement	1,897,000
Total ECC	\$55,887,000

Justification

GSA was uncertain of the long-term need for 2306/2312 Bannister Road after the two major tenants, Department of Treasury – Internal Revenue Service and the National Archives and Records Administration, vacated the building and relocated to leased space in 2006 and 2012, respectively. When USMC moved into the 2306 portion of the building in 2008, the agreement was for 3 years allowing USMC to run their Information Technology Data Center. The subsequent commitment from USMC to continue and expand its presence at Bannister Road led GSA to reconsider its holding strategy determining the property to be a long term hold and prompting GSA to identify additional tenants for the building. FEMA, Army North, and the GSA Field Office have relocated from BFC to Bannister Road, thereby avoiding the need to lease space. At the previous closed lease location, USDA-FSA occupied 95,289 rsf. USDA-FSA has already moved into 2312 Bannister and occupy 103,181 usf. Relocating USDA-FSA to federal space allowed the Government to release costly leased space, thereby reducing the Government's annual lease payment to the private sector by approximately \$711,872. The current USMC Occupancy Agreement contains a clause that reserves the right of USMC to relocate its enterprise data center to another location if GSA cannot fund this project. If USMC vacates this Federal Building, it would likely mean that GSA would have to dispose of the building displacing the other Federal tenants incurring additional relocation and leased costs. Relocation by USMC would cause the greater Kansas City, MO, area to lose 600 high-tech jobs, resulting in serious economic ramifications.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles

GSA

PBS

PROSPECTUS – ALTERATION
2306/2312 BANNISTER ROAD FEDERAL BUILDING
KANSAS CITY, MO

Prospectus Number: PMO-39/35-KC17
Congressional District: 05

for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$185,633,000
Lease	\$194,354,000
New Construction:	\$240,087,000

The 30-year, present value cost of alteration is \$8,721,000 less than the cost of leasing, with an equivalent annual cost advantage of \$468,000.

Recommendation

ALTERATION

GSA

PBS

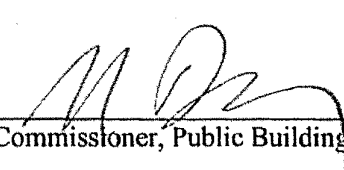
**PROSPECTUS – ALTERATION
2306/2312 BANNISTER ROAD FEDERAL BUILDING
KANSAS CITY, MO**

Prospectus Number: PMO-39/35-KC17
Congressional District: 05

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, D.C., on February 8, 2016

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—CARL B. STOKES

U.S. COURTHOUSE, CLEVELAND, OH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to complete, repair, and expand

the plaza system to correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, and allow for the completion of the unfinished portion of the plaza toward Superior Avenue at the Carl B. Stokes U.S. Courthouse located at 801 W. Superior Avenue in Cleveland, Ohio at a design cost of \$1,513,000, an estimated construction cost of \$12,727,000 and

a management and inspection cost of \$1,284,000 for a total estimated project cost of \$15,524,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL17
Congressional District: 11

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse located at 801 W. Superior Ave. in Cleveland, OH. The completion of the proposed repairs will correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, utilize sustainable technologies, and allow for the completion of the unfinished portion of the plaza toward Superior Avenue, which has remained unfinished since construction of the courthouse.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction and Management and Inspection).....\$15,524,000

Major Work Items

Sitework

Project Budget

Design	\$1,513,000
Estimated Construction Cost (ECC)	12,727,000
Management and Inspection (M&I)	1,284,000
Estimated Total Project Cost (ETPC)	\$15,524,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2019

Building

The Stokes Courthouse is a 770,802 gross square foot building with 21 stories above grade and three below grade. Construction of the building was completed in 2002, and its primary function is to serve as a federal courthouse. The Stokes Courthouse is located at the intersection of Superior Avenue and Huron Road. The existing plaza spans the front of the property along Huron Road and was originally designed to extend to the corner of Superior Avenue. The building acts as an anchor to the downtown area of Cleveland and is prominent in the city's skyline.

GSAPBS

**PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL17
Congressional District: 11

Tenant Agencies

Judiciary, Department of Justice, Senate, GSA

Proposed Project

The project proposes to repair the plaza at the Stokes U.S. Courthouse to eliminate water leaks and infiltration into the lower levels of the building. The scope includes refinishing and reinforcing the structural steel that supports the plaza, along with repairs to fireproofing and upgrading the surface parking lot. Installation of renewable energy and sources, such as the addition of wind turbines, solar panels, and a storm water capture system, are proposed for the site as part of this project.

The project also proposes to extend the currently incomplete plaza towards Superior Avenue as was originally designed. Due to a funding shortage when the building was originally constructed, a portion of the plaza was left unfinished.

Major Work Items

Sitework	<u>\$12,727,000</u>
Total ECC	\$12,727,000

Justification

The structural steel that supports the plaza is exposed to the elements and has been since the original construction. The steel has considerable rust damage, and the structural beams that support the plaza and connect into the parking garage are heavily corroded. Part of the unfinished plaza includes the base of the structural steel columns that are at grade with the Cleveland Regional Transit Authority train tracks and support beams that run above and across the train tracks. If the steel continues to be left unattended, it will become difficult to repair and will result in structural issues. The corroded steel is also very unsightly and takes away from the appearance of the modern courthouse.

The plaza has experienced excessive water infiltration in many areas that will worsen until repairs are completed. The leaks have been causing damage to the structure, interior finishes, and the fireproofing in the lower levels of the building.

The project's use of sustainable technologies of solar energy and wind capture will help to generate power to offset energy consumption for site lighting and will enable a small recovery of utility costs. The creation of a water capture system will be used to irrigate

GSA

PBS

**PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL17
Congressional District: 11

plantings throughout the property and help recharge the heating, ventilating and air conditioning units, which will reduce the facility's reliance on domestic water sources.

The plaza surrounding the Stokes Courthouse remains incomplete from the time of the original construction in 2002. The sidewalk on the northwest side of the site is built on a portion of city-owned/controlled Huron Road. This sidewalk is the only way to access the building from the southeast intersection of Huron Road and Superior Avenue. Once the plaza is completed, the sidewalk will be returned to the city, and this will restore a lane of traffic on Huron Road. Completion of the plaza will protect the structural steel from future damage, improve pedestrian access to the building, incorporate the building into the surrounding urban environment, and significantly improve the appearance of the Stokes Courthouse. The building's location within the city acts as a prominent gateway for those entering into the city from the west. Unfortunately, this impression is lost when visitors reach the intersection of Huron Road and Superior Avenue, where the steel installed for the completion of the plaza is rusting and the appearance of the facility at street level is that of a public building that is difficult to approach.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

GSAPBS

**PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL17
Congressional District: 11

Recommendation

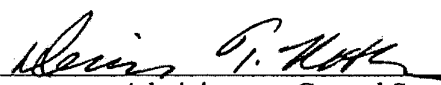
ALTERATION

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

May 27, 2016

CONGRESSIONAL RECORD—HOUSE, Vol. 162, Pt. 6

7731

COMMITTEE RESOLUTION

ALTERATION—911 FEDERAL BUILDING,
PORTLAND, OR

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations to undertake structural repairs

to correct seismic and structural deficiencies and reconfigure and alter approximately 33,500 rentable square feet of vacant space for backfill occupancy by the Department of Commerce's National Oceanic and Atmospheric Administration-National Marine Fisheries Service at the 911 Federal Building located at 911 NE 11th Avenue in Portland, Oregon at a design cost of \$1,800,000, an esti-

mated construction cost of \$19,200,000 and a management and inspection cost of \$1,500,000 for a total estimated project cost of \$22,500,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
911 FEDERAL BUILDING
PORTLAND, OR**

Prospectus Number: POR-0033-PO17
Congressional District: 3

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake structural repairs at the 911 Federal Building located at 911 NE 11th Avenue, Portland, OR. The project will correct seismic and structural deficiencies and include the reconfiguration and alteration of approximately 33,500 rentable square feet (rsf) of vacant space for backfill occupancy by the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA)-National Marine Fisheries Service (Fisheries). NOAA Fisheries will relocate from leased space to the 911 Federal Building, resulting in a reduction of approximately \$680,000 in annual lease payments to the private sector.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$22,500,000

Major Work Items

Structural repairs; interior construction

Project Budget

Design	\$1,800,000
Estimated Construction Cost (ECC)	19,200,000
Management and Inspection (M&I)	<u>1,500,000</u>
Estimated Total Project Cost (ETPC)	\$22,500,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2020

Building

Constructed in 1953, the 911 Federal Building is an eight-story, steel-framed structure with 312,447 gross square feet of space. The basement has one level of underground parking with 83 spaces. The 911 Federal Building is connected to and shares infrastructure with the neighboring Bonneville Power Administration Federal Building, and together these buildings are known as the Eastside Federal Complex.

GSAPBS

**PROSPECTUS – ALTERATION
911 FEDERAL BUILDING
PORTLAND, OR**

Prospectus Number: POR-0033-PO17
Congressional District: 3

Tenant Agencies

Congress; Department of Agriculture; Department of Energy; Department of Labor;
Department of the Interior; Department of Homeland Security; GSA

Proposed Project

The proposed project includes both structural and non-structural repairs to address existing deficiencies and improve the seismic performance of the 911 Federal Building. The proposed project will also allow GSA to consolidate NOAA- Fisheries from leased space to the 911 Federal Building in approximately 33,500 rsf of vacant space released by the U.S. Fish and Wildlife Service consolidation project.

Major Work Items

Structural Repairs	\$16,900,000
Interior Construction	<u>2,300,000</u>
Total ECC	\$19,200,000

Justification

The wing and tower have seismic deficiencies that must be repaired and the second floor office space cannot be backfilled until the entire Federal Building is in compliance with current seismic code. The hollow clay tile partitions are deteriorating which may create a falling hazard. The tower structure deficiencies will not adequately perform under maximum earthquake loading. Deficiencies have also been identified with the concrete shear walls, supporting columns and steel bracing.

Although the tower's structure has a lateral force resisting system, it does not meet seismic code and will not perform under maximum earthquake loading. The tower has insufficient strength in North-South and East-West directions to resist anticipated seismic loads; concrete shear walls that are overstressed and some are discontinuous at the basement levels, resulting in overstressed supporting columns; inadequate or non-existent collector elements to anchor floor diaphragms to stairwell cores; inadequate steel braced frames; hollow clay tile partitions in the basements, stairwells and elevators; and inadequate bracing of fire suppression and gas piping.

Once the structural and non-structural seismic upgrades are complete, NOAA- Fisheries will backfill approximately 33,500 rsf of vacant space. Backfilling the vacated space eliminates approximately \$680,000 in annual lease payments to the private sector. The new space layout will allow Fisheries to become more efficient, house 20 additional new

GSAPBS

**PROSPECTUS – ALTERATION
911 FEDERAL BUILDING
PORTLAND, OR**

Prospectus Number: POR-0033-PO17
Congressional District: 3

hires and to meet the new mission approach of greater interaction with other Government and non-Government stakeholders.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
POR-0033-PO15	Electrical Upgrade	FY 2015	\$7,439,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA

PBS


**PROSPECTUS – ALTERATION
911 FEDERAL BUILDING
PORTLAND, OR**

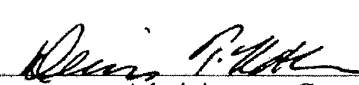
Prospectus Number: POR-0033-PO17
Congressional District: 3

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—WILLIAM J. GREEN, JR. FEDERAL
BUILDING, PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for Phase II of a two-phased

project to realign and reconfigure tenant space, upgrade and/or replace multiple building systems, upgrade security, and improve the overall utilization for the approximately 841,000 gross square foot William J. Green, Jr., Federal Building located at 600 Arch Street in Philadelphia, Pennsylvania at an estimated construction cost of \$48,450,000 and a management and inspection cost of

\$3,850,000 for a total estimated project cost for Phase II of \$52,300,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

FY 2017 Project Summary

The General Services Administration (GSA) proposes Phase II of a two-phased repair and alteration project for the approximately 841,000 gross square foot William J. Green, Jr., Federal Building located at 600 Arch Street in Philadelphia, PA. This project involves the realignment and reconfiguration of tenant space, multiple building system upgrades/replacements, and security upgrades. Phase II of the repair and alteration project focuses primarily on the upper floors of the building. Phase I of the repair and alteration project was included as part of the fiscal year (FY) 2016 President's budget and primarily focused on the lower floors.

This project will improve the building's overall utilization through the realignment of space resulting in long-term housing solutions in Federal space primarily for the Federal Bureau of Investigation (FBI) Field Office, Drug Enforcement Agency (DEA) Field Division Office, and Internal Revenue Service (IRS) Philadelphia Office. By maximizing space in the Green Building and vacating lease space, GSA will reduce private sector lease costs by approximately \$3.0 million annually.

FY 2017 Committee Approval and Appropriation Requested

(Phase II Construction, Management and Inspection)\$52,300,000

Major Work Items

Interior construction; elevator, plumbing, heating, ventilation and air conditioning (HVAC), fire protection, and electrical upgrades/replacement; demolition/abatement; security upgrades

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**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

Project Budget

Design (FY 2014)	\$6,500,000
Additional Design (FY 2016)	1,200,000
Total Design	\$7,700,000
Estimated Construction Cost (ECC)	
Phase I (FY 2016)	\$39,950,000
Phase II (FY 2017 Request)	48,450,000
Total ECC	\$88,400,000
Management and Inspection (M&I)	
Phase I (FY 2016)	\$3,850,000
Phase II (FY 2017 Request)	3,850,000
Total M&I	7,700,000
Estimated Total Project Cost (ETPC)	\$103,800,000¹

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design	FY 2015	FY 2017
Phase I Construction	FY 2016	FY 2019
Phase II Construction	FY 2017	FY 2020

Building

The Green Federal Building, along with the adjoining James A. Byrne U.S. Courthouse, is part of a 1.7-million gross square foot federal complex in downtown Philadelphia known as the Byrne-Green Complex. It is the largest federally owned complex under GSA's jurisdiction, custody, and control in the Philadelphia area. The Green Federal Building was designed along with the Byrne Courthouse to share common mechanical systems. The first floors are linked by a common circulation area, which includes a

¹ The FY 2016 ETPC was \$94,100,000. The cleaning of the curtain wall and repairs to the plaza drainage system originally identified as part of Phase II in the FY 2016 submission have been eliminated from the scope of Phase II and replaced with HVAC work.

GSAPBS

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

ceremonial courtroom and plaza. The complex also shares an underground parking garage. Constructed in 1973, the complex is not eligible for listing in the National Register of Historic Places.

The Green Federal Building amenities currently include a full-service cafeteria, fitness center, child care center, credit union, conference center, health unit, and a plaza area for public gatherings.

Tenant Agencies

Judiciary, Department of Homeland Security, GSA, Department of Justice, Department of the Treasury, Office of Personnel Management, Department of State

Proposed Project

The primary drivers for the proposed renovation is to improve the overall utilization of the Green Federal Building. Improved utilization will be accomplished by merging operations through consolidating additional employees from multiple leases into the Green Federal Building. Through innovative approaches to space management and alternative workplace arrangements, including the realignment of agencies onto contiguous floors and sharing resources such as conference rooms and other specialized space, the overall utilization rate for the building is expected to improve by approximately 20 percent. To adequately support the increased utilization and higher density, this project also includes upgrades/replacement of multiple building systems.

The first phase of the project will focus on the lower half of the building, allowing the tenants occupying these floors to consolidate and reduce their footprint, resulting in the creation of vacant space that will serve as internal swing space for Phase II. Work under the first phase to the mechanical, electrical, plumbing, and fire life safety systems will affect both tenant and building wide components. HVAC work includes replacing mixing boxes and the chiller plant, refurbishing the cooling tower and replacing/reconfiguring ductwork and fan coil units within tenant space. Electrical upgrades/replacements will be made both within tenant suites and in common corridors and joint use spaces, while new domestic water risers will be installed to address plumbing. Sprinklers will be relocated, upgraded, and replaced, where necessary. Additionally, this phase also will upgrade some of the building's joint use space, such as reducing the size of the cafeteria and increasing the number and size of conference spaces

GSA**PBS**

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

available to the tenants. The security visitor screening station in the building lobby will be upgraded and reconfigured to address challenges with the current layout, reduce wait times, and provide sufficient space for the public.

Phase II will focus on the upper half of the building. Under Phase II, space for the occupying agencies will be realigned and reconfigured providing for contiguous operations. HVAC, electrical and fire protection upgrades/replacements will also be made to both the tenant and common spaces on these floors and upgrades/replacements to the elevator components will be undertaken. Additionally, exhaust fans will be replaced in the underground parking garage to ventilate the area properly and comply with local code.

Cleaning of the curtain wall and repairs to the plaza drainage system originally identified in the FY 2016 submission have been eliminated from the scope of Phase II and replaced with HVAC work. Phase II also includes funds for security upgrades which are comprised of security film, localized column strengthening, and bollards.

Major Work Items

Interior Construction	\$13,850,000
Elevator Upgrade/Replacement	1,980,000
Plumbing Upgrade/Replacement	2,700,000
HVAC Upgrade/Replacement	32,940,000
Fire Protection Upgrade/Replacement	1,100,000
Electrical Upgrade/Replacement	21,130,000
Demolition/Abatement	6,700,000
Security Upgrades	<u>8,000,000</u>
Total ECC	\$88,400,000

Justification

The reconfiguration opportunity in the Green Building has been made, in part, by IRS's aggressive downsizing efforts, which have left the building with various pockets of vacant space. This project realigns and reconfigures vacant space, allowing for other agencies to realize contiguous footprints. The reconfiguration and realignment of space will improve the efficiency of FBI and DEA operations. Contiguous space in the Green Building and consolidating these tenants from leased space will provide a secure work

GSA

PBS

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

environment essential to collaborating with local law enforcement and other stakeholders. It will also facilitate improved handling of the expanding intelligence mission of these agencies in the most efficient and cost-effective manner while providing state of the art infrastructure.

As part of the reconfiguration and renovation of tenant space, multiple building systems will be upgraded. It is prudent to accomplish reconfiguration of the ductwork and sprinklers and replacement of fan coil units while space is vacant. The ductwork and electrical system are outdated and in need of upgrades/replacement and reconfiguration to accommodate the proposed open office floor plans. Sprinklers need to be relocated and upgraded/replaced, where necessary, to facilitate a new open office layout. The fan coil units are beyond their useful life and are no longer able to regulate the temperature in the suites properly. The cooling tower and the chiller plant need to be addressed to integrate properly with the needs of the new tenant space. Elevator components need to be upgraded, and one elevator will be converted for prisoner transport use.

At present, the visitor screening area is insufficient to handle the amount of foot traffic the building receives, and long lines result in spillover to the plaza area, posing a potential security risk. The building's current circulation needs to be improved. Paths for the public, tenants, and secure transfer of prisoners are not clear and often overlap. The screening area, along with the circulation paths, will be defined and properly located during the restacking of the building. The Facility Security Committee (FSC) met and voted to incorporate security upgrades into the project, which will improve building performance by reducing hazardous glass failure, reducing the risk of progressive collapse, and mitigating potential injuries under certain threat scenarios. Based on the decisions made by the FSC, GSA is seeking funding to improve the physical security posture of the building with a goal of completing the work without further disruption to the tenants and without the increased costs associated with completing the work after the tenants have moved into the newly renovated space.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

Prospectus Number: PPA-0277-PH17
Congressional District: 01

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
113-76	2014	\$6,500,000	Design
Appropriations to Date		\$6,500,000	

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
Senate EPW	2/6/14	\$6,500,000	Design
House T&I	3/13/14	\$6,500,000	Design
Senate EPW	1/20/16	\$45,000,000	Design, Construction, M&I

Prior Prospectus-Level Projects in Building (past 10 years):

Prospectus	Description	FY	Amount
PPA-0277-PI07	IRS Renovations (IRS-funded)	2007	\$ 4,726,000
P.L. 111-5 (ARRA)	Air Handling Units	2009	\$22,624,000

Alternatives Considered (30-year, present value cost analysis)

Alteration	\$267,078,000
Lease	\$495,882,000
New Construction	\$316,557,000

The 30-year, present value cost of alteration is \$49,479,000 less than the cost of new construction, an equivalent annual cost advantage of \$2,657,000.

Recommendation

ALTERATION

GSA

PBS

**PROSPECTUS – ALTERATION
WILLIAM J. GREEN, JR. FEDERAL BUILDING
PHILADELPHIA, PA**

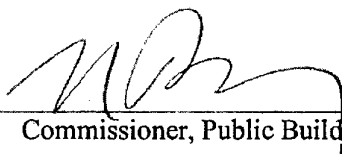
Prospectus Number: PPA-0277-PH17
Congressional District: 01

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—AUSTIN FINANCE CENTER,
AUSTIN, TX

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. §3307,*

appropriations are authorized for repairs and alterations to modernize the existing Austin Finance Center located at 1619 Woodward Street in Austin, Texas at a design cost of \$2,535,000, an estimated construction cost of \$17,863,000 and a management and inspection cost of \$2,383,000 for a total estimated project

cost of \$22,781,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU17
Congressional District: 25

FY 2017 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to modernize the existing Austin Finance Center (AFC), located at 1619 Woodward Street in Austin, TX. The project will replace building systems and improve energy efficiency.

FY 2017 Committee Approval and Appropriation Requested

(Design, Construction, and Management & Inspection).....\$22,781,000

Major Work Items

Interior construction; exterior construction; electrical, heating, ventilating and air conditioning (HVAC)/mechanical, roof, life safety/emergency and plumbing systems replacement; site work

Project Budget

Design	\$2,535,000
Estimated Construction Cost (ECC)	17,863,000
Management and Inspection (M&I)	<u>2,383,000</u>
Estimated Total Project Cost (ETPC)*.....	\$22,781,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2017	FY 2019

Building

The AFC was constructed in 1969 as an office building and was purchased by the United States in 1985. It is located on a 40-acre Federal Campus in southeast Austin, along with the federally owned Internal Revenue Service (IRS) Service Center, the Department of Veterans Affairs Automation Center, and a leased IRS office/warehouse. It consists of a single, freestanding, one-story building of approximately 85,000 gross square feet. The building is home to the Treasury Department – Bureau of the Fiscal Service.

GSAPBS

**PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU17
Congressional District: 25

Tenant Agencies

Treasury Department – Bureau of the Fiscal Service

Proposed Project

The project includes HVAC replacement, separation of storm and sanitary lines, domestic water line replacement, restroom upgrades, main electrical switchboard replacement, window replacement, and power distribution system replacement.

Major Work Items

Interior Construction	\$3,677,000
Exterior Construction	\$4,216,000
Electrical Replacement	\$3,863,000
HVAC/Mechanical Replacement	\$2,795,000
Roof Replacement	\$1,980,000
Site work	\$606,000
Life Safety/Emergency System Replacement	\$496,000
Plumbing Replacement	<u>\$230,000</u>
Total ECC	\$17,863,000

Justification

Historically, the building has been used by Treasury as one of four regional check printing and distribution facilities for federal obligations to vendors and the general public. Treasury's transition to electronic transfer of funds resulted in the removal of all check printing and distribution functions and has significantly altered the type and amount of space the agency requires.

The 46-year-old building has undergone various renovation projects over the years, but never a complete modernization including upgrades. The space converted from light industrial to office use does not include the appropriate lighting, HVAC, ceilings, or finishes for office space. The building systems are outdated and have reached the end of their useful lives. The HVAC equipment has reached or surpassed its life expectancy. The control system and related electronic components need frequent repairs and parts are no longer available. Upgrades to the exterior include replacement of a 22-year-old roof that has required repair numerous times. The storm water and sanitary lines do not meet current code and need to be separated. Runoff from heavy rains often floods the loading dock's storm drain, causing flooding in the building when floor drains back up. All the domestic water lines are old, corroded, and need to be replaced. Restrooms need

GSAPBS

**PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU17
Congressional District: 25

renovation to comply with Architectural Barriers Act Accessibility Standards. The old main switchboard needs replacement to comply with the National Electric Code. Window replacement will provide energy efficiency and costs savings. The original power distribution system is inadequate for the electrical loads that are now required.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$46,842,000
Lease	\$87,694,000
New Construction:	\$49,509,000

The 30-year, present value cost of alteration is \$40,852,000 less than the cost of leasing, with an equivalent annual cost advantage of \$2,193,000.

Recommendation

ALTERATION

GSAPBS

**PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

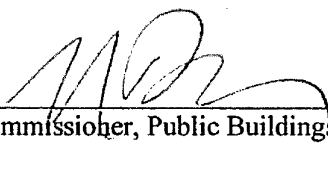
Prospectus Number: PTX-1618-AU17
Congressional District: 25

Certification of Need

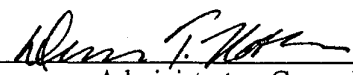
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

DESIGN—JOSEPH P. ADDABBO FEDERAL
BUILDING, QUEENS, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the design

of repairs and alterations to reconfigure space to allow for the consolidation of Social Security Administration operations on the lower floors (2–7) within the building to provide for the eventual build-out of office space for future federal tenants currently housed in leased space in the vicinity of Queens, NY in the Joseph P. Addabbo Federal Building

located at 155–10 Jamaica Avenue in Queens, New York at a design cost of \$8,500,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

PROSPECTUS – ALTERATION
Prospectus for Design

Description

The General Services Administration (GSA) is seeking approval to design one design project during fiscal year (FY) 2017 that GSA will schedule for construction in a future year. A description of the project is attached.

Justification

Starting the design for the project prior to receipt of construction phase funding will facilitate an orderly and timely accomplishment of the planned program. Under the separate funding approach, GSA will submit the construction prospectus along with the future year budget request.

The subject project addresses realignment and consolidation of agency space.

Recommendation

Approve design and related services of \$8,500,000 for the attached project. The construction costs indicated at this time are preliminary and will be refined and finalized prior to future requests for funding.

Congressional Approval and Appropriation Requested in this Prospectus.....\$8,500,000

Certification of Need

The proposed projects are the best solution to meet a validated Government need.

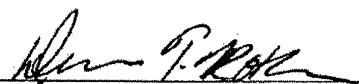
Submitted at Washington, DC, on February 8, 2016

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

GSAPBS

PROSPECTUS – ALTERATION
Prospectus for Design

FISCAL YEAR 2017 ALTERATION DESIGN PROJECTS

LOCATION**FY 2017 FUNDING**

Queens, NY

Joseph P. Addabbo Federal Building

\$8,500,000

TOTAL.....\$8,500,000

GSAPBS**PROSPECTUS – ALTERATION****Prospectus for Design**

	Prospectus Number:	PDS-02017
<u>PROJECT:</u>	Joseph P. Addabbo Federal Building	
<u>LOCATION:</u>	Queens, NY	
<u>ESTIMATED TOTAL PROJECT COST:</u>	\$65,000,000	
<u>DESIGN:</u>	\$8,500,000	
<u>CONSTRUCTION:</u>	\$54,500,000	
<u>MANAGEMENT & INSPECTION:</u>	\$2,000,000	
<u>AMOUNT REQUESTED IN FY 2017 (Design and Related Services):</u>	\$8,500,000	

WORK ITEM SUMMARY

Interior construction, demolition

DESCRIPTION

The General Services Administration (GSA) proposes \$8,500,000 for the design of a repair and alteration project for the Joseph P. Addabbo Federal Building at 155-10 Jamaica Avenue, Queens, New York.

The 932,000 gross square foot Addabbo Federal Building, constructed in 1989, is a 12-story masonry and steel office building with a mechanical penthouse and one level of below grade parking containing 44 spaces. The project will reconfigure space to allow for the consolidation of Social Security Administration (SSA) operations on the lower floors (2-7) within the building. The consolidation of SSA operations will allow for the eventual build-out of office space for future federal tenants currently housed in leased space in the vicinity of Queens, NY. This project also includes the design of some shell office space for future backfill tenants. The project will promote economies of scale and will provide opportunities for maximizing space efficiency, operational flexibility, and sharing special support spaces and building amenities.

The proposed project will support SSA and GSA's ongoing efforts to improve utilization of space occupied by SSA and realize an overall improvement of space from over 400 usable square feet (usf)/per person to approximately 200 usf/per person. The project will support GSA's ongoing efforts to maximize the use of federally owned space by moving Federal tenants currently housed in over 700,000 square feet of leased space into a Federal facility.

AMENDED COMMITTEE RESOLUTION
CONSTRUCTION—DHS CONSOLIDATION AT
ST. ELIZABETHS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the ongoing construction of the DHS consoli-

dated headquarters at the St. Elizabeths Campus in Washington, D.C. pursuant to the updated Enhanced Plan program as outlined in in the attached prospectus at an additional design cost of \$12,755,000 for Phase 2b related to the Federal Emergency Management Agency and Phase 3 related to Immigration and Customs Enforcement, a prospectus for which is attached to and included

in this resolution. This resolution amends the resolution and prospectus approved on December 2, 2010 related to prospectus PDC-0002-WA11.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Overview of FY2017 Proposed Project

GSA proposes to continue the ongoing development of the DHS consolidated headquarters at the St. Elizabeths Campus by: 1) continuing design and full construction of a new federal headquarters for FEMA; 2) rehabilitating buildings needed to accommodate components of the Under Secretary of Management (USM) that are currently planned for the Center Building Complex (Holly and Creamery clusters); 3) continuing design of phase 3 construction to house Immigration and Customs Enforcement; 4) ongoing historic preservation activities in support of landscaping and public outreach; and 5) management and inspection funding for these activities.

The FY2017 request includes design completion, management and inspection, and construction of an appropriately sized building to accommodate all of the Headquarters components of FEMA. This funding also includes a related below grade parking structure to be constructed adjacent to Gate No. 2 along Martin Luther King, Jr. Avenue. FEMA Headquarters components are currently located in four leased buildings in the Washington, DC metropolitan area.

The FY2017 request also includes funds to rehabilitate six existing historic structures that comprise the Holly and Creamery clusters. These buildings are located adjacent to the Center Building that is currently being rehabilitated to accommodate the DHS Secretary's office and mission critical leadership components within that office. The Center Building Complex will house components within the Office of the Under Secretary for Management that will not be housed in buildings being rehabilitated with FY2016 appropriations.

The FY2017 request also supports initial design of a new federal building for ICE headquarters leadership components currently located in leased buildings in Washington, DC and ongoing Historic Preservation activities. Historic preservation activities will ensure that the landscape work is consistent with the preservation requirements and public outreach is consistent with the agreements in place in support of the construction of the Consolidated DHS Headquarters at St. Elizabeths.

Fiscal Year 2017 Requirements

Historic Preservation.....	\$1,000,000
Design (Phase 2b FEMA & 3 ICE).....	12,755,000
Management and Inspection (Phase 2a DHS HQ Elements & 2b FEMA)	22,013,000
Estimated Construction Cost (Phase 2a DHS HQ Elements & 2b FEMA).....	<u>230,836,000</u>
Total	\$266,604,000

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

<u>FY2017 House Committee Approval Requested¹</u>	\$12,755,000
<u>FY2017 Senate Committee Approval Requested²</u>	\$254,518,000
<u>FY2017 Appropriation Request</u>	\$266,604,000

Overview of Project

GSA and DHS have worked collaboratively to update and revise the original DHS HQ consolidation program at the St. Elizabeths Campus. The updated program, referred to as the Enhanced Plan, seeks a more efficient utilization of space at a lower cost. The West Campus is a 176-acre National Historic Landmark that includes existing buildings containing approximately 1 million gross sq. ft. (GSF) plus newly constructed buildings such as the Douglas A. Munro Coast Guard Headquarters Building.

Under the Enhanced Plan, DHS and GSA cut back on the overall scope of the program. DHS components will require less space through realized efficiencies and improved utilization rates, plus the FEMA headquarters that was planned for the East Campus was moved to the West Campus. The West Campus, however, will continue to be developed in accordance with guidelines set out in the Master Plan as amended and/or as a result of continued compliance with NHPA and NEPA during specific project designs.³

Committee approval and appropriations for **Phase 1** of the project – construction of a new headquarters facility for the USCG called the Munro Building – have already been obtained. Development of **Phase 2a** includes: construction of office space to consolidate DHS headquarters and the re-scoped DHS Operations Center (DOC), house various DHS leadership components, and provide amenity space. **Phase 2b** proposes the construction of a new headquarters facility for FEMA plus appropriate amenity space. Parking will also be included with these later phases. **Phase 3** will accommodate portions of the remaining elements of DHS headquarters units such as CBP and ICE. The project will include the rehabilitation of existing space as well as construction of new space.

This prospectus seeks approval for new construction of the FEMA headquarters. Also included will be rehabilitation of existing buildings, historic preservation, and design.

¹ This represents the balance of committee approval needed for this prospectus submission less remaining appropriations needed for the Infrastructure Program which is subject to the requirements of 40 U.S.C. Section 3307.

² See Footnote 1 above.

³ The Master Plan can be found at the project's web site: <http://www.stelizabethsdevelopment.com/>

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Project Phasing

Phase 1a	USCG – HQ (completed)	Coast Guard Headquarters
Phase 1b	USCG – CC (completed)	Coast Guard Command Center / shared use space / GSA Field Office
Phase 2a	DHS (ongoing)	Office of the Secretary and Senior Leadership
Phase 2a	DOC A (to be built out)	DHS Operations Center / West Addition
Phase 2a	Other (to be completed)	Management Directorate
Phase 2b	FEMA HQ (to be completed)	Federal Emergency Management Agency (FEMA) Headquarters, Center Building Complex, Gate 2 Visitors Parking
Phase 3	ICE, CBP (to be completed)	ICE Headquarters Significant presence of CBP

Description**Site Information**

Government-owned ⁴	184 acres
Building without parking (GSF)	up to 3,750,000
Building with parking (GSF)	up to 5,165,750
Number of structured parking spaces	up to 4,045

Cost Summary at St. Elizabeths

Planning	20,008,000
Site Acquisition	6,722,000
Design Cost	200,098,000
Management and Inspection	139,267,000
Historic Preservation Mitigations	5,899,000
Estimated Construction Cost	<u>2,042,450,000</u>
Estimated Total Project Cost	\$2,414,444,000

Primary Occupants

USCG, DHS Headquarters Elements, the DOC, FEMA, ICE, and CBP Significant Presence

⁴ The total campus is now comprised of 184 acres after transfer of approximately 8 acres from the National Park Service (NPS) to GSA in accordance with the Master Plan.

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

I. SITE ACQUISITION PROGRAM SUMMARY

Delineated Areas for Site Acquisition

The proposed sites to be acquired are as follows:

1. Approximately two acres of land located on Firth Sterling Avenue in southeast Washington, DC, where it is contiguous to the northwest corner of St. Elizabeths West Campus; the land is currently controlled by DC and CSX Corporation.
2. Approximately one acre of land located along the east side of Martin Luther King, Jr. Avenue in southeast Washington, DC, between the Unified Communications Center and the current tunnel between the East Campus and West Campus. The land is currently controlled by DC.
3. Approximately fourteen (14) acres of land located on Shepherd Parkway in southeast Washington, DC, between the St. Elizabeths West Campus and Malcolm X Avenue, parallel to Interstate 295.⁵

Total Site Acquisition Project Budget

Site Acquisition (Firth Sterling Avenue) (FY2009)	\$2,722,000
Site Acquisition (Martin Luther King, Jr. Avenue) (ARRA)	500,000
Site Acquisition (Shepherd Parkway) (ARRA)	3,500,000
Total Acquisition Budget⁶	\$6,722,000

II. INFRASTRUCTURE PROGRAM SUMMARY

Infrastructure repair / replacement costs include: demolition of specific buildings identified by the Master Plan; replacement of site utilities including electricity substations and local utility requirements, an addition to the existing power plant for a fully functional CUP with co-generation capability; distribution systems for electricity, natural gas, domestic water, storm water, waste water, data systems and telecommunications; roadways, surface parking and sidewalks; refurbishment of historical ornamental landscape and creation of new landscape features as needed including flora; cleanup / repair of existing tunnels on site to improve safety and for potential use as systems distribution pathways; and site security fencing, entry gates, guard stations, and other site security features. There was \$46 million for the access road

⁵ Per a Transfer of Jurisdiction Agreement between GSA and NPS recorded 05/26/2015, approximately 8 acres of Shepherd Parkway was transferred to the control of GSA for construction of the access road to Malcolm X Avenue.

⁶ Unused project funds originally requested for acquisition of parcels along Firth Sterling Avenue were redirected to Phase 1b of the project to cover unforeseen conditions. Please see Section V, Phase 1b footnotes.

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

construction originally included in the Infrastructure budget in prior years that has been moved to the Highway Interchange program budget in Part III of this prospectus.

The planned alterations are necessary to preserve, maintain, and reuse this historic site. Existing infrastructure and the landscape have suffered from aging and deferred maintenance. The utility distribution systems are antiquated and deteriorated. Building repairs include repair and improvement of structural and life safety systems while maintaining historic integrity. The landscape will be maintained, protected, and preserved to the extent feasible.

Total Infrastructure Project Budget

Design

Design (FY2006) Phase 1a	\$7,645,000
Design (FY2009) Phase 1b	3,000,000
Design (ARRA) Phase 1b	12,346,000
Design (ARRA) Phase 2a	700,000
Design (future year request) Future Phases	<u>9,272,000</u>
Design Subtotal.....	\$32,963,000

Management and Inspection (M&I)

M&I (FY2006) Phase 1a.....	\$370,000
M&I (FY2007) Phase 1a.....	532,000
M&I (ARRA) Phase 1b	5,382,000
M&I (FY2015) Phase 1b	2,000,000
M&I (FY2016) Phase 2a.....	1,000,000
M&I (future year request) Future Phases.....	<u>9,272,000</u>
M&I Subtotal	\$18,556,000

Estimated Construction Cost (ECC)

ECC (FY2006) Phase 1a.....	\$5,080,000
ECC (FY2007) Phase 1a.....	5,912,000
ECC (FY2009) Phase 1a.....	5,249,000
ECC (ARRA) Phase 1b.....	131,783,000
ECC (FY2015) Phase 1b.....	36,100,000
ECC (FY2016) Phase 2a.....	20,900,000
ECC (future year request) Future Phases.....	<u>115,896,000</u>
Estimated Construction Cost Subtotal	\$320,920,000

Estimated Total Project Cost (ETPC) for Infrastructure.....\$372,439,000

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

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III. HIGHWAY INTERCHANGE PROGRAM SUMMARY

The Highway Interchange Program that was developed as part of the Master Plan proposes an access road to the St. Elizabeths West Campus that extends between Firth Sterling Avenue to the north and Malcolm X Avenue to the south, parallel to Interstate-295. Funds for construction of the access road in the amount of \$46 million were originally included in the Infrastructure program described above, but additional transportation improvements have subsequently been identified. A new, reconfigured interchange between Malcolm X Avenue and I-295 is one of these improvements. This reconfiguration will be necessary to direct St. Elizabeths traffic onto the access road that, in turn, will mitigate the impacts of additional traffic that is anticipated as the result of the redevelopment of St. Elizabeths. GSA worked closely with FHWA and the DC Department of Transportation to prepare an Interchange Justification Report (IJR) to facilitate required modifications to the Malcolm X Interchange. Other related transportation improvements that are needed as a result of the St. Elizabeths development are also included below as separate line items. These improvements need to be funded in conjunction with Phase 2 of the project to avoid further schedule delays and cost escalations.

Total Highway Interchange Project Budget

Design

Design (ARRA)	\$3,500,000
Design (FY2012) ⁷	2,500,000
Design (FY2015)	12,210,000
Design Subtotal.....	\$18,210,000

Management and Inspection (M&I)

M&I (FY2012) ⁸	\$1,500,000
M&I (FY2015)	9,000,000
M&I (FY2016)	3,210,000
M&I Subtotal	\$13,710,000

Estimated Construction Cost (ECC)

ECC (ARRA) Access Road	\$38,000,000
ECC (2012) Access Road	33,300,000
ECC (FY2015) Access Road	122,790,000
ECC (FY2016) Access Road	5,415,000
Estimated Construction Cost Subtotal	\$199,505,000

Estimated Total Project Cost (ETPC) for Highway Interchange\$231,425,000

⁷ These funds were redirected from Infrastructure funds in FY2012.

⁸ See Footnote 5 above.

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

IV. HISTORIC PRESERVATION MITIGATIONS PROGRAM SUMMARY

As of December 9, 2008, GSA and DHS along with NCPC entered into a Programmatic Agreement (PA) with the Advisory Council on Historic Preservation (ACHP), the District of Columbia Historic Preservation Office (DCHPO), and the United States Federal Highway Administration (FHWA). The PA outlines five (5) specific mitigation actions that must be undertaken by GSA to “resolve adverse effects from certain complex project situations”.⁹ These actions are as follows:

1. Documentation and recordation including buildings and site, as needed, archives, historic structure reports, building preservation plans, landscape preservation treatment and management, and archaeological resources treatment and management;
2. Public outreach, interpretation, and education including the establishment of a citizens advisory panel, a permanent interpretative exhibit, a museum and visitors education center, signage, and public relations materials;
3. Public access program to be developed by GSA and DHS;
4. Conservation and artifact preservation; and
5. The 19th Century cemetery including interpretative program, perpetual care, and public access.

Major Work Items for Mitigation

Documentation and Recordation (FY2016).....	\$1,407,000
Documentation and Recordation (FY2017).....	400,000
Public Outreach (FY2016).....	500,000
Public Outreach (FY2017).....	200,000
Public Outreach (future year request).....	1,175,000
Cemetery (FY2016)	500,000
Staffing (FY2014).....	200,000
Staffing (FY2016).....	400,000
Staffing (FY2017).....	400,000
Staffing (future year request).....	717,000
Total	\$5,899,000

⁹ Programmatic Agreement dated December 9, 2008, page 1.

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

V. BUILDING PROGRAM SUMMARY**PHASE 1a – USCG Headquarters****Building Phase 1a**¹⁰

Office and Special Space1,179,500 gsf
Estimated Total Phase 1a1,179,500 gsf

Cost Information Building Phase 1a

Design (FY2006)\$24,900,000
 Management and Inspection (M&I) (FY2009)12,925,000
 Estimated Construction Cost (ECC) (FY2009)313,465,000
Estimated Total Cost Phase 1a\$351,290,000

Schedule for Building Phase 1a

FY 2009 – Design Completion
 FY 2009 - Start Construction
 FY 2013 - Complete Construction

PHASE 1b – USCG Command Center and Special Space**Building Phase 1b**

Command Centers/Fitness Center/Retail158,450 gsf
 GSA Field Office¹¹17,050 gsf
Estimated Total Phase 1b175,500 gsf
 Structured Parking (983 cars)up to 344,050 gsf

Cost Information Building Phase 1b

Design (ARRA)\$10,659,000
 Management and Inspection (M&I) (ARRA)15,674,000
 Management and Inspection (M&I) (FY2009)¹²228,000
 Estimated Construction Cost (ECCI) (FY2009)¹³4,050,000
 Estimated Construction Cost (ECC) (ARRA)¹⁴167,936,000
Estimated Total Cost Phase 1b\$198,547,000

¹⁰ Square footage is based on USCG housing plan, approved Master Plan, and design documents.

¹¹ The Field Office is in addition to the USCG housing plan, not included with it, and was ready upon completion of Phase 1 and occupancy by USCG; however, DHS security requirements superseded GSA program needs.

¹² Remaining unobligated project funds from site acquisition were used for M&I to complete Phase 1b.

¹³ Remaining unobligated project funds from site acquisition were used for M&I to complete Phase 1b.

¹⁴ Remaining unobligated project funds of \$423K from site acquisition were used for new gate house and rehab work in Building 49.

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Schedule for Building Phase 1b

FY 2010 - Design Completion
FY 2010 - Start Construction
FY 2013 - Complete Construction

PHASE 2a – DHS Headquarters Elements including the DHS Operations Center (DOC)**Building Phase 2a**

Office of DHS Secretary and Executive Management	378,000 gsf
DOC	188,000 gsf
USM Offices	446,000 gsf
Estimated Total Phase 2a	1,012,000 gsf
Structured Parking (990 cars)	up to 346,500 gsf

Cost Information Building Phase 2a

Design (FY2009)	\$5,000,000
Design (ARRA) ¹⁵	11,607,000
Design (FY2014)	10,837,000
Design (FY2016) ¹⁶	23,053,000
Management and Inspection (M&I) (FY2011)	1,500,000
Management and Inspection (M&I) (FY2014)	7,925,000
Management and Inspection (M&I) (FY2016) ¹⁷	17,925,000
Management and Inspection (M&I) (FY2017)	3,509,000
Estimated Construction Cost (ECC) (ARRA) ¹⁸	26,000,000
Estimated Construction Cost (ECC) (FY2011) ¹⁹	28,500,000
Estimated Construction Cost (ECC) (FY2014)	136,038,000
Estimated Construction Cost (ECC) (FY2016) ²⁰	255,064,000
Estimated Construction Cost (ECC) (FY2017)	48,797,000
Estimated Total Cost Phase 2a	\$575,755,000

Schedule for Building Phase 2a

FY 2016 - Design Completion
FY 2014 - Start Construction
FY 2019 - Complete Construction

¹⁵ This includes \$132K from Spend Plan 11 for design-bridging documents related to planned rehabilitation work for the Center Building and \$175K to complete DOC-A.

¹⁶ This includes funds for West Addition that will replace the re-scoped DOC under the Enhanced Plan.

¹⁷ This includes funds for Ice House and Hitchcock Hall originally planned for completion in Phase 1.

¹⁸ ECC is for parking garage in ravine that was completed in conjunction with garage for USCG staff.

¹⁹ This amount was for DOC shell construction.

²⁰ This includes funds for Ice House and Hitchcock Hall originally planned for completion in Phase 1.

GSA

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

PHASE 2b – FEMA**Building Phase 2b**

Office for FEMA Headquarters	423,000 gsf
Estimated Total Phase 2b	423,000 gsf
Structured Parking for Visitors (640 cars)	up to 224,000 gsf

Cost Information Building Phase 2b

Design (ARRA)	\$17,401,000
Design (FY2016)	12,191,000
Design (FY2017)	1,669,000
Management and Inspection (M&I) (FY2017)	18,504,000
Estimated Construction Costs (ECC) (FY2017)	182,039,000
Estimated Total Cost Phase 2b	\$231,804,000

Proposed Schedule for Building Phase 2b

FY 2017 - Design Completion
FY 2018 - Start Construction
FY 2019 - Complete Construction

PHASE 3 –ICE, CBP, and Component Leadership**Building Phase 3**

Office for ICE Headquarters elements	528,000 gsf
Office for CBP Headquarters	432,000 gsf
Estimated Total Phase 3	960,000 gsf
Structured Parking (1,432 cars)	up to 501,200 gsf

Cost Information Building Phase 3

Design (ARRA)	\$10,000,000
Design (FY17)	11,086,000
Design (future year request)	10,522,000
Management and Inspection (M&I) (future year request)	28,811,000
Estimated Construction Cost (ECC) (future year request)	360,136,000
Estimated Total Cost Phase 3	\$420,555,000

GSA

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**PROSPECTUS – CONSTRUCTION
DHHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Proposed Schedule for Building Phase 3

FY 2019 - Design Completion

FY 2018 - Start Construction

FY 2021 - Complete Construction

Summary of Energy Compliance

Cogeneration and Waste Heat: Approximately 30% of the campus power will be produced on site via cogeneration. This percentage represents 100% of the critical campus electrical needs in times of emergencies. The waste heat generated by the natural gas fired turbines will be converted to both steam and hot water to help heat the buildings and, through steam driven absorption chillers, to help cool the buildings.

Solar Energy: Photovoltaic energy collection arrays were considered for electric street lighting but did not meet historic preservation requirement. Large photovoltaic arrays were also found to be untenable at the site due to the limited acreage that could be used to house the solar panels. However, solar energy collecting panels or roofing membranes have been incorporated on portions of the roof tops, for example, the Detached Dining Hall being rehabilitated for use as a cafeteria.

Geothermal: Geothermal wells will be considered to support heat pump systems for new construction of the support buildings, such as the remote delivery facility and pump house. If viable, future appropriations will be requested.

GSA

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Prior Appropriations

St. Elizabeths Consolidation Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
109-115	2006	\$24,900,000	Design of US Coast Guard HQ
109-115	2006	\$13,095,000	Infrastructure, Design, Construction and Management and Inspection
110-5	2007	\$6,444,000	Infrastructure, Construction, and Management and Inspection
111-5	2009	\$454,988,000	Site acquisition, Construction and Development
111-8	2009	\$346,639,000	Site acquisition, Design, Infrastructure, Construction, and Management and Inspection
112-10	2011	\$30,000,000	Construction of DHS Operations Center
112-74	2012	\$37,300,000	Construction of Modular Utility Plant, Pump House, and portion of Access Road related to the US Coast Guard.
113-76	2014	\$155,000,000	Adaptive reuse of Center Building
113-235	2015	\$144,000,000	Highway Interchange and access road
113-235	2015	\$38,100,000	Central Utility Plant (CUP)
114-113	2016	\$341,565,000	Historic Preservation, Design, Highway Interchange, Infrastructure, Construction, and Management & Inspection
Appropriations to Date²¹		\$1,592,031,000	

²¹ This amount does not include \$20,008,000 of planning funds expended by HHS and GSA prior to FY2006.

GSA

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**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Prior Committee Approvals

St. Elizabeths Consolidation Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	10/26/2005	\$24,900,000	Design of US Coast Guard HQ
Senate EPW	07/20/2005	\$24,900,000	Design of US Coast Guard HQ
House T&I	04/05/2006	\$383,997,000	Construction and Management and Inspection Phases 1-a and 1-b
House T&I	05/23/2007	\$318,887,000	Design, Construction, and Management and Inspection
House T&I	05/23/2007	\$7,000,000	Site Acquisition
Senate EPW	09/20/2007	\$318,887,000	Design, Construction, and Management and Inspection
Senate EPW	09/20/2007	\$7,000,000	Site Acquisition
Senate EPW	09/17/2008	\$140,140,000	Additional Design and Construction
House T&I	09/24/2008	\$525,236,000	Design, Review, Management and Inspection, and Construction
House T&I	12/02/2010	\$1,130,984,000	Design, Review, Management and Inspection, and Construction
Senate EPW	07/13/2011	\$281,015,000	Design and Construction of West Campus
House T&I	07/23/2015	\$18,422,000	Design of West Campus
Senate EPW	01/20/2016	\$221,358,000	Design and Construction of West Campus

GSA

PBS

**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Alternatives Considered (30-year, present value costs)

New Construction	\$3,496,124,000
Lease	\$3,926,325,000

The 30-year, present value cost of new construction is \$430,201,000 less than the cost of leasing, or an equivalent annual cost advantage of \$21,949,000.

Recommendation

CONSTRUCTION

GSAPBS

**PROSPECTUS – CONSTRUCTION
DHS CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC**

PDC-0002-WA17

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 8, 2016

Recommended



Commissioner, Public Buildings Service

Approved



Administrator, General Services Administration

AMENDED COMMITTEE RESOLUTION

CONSTRUCTION—APHIS BUILDING, PEMBINA, ND

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the acquisition of approximately eight acres

of land, along with the design and construction of a new 6,685 gross square foot facility for the United States Department of Agriculture Animal and Plant Health Inspection Service located at the Pembina, North Dakota U.S. Land Port of Entry, at an additional cost of \$392,000, a prospectus for which is attached to and included in this resolution.

This resolution amends the resolution approved by the Committee on July 23, 2015 related to prospectus PND-0550-PE16.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSAPBS

**PROSPECTUS -- CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

FY2017 Project Summary

The General Services Administration (GSA) proposes the acquisition of approximately eight acres of land, along with the design and construction of a new 6,685 gross square foot facility for the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) at the Pembina, ND, U.S. Land Port of Entry (LPOE). Construction of this facility provides a permanent solution for APHIS at a secure location directly on the port, remedies a potential life safety concern with the current location of the temporary modular trailer, improves traffic configuration, places all APHIS operations on the U.S. side of the U.S./Canada border and eliminates rental payments to the private sector of approximately \$317,000 annually.

This project was among those previously included in GSA's FY 2015 and FY 2016 Capital Investment Program. The prospectus was approved by the House Committee on Transportation and Infrastructure but not approved by the Senate Committee on Environment and Public Works. The project could not be accommodated within the enacted levels in FY 2015 and FY 2016. GSA is resubmitting the project in FY 2017 with no change in scope and a change in budget to account for escalation since its original submission.

FY2017 House Committee Approval Requested¹

(Wetland Mitigation, Design, ECC and M&I)\$392,000

FY2017 Senate Committee Approval Requested

(Wetland Mitigation, Design, ECC and M&I)\$5,749,000

FY2017 Appropriation Requested

(Wetland Mitigation, Design, ECC and M&I) \$5,749,000²

¹ House Transportation and Infrastructure has already approved PND-0550-PE16. Additional approval for \$392,000 is needed in this prospectus to account for project escalation.

²Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of this project.

GSA

PBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

Overview of Project

The proposed permanent housing solution for APHIS at the Pembina LPOE will be constructed to include both on-load and off-load animal inspection facilities with an administrative support wing at one location. The new building will contain two main components: 1) an enclosed off-load animal inspection area with runways, pens, chutes, and loading ramps. 2) an administrative office area with a counter, waiting room, water fountain, and a unisex restroom for customers. The building will include infrastructure for modern mechanical, plumbing and electrical systems. It will adapt design elements that will conform to the rest of the existing port.

The project includes land acquisition and wetland construction. GSA will acquire up to eight acres of vacant land in the Pembina area and convert the land to designated wetlands per National Environmental Policy Act (NEPA) guidelines.

GSA

PBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

Building Area³

Site Area (Government-Owned)..... 3 acres
Building..... 6,685 gsf
Number of outside commercial truck parking spaces.....15
Number of outside standard vehicle parking spaces.....8

Project Budget

Wetland Mitigation⁴\$580,000
Site Acquisition\$43,000
Wetland Construction.....\$537,000

Design\$305,000

Estimated Construction Cost (ECC)⁵\$4,611,000
Site Development Cost⁶\$2,828,000
Building Cost (\$267/gsf)\$1,783,000

Management and Inspection (M&I).....\$253,000

Estimated Total Project Cost (ETPC)*.....\$5,749,000

*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

³The project may contain a variance in gross square footage from that listed in this prospectus upon measurement and review of design drawings.

⁴Wetland Mitigation includes site acquisition costs for approximately eight acres of land and the construction of new wetlands to mitigate the loss of wetlands due to construction. This will occur simultaneously with the Design phase. Further details are dependent upon Design elements.

⁵ECC is broken into two parts – Site Development Cost and Building Cost

⁶Site development costs include paved commercial construction and circulation areas with space for 15 inspection lanes, extension of existing Port utilities to the new site area, site lighting, fencing and gates, and flood control features.

GSA

PBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

Location

The proposed new facility will be located alongside southbound Interstate-29 on government-owned land at the southwest corner of the port.

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Wetland Mitigation	FY 2017	FY 2018 ⁷
Design and Construction	FY 2017	FY 2019

Tenant Agencies

USDA APHIS

Justification

The Pembina, ND, U.S. LPOE is the busiest northern port between Blaine, Washington and Detroit, Michigan, and the fifth busiest along the U.S./Canada border. The port has seen a steady increase in traffic flow since its completion in 1997. In 2003, in response to the 9/11 terrorist attacks, the original APHIS building was demolished to accommodate new LPOE Vehicle and Cargo Inspection System (VACIS) requirements. A modular trailer was leased and moved to a landscape median island near the center of the port as a temporary housing solution for APHIS. On-load inspections are conducted at this location (in the median with traffic flowing on both sides). Off-load inspections are performed at the Emerson Canadian Port where GSA leases another facility for APHIS approximately one mile north and east of the Pembina LPOE. This is operationally inefficient.

Commercial truck parking and circulation are inadequate with little or no lane control. With the increase in traffic flow this has created a potential life safety concern for APHIS inspectors and truck drivers. In addition to the potential life safety concern, the temporary modular trailer is in poor condition and requires ongoing repairs to keep the building habitable. The proposed project will provide APHIS with a facility that is operationally safe and efficient. Construction of a permanent inspection facility will not materially hinder any operations at the port.

⁷ Upon construction completion, the newly converted wetlands will be monitored for a period of at least five years to ensure a successful conversion.

GSA

PBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

Approximately three acres of undeveloped government-owned wetlands on the southwest corner of the Pembina Port will be used to prepare the new project site. A thorough Feasibility Study has determined the proposed site to be the most advantageous location to maximize traffic flow and security for the Port and its stakeholders. To mitigate the reduction of wetlands to the environment, the NEPA requires the creation of two net new acres of wetlands per each acre of wetlands negatively affected by construction.

Since it is somewhat common for a small portion of newly created human-made wetlands to fail to convert properly to permanent wetlands, an extra two acres of site acquisition have been included in the project for contingency purposes, allowing for the acquisition of up to eight acres of land for wetland mitigation. The newly converted wetlands will be monitored for a period of at least five years to ensure a successful conversion.

Upon project completion, on-load inspections will take place in 15 open-air commercial truck parking stalls just outside of the new building. This will no longer require inspector personnel or truck operators to cross several lanes of oncoming traffic on foot.

Other alternatives (off of the port) pose security challenges to APHIS inspection personnel and U.S. Customs and Border Protection, and logistics issues for commercial truck operators. Alternatives locating the APHIS facility in different areas on the port were problematic due to traffic flow constraints. The proposed plan is in a strategically situated area to facilitate maximum traffic flow at the port.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. The GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria. The proposed project is Energy Independence and Security Act (EISA) and Energy Policy Act (EPACT) compliant.

Prior Appropriations

None-

GSA

PBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

Prospectus Number: PND-0550-PE17
Congressional District: 01

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	7/23/2015	\$5,357,000	Site, Design, Construction

Alternatives Considered

GSA owns and maintains the existing facilities at this Port of Entry; thus new Federal construction is in the best interest of the government and the taxpayer.

Recommendation

CONSTRUCTION

GSAPBS

**PROSPECTUS – CONSTRUCTION
APHIS BUILDING
PEMBINA, ND**

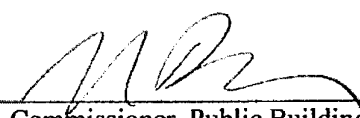
Prospectus Number: PND-0550-PE17
Congressional District: 01

Certification of Need

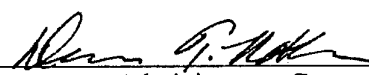
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

LEASE—SOCIAL SECURITY ADMINISTRATION,
DALLAS, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for a replacement lease of up to 135,260 rentable square feet of space, including 542 official parking spaces, for the Social Security Administration currently located at 1301 Young Street in Dallas, Texas at a proposed total annual cost of \$4,869,360 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 172 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 172 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include

in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS – LEASE
SOCIAL SECURITY ADMINISTRATION
DALLAS, TX**

Prospectus Number: PTX-01-DA17
Congressional District: 30

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 135,260 rentable square feet (RSF) of space for the Social Security Administration (SSA), currently located in leased space at 1301 Young St., Dallas, TX.

The proposed lease will enable SSA to provide continued housing as well as more modern, streamlined, and efficient operations. It will significantly improve space utilization, as the office utilization rate will be improved from 247 to 115 usable square feet (USF) per person, and the overall utilization rate from 317 to 172 USF per person, reducing SSA's footprint at this location by 62,591 RSF.

Description

Occupant:	Social Security Administration
Current Rentable Square Feet (RSF)	197,851 (Current RSF/USF = 1.14)
Estimated Maximum RSF:	135,260 (Proposed RSF/USF = 1.15)
Expansion/Reduction RSF:	62,591 (Reduction)
Current Usable Square Feet/Person:	317
Estimated Usable Square Feet/Person:	172
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	9/30/2017 and 10/31/2017
Delineated Area:	The Central Business District bounded by: North - Woodall Rogers Freeway South - R.L. Thornton Freeway East - Central Expressway West - Stemmons Freeway
Number of Official Parking Spaces:	542
Scoring:	Operating lease

GSA

PBS

**PROSPECTUS – LEASE
SOCIAL SECURITY ADMINISTRATION
DALLAS, TX**

Prospectus Number: PTX-01-DA17

Congressional District: 30

Estimated Rental Rate ¹ :	\$36.00
Estimated Total Annual Cost ² :	\$4,869,360
Current Total Annual Cost:	\$4,457,000 (Leases effective 10/1/1998, 11/1/2007 and 2/22/2010)

Justification

SSA has developed a program of requirements for replacement space to house its Regional Office in Dallas, Texas. The office provides SSA services including retirement benefits, disability insurance, and supplemental security income to Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and the Navajo Nation in part of Arizona and Utah.

The proposed requirements utilize new space standards developed by SSA to improve space efficiency and employee productivity and will reduce SSA's footprint by 62,591 RSF. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be \$7,128,000 per year.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will

¹This estimate is for fiscal year 2017 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

²New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

PROSPECTUS -- LEASE
SOCIAL SECURITY ADMINISTRATION
DALLAS, TX

Prospectus Number: PTX-01-DA17

Congressional District: 30

Interim Leasing

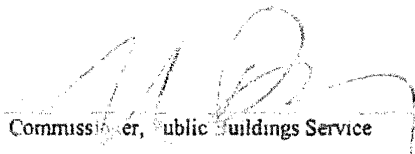
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed lease is the best solution to meet a validated Government need.

Submitted at Washington, DC, on April 25, 2016

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

October 2015

**Housing Plan
Social Security Administration**

PTX-01-DA17
Dallas, TX

Leased Locations	CURRENT			ESTIMATED/PROPOSED		
	Personnel		Usable Square Feet (USF) ¹	Personnel		Usable Square Feet (USF)
	Office	Total	Office	Office	Total	Office
1301 Young Street	549	549	174,082			
Estimated/Proposed Lease				685	685	11,680
Total	549	549	174,082	685	685	11,680

Office Utilization Rate (UR) ²	
Rate	Current
	247
	Proposed
	115

UR=average amount of office space per person
Current UR excludes 38,298 usf of office support space
Proposed UR excludes 22,145 usf of office support space

Overall UR ³	
Rate	Current
	317
	Proposed
	172

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	174,082	1.14	197,851
Estimated/Proposed	117,617	1.15	135,260

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress and agencies with less than 10 people

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

Special Space		USF
Conference/Training/Studio		10,680
ADP		1,000
Total		11,680

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF AGRICULTURE,
NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 131,000 rentable square feet of space, including 12 official parking spaces, for the Department of Agriculture currently located at 3101 Park Center Drive in Alexandria, Virginia at a proposed total annual cost of \$5,109,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 150 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 150 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include

in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS—LEASE
DEPARTMENT OF AGRICULTURE
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA17
Congressional District: 8,10,11

Executive Summary

The U.S. General Services Administration (GSA) proposes a lease of approximately 131,000 rentable square feet (RSF) for the Department of Agriculture (USDA), currently located at 3101 Park Center Drive, Alexandria, VA, under a lease that expires May 31, 2017.

The lease will provide continued housing for USDA and improve USDA office and overall utilization rates from 141 to 93 usable square feet (USF) per person and 215 to 150 USF per person, respectively. As a result of the improved utilization, the lease will reduce the rentable square footage (RSF) of the requirement by 29 percent, a 53,216 RSF reduction from its current footprint. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rate would be \$7,184,424.

Description

Occupant:	Department of Agriculture
Current Rentable Square Feet	184,216 (Current RSF/USF = 1.14)
Estimated Maximum RSF ¹ :	131,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	53,216 (Reduction)
Current Usable Square Feet/Person:	215
Estimated Usable Square Feet/Person:	150
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	5/31/2017
Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	12
Scoring:	Operating Lease
Estimated Rental Rate ² :	\$39.00 / RSF

¹ The RSF/USF at the current location is approximately 1.14; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2017 and may be escalated by 1.95 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF AGRICULTURE
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA17
Congressional District: 8,10,11

Estimated Total Annual Cost ³ :	\$5,109,000
Current Total Annual Cost:	\$5,317,419 (leases effective 6/1 2007)

Justification

The current lease at 3101 Park Center Drive, Alexandria, VA, expires on May 31, 2017 and houses the USDA Food and Nutrition Service (FNS), whose main mission is to increase food security and reduce hunger in partnership with cooperating organizations by providing children and low-income people access to food, a healthy diet, and nutrition education in a manner that supports American agriculture and inspires public confidence.

FNS work has become increasingly collaborative and the current space at 3101 Park Center Drive is not configured to support modern work patterns. A new lease will provide continued housing for 725 personnel currently working in this location and allow for a flexible office layout to adapt to future changes in work practices. The total space requested will reduce USDA's footprint by 53,216 RSF, or 29 percent of the 184,216 RSF currently occupied. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rate would be \$7,184,424 per year.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA**PBS**

**PROSPECTUS – LEASE
DEPARTMENT OF AGRICULTURE
NORTHERN VIRGINIA**

Prospectus Number: PVA-05-WA17

Congressional District: 8,10,11

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on APR 22 2016

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

September 2015

**Housing Plan
Department of Agriculture**

**PVA-05-WA17
Northern, V/A**

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Special	Office	Total	Office	Special
3101 Park Center Drive	750	750	135,411	20,000				
Estimated/Proposed Lease			5,484				86,902	
Total	750	750	135,411	20,000	725	725	86,902	18,129
							3,719	108,750

Office Utilization Rate (UR) ²	
Rate	
Current	141
Proposed	93

UR = average amount of office space per person
 Current UR excludes 29,790 usf of office support space
 Proposed UR excludes 28,164 usf of office support space

Overall UR ³	
Rate	
Current	215
Proposed	150

R/U Factor ⁴	
Total USF	RSF/USF
Current	1.14
Estimated/Proposed	1.20

Special Space	
Conference/Meeting	6,791
Publication Room	547
Web Room	101
Café/Vending	1,019
ADP/LAN	1,786
Library	408
Health Unit	475
Break Room	732
Training	1,358
Fitness Room	1,358
Computer Center	1,746
Test Kitchen	176
Copy Room	1,632
Total	18,129

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel.⁴ R/U Factor = Max RSF divided by total USF

There was no objection.

SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1402. An act to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable; to the Committee on the Judiciary.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 184. An Act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 744, the House stands adjourned until 1 p.m. on Tuesday, May 31, 2016.

Thereupon (at 10 o'clock and 5 minutes a.m.), under its previous order, the House adjourned until Tuesday, May 31, 2016, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5512. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William H. Etter, Air National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5513. A letter from the Acting Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonel James E. Bonner, United States Army, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5514. A letter from the Acting Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting a letter approving the retirement of General Frank Gorenc, United States Air Force, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5515. A letter from the Assistant Secretary for Legislative Affairs, Department of Defense, transmitting additional legislative proposals for the proposed legislation titled "National Defense Authorization Act for Fiscal Year 2017"; to the Committee on Armed Services.

5516. A letter from the Assistant Administrator for Policy, Wage and Hour Division,

Department of Labor, transmitting the Department's Major final rule — Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees (RIN: 1235-AA11) received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5517. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Fiscal Year 2014 Distribution of Funds Under Section 330 of the Public Health Service Act", pursuant to July 1, 1944, ch. 373, Sec. 330(r)(3); to the Committee on Energy and Commerce.

5518. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled "Report in Response to the Sunscreen Innovation Act (P.L. 113-195) Section 586G"; to the Committee on Energy and Commerce.

5519. A letter from the Secretary, Department of Commerce, transmitting the Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2015, to February 25, 2016, pursuant to 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627) and 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257); to the Committee on Foreign Affairs.

5520. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification of the Arms Export Control Act, Transmittal No.: DDTC 15-147, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

5521. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification of the Arms Export Control Act, Transmittal No.: DDTC 16-024, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

5522. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification of the Arms Export Control Act, Transmittal No.: DDTC 15-121, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); to the Committee on Foreign Affairs.

5523. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a six-month periodic report, covering November 15, 2015, to May 15, 2016, on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5524. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Burundi that was declared in Executive Order 13712 of November 22, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5525. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be

transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d)(1); Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

5526. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a notice of Proposed Lease to the Government of Brazil, Transmittal No. 04-16, pursuant to 22 U.S.C. 2796a(a); Public Law 90-629, Sec. 62 (as added by Public Law 97-113, Sec. 109(a)); (95 Stat. 1525); to the Committee on Foreign Affairs.

5527. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report entitled "The 33rd Annual Report to Congress on the Multinational Force and Observers Pursuant to Section 6 of Public Law 97-132 for the Period Ending January 15, 2016"; to the Committee on Foreign Affairs.

5528. A letter from the General Manager and Director of Equal Employment Opportunity, Defense Nuclear Facilities Safety Board, transmitting the FY 2015 No FEAR Act report, pursuant to Public Law 107-174, 203(a); (116 Stat. 569); to the Committee on Oversight and Government Reform.

5529. A letter from the Chief Information Security Officer, Department of Homeland Security, transmitting the Department's 2015 Federal Information Security Management Act and Agency Privacy Management Report, pursuant to 44 U.S.C. 3553(c); Public Law 113-283, Sec. 2(a); (128 Stat. 3076); to the Committee on Oversight and Government Reform.

5530. A letter from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting a notification of a Designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5531. A letter from the Inspector General, Federal Housing Finance Agency, transmitting the Agency's Semiannual Report to Congress for the period October 1, 2015, through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5532. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report to Congress of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period of October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5533. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Activities under the Civil Rights of Institutionalized Persons Act for Fiscal Year 2015, pursuant to 28 U.S.C. 522(a); Public Law 89-554, Sec. 4(c) (as amended by Public Law 94-273, Sec. 19); (80 Stat. 615); to the Committee on the Judiciary.

5534. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Privacy and Civil Liberties Activities Semi-Annual Report for FY 2015, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. Sec. 2000ee-1 (f)); to the Committee on the Judiciary.

5535. A letter from the Assistant Attorney General, Department of Justice, transmitting the Office of Community Oriented Policing Services' Annual Report to Congress for FY 2015, pursuant to Public Law 107-273; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 4775. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; with an amendment (Rept. 114-598). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. DELBENE (for herself, Mr.

POLIS, Mr. KIND, and Mr. MCNERNEY):

H.R. 5372. A bill to provide for the continuation of the United States Digital Service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. GRIJALVA (for himself, Mr. POCAN, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Mr. TAKANO, Ms. SINEMA, Mr. SCHIFF, Mr. HANNA, Mr. QUIGLEY, Mr. CONYERS, Mr. LANGEVIN, Ms. LEE, Mr. McDERMOTT, Mr. BLUMENAUER, Ms. SPIER, Mr. LOWENTHAL, Mrs. WATSON COLEMAN, Mr. GALLEGO, Mr. GUTIÉRREZ, Ms. NORTON, Mr. GRAYSON, Mr. SERRANO, Mr. CUMMINGS, Mr. KEATING, Mr. CÁRDENAS, Mr. KILDEE, Mr. HUFFMAN, Mr. TED LIEU of California, Ms. TSONGAS, Mr. PETERS, Ms. CLARK of Massachusetts, Mr. PAL-LONE, Ms. MENG, Mr. NADLER, Ms. WILSON of Florida, Mr. WELCH, Ms. DELBENE, Mrs. LAWRENCE, Ms. ROY-BAL-ALLARD, Ms. EDWARDS, Ms. PIN-GREE, Mr. MURPHY of Florida, Ms. BONAMICI, Ms. MOORE, Ms. JUDY CHU of California, Mr. CARTWRIGHT, Mrs. DINGELL, Mr. MCGOVERN, Ms. CLARKE of New York, Mr. YARMUTH, Mr. HASTINGS, Mr. SMITH of Washington, Ms. ESTY, Ms. FRANKEL of Florida, Mr. KILMER, Ms. SCHAKOWSKY, Mr. ELLI-SON, Mr. HIGGINS, Mr. DEUTCH, Mr. VAN HOLLEN, Mr. HONDA, Mr. RAN-GEL, Mr. JOHNSON of Georgia, Mr. BEYER, Mrs. CAROLYN B. MALONEY of New York, Mr. HINOJOSA, Mr. VELA, Mr. MOULTON, and Ms. MCCOLLUM):

H.R. 5373. A bill to improve Federal population surveys by requiring the collection of voluntary, self-disclosed information on sexual orientation and gender identity in certain surveys, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HULTGREN:

H.R. 5374. A bill to amend the Internal Revenue Code of 1986 to provide a lower rate of tax on a portion of pass-through business income, and for other purposes; to the Committee on Ways and Means.

By Mr. MULLIN:

H.R. 5375. A bill to amend titles XIX and XXI of the Social Security Act to eliminate

the CHIP maintenance of effort requirement and to eliminate DSH cuts for States not implementing the ACA Medicaid expansion; to the Committee on Energy and Commerce.

By Mr. RUSH:

H.R. 5376. A bill to provide Federal funds for the Chicago State University; to the Committee on Education and the Workforce.

By Mr. SALMON:

H.R. 5377. A bill to amend title 5, United States Code, to include guidance documents in the congressional review process of agency rulemaking; to the Committee on the Judiciary.

By Mr. SALMON:

H.R. 5378. A bill to prohibit the National Science Foundation from conducting a study of the history of standards and standardization in the United States; to the Committee on Science, Space, and Technology.

By Ms. JACKSON LEE:

H. Res. 763. A resolution honoring in praise and remembrance the outstanding achievements in scholastic, athletic, and humanitarian excellence of Sarid Chaim Shahdaiah; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

238. The SPEAKER presented a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 15, urging congress to enact the Diné College Act of 2015; to the Committee on Education and the Workforce.

239. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 19, honoring the limits of federal power related to education as set forth in the Tenth Amendment to the United States Constitution; to the Committee on Education and the Workforce.

240. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 10, urging the Federal Government to protect the communications spectrum that allows Utah's translator system to provide free television access across the state; to the Committee on Energy and Commerce.

241. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 5, recognizing the 100-Year Anniversary of our National Parks; to the Committee on Natural Resources.

242. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 2, urging the United States Congress to pass the Remote Transactions Parity Act of 2015, H.R. 2775; to the Committee on the Judiciary.

243. Also, a memorial of the Legislature of the State of Utah, relative to Senate Joint Resolution 2, requesting that the United States Congress propose an amendment to the United States Constitution to repeal the Seventeenth Amendment to the United States Constitution; to the Committee on the Judiciary.

244. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 11, urging Congress to re-classify marijuana as a Schedule II drug and encourage researchers to investigate the benefits of medical marijuana; jointly to the Committees on Energy and Commerce and the Judiciary.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

By Ms. DELBENE:

H.R. 5372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 5373.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HULTGREN:

H.R. 5374.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

By Mr. MULLIN:

H.R. 5375.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3 of the United States Constitution

By Mr. RUSH:

H.R. 5376.

Congress has the power to enact this legislation pursuant to the following:

Art. I, §8, cl. 1: "The Congress shall have power to . . . provide for the . . . general welfare of the United States."

Art. I, §9, cl. 7: "No money shall be drawn from the treasury, but in consequence of appropriations made by law."

By Mr. SALMON:

H.R. 5377.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted Congress under Article I of the United States Constitution, including the power granted Congress under Article I, Section 8, Clause 18, of the United States Constitution, and the power granted to each House of Congress under Article I, Section 5, Clause 2, of the United States Constitution.

By Mr. SALMON:

H.R. 5378.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—"No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. RYAN of Ohio and Mr. HIMES.

H.R. 335: Mr. KIND and Mr. BUCHANAN.

H.R. 605: Mr. DOLD.

H.R. 969: Mrs. ROBY.

H.R. 1062: Mr. MCCAUL.

H.R. 1111: Mr. GARAMENDI.

H.R. 1151: Mr. SMITH of Texas.

H.R. 1227: Mr. AMODEI.

H.R. 1283: Mr. SESSIONS.

H.R. 1336: Mr. COURTNEY.

- H.R. 1571: Mr. RICHMOND.
H.R. 1877: Mr. KATKO and Mr. LARSEN of Washington.
H.R. 2274: Mr. COFFMAN.
H.R. 2519: Mr. ALLEN.
H.R. 2802: Mr. YODER.
H.R. 2972: Mr. LARSEN of Washington.
H.R. 3164: Mr. HASTINGS.
H.R. 3180: Mr. SWALWELL of California.
H.R. 3470: Mr. MCNERNEY.
H.R. 3706: Mr. GARAMENDI, Ms. CLARK of Massachusetts, and Mr. GENE GREEN of Texas.
H.R. 3742: Mr. LAMALFA, Mr. RICHMOND, and Mr. TIPTON.
H.R. 3765: Mr. MACARTHUR, Mr. ADERHOLT, and Mr. WALDEN.
H.R. 3870: Mr. LEVIN.
H.R. 4194: Mrs. DINGELL.
H.R. 4212: Mr. KENNEDY.
H.R. 4247: Mr. ELLISON, Mr. KINZINGER of Illinois, Mr. BOUSTANY, Mr. MEEKS, Mr. DOLD, and Mr. SANFORD.
H.R. 4365: Ms. GRANGER.
H.R. 4435: Mr. NADLER, Ms. VELÁZQUEZ, and Mr. NEAL.
H.R. 4514: Mr. LIPINSKI, Mr. COFFMAN, Mr. FITZPATRICK, Mr. SMITH of Missouri, Mr. WALBERG, Mr. LOBIONDO, Mr. MCHENRY, Mr. ROE of Tennessee, and Ms. JUDY CHU of California.
H.R. 4554: Mr. SWALWELL of California.
H.R. 4622: Ms. DUCKWORTH.
H.R. 4626: Mrs. BUSTOS.
H.R. 4764: Ms. GRAHAM.
H.R. 4816: Mr. NOLAN.
H.R. 4818: Mr. JODY B. HICE of Georgia and Mr. BOUSTANY.
H.R. 4948: Mrs. BEATTY.
H.R. 4989: Mr. SWALWELL of California.
H.R. 5008: Mr. FITZPATRICK.
H.R. 5067: Ms. MCCOLLUM.
H.R. 5073: Mr. SWALWELL of California.
H.R. 5076: Mr. DOLD.
H.R. 5104: Mr. MCNERNEY and Mr. HUFFMAN.
H.R. 5177: Mr. GRAVES of Missouri and Mr. CARTWRIGHT.
H.R. 5221: Mr. GALLEG0, Mr. HASTINGS, and Mr. LEWIS.
H.R. 5230: Mr. LANCE, Mr. BARTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. POMPEO, and Mr. SESSIONS.
H.R. 5292: Mr. DAVID SCOTT of Georgia, Mr. FLEISCHMANN, Mr. POMPEO, Mr. COLLINS of New York, and Ms. FRANKEL of Florida.
H.R. 5304: Mr. JONES.
H.R. 5353: Ms. STEFANIK.
H.R. 5361: Mr. CURBELO of Florida and Ms. JENKINS of Kansas.
H. Res. 739: Mr. COFFMAN.
H. Res. 750: Mr. DONOVAN.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO BIRMINGHAM CITY SCHOOL SYSTEM'S CLASS OF 2016 VALEDICTORIANS

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise to congratulate Birmingham City School System's Class of 2016 Valedictorians—all of whom are female. As the headline reads in the local paper, "Talk about major girl power." At last count, these young ladies have received more than "\$2.85 million in scholarship offers for 2016." The Birmingham City School System also had two Gates Millennium Scholars this year including Ramsay High School's Valedictorian, Maya Quinn.

The Class of 2016 Valedictorians includes: Parker High School's Alejandrina Bravo; Woodlawn High School's Michelle Thomas; Huffman High School's Kierra Hutchins; Jackson-Olin High School's Alana Bennett; Ramsay High School's Maya Quinn; and Carver High School's Jameria Gardner and Ariana Robinson. Carver High School was unique in that they had two students tie for valedictorian this year.

Mr. Speaker, while most of the communities in my district are greatly underserved, we continuously see what is possible from our citizens with a little bit of resources and whole bunch of hard work.

We know that when women succeed, America succeeds. And these young women are on the path to bright futures, and to giving back in hopefully meaningful ways to our communities, and should be commended for their outstanding achievements. I am sure they will look back proudly on this accomplishment as they blaze their respective paths in life.

Mr. Speaker, I want my colleagues to join me in congratulating the outstanding women who serve as 2016 Valedictorians in the Birmingham City School System. Girl Power!

IN HONOR OF THE 40TH ANNIVERSARY OF THE WYOMING CONFERENCE OF BUILDING OFFICIALS

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mrs. LUMMIS. Mr. Speaker, I rise today on the occasion of the 40th anniversary of the Wyoming Conference of Building Officials, to recognize the leadership of the Wyoming Chapter of the International Code Council (ICC) that develops and publishes the model

building, safety and energy efficiency model codes used in my home state of Wyoming, and each of the other 49 states.

Confidence in building safety is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry who work year-round to ensure the safe construction of the buildings in which we live and work.

Thirty-one people from eighteen cities across the state of Wyoming attended the very first meeting of the newly formed Wyoming Association of Building Officials on January 23, 1976 in Gillette, Wyoming. The following inaugural officers were elected at that first meeting in Gillette: President Ralph Rock, Building Inspector, Gillette, WY; Vice President Joe Keefer, Building Inspector, Douglas, WY; Secretary-Treasurer Thomas W. Chambers, Cody, WY; Director R.G. Patton, Building Inspector, Cody, WY; and J.J. Ireland, Building Inspector, Cheyenne, WY.

Over the past forty years the Wyoming Conference of Building Officials has provided continuing education for design professionals, fire service and the public. It has provided more than \$18,000 in scholarships to Wyoming residents to attend the International Code Council's Annual Conference to learn more on the latest building standards and codes. And, it has published numerous articles in the Building Safety Journal.

The current Board of the Wyoming Conference of Building Officials—President Keith Bowar of Campbell County, WY; Vice President Lyle Murdock of Wright, WY; Treasurer Billy Nunn of Jackson, WY; Director Matt Allred of Guernsey, WY; Director Ken Rogers of Gillette, WY; and Past President Bruce Wilson of Cheyenne, WY, currently represent 90 members across 48 jurisdictions.

I would like to thank the thousands of men and women who work every day to make sure our country's buildings comply with the most updated building and fire safety codes. And I would like to especially thank those hard working members of the Wyoming Conference of Building Officials, celebrating their 40th anniversary of service to the citizens of the great state of Wyoming.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. BLUMENAUER. Mr. Speaker, last night, as I celebrated the passage of Representative SEAN PATRICK MALONEY's amendment to prohibit the federal government from doing business with contractors who discriminate against LGBT individuals, I was dismayed to realize

that, as the vote was closing, I had failed to press the button to vote to support the amendment, which would have made the margin of victory even larger. I voted for the amendment last week, and I continue to strongly support efforts to ensure equality for the LGBT community. The anti-LGBT amendments offered to the same bill, which I staunchly oppose, demonstrate the all too real, continued discrimination that the LGBT community faces, even after historic achievement of marriage equality and the repeal of "Don't Ask, Don't Tell."

IN REMEMBRANCE OF THE LIFE OF SARID CHAIM SHAHDAIAH AND QUINCY GEMAL WILLIAMS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

"What is a fear of living? It's being pre-eminently afraid of dying. It is not doing what you came here to do, out of timidity and spinelessness. The antidote is to take full responsibility for yourself—for the time you take up and the space you occupy. If you don't know what you're here to do, then just do some good."—Maya Angelou

Ms. JACKSON LEE. Mr. Speaker, I rise today in remembrance and recognition of the life of Sarid Chaim Shahdaiah, and Quincy Gemal Williams two very accomplished young men who tragically lost their lives in a car accident on December 3, 2014.

Many parents, teachers, neighbors and young people hope to find the kindness and dedication that these two young men exhibited regularly as sons, students, friends and incredibly well-rounded, commendable young men.

The accomplishment these young men earned far exceed the highest expectations of any proud parent or community member in awe of exceptional young leaders in today's America.

I understand as well, that in recognition and honor of his pursuit of excellence, several highly esteemed universities expressed interest in Mr. Shahdaiah, hoping that he would join their respected student bodies.

I was thoroughly impressed to learn that, through his dedication to his studies; Mr. Shahdaiah earned a grade point average of 3.6 and was inducted into the National Society of High School Scholars.

As a highly accomplished student-athlete, he served the U.S.A. International Football Team as Captain, Team Ambassador and starting linebacker, in addition to exalting fervent school pride, during his junior year as a highly valued teammate of the Dekaney Wildcats, his high school varsity track and football teams.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Expanding the bounds of his requisite studies, he explored his curiosities for the world of science becoming a member of the Texas High School Engineering Career and Technology Council.

I join his family and many admirers in genuinely celebrating Mr. Shahdaiah's life and outstanding contributions.

Quincy was one of the world's best comedians; he had the ability to make anyone who came into contact with him laugh.

All who knew Mr. Williams admired his prowess for presentation. Deemed one of the "Sharpest" brothers you'd meet.

Mr. Williams was affectionately called by his parents a "Junior"; and was one of the most outgoing, lovable kids that a parent could ever want.

Although young in body Mr. Williams was old in song; he was a profound lover of any and all Motown Performers and would listen to them regularly.

While at Andy Dekaney High school Quincy became branded as the "Soul Brother" of the football team.

These two young men cultivated their efforts, positioning themselves to successfully matriculate in May of 2016; and, but for their ill-fated passing, would by all accounts have celebrated their well-deserved accomplishments with their families as a milestone achievement in their young lives.

While I have no doubt they would have realized countless ambitions, we are left to accept that their dreams of immeasurable magnitude now rest with them.

These young men worked hard.

I cannot think of a more solemn manner of celebrating their life than to honor their efforts by bestowing upon their families recognition of the achievement for which they so ardently strode.

In the words of Booker T. Washington "Character is power".

Character truly is power and that power was present in the lives of these prolific young men.

Yes, their lives were cut short, but with what time they did have they effectively made the best of it.

Heaven has truly gained a dynamic pair of angels, while young Mr. Shahdaiah's and Mr. Williams families lost their most promising stars.

Please join me in a moment of silence for the life of Sarid Chaim Shahdaiah and Quincy Gemal Williams.

TRIBUTE TO SANDRA THORSTENSON

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to celebrate the lifelong service and success of Sandra Thorstenson, the Superintendent of Whittier Union School District, in my Congressional District in California.

You could say that the Whittier Union School District is part of Sandra's DNA. After

moving to Whittier at the age of five, Sandy went on to graduate from Whittier High School, attended Whittier College, and from there, launched a 39-year career as a teacher, principal, and Superintendent of the district.

While I think Sandy's lifelong dedication to educating young people is reason enough to celebrate, I would be remiss not to mention the success that has made her a leader in improving education for low-income students. Under her leadership, Whittier Union's motto has been "demographics do not determine destiny." The results of this attitude are clear. In a district with nearly 70 percent economically-disadvantaged students, Whittier Union sports a 97 percent graduation rate and sends 95 percent of its students on for a higher education.

Ms. Thorstenson embodies the kind of public servant and leader we need more of in education, someone who is unwilling to settle for anything less than success for every student in her district. It is in that spirit that, on behalf of all the families who've benefitted from her service, I wish Sandra a happy retirement and thank her for inspiring generations of students in the Whittier Union School District.

TRIBUTE TO BRUCE PEARSON

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to celebrate the retirement of Bruce Pearson, who has been City Manager of Pleasanton, Texas since 2012.

Mr. Pearson was born and raised in Waco, Texas where he attended Richfield High School. He later graduated Summa Cum Laude from Texas State University-San Marcos and received a Master's Degree from the University of Texas at San Antonio in Public Administration where he was a Recognized Scholar. Mr. Pearson also holds a Certified Public Manager's Certification from the William P. Hobby Center for Public Service at Texas State University.

In 2000, Mr. Pearson began working for the San Antonio Water System, where he was involved in the implementation of a revolutionary water recycling system that provides over 35,000 acre feet of water for non-potable uses throughout San Antonio. The water recycling program remains the largest in the country to date. The Water Reuse Foundation recognized Mr. Pearson for his contributions to water conservation efforts in 2005. Additionally, Mr. Pearson advised on the design of a customer service and site certification manual for the Water Reuse Foundation, and worked on the Cibolo Canyons Professional Golfers' Association Project for the San Antonio Water System.

Mr. Pearson began his career in public service in 2008 when he was named Assistant City Manager for the City of Cibolo. As Assistant City Manager, he oversaw the implementation of a capital improvement project that allowed the city to build a new police and fire Station, a public park, and to reconstruct the

city's Main Street. In 2012, Mr. Pearson was named City Manager for the City of Pleasanton; a position through which he contributed to the city's growth, development, and prosperity. He oversaw the development and implementation of a multifaceted city master plan, a parks master plan, and contributed to the design and construction of a civic center, library, and the Freedom Center Project. Mr. Pearson has done an extraordinary job of bringing a vision of long term progress in every community he has worked in.

In addition to his impressive career in public service and municipal development, Mr. Pearson is a devoted father and grandfather.

Mr. Speaker, I am honored to recognize Bruce Pearson for his extensive achievements and important contributions to the communities of Cibolo and Pleasanton, Texas.

PERSONAL EXPLANATION

HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded this week. I was absent because I was traveling with President Barack Obama to Vietnam. Had I been present, I would have voted as follows: Roll Call No. 235: Aye; Roll Call No. 237: Nay; Roll Call No. 238: Aye; Roll Call No. 248: Nay; Roll Call No. 250: Nay; Roll Call No. 266: Nay; and Roll Call No. 268: Nay.

HONORING MS. FIONA BULLOCK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Fiona Bullock, who will retire after 26 years of service as an educator and institutional leader at Pacific Union College.

Ms. Bullock completed her Bachelor of Arts in Social Work at Pacific Union College in 1983, before going on to earn her Masters of Social Welfare at the University of California, Berkeley in 1990.

After completing her degree, Ms. Bullock spent 26 years in the Social Work Program at her alma mater, Pacific Union College. During her time at Pacific Union College she has held positions, including Associate Professor, Field Supervisor, Forum Sponsor, and Program Director. Ms. Bullock has also contributed to the field of social work through her research and the numerous books and articles she has authored. Throughout her career, Ms. Bullock dedicated her time and energy to supporting students' success, including connecting her students with invaluable internships and work experiences.

A long-standing member of the National Association of Social Workers, Ms. Bullock has earned certifications in Critical Incident Stress Management and is a Board Certified Expert in War Trauma and Bereavement Trauma. Ms.

Bullock earned recognition from both the National Association of Social Workers of California and the California Assembly for her support of academic freedom in higher education.

Mr. Speaker, Ms. Bullock has dedicated her career to serving her students and community through the study, teaching, and practice of social work. Therefore, it is fitting and proper that we honor her here today and extend our best wishes for an enjoyable retirement and many happy memories to come with her family.

REMEMBERING THE LIFE OF
SUSAN TOLCHIN

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Ms. KAPTUR. Mr. Speaker, I rise today to remember the life of Susan J. Tolchin, someone who I had the privilege to work with and who I had long admired for her curiosity, her judgment, and her concern for others.

An ardent feminist, who along with her husband Marty, brought attention to the plight of middle-class working women, a class of Americans often overlooked and rarely chronicled, Susan and Marty authored several books together, all of which highlighted the mechanisms that the Tolchin's considered "occupational hazards of democracy."

As an author and a professor, Susan focused on and scrutinized political patronage and its many pitfalls, and was one of the first political scientists to identify growing voter disenchantment and disillusion with their government. She wisely concluded that these concerns were deeply rooted in the women's and worker's rights issues, largely discounted and ignored by policymakers, but which she sought to highlight through her teaching and writings.

In her seminal and sage work on political patronage, Susan redefined political patronage as that which "includes the vast range of favors awarded by constantly expanding governments." Likewise, her work on evolving voter anger was cutting-edge analysis, far ahead of her peers.

For those who had the fortune to know her, Susan was an engaging and charming conversationalist, with a natural curiosity and ability to learn from others. She was always learning and seeking new ideas, and applying this knowledge to her scholarship in the classroom and in her writings in political journals, magazines and books.

Susan's legacy of scholarship has provided those of us who also champion women's and laborers' rights with a critical knowledge base. Her work was inspirational, and insightful, and helped me and many others to understand trends and the undercurrents that caused them which others might have missed.

Susan was not only dedicated to struggles of the working, middle-class women, but also to her family, whom she loved dearly. She and her husband Martin worked closely together for many decades, authoring many books. She adored her daughter Karen, also a professor, and their charming grandson, Charlie. They

were quite a team, Susan and Marty, always joyful and supportive of each other.

Those who were fortunate to have known and loved Susan, or who had followed her work, will miss her terribly. Her passion was an inspiration for many, and one can only hope that her passing will not be the last chapter of her story, but that she will continue to inspire countless others. She certainly inspired me.

MONTENEGRO SHOWS THE VIRTUE
OF SELF-DETERMINATION

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. ROHRBACHER. Mr. Speaker, the right of self-determination is today manifested by unhappy ethnic and national groups in almost every corner of the world—Scotland, Catalonia, Baluchistan, Biafra, or Kashmir. Current national establishments, as well as international organizations and alliances, however, fear changing the map, terrified by any proposal to dissolve the legal, political, and economic bonds between peoples that creates two countries where there is now one.

Self-determination and secession are, in the global establishment's mind, synonymous with instability, chaos and bloodshed. And, yes, that is what has happened all too often when a dominant ethnic group has refused to recognize rights of a minority to a vote on sticking with the status quo or governing themselves in a new or different country.

But chaos need not be the outcome of people exercising their right of self-determination.

Ten years ago this week, voters in Montenegro went to the polls in a referendum that posed the question, do you want Montenegro to be an independent state? When the votes were counted, 55.5 percent chose to peacefully dissolve their union with Serbia. Shortly thereafter, all five members of the United Nations Security Council recognized the newest country in the world.

In a region not known for a peaceful resolution of disputes, the peoples of Serbia and Montenegro have written a praiseworthy chapter in the history of democratic government and self-determination.

So what made it work so well this time? First and foremost, credit needs to be given to the Serbian government that permitted this referendum to occur. By doing so, made force and violence unnecessary and even counterproductive in the cause of Montenegrin independence. Belgrade, which has made its share of bad decisions, should be praised for making the right decision—right for the people of Serbia and Montenegro.

There are only a few examples of such an amiable separation. The Czech and Slovak split into two countries is certainly one example. We remember elections in Scotland and Quebec, where voters did not choose to be a new nation. Clearly it is better to let the future be determined by ballots, not bullets, and in such a democratic environment, fewer people will want to vote for a split. If a minority decides to go for it, it will not result in a far-

reaching trauma and decades of dissolution and animosity.

Today, for example, Montenegro is poised for a better future. It is advancing toward Euro-Atlantic integration, increasing its ability to fight organized crime and corruption, and strengthening its civil society and democratic structures. Yes, there are vexing problems, but with independence, the people of Montenegro know they themselves will determine if Montenegro is to be on the right track. With such a dynamic in play, there is every reason for confidence that problems will be solved and the building of a better country will get done.

As the chairman of the Europe, Eurasia, and Emerging Threats Subcommittee, I have followed the volatile situation in those areas that are under pressure from such nationalistic movements. Economic stagnation and corruption feed the desire for self-determination and continue to be the biggest hurdle to developing countries like Montenegro, even now when the people there are free to control their own destiny. Forging new standards for transparency and accountability should cut down and make all the difference in situations like this. Montenegro's success in achieving membership in the EU and NATO depends on it. The government of Montenegro now points to its macroeconomic predictability, educated workforce, and openness to incentivized tax structures to lure direct foreign investment and serve as fuel for economic progress.

Their future is in their hands. Thus, they know they must act—or they lose. So after decades of being a backwater country, literally and figuratively, Montenegro is on the move. Stratex Group, for example, is now the largest American investor in Montenegro. The CEO was one of many Jewish families that fled Soviet Communism and settled in the United States. As Montenegro develops, more international and domestic entrepreneurs, like Stratex, can be expected to take advantage of opportunities in this beautiful, free and independent country, opportunities brought on by the triumph of self-determination, sidelining conflict and corruption.

The more success stories there are in the wake of amicable separation, the more peaceful independent movements can be expected to emerge. New nations like Montenegro can be expected, and once in control of their own destiny, people in these new independent countries can be expected to prioritize critical reforms and educate their new generations about corruption, free enterprise, and democratic government in the 21st century. I congratulate Montenegro on ten years of independence, and recommend others look to its experience as an example of gaining freedom and prosperity through self-determination.

PERSONAL EXPLANATION

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. HUELSKAMP. Mr. Speaker, yesterday, May 24, 2016, I was not present for call votes number 231, 232, 233, 234, 235, 236, 237,

and 238 due to a family obligation. If present, I would have voted yes on roll call votes 231, 232, 233, 234, 237, and 238. I would have voted no on roll call votes 235 and 236.

TRIBUTE TO ABRAHAM SAENZ, JR.

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the retirement of Abraham Saenz, Jr., Council Member for the City of Pleasanton, Texas. He has proudly served the people of Pleasanton for 33 years.

Mr. Saenz was born on June 27, 1931 in Lytle, Texas to Mr. Abraham Saenz, Sr. and Ms. Aurora Saenz. Mr. Saenz moved to Pleasanton, Texas in 1935 and attended Pleasanton High School. He joined the United States Air Force in 1952 and served in the Air Force Supply Unit until 1956. While in the Air Force, Mr. Saenz courageously served his country and fought in the Korean War.

Following his years of service, Mr. Saenz returned to Pleasanton and opened a barber shop, which he owned and operated until 2014. During this time, Mr. Saenz was also a devoted community member. He was Scout Master for the Boy Scouts of America, Troop 194, a member of the Pleasanton Lion's Club, and a member of the Atascosa County Economic Development Board.

Mr. Saenz's involvement in government began in the early 1980's when he assisted Mr. Daniel Struve in his successful campaign for Texas State Representative. Mr. Saenz then pursued his own career in public service and was elected City Alderman for the city of Pleasanton on April 3, 1982. In 1984, the people of Pleasanton elected Mr. Saenz to serve as a member of the Pleasanton City Council, a position which he has proudly held for 33 years. During his tenure on the City Council, Mr. Saenz accomplished several important community developments, including the construction of a new public works and police department building, the remodeling of the Pleasanton City Hall, the building of the Pleasanton Sports Complex, additions to the Pleasanton River Park, and construction of the Civic Center and Library.

In addition to his exemplary career as an esteemed public servant, Abraham Saenz is a

devoted husband to his wife, Ermelinda, and father to their four children.

Mr. Speaker, I am honored to have the opportunity to celebrate the successful career of Abraham Saenz, a patriotic American citizen, devoted city council member to Pleasanton, and a loving husband and father.

HONORING MS. DENISE JACKSON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Ms. Denise Jackson for her commitment as a volunteer for the George C. Yount Pioneer cemetery in Yountville, California.

Ms. Jackson has been instrumental in maintaining the cemetery grounds and recording its long history. She took the initiative to become a volunteer grounds keeper a decade ago. With the support of her vineyard crew from her business, Colinas Farming Company, Ms. Jackson saw to it that the 16-acre cemetery stayed well-maintained.

To enhance the historical records of the organization, Ms. Jackson began a four-year project to survey the graves of 949 people laid to rest at the cemetery dating back to 1848. She led a team of 20 research volunteers and later archived this information online for descendants to trace their family history in California. She also published her findings in "Mapping the George C. Yount Pioneer Cemetery" which she presented to the Napa Valley Genealogical Society.

Ms. Jackson found the time to contribute to other community causes. As an extension of her decades of work as a registered dietitian, Ms. Jackson founded the Baby Nutrition Class at the Queen of the Valley Hospital and has a long history of supporting the American Heart Association where she currently serves as a board member. Ms. Jackson also chairs the Nutrition Committee of Napa County. Additionally, she helps employees of the George C. Yount Pioneer cemetery with medical insurance claims.

Mr. Speaker, Denise Jackson has selflessly spent her time and energy preserving the history of the George C. Yount Pioneer cemetery and caring for the health and needs of others

in her community. She has been a friend and mentor to many. Therefore, it is fitting and proper that we honor her here today.

IN RECOGNITION OF MAYOR
WILSON KIRBY OF BERRYVILLE

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 27, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to recognize and thank Mayor Wilson Kirby for his extraordinary leadership and service to the town of Berryville and its community.

Mayor Kirby moved to Berryville sixteen years ago, where he has since faithfully served the town first as a member of the Town Council and later as Mayor. Though he was new to the area, he immediately began dedicating himself to bettering the town and the lives of its citizens. With over 45 years of experience in engineering and consulting, Mayor Kirby was able to bring a unique perspective to improving many of Berryville's projects. He spearheaded a number of projects such as a new wastewater treatment plant, the construction of the new Clarke County High School, and the maintenance of the town's secondary roads.

These projects exemplify the hard work and time Mayor Kirby put into his town. His selfless desire to constantly improve Berryville never went unnoticed, least of all to his colleagues in the town government. He held office hours twice weekly to hear local concerns and other issues from Berryville citizens, always understanding that the citizens of the town were of the utmost importance. A believer in a hands-on approach to governing, Mayor Kirby has helped make Berryville a truly wonderful town to visit, live in, and enjoy.

From celebrating one hundredth birthdays of town members to lighting the town Christmas tree, Mayor Kirby has been an integral part of Berryville for the last 16 years. Berryville will be sad to see him leave office, but his legacy will continue. Today, we honor and celebrate the contributions he has made to the town of Berryville and all its citizens.

SENATE—Tuesday, May 31, 2016

The Senate met at 8:30 and 3 seconds a.m., and was called to order by the Honorable BILL CASSIDY, a Senator from the State of Louisiana.

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**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 31, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BILL CASSIDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. CASSIDY thereupon assumed the Chair as Acting President pro tempore.

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**ADJOURNMENT UNTIL FRIDAY,
JUNE 3, 2016, AT 1 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 1 p.m. on Friday, June 3, 2016.

Thereupon, the Senate, at 8:30 and 30 seconds a.m., adjourned until Friday, June 3, 2016, at 1 p.m.

HOUSE OF REPRESENTATIVES—Tuesday, May 31, 2016

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. STUTZMAN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 31, 2016.

I hereby appoint the Honorable MARLIN A. STUTZMAN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Eugene Hemrick, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

O Lord, on the House side of the U.S. Capitol is the frieze titled The Apotheosis of Democracy, depicting the horn of plenty with which you have blessed our country and the industriousness of those responsible for it.

As we enter the season of summer, we pray that You bless those here who govern and the governed with Your divine wisdom needed to continue the awe-inspiring prosperity with which You have provided us.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 744, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 744, the House stands adjourned until 4:30 p.m. on Friday, June 3, 2016.

Thereupon (at 1 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until Friday, June 3, 2016, at 4:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5536. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Report to Congress on the Newborn Screening Program, pursuant to Public Law 113-240; to the Committee on Energy and Commerce.

5537. A letter from the Director, International Cooperation, Office of Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's intent to sign the Memorandum of Understanding among Australia, Belgium, Canada, Denmark, Germany, Greece, The Netherlands, Norway, Portugal, Spain, and Turkey for the Cooperative Production of the Evolved SEASPARROW Missile Block 2, pursuant to 22 U.S.C. 2767(f); Public Law 90-629, Sec. 27(f) (as amended by Public Law 113-276, Sec. 208(a)(4)); (128 Stat. 2993); to the Committee on Foreign Affairs.

5538. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's interim final rule — International Traffic in Arms: Revisions to Definition of Export and Related Definitions [Public Notice: 9487] (RIN:1400-AD70) received May 25, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5539. A letter from the Secretary, Department of Veterans Affairs, transmitting the Inspector General's semiannual report for October 1, 2015, through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5540. A letter from the Chairman and Members, Federal Labor Relations Authority, transmitting the Authority's Semiannual Report to Congress for the period October 1, 2015, through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5541. A letter from the Administrator, Environmental Protection Agency, transmitting the report entitled "Review of the Allotment of the Clean Water State Revolving Fund" report to Congress, pursuant to Public Law 113-121, Sec. 5005; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4361. A bill to amend section 3554 of title 44, United States Code, to provide for enhanced security of

Federal information systems, and for other purposes; with an amendment (Rept. 114-599). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4902. A bill to amend title 5, United States Code, to expand law enforcement availability pay to employees of U.S. Customs and Border Protection's Air and Marine Operations (Rept. 114-600). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4906. A bill to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes (Rept. 114-601). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. JACKSON LEE:

H. Res. 764. A resolution honoring in praise and remembrance the wonderful achievements in academic, athletic and humanitarian distinction of Quincy Williams; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE:

H. Res. 765. A resolution honoring in praise and remembrance the outstanding achievements in scholastic, athletic and humanitarian excellence of Mr. Sarid Chaim Shahdaiah; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII,

245. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Pennsylvania, relative to House Resolution No. 236, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 430: Ms. TITUS, Mr. CARSON of Indiana, and Mr. KEATING.

H.R. 592: Mr. SEAN PATRICK MALONEY of New York.

H.R. 836: Mr. TIPTON and Mr. GRAVES of Georgia.

H.R. 1062: Mr. FITZPATRICK, Mr. FINCHER, and Mr. MULLIN.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

H.R. 1733: Mr. TROTT.
H.R. 2083: Mrs. CAROLYN B. MALONEY of New York.
H.R. 2290: Mr. KATKO.
H.R. 2411: Mr. RYAN of Ohio, Ms. BROWNLEY of California, Mr. BRADY of Pennsylvania, Mr. CONYERS, and Mrs. DINGELL.
H.R. 2539: Mr. NORCROSS.
H.R. 2646: Mr. KNIGHT.
H.R. 2902: Mr. KILMER.
H.R. 2980: Mr. PERLMUTTER.
H.R. 3084: Ms. KAPTUR.
H.R. 3225: Mrs. RADEWAGEN.
H.R. 3520: Mr. SCHRADER.
H.R. 3687: Mr. BEYER, Mr. CONYERS, and Ms. McCOLLUM.

H.R. 4275: Mr. MOOLENAAR.
H.R. 4333: Mr. ROE of Tennessee, Mr. MACARTHUR, and Mr. DAVID SCOTT of Georgia.
H.R. 4365: Mr. PITTINGER and Mr. ELLISON.
H.R. 4443: Mr. O'ROURKE.
H.R. 4585: Mr. GRAYSON.
H.R. 4626: Mr. YODER.
H.R. 4849: Mr. GIBBS.
H.R. 4870: Mr. ELLISON.
H.R. 5044: Ms. SINEMA, Mr. WALZ, Mr. HIMES, Mr. CLEAVER, and Mr. BEYER.
H.R. 5181: Mr. MOULTON.
H.R. 5253: Mr. FARENTHOLD.
H.R. 5262: Mr. SANFORD.
H.R. 5272: Ms. NORTON, Mr. CICILLINE, Mr. MCGOVERN, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 5292: Mr. HONDA, Miss RICE of New York, and Mr. MCKINLEY.
H.R. 5338: Mr. LAMALFA.
H.R. 5356: Mr. CUELLAR, Mr. CULBERSON, Mr. FARENTHOLD, Mr. WEBER of Texas, and Mr. O'ROURKE.
H.R. 5361: Mr. NEAL.
H. Con. Res. 36: Mr. BEYER.
H. Con. Res. 89: Mr. DESANTIS.
H. Res. 683: Ms. CLARK of Massachusetts.
H. Res. 686: Mr. GARAMENDI, Mr. RUSH, Ms. SLAUGHTER, Ms. KUSTER, and Ms. SPEIER.
H. Res. 717: Mr. TIPTON.
H. Res. 759: Mr. MOULTON.

EXTENSIONS OF REMARKS

CELEBRATING THE LIFE OF
ERIC BRADLEY

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

Mr. TED LIEU of California. Mr. Speaker, I rise today to celebrate the life of Eric Bradley—husband, father, and community leader—who passed away on Sunday, May 15, 2016.

Eric was well known locally and nationally as a political activist and strategist who possessed unparalleled abilities in organizing and advocating for numerous causes. He served his community, his state, and his country loyally and effectively through his work.

Eric began his career after studying political science at the University of California, Santa Barbara and continued to serve the people of Southern California until his last days. He dedicated his life to improving the lives of others and he will be remembered for his compassionate spirit, which moved everyone who met him.

Trusted and beloved by many, Eric was a man of resolute character, integrity, honesty, and kindness. His advice was invaluable and his approval, once earned, was treasured. He believed in fairness and justice for all; equal opportunity and protection under the law; creating an economy that supports everyone, especially working families; and above all, the value of public service.

Eric Bradley's legacy will live on in the institutions that he served and through the people that he empowered. He is survived by his wife, Gail Bradley, and his son, Anders Bradley, whom I hope take comfort in the way he lived as an outstanding and honest man. I ask that my colleagues join me in recognizing Eric Bradley's incredible life.

CELEBRATING THE 68TH YOM
HA'ATZMAUT, ISRAEL'S INDE-
PENDENCE DAY

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

Mr. NADLER. Mr. Speaker, I rise today to celebrate the 68th Yom Ha'Atzmaut, Israel's Independence Day, which took place on May 12th, 2016.

Sixty-eight years ago, the founders of Israel sat in a hall at the Tel Aviv Museum of Art and made the fateful decision to declare Israel an independent state for the Jewish people. Following centuries of persecution in Europe, the Middle East, North Africa, and even, sadly, the United States, with the worst culmination of anti-Semitism during the Shoah—in which six million Jews were systematically executed—

Israel became the first modern homeland for Jews.

I am proud that the United States of America played a role in the birth of this new state, becoming the first country in the world to recognize Israel's existence just minutes after David Ben-Gurion proclaimed Israel's nationhood. President Truman rightfully understood the new State of Israel represented the same western democratic values that the United States cherished, and acknowledged that an independent state for the Jewish people was long overdue. His endorsement of the State of Israel on May 14, 1948 sealed our two nations in an unbreakable bond that remains strong to this very day.

Over the last sixty-eight years, the relationship between the United States and Israel has flourished. In addition to promoting our continued shared values, Israel has emerged as a crucial ally in the Middle East, and a strong partner in our work to enhance global security. Furthermore, Israel has contributed valuable innovations to the global community that help our businesses run more efficiently and make our world more environmentally friendly.

Mr. Speaker, I stand here today proud of my work to support and strengthen the U.S.-Israel relationship. On this occasion, I reflect on the importance of maintaining strong ties with Israel, and remind my colleagues of the importance of working together to create a lasting peace in the region.

I congratulate the State of Israel on its sixty-eighth anniversary, and am confident that our bond will remain unbreakable for years to come.

CELEBRATING THE CAREER AND
CONTRIBUTIONS OF JOHN
KELSALL

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to celebrate the career and contributions of Mr. John Kelsall, the President and CEO of the Greater Lakewood Chamber of Commerce, located in my congressional district.

As the head of the Chamber of Commerce for more than ten years, Mr. Kelsall has been a tireless champion for local and small businesses in Lakewood. Throughout his tenure, Mr. Kelsall has been instrumental in creating new programs to benefit the Lakewood community. His "Shop Lakewood, Stay Lakewood community. His "Shop Lakewood, Stay Lakewood Local" initiative to improve commerce within the city was so successful that the city adopted it as one of its mottos. He also insisted on starting business councils, including those for veteran-owned and home-based companies.

More recently, Mr. Kelsall shifted his focus to bringing new businesses into Lakewood.

After seeing a need in his community for an establishment that sells fresh organic produce, he and the Chamber of Commerce partnered with the city and Lakewood Center mall to make it happen. Due to his vision and leadership, Lakewood opened its first Farmer's Market just a few weeks ago. This is just a small sampling of the many initiatives spearheaded by Mr. Kelsall during his time at the Lakewood Chamber.

For the past decade, Mr. Kelsall has been a terrific leader for the Lakewood business community, but his greatest achievement may be as an advocate for veterans returning to civilian life. Following the tragic death of his son Lieutenant Commander Jonas Kelsall, a U.S. Navy SEAL, in 2011, anyone could excuse Mr. Kelsall time to grieve. Instead, he and his wife Teri Kelsall poured their energy into providing opportunities for our returning servicemen and women. In 2012, the Kelsalls founded the Jonas Project, a nonprofit that offers mentorship and services to veterans who wish to start a business. In just four years of operation, the Jonas Project has aided in the development of a number of successful, veteran-owned small businesses across the country.

America needs more people like John Kelsall. Faced with unspeakable tragedy that would halt so many of us in our tracks, he instead chose to use his talent to create an organization dedicated to serving those men and women who risk their life to preserve our freedom. We owe our veterans an unpayable debt, and so I hope that Mr. Kelsall and the Jonas Project will inspire others to help ease their transition back to civilian life. I applaud Mr. Kelsall on his successful tenure at helm of the Lakewood Chamber and wish him well as he departs that post to dedicate himself full-time to the Jonas Project.

PERSONAL EXPLANATION

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

Mr. YARMUTH. Mr. Speaker, I unfortunately was unable to be present for several votes taken on the House floor on May 25 and May 26, 2016, missing Roll Call Vote Number 239 through Number 268. Had I been present, I would have voted in the following manner:

Roll Call No. 239: NAY, Roll Call No. 240: NAY, Roll Call No. 241: NAY, Roll Call No. 242: YEA, Roll Call No. 243: NAY, Roll Call No. 244: NAY, Roll Call No. 245: YEA, Roll Call No. 246: NAY, Roll Call No. 247: YEA, Roll Call No. 248: NAY, Roll Call No. 249: YEA, Roll Call No. 250: NAY, Roll Call No. 251: NAY, Roll Call No. 252: YEA, Roll Call No. 253: YEA.

Roll Call No. 254: YEA, Roll Call No. 255: NAY, Roll Call No. 256: NAY, Roll Call No.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

257: NAY, Roll Call No. 258: YEA, Roll Call No. 259: NAY, Roll Call No. 260: NAY, Roll Call No. 261: NAY, Roll Call No. 262: NAY, Roll Call No. 263: NAY, Roll Call No. 264: YEA, Roll Call No. 265: YEA, Roll Call No. 266: NAY, Roll Call No. 267: NAY, Roll Call No. 268: NAY.

IN REMEMBRANCE OF THE LIFE
OF SARID CHAIM SHAHDAIAH
AND QUINCY GEMAL WILLIAMS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

“What is a fear of living? It’s being pre-eminently afraid of dying. It is not doing what you came here to do, out of timidity and spinelessness. The antidote is to take full responsibility for yourself—for the time you take up and the space you occupy. If you don’t know what you’re here to do, then just do some good.”—Maya Angelou

Ms. JACKSON LEE. Mr. Speaker, I rise today in remembrance and recognition of the life of Sarid Chaim Shahdaiah, and Quincy Gemal Williams two very accomplished young men who tragically lost their lives in a car accident on December 3, 2014.

Many parents, teachers, neighbors and young people hope to find the kindness and dedication that these two young men exhibited regularly as sons, students, friends and incredibly well-rounded, commendable young men.

The achievements these young men earned far exceed the highest expectations of any proud parent or community member in awe of exceptional young leaders in today’s America.

I understand as well, that in recognition and honor of his pursuit of excellence, several highly esteemed universities expressed interest in Sarid, hoping that he would join their respected student bodies.

I was thoroughly impressed to learn that, through his dedication to his studies, Sarid earned a grade point average of 3.6 and was inducted into the National Society of High School Scholars.

As a highly accomplished student-athlete, he served the U.S.A. International Football Team as Captain, Team Ambassador and starting linebacker, in addition to exalting fervent school pride, during his junior year as a highly valued teammate of the DeKaney Wildcats, his high school varsity track and football teams.

Expanding the bounds of his requisite studies, he explored his curiosities for the world of science becoming a member of the Texas High School Engineering Career and Technology Council.

I join his family and many admirers in genuinely celebrating Sarid’s life and outstanding contributions.

Quincy was a beaming light of talent and happiness.

Affectionately called by his parents a “Junior”, Quincy was one of the most outgoing, lovable kids that a parent could ever want.

Quincy was one of the world’s best comedians. He had the ability to make anyone who came into contact with him laugh.

All who knew Quincy admired his prowess for presentation—deemed one of the “sharpest” brothers you’d meet.

Although young in body Mr. Williams was old in song; He was a profound lover of any and all Motown Performers and would listen to them regularly.

While at Andy DeKaney High School Quincy became branded as the “Soul Brother” of the football team.

Quincy was also a highly valued teammate of the DeKaney Wildcats high school varsity track team.

Quincy and Sarid were not only classmates and teammates, they were bonded and talented friends who earned the love and respect by all those who knew them.

These two young men cultivated their efforts, positioning themselves to successfully matriculate in May of 2016; and, but for their ill-fated passing, would by all accounts have celebrated their well-deserved accomplishments with their families as a milestone achievement in their young lives.

While I have no doubt they would have realized countless ambitions, we are left to accept that their dreams of immeasurable magnitude now rest with them.

These young men worked hard and touched many lives with their ambition and dedicated commitments to their families, friends, school and their community.

I cannot think of a more solemn manner of celebrating their life than to honor their efforts by bestowing upon their families recognition of the achievement for which they so ardently strode.

In the words of Booker T. Washington “character is power”.

Character truly is power and that power was present in the lives of these prolific young men.

Yes, their lives were cut short, but with what time they did have they effectively made the best of it.

Heaven has truly gained a dynamic pair of angels, while young Sarid and Quincy’s families lost their most promising stars.

Please join me in a moment of silence for the life of Sarid Chaim Shahdaiah and Quincy Gemal Williams.

SUPPORT FOR THE ESTABLISHMENT OF A “NATIONAL CAMEROONIAN HERITAGE AND DIASPORA MONTH”

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 31, 2016

Mr. GIBSON. Mr. Speaker, I rise today to express my support for the establishment of a “National Cameroonian Heritage and Diaspora Month” during the month of May to celebrate the great contributions of Americans of Cameroonian immigrant heritage in the United States, who have enriched the history of our Nation.

Mr. Speaker, people of recent Cameroonian immigrant heritage and the greater Cameroonian diaspora are found in every

State of the Union. Furthermore, the history of Americans of Cameroonian descent in the United States is inextricably tied to the story of the Nation.

This past year, I have been proud to establish and co-chair the Congressional Cameroon Caucus, along with Congressman ANDRÉ CARSON (D-IN), Congressman STEVE RUSSELL (R-OK) and Congressman HANK JOHNSON (D-GA). The Congressional Cameroon Caucus enjoys strong bi-partisan support, which includes Congresswoman SHEILA JACKSON LEE (D-TX).

The community of Americans of Cameroonian immigrant heritage in the United States poses an inherently diverse population comprised of distinct ethnicities, religions and more than 100 language dialects. Americans of Cameroonian immigrant heritage in the United States come from all regions in Cameroon and do not constitute a homogeneous group. They include people from different religious, linguistic, ethnic, racial, cultural, and social backgrounds. Cameroon is nicknamed ‘Africa in Miniature or Mini Africa’ for its religious, linguistics, geographic and ethnic diversity.

Mr. Speaker, the month of May has been celebrated by Cameroonians at home and abroad, since 1972, because ‘Cameroon National Day’ is on May 20. Since independence in 1960, Cameroon has earned a reputation as a peaceful and welcoming nation, and as a linchpin of regional stability. Undoubtedly, Cameroon serves as an important economic, military, and cultural partner of the United States.

Additionally, Americans of Cameroonian descents have traced their heritage via DNA to various kingdoms in Cameroon such as Bamileke, Hausa, Tikar, Baka. Individuals such as Secretary Condelezza Rice, Congresswoman KAREN BASS, Congresswoman KELLY ROBIN; artists such as Quincy Jones, Blair Underwood, Venessa L. Williams, Sheryl Lee Ralph; and thousands of Americans of African-American, Afro-Latino America, Afro-European Americans and others, have traced their heritage to Cameroon.

Recent Cameroonian immigrants have also made significant contributions to American culture, including in areas of American life such as the military, health care, arts, education, community service, and public policy. Raising awareness about Cameroonian immigrant heritage is crucial to effectively fighting disparities within the greater Black population in the American narrative and is essential to building a stronger America. Additionally, Americans of recent Cameroonian immigrant heritage have played an active role in the civil rights movement and other social and political movements in the United States such as Sylvie Qwasinwi Bello of the Cameroonian American Council.

Mr. Speaker, the people of Cameroon share the hopes and aspirations of the people of the United States for peace and prosperity throughout the world, but there remains much to be done to ensure that Americans of recent Cameroonian immigrant heritage and the greater Cameroonian diaspora have access to resources and a voice in the United States Government and continue to advance in the political, social, and economic landscape of the United States. Celebrating ‘National Cameroonian Heritage and Diaspora Month’ in

May 31, 2016

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the month of May would provide the people of the United States with an opportunity to recognize the achievements, contributions, and history of and to appreciate the challenges faced by Americans of recent Cameroonian immigrant heritage. For that reason, Mr. Speaker, I believe that a "National Cameroonian Heritage and Diaspora Month" should be recognized in May to celebrate the significant contributions of Americans of recent Cameroonian Immigrant Heritage to the history of the United States.

SENATE—*Friday, June 3, 2016*

The Senate met at 1 and 46 seconds p.m. and was called to order by the Honorable MITCH McCONNELL, a Senator from the Commonwealth of Kentucky.

**APPOINTMENT OF ACTING
PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 3, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MITCH McCONNELL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. McCONNELL thereupon assumed the Chair as Acting President pro tempore.

**ADJOURNMENT UNTIL MONDAY,
JUNE 6, 2016, AT 2 P.M.**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 2 p.m. on Monday, June 6, 2016.

Thereupon, the Senate, at 1:01 and 20 seconds p.m., adjourned until Monday, June 6, 2016, at 2 p.m.

HOUSE OF REPRESENTATIVES—*Friday, June 3, 2016*

The House met at 4:30 p.m. and was called to order by the Speaker pro tempore (Mr. ROONEY of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 3, 2016.

I hereby appoint the Honorable THOMAS J. ROONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Eternal God, we give You thanks for giving us another day.

We pause now in Your presence, and acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House. Keep them aware of Your presence as they face the tasks of this day, and may their time back home with family and with constituents be restorative and beneficial.

Help them, and indeed help us all, to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

May all that is done this day be for Your greater honor and glory. Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 744, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following

enrolled joint resolution was signed by the Speaker on Thursday, May 26, 2016:

H.J. Res. 88, disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary".

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker Pro Tempore COMSTOCK signed the following enrolled bills on Friday, June 3, 2016:

H.R. 136, to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the "Camp Pendleton Medal of Honor Post Office";

H.R. 433, to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the "Specialist Ross A. McGinnis Memorial Post Office";

H.R. 1132, to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the "W. Ronald Coale Memorial Post Office Building";

H.R. 2458, to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the "Lionel R. Collins, Sr. Post Office Building";

H.R. 2928, to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the "Harold George Bennett Post Office";

H.R. 3082, to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the "Daryle Holloway Post Office Building";

H.R. 3274, to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the "Francis Manuel Ortega Post Office";

H.R. 3601, to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingston, Rhode Island, as the "Melvoid J. Benson Post Office Building";

H.R. 3735, to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the "Maya Angelou Memorial Post Office";

H.R. 3866, to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Dept-

ford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building";

H.R. 4046, to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office;

H.R. 4605, to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the "Sgt. 1st Class Terryl L. Pasker Post Office Building".

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

JUNE 1, 2016.

HON. PAUL D. RYAN,
Speaker of the House,
U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN: Pursuant to Section 3(a) of the Evidence-Based Policymaking Commission Act of 2016 (114-140), I am pleased to appoint the following individuals to the Commission on Evidence-Based Policymaking:

Dr. Sherry A. Glied of New York
Dr. Hilary W. Hoynes of California
Dr. Latanya A. Sweeney of Massachusetts
Thank you for your consideration of these recommendations.

Sincerely,
NANCY PELOSI,
House Democratic Leader.

HOUSE JOINT RESOLUTION AND ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker on Thursday, May 26, 2016:

H.J. Res. 88. Joint Resolution disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary".

Karen L. Haas, Clerk of the House, further reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mrs. COMSTOCK, on Friday, June 3, 2016:

H.R. 136. An Act to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the "Camp Pendleton Medal of Honor Post Office".

H.R. 433. An Act to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the "Specialist Ross A. McGinnis Memorial Post Office".

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

H.R. 1132. An Act to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the “W. Ronald Coale Memorial Post Office Building”.

H.R. 2458. An Act to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the “Lionel R. Collins, Sr. Post Office Building”.

H.R. 2928. An Act to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the “Harold George Bennett Post Office”.

H.R. 3082. An Act to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the “Daryle Holloway Post Office Building”.

H.R. 3274. An Act to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the “Francis Manuel Ortega Post Office”.

H.R. 3601. An Act to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the “Melvoid J. Benson Post Office Building”.

H.R. 3735. An Act to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the “Maya Angelou Memorial Post Office”.

H.R. 3866. An Act to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the “First Lieutenant Salvatore S. Corma II Post Office Building”.

H.R. 4046. An Act to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the “Second Lt. Ellen Ainsworth Memorial Post Office”.

H.R. 4605. An Act to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa, as the “Sgt. 1st Class Terryl L. Pasker Post Office Building”.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 744, the House stands adjourned until noon on Tuesday, June 7, 2016, for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 4 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until Tuesday, June 7, 2016, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5542. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Mexican Hass Avocado Import Program [Docket No.: APHIS-2014-0088] (RIN: 0579-AE05) received May 31, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5543. A letter from the Regulatory Review Group, FSA, Department of Agriculture,

transmitting the Department's final rule — Margin Protection Program for Dairy (RIN: 0560-AI36) received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5544. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral William H. Hilarides, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5545. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert E. Schmide, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5546. A letter from the Assistant Secretary of the Navy, Research, Development and Acquisition, Department of Defense, transmitting the Navy's report to Congress on the Ground/Air Task Oriented Radar, pursuant to the Senate Report 114-49, accompanying S. 1376, FY 2015 National Defense Authorization Act; to the Committee on Armed Services.

5547. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Knox County, ME, et al.) [Docket No.: FEMA-2016-0002] [Internal Agency Docket No.: FEMA-8435] received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5548. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Salem County, NJ, et al.) [Docket No.: FEMA-2016-0002] [Internal Agency Docket No.: FEMA-8433] received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5549. A letter from the Director, Office of Legislative Affairs, Legal, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Assessments (RIN: 3064-AE37) received May 31, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5550. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the National Telecommunications and Information Administration report regarding the Internet Assigned Numbers Authority transition, pursuant to the Consolidated Appropriations Act, 2016, Public Law 114-113; to the Committee on Energy and Commerce.

5551. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Prong 4-2008 Ozone, 2010 NO₂, SO₂, and 2012 PM_{2.5} [EPA-R04-OAR-2016-0072; FRL-9947-22-Region 4] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5552. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Aldicarb, Alternaria destruens, Ampelomyces quisqualis, Azinphos-methyl, Etridiazole, Fenarimol, et al.; Tolerance and Tolerance Exemption Actions [EPA-HQ-OPP-2015-0212; FRL-9943-73] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5553. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to Wyoming Air Quality Standards and Regulations; Chapter 6, Permitting Requirements, Section 13, Non-attainment New Source Review Permit Requirements, and Section 14, Incorporation By Reference [EPA-R08-OAR-2016-0014; FRL-9947-13-Region 8] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5554. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Attainment and Approval of Attainment Plan for Klamath Falls, Oregon Fine Particulate Matter Non-attainment Area [EPA-R10-OAR-2013-0005; FRL-9947-23-Region 10] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5555. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluazinam; Pesticide Tolerances; Technical Correction [EPA-HQ-OPP-2015-0197; FRL-9945-05] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5556. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fluensulfone; Pesticide Tolerances [EPA-HQ-OPP-2015-0569; FRL-9946-07] received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5557. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Variable Annual Fee Structure for Small Modular Reactors [NRC-2008-0664] (RIN: 3150-A154) received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5558. A letter from the Director, Defense Security Cooperation Agency, transmitting a proposed Letter of Offer and Acceptance to the Government of Australia, Transmittal No. 16-17, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5559. A letter from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Burmese Sanctions Regulations received May 23, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5560. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Inspector General's semiannual report for the period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app.

(Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5561. A letter from the Architect of the Capitol, transmitting the Inspector General's semiannual report for the period of October 1, 2015 through March 31, 2016, pursuant to 2 U.S.C. Sec. 1808 of the Capitol Inspector General Act of 2007; to the Committee on Oversight and Government Reform.

5562. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Inspector General Semiannual Report to Congress for the period ending March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5563. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2015 management report of the Federal Home Loan Bank of Topeka, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

5564. A letter from the Director, Federal Housing Finance Agency, transmitting the Agency's Inspector General Semiannual Report to Congress for the period ending March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5565. A letter from the General Counsel, National Science Foundation, transmitting a notification of a federal vacancy and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5566. A letter from the Chair, Securities and Exchange Commission, transmitting the Inspector General's semiannual report for the period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5567. A letter from the Administrator, U.S. Agency for International Development, transmitting the Agency's Inspector General Semiannual Report to the Congress for the period ending March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5568. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE604) received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5569. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 27 [Docket No.: 151210999-6348-02] (RIN: 0648-BF59) received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5570. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 55 [Docket No.: 151211999-6343-02] (RIN: 0648-BF62) received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5571. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — USPTO Law School Clinic Certification Program [Docket No.: PTO-C-2015-0018] (RIN: 0651-AC99) received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5572. A letter from the Chief, Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting the Department's final rule — Federal Firearms License Proceedings — Hearings [Docket No.: ATF 2008R-15P; AG Order No.: 3670-2016] (RIN: 1140-AA38) received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5573. A letter from the Acting Director, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Mailing Address of the Board of Veterans' Appeals (RIN: 2900-AP71) received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

5574. A letter from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting the Department's final rule — Comprehensive Child Welfare Information System (RIN: 0970-AC59) received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Credit for Renewable Electricity Production and Refined Coal Production, and Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 2016 [Notice 2016-34] received May 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5576. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Expiration Dates for Two Body System Listings [Docket No.: SSA-2016-0016] (RIN: 0960-A100) received May 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5278. A bill to establish

an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes; with an amendment (Rept. 114-602, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3380. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes (Rept. 114-603, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 3380 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on the Judiciary, Education and the Workforce, and Small Business discharged from further consideration. H.R. 5278 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GRIJALVA:

H.R. 5379. A bill to prescribe procedures for effective consultation and coordination by Federal agencies with federally recognized Indian tribes regarding Federal Government activities that impact tribal lands and interests to ensure that meaningful tribal input is an integral part of the Federal decision-making process; to the Committee on Natural Resources.

By Mr. ISRAEL:

H.R. 5380. A bill to direct the Secretary of Labor to establish a competitive grant program for community colleges to train veterans for local jobs; to the Committee on Veterans' Affairs.

By Mr. ISRAEL:

H.R. 5381. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for certain expenses relating to applying to college; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5382. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts paid by an employer on an employee's student loans; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 5383. A bill to amend the Internal Revenue Code of 1986 to extend and modify the American Opportunity Tax Credit, and for other purposes; to the Committee on Ways and Means.

By Mr. RUSSELL:

H.R. 5384. A bill to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

246. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to supporting the friendship between Massachusetts and Taiwan in the international community; to the Committee on Foreign Affairs.

247. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 368, designating the month of May 2016 as "Amyotrophic Lateral Sclerosis Awareness Month" in Pennsylvania; to the Committee on Oversight and Government Reform.

248. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 66, urging Congress and the Louisiana Congressional Delegation to take such actions as are necessary to rectify the revenue sharing inequities between coastal and interior energy producing states; to the Committee on Natural Resources.

249. Also, a memorial of the Legislature of the State of Arizona, relative to House Memorial 2002, urging the Congress to enact reform measures for the United States Court of Appeals for the Ninth Circuit, including dividing the court into two circuit courts of appeal; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GRIJALVA:

H.R. 5379.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, § 8, cl. 3.

By Mr. ISRAEL:

H.R. 5380.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ISRAEL:

H.R. 5381.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. ISRAEL:

H.R. 5382.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. ISRAEL:

H.R. 5383.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. RUSSELL:

H.R. 5384.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 317: Mr. GALLEG0.
H.R. 359: Mr. WALBERG and Ms. PINGREE.
H.R. 484: Mr. CICILLINE.
H.R. 572: Mr. CARTER of Georgia.
H.R. 664: Mr. AUSTIN SCOTT of Georgia.
H.R. 865: Mr. GRAVES of Georgia.
H.R. 969: Mr. HUDSON, Mr. COSTA, and Mrs. WALORSKI.
H.R. 1062: Ms. NORTON.
H.R. 1151: Mr. NUNES and Ms. JENKINS of Kansas.
H.R. 1331: Ms. MCSALLY.
H.R. 1586: Mr. NADLER.
H.R. 1814: Mr. CROWLEY.
H.R. 1877: Mr. CRAMER.
H.R. 2096: Mr. GUTIÉRREZ and Mr. KING of Iowa.
H.R. 2591: Mr. COHEN.
H.R. 2646: Mr. FARR.
H.R. 2849: Mr. HASTINGS.
H.R. 2889: Ms. DUCKWORTH, Mrs. NAPOLITANO, and Mrs. KIRKPATRICK.
H.R. 2980: Mr. RUSH.
H.R. 3119: Mr. TAKAI and Mr. CRAMER.
H.R. 3365: Mr. BRADY of Pennsylvania.
H.R. 3516: Mr. BRAT and Ms. STEFANIK.
H.R. 3533: Mr. LAMBORN.
H.R. 3556: Ms. LOPGREN, Mrs. DAVIS of California, and Ms. MATSUI.
H.R. 3684: Ms. NORTON, Mr. GALLEG0, and Mr. RIBBLE.
H.R. 3882: Ms. TSONGAS.
H.R. 3892: Mr. MILLER of Florida.
H.R. 4055: Mr. BRADY of Pennsylvania.
H.R. 4211: Mrs. MIMI WALTERS of California.
H.R. 4308: Ms. VELÁZQUEZ.
H.R. 4352: Mr. KNIGHT, Mr. MULVANEY, Mr. AL GREEN of Texas, Mr. TAKANO, Mr. LOEBBACH, Mr. BEYER, Mr. DOLD, Mr. JEFFRIES, Ms. JACKSON LEE, Mr. HASTINGS, Mr. MEEKS, Mr. SCOTT of Virginia, Mr. CLEAVER, Mr. ISRAEL, Mr. LYNCH, Mrs. BUSTOS, Mr. MCNERNEY, Mrs. TORRES, Mr. LEWIS, Mr. KILDEE, Mr. LANGEVIN, Mr. BUTTERFIELD, Mrs. DINGELL, Mr. LEVIN, Mr. COSTA, Mr. DENHAM, Mr. BISHOP of Michigan, Mrs. ELLMERS of North Carolina, Mr. LUETKEMEYER, Mr. MACARTHUR, Mr. DONOVAN, Mr. NEUGEBAUER, Mr. CARTER of Texas, Mr. WESTMORELAND, Mr. LATTI, Mr. BRIDENSTINE, Ms. MCSALLY, Mr. BOUSTANY, Mr. KING of Iowa, Mr. HURT of Virginia, Mr. FRANKS of Arizona, Mr. FLORES, Mr. HUIZENGA of Michigan, Mr. ROONEY of Florida, Mr. HARRIS, Mr. BARR, Mr. SENSENBRENNER, Mr. MARINO, Mr. YOUNG of Alaska, Mr. MURPHY of Pennsylvania, Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Mr. REED, Mr. BUCSHON, Mr. GIBBS, Mr. GUINTA, Mr. RUSSELL, Mr. MEADOWS, Mr. BUCK, Mr. WESTERMAN, Mrs. COMSTOCK, Mr. ROUZER, Mr. UPTON, Mr. FITZPATRICK, Mr. MOONEY of West Virginia, Mr. TIPTON, Mr. POSEY, Mr. FLEISCHMANN, Mr. RICE of South Carolina, Mr. ROSS, and Mr. MCKINLEY.
H.R. 4381: Mr. PEARCE.
H.R. 4418: Mr. LYNCH and Mr. CUMMINGS.
H.R. 4626: Mrs. McMORRIS RODGERS and Ms. MCCOLLUM.
H.R. 4662: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 4669: Mr. RYAN of Ohio.
H.R. 4695: Ms. SCHAKOWSKY.
H.R. 4715: Mr. MULVANEY, Mr. THOMPSON of Pennsylvania, Mr. SCHRADER, Mr. BABIN, Mr. CRAMER, and Mr. BUCK.

H.R. 4765: Mr. SMITH of Washington.
H.R. 4796: Mr. RYAN of Ohio.
H.R. 4893: Mr. SALMON and Ms. BROWNLEY of California.
H.R. 4927: Mr. JONES.
H.R. 4959: Mr. HASTINGS and Ms. JENKINS of Kansas.
H.R. 4965: Ms. SLAUGHTER.
H.R. 4966: Ms. SLAUGHTER.
H.R. 4992: Mrs. HARTZLER.
H.R. 5063: Mr. HOLDING and Ms. MCSALLY.
H.R. 5094: Mr. COLLINS of New York.
H.R. 5166: Mr. GRAVES of Louisiana, Mr. DAVID SCOTT of Georgia, Mr. BARR, and Mr. ROGERS of Alabama.
H.R. 5190: Ms. JENKINS of Kansas.
H.R. 5221: Mr. TAKANO.
H.R. 5230: Mr. NEWHOUSE.
H.R. 5265: Ms. MCCOLLUM and Mrs. DINGELL.
H.R. 5275: Mr. RODNEY DAVIS of Illinois, Mr. ROONEY of Florida, Mr. SANFORD, and Mr. YOUNG of Iowa.
H.R. 5283: Mr. HARRIS.
H.R. 5292: Mrs. WALORSKI, Mrs. BEATTY, Ms. JENKINS of Kansas, Ms. WASSERMAN SCHULTZ, and Mr. COFFMAN.
H.R. 5320: Mr. KELLY of Pennsylvania.
H.R. 5321: Mr. GOHMERT and Mr. POLIS.
H.R. 5356: Mr. BABIN and Ms. JACKSON LEE.
H. Res. 722: Mr. CONNOLLY.
H. Res. 733: Mr. PAULSEN and Mr. POLIS.
H. Res. 746: Mr. FATTAH and Mr. SIRES.
H. Res. 753: Mr. MOULTON and Mr. QUIGLEY.
H. Res. 758: Ms. SLAUGHTER.
H. Res. 762: Mr. PETERS and Mr. BEYER.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

64. The SPEAKER presented a petition of the Electors of the City of New London, Wisconsin, relative to Resolution 1319, supporting an amendment to the United States Constitution stating that only human beings are endowed with constitutional rights and that money is not speech; to the Committee on the Judiciary.

65. Also, a petition of the Council of the City of New York, NY, relative to Resolution No. 1001-A, calling upon Congress to add an amendment to the Constitution of the United States directly negating the language of Article 1, Section two, Paragraph 3, known as the "three-fifths clause"; to the Committee on the Judiciary.

66. Also, a petition of the Council of the City of New York, NY, relative to Resolution No. 1024, calling on Congress and the President to oppose H.R. 923/S. 498, known as the "Constitutional Concealed Carry Reciprocity Act of 2015", and related bill H.R. 402, known as the "National Right-to-Carry Reciprocity Act of 2015"; to the Committee on the Judiciary.

67. Also, a petition of the Council of the City of New York, NY, relative to Resolution No. 853, calling on Congress to pass, and the President to sign, H.R. 1217, also known as the Public Safety and Second Amendment Rights Protection Act of 2015, which closes loopholes in the current gun background check system; jointly to the Committees on the Judiciary and Veterans' Affairs.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF ROBERT
KLANCHER

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I would like to take a moment to honor the life of Robert Klancher. Mr. Klancher recently passed away at the age of 57 after battling cancer for almost two years. He leaves behind an incredible legacy as a community leader and friend to so many throughout the Commonwealth. His work over the years has not only helped change his home of Loudoun County, but also the lives of countless others in Virginia's 10th District. He was a leader in every sense of the word and his immense positive impact on those who knew him will be felt for years to come.

Robert served on Loudoun County's Planning Commission since he was first appointed to the position in January of 2004. Over his twelve years with the commission, Robert served as both Chairman and Vice Chairman, where he helped provide more than 750 recommendations to the Loudoun County Board of Supervisors on issues concerning land development, comprehensive planning, future land use policies, and the Capital Improvements Program. His son, also named Robert, has continued on his father's legacy of distinguished government service by working in Prince William County government and now as a Legislative Aide to Supervisor Ron Meyer of the Broad Run District.

Mr. Klancher's tenure on the Loudoun County Planning Commission coincided with one of the county's largest periods of growth. In 2004, Loudoun had a population of approximately 230,000 residents. Today, that number has grown to an estimated 373,000 residents. His work has contributed to many of the great sites and activities that residents in the community enjoy, such as the Stone Ridge community, Loudoun Valley Estates, Arcola Center, One Loudoun, Waterside and Lansdowne developments, as well as updates to Broadlands, Brambleton, Kirkpatrick Farms, and many others. Robert truly cared about his community, the depth of which is marked by the incredible legacy of involvement and positive change he has given us all.

Robert served as a mentor to both coworkers and friends, while colleagues have noted that he "exemplified the qualities of a community servant". He will be missed by all those who had the pleasure of knowing him, both on a personal and professional level. Robert is survived by his beloved wife Janet, daughter Victoria Hickman, son Bobby and daughters Catherine and Jacqueline. He is also survived by his loving parents Bob and Olga Klancher, and his brother John.

Mr. Speaker, I ask that my colleagues join me in celebrating the life of Robert Klancher.

USMC FIRST SERGEANT EDWARD
KRETSCHMER PROMOTED TO
SERGEANT MAJOR

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. COOK. Mr. Speaker, I rise today to recognize First Sergeant Edward Kretschmer, United States Marine Corps, who will be promoted to Sergeant Major on June 3, 2016. First Sergeant Kretschmer has served in the Marine Corps since 1993.

Over the course of his distinguished military career, First Sergeant Kretschmer has performed a number of duties, including Senior Drill Instructor at Marine Corps Recruit Depot San Diego, Instructor at the Marine Corps' Staff Non-commissioned Officer Academy, Company 1st Sergeant with the Second Assault Amphibian Battalion, and Senior Enlisted Advisor to the Brigade Advisor Team in Afghanistan. Prior to First Sergeant Kretschmer's promotion, he served as the Headquarters First Sergeant at Marine Corps Logistics Base, Barstow. His overseas service includes a combat tour in Iraq and two combat tours in Afghanistan.

I would like to congratulate First Sergeant Kretschmer on his promotion. First Sergeant Kretschmer is a fine example of the professionalism of non-commissioned officers in the United States Armed Forces. His service reflects great credit upon the United States Marine Corps and the United States of America.

IN RECOGNITION OF DEPUTY
GLENN KEOUGH FOR EXCELLENCE
IN COMMUNITY SERVICE
AND PUBLIC SAFETY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor Deputy Glenn Keough, a law enforcement officer who recently was recognized at the 25th Annual Awards for Excellence in Community Service and Public Safety Ceremony for his invaluable service and commitment to our community.

Deputy Keough first joined the Loudoun County Sheriff's Department in 2014. He is currently assigned to the Patrol in the Field Operations Division. Last year, Deputy Keough made 23 DUI arrests, 49 misdemeanor arrests, and 36 felony arrests. He selflessly executed these 108 arrests with professionalism and courage in order to further protect the citizens of our community. I would like to thank him for the honorable service he provides my constituents day-in and day-out.

His daily sacrifices and commitment to serving our region are commendable. Our community is safer thanks to the continued efforts of Deputy Keough and his fellow law enforcement officers. His bravery, service, and commitment to Loudoun County have not gone unnoticed and will not be forgotten.

Mr. Speaker, I ask that my colleagues join me in thanking and congratulating Deputy Glenn Keough for his dedication to both Virginia's 10th Congressional District and the Loudoun County Sheriff's Department.

RECOGNIZING THE ACCOMPLISHMENTS
AND LIFE OF FRAN
NITKIN

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the accomplishments and life of Mrs. Fran Nitkin.

There is an old proverb that says, "Better than a thousand days of diligent study is one day with a great teacher." Fortunately for the students of the Pennsbury School District they shared many days with a great teacher, Mrs. Fran Nitkin.

Mrs. Nitkin was hired by Pennsbury in 1989 initially as a substitute teacher. She then served for many years as a teacher at Oxford Valley Elementary and had the opportunity to inspire young minds in elementary schools across the Pennsbury School District including Edgewood, Eleanor Roosevelt, and Quarry Hill elementary schools.

In 2003, Mrs. Nitkin was appointed principal at Village Park Elementary. She then moved to Oxford Valley in 2006 and remained principal there until her death.

Known by all for her high standards and dedication as a teacher and administrator, she was always ready to "provide assistance and wise counsel."

Oxford Valley Elementary School, a National School of Character, was built on the cornerstones of Cooperation, Respect, Responsibility, and Sportsmanship. Principal Fran Nitkin embodied these qualities and passed them along to her students every single day because she was a great teacher.

IN RECOGNITION OF DFC RUBEN
CARDENAS FOR EXCELLENCE IN
COMMUNITY SERVICE AND PUBLIC
SAFETY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to honor Deputy First Class Ruben Cardenas,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

a law enforcement officer who recently was recognized at the 25th Annual Awards for Excellence in Community Service and Public Safety Ceremony for his invaluable service and commitment to our community.

DFC Cardenas first joined the Loudoun County Sheriff's Department in 2014. He is currently assigned to the Patrol in the Field Operations Division. Last year, DFC Cardenas made 22 DUI arrests, 68 misdemeanor arrests, and 11 felony arrests. He selflessly executed these 101 arrests with professionalism and courage in order to further protect the citizens of our community. I would like to thank him for the honorable service he provides my constituents day-in and day-out. His daily sacrifices and commitment to serving our region are commendable. Our community is safer thanks to the continued efforts of DFC Cardenas and his fellow law enforcement officers. His bravery, service, and commitment to Loudoun County have not gone unnoticed and will not be forgotten.

Mr. Speaker, I ask that my colleagues join me in thanking and congratulating DFC Ruben Cardenas for his dedication to both Virginia's 10th Congressional District and the Loudoun County Sheriff's Department.

HONORING DON BATEMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I rise today to recognize Mr. C. Don Bateman, Corporate Fellow and Chief Engineer-Technologist for Flight Safety Systems and Technology at Honeywell Aerospace. As the man behind the first Ground Proximity Warning System (GPWS) and the revolutionary Enhanced Ground Proximity Warning System (EGPWS), Mr. Bateman is a true champion of safety for the aviation industry.

Don has received a long list of accolades, including receiving the U.S. Presidential Medal of Technology and Innovation in 2011. Bateman also is in the National Inventors Hall of Fame, an Aviation Path Finder in the Museum of Flight, and a Royal Aeronautical Society Fellow. He received Aviation Week's Laurel for IT/Electronics and its Award for Lifetime Achievement, and in 2014 picked up the Elmer A. Sperry Award for enhancing the art of transportation.

Over his 60 year career in the aviation industry, Don's intense focus on identifying, understanding, and addressing aviation safety risks has led to some of the most successful safety solutions in aviation history. He holds over 50 U.S. and 90 foreign patents related to a wide variety of safety-related avionics including Terrain Awareness and Warning Systems, Heads-up Display systems, Speed Control/Auto Throttle Systems, Stall Warning Systems, Automatic Flight Control Systems, Weight and Balance Systems, & Radar. Don is most well-known for his work addressing Controlled Flight Into Terrain (CFIT) accidents.

For decades, CFIT was one of the leading causes of fatalities in commercial aviation; it is considered a form of spatial disorientation,

whereby the pilots cannot discern their position and orientation in proximity to the earth surface. These incidents were the leading cause of airplane accident loss of life having reportedly caused over 9,000 deaths since 1944. The technologies pioneered by Don Bateman have virtually eliminated what used to be the most common type of airplane disaster.

Beginning in 1970, Don was instrumental in establishing global recognition of CFIT risk and the need for improved pilot training supported by advanced technologies and tools to prevent pilots in poor visibility from unintentionally flying aircraft into terrain or other obstacles. This led to the invention and subsequent introduction of the original Ground Proximity Warning System (GPWS) which used existing aircraft sensors such as the downward looking radar altimeter, to provide the pilot with advanced warning of impending impacts with terrain. In 1974, based on recommendations from the U.S. National Transportation Safety Board, the Federal Aviation Administration (FAA) mandated that all large turbine and turbojet airplanes be required to install GPWS equipment. Over 35,000 GPWS were installed between 1971 and 1998.

From its initial development and based on knowledge gained from accident and incident analysis and vigorous flight testing, GPWS was continually improved and new capabilities such as Wind Shear Detection & Annunciation were added. However, it was in 1994 that the GPWS technology took the most substantial leap forward with the integration of GPS technology. What would become the Enhanced Ground Proximity Warning System (EGPWS), leveraged advancements in digital data storage and processing. Don began assembling a worldwide database of terrain, obstacle and runway data and used this data to provide pilots with both a forward look and improved situational awareness of any surrounding terrain. With this database and supporting alerting algorithms, EGPWS increased the pilot's warning time from seconds to minutes, a major advancement in the prevention of CFIT accidents. In subsequent years, Don evolved EGPWS to accommodate the unique operating characteristics of helicopters. There are now over 55,000 aircraft equipped with EGPWS and the technology is standard equipment on all commercial aircraft in production today.

Expanding on EGPWS technology, Bateman and his team developed other safety products including Synthetic Vision, that displays EGPWS data in a 3-D format so pilots can literally "see" the hills and surrounding terrain with visual cues that give pilots a sense of how fast they are approaching potential obstacles.

As Bill Voss, former president and CEO, Flight Safety Foundation, fittingly stated: "Don Bateman has probably saved more lives than any single person in the history of aviation". . . and the impact of his work will be felt globally for decades to come.

I understand Don Bateman intends to spend his retirement enjoying his family, traveling, and staying involved with the avionics industry. I congratulate Don Bateman on his many accomplishments and years of outstanding service to the aviation community on this mile-

stone occasion. He is truly an asset to those millions of passengers around the globe who are safe in the skies each year through the use of his technologies.

HONORING THE LIFE OF ELSA ANDERS

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to take a moment to honor the life of one of my constituents, Mrs. Elsa Anders of Purcellville, Virginia. Throughout her life, Mrs. Anders was known as a philanthropic and community leader, and friend to so many throughout the Commonwealth. Her work over the years has positively influenced the lives of countless members of our community and the 10th District of Virginia.

Mrs. Anders was born 1948 in Livermore, California, but grew up in Washington, D.C. She attended Georgetown Visitation Preparatory School and George Washington University, where she received her Master's in Education. She was well known for her over twenty years of work in the DC and Loudoun County public schools systems as a teacher and certified speech pathologist.

As a community leader, Elsa participated in various school and local activities. Among her countless volunteer hours given to the community, she was passionate about her work with the Alpha-1 Foundation, Waterford Foundation, Purcellville Business Association, and All Ages Read Together, of which she was a founding member. The Purcellville Business Association believes that a business organization is critical to the health and success of a town, city, or county. For many years, the PBA has proven that the community and the businesses therein Purcellville are of the utmost importance to its members. They started such important events as the annual town Christmas parade and a trolley tour of town businesses and historic features. Elsa Anders was an integral part of this history of the Purcellville Business Association, where she was elected secretary and ran the Membership Committee for many years. She very much exemplified the original charter of the Purcellville Business Association to "promote the economic, industrial, professional, cultural, and civic welfare of the Town of Purcellville."

While Elsa worked tirelessly to advance the cause of the Purcellville Business Association and the Town of Purcellville itself, I would be remiss if I did not impart that her true passion was her family. She cared deeply for her husband, her children, and her grandchildren. Elsa leaves behind her loving husband, Robert Lauten, and her three children: Andrew Lauten, Garrett Lauten, and Peter Anders-Lauten, and three grandchildren, Ruth Ella Lauten, and Collum and Chloe Murphy. Elsa will be sincerely missed by her family, friends, and those lucky enough to have met her.

Mr. Speaker, I ask that my colleagues join me in celebrating the life of Elsa Ragnhilde Ruth Anders.

**FRANK R. LAUTENBERG CHEMICAL
SAFETY FOR THE 21ST CENTURY
ACT**

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. ELLISON. Mr. Speaker, I support the Frank R. Lautenberg Chemical Safety for the 21st Century Act because too many Americans are getting sick from dangerous, unregulated chemicals found in the products we use every day. This bill would protect public health by making long-overdue chemical safety reforms.

Today, industries can release hundreds of chemicals each year into our homes and workplaces without any federal requirement to consider their safety. Research has linked chemicals used in everyday products, such as household cleaners, clothing, and furniture, to serious illnesses like cancer, infertility, diabetes and Parkinson's. But currently, the Toxic Substances Control Act (TSCA)—our broken chemical safety law—gives the Environmental Protection Agency (EPA) little power to do anything about these dangers. Under TSCA, only a small fraction of the thousands of chemicals used in our products have ever been reviewed for safety.

The law is so weak that the EPA couldn't even regulate asbestos. In 1989, after 10 years of research and more than 100,000 pages of administrative record supporting action, the EPA issued a rule under TSCA to ban most uses of asbestos. But two years later, the EPA's regulation was overturned by the Fifth Circuit Court of Appeals; while acknowledging that "asbestos is a potential carcinogen at all levels of exposure," the Court ruled that the agency's administrative record failed to demonstrate that the regulation was the "least burdensome alternative," as required under the law. Since the court's ruling, the burden to regulate most toxic substances under TSCA has been insurmountable.

The reforms in the Frank R. Lautenberg Chemical Safety for the 21st Century Act would help keep our communities safer by requiring reviews for chemicals in use today, mandating greater scrutiny of new chemicals, and removing barriers that have prevented the EPA from regulating highly toxic substances in the past, such as asbestos.

This reform is an urgently needed next step, but there are still problems with this bill and more work should be done to protect our communities. Provisions in this bill sought by the chemical industry create unprecedented state preemption standards and put limitations on the EPA's ability to monitor chemicals in imported products. Federal policy should be seen as a floor, not a ceiling, when it comes to establishing standards for public health and safety. We must support states, like my home state of Minnesota, that have led the way in creating chemical safety standards that protect their residents. Last year in Minnesota, we took an important step toward protecting children and firefighters' health when the legislature passed a law to prohibit four toxic flame retardants (Deca, HBCD, TCEP and TDCPP) from children's products and upholstered furniture.

Policies that preempt state action or restrict EPA's ability to monitor imported products threaten public health and safety. We need to fight back against these bad policies as we continue our efforts to reform TSCA. For my part, I will continue to be an advocate for reform that protects public health, not the chemical industry.

**IN RECOGNITION OF LOUDOUN
COUNTY'S SCHOOLS TO WATCH
IN 2016**

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise to acknowledge several schools in Loudoun County that have been named Schools to Watch in 2016 by the National Forum to Accelerate Middle-Grades Reform. Eagle Ridge, Farmwell Station, J. Lupton Simpson, River Bend, and Sterling Middle Schools have been recognized as five of only 145 schools around the country to receive this honor.

This honor requires schools to excel in the following criteria: academic excellence, developmental responsiveness, and social equality. Each of these schools has challenged their students to achieve academic excellence over the course of the school year. They have also shown a unique ability to identify and work with early adolescent developmental challenges, all while providing every student with the highest quality of teachers, resources, and support, regardless of socioeconomic status.

Coming from a family of educators, I understand how important a strong education is to the future of our nation. It is schools like these that will continue to help shape the United States' role in the evolving global economy, while at the same time producing many of our nation's future leaders. Eagle Ridge, Farmwell Station, J. Lupton Simpson, River Bend, and Sterling Middle Schools have clearly shown a dedication to developing and educating our children. The outstanding qualities they have all exemplified are not to be understated; what they have achieved is something of which to be truly proud.

Mr. Speaker, I ask that my colleagues join me in congratulating these 2016 Schools to Watch for their incredible achievements. I wish them all the best in their future endeavors.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on Roll Call No. 231 on ordering the Previous Question on H. Res. 743, Providing for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, I am not recorded because I was detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 232 on agreeing to the Resolution H. Res. 743, Providing for consideration of the bill (H.R. 5055) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2017, and for other purposes, I am not recorded because I was detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 233 on ordering the Previous Question on H. Res. 742, Providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) Reducing Regulatory Burdens Act, and for other purposes, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 234 on agreeing to the Resolution H. Res. 742, Providing for consideration of the Senate amendment to the bill (H.R. 2576) to modernize the Toxic Substances Control Act, and for other purposes, and providing for consideration of the bill (H.R. 897) Reducing Regulatory Burdens Act, and for other purposes, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 235 on motion to suspend the rules and pass, as amended H.R. 5077, Intelligence Authorization Act for Fiscal Year 2017, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 236 on motion to recommit with instructions to H.R. 897, Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted NAY.

Mr. Speaker, on Roll Call No. 237 on passage of H.R. 897, Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

Mr. Speaker, on Roll Call No. 238 on concurring in the Senate Amendment with an Amendment to H.R. 2576, Frank R. Lautenberg Chemical Safety for the 21st Century Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YEA.

**IN RECOGNITION OF THE COALITION
TO SALUTE AMERICA'S HEROES**

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize a great American organization, the Coalition to Salute America's Heroes, that recently celebrated 12 years of service this past May.

The Coalition, headquartered in my district, is a 501(c)(3), nonprofit, non-partisan organization established in 2004 to provide severely wounded veterans of the wars in Iraq and Afghanistan with immediate, invaluable lifelines. The Coalition is distinguished from other veteran-focused groups by its direct financial assistance to America's wounded warriors.

Its Emergency Financial Aid program has stopped foreclosure proceedings on veterans' homes, kept their vehicles from being repossessed, put food on their tables, provided diapers for their babies, and even helped steer many men and women away from suicide. Its innovative Heroes Thanking Heroes program provides transitional, part-time, flexible employment to more than 40 combat-wounded veterans or their primary caregivers, enabling them to make phone calls from their homes, usually to personally thank donors for their contributions to the Coalition. Other aspects include an emergency financial aid program, a holiday gift program, and road to recovery conferences.

The Coalition has done tremendous work in Virginia and across the country such as donating more than \$45 million in direct aid to veterans. The Coalition has provided tens of thousands of dollars through grants to other notable veterans' organizations in Virginia and elsewhere. Under the leadership of a constituent of mine, President & CEO David Walker, the Coalition has further expanded its support of our wounded warriors and become one of the most respected veterans-support groups in the nation. In fact, over two-thirds of the Coalition's staff are combat-wounded or their spouse or caregiver.

Recently, the Coalition made a substantial grant of direct financial aid to HeroHomes, another worthy organization, to assist five wounded veterans and their families with new homes that meet their different physical needs. The Coalition has also supported the Boulder Crest Retreat for Military and Veteran Wellness in Bluemont, yet another organization in my district that is doing tremendous work for veterans who need mental and physical recovery from the suffering of war.

I look forward to watching the Coalition to Salute America's Heroes continue to make a meaningful difference in the lives of so many American heroes. The debt of gratitude owed to the men, women, and their families who have served as part of our nation's armed forces is impossible to repay. I have been honored to recognize their sacrifice and support efforts to empower members of the military as they adjust back to civilian life. To that end, I supported the Hire More Heroes Act, a common-sense bipartisan piece of legislation that will help create jobs for veterans transitioning to civilian careers.

I am proud that the Coalition to Support America's Heroes is based in my district in Leesburg and know they will continue to help brave men and women all across our country. The work they do cannot be overstated and I ask my colleagues to join me in celebrating the important work the Coalition to Salute America's Heroes continues to do each day to help veterans.

HONORING FOUR SPECIAL WOMEN

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me

in honoring four special women in the District of Columbia who attend the Zion Baptist Church and will reach the significant milestone of turning 100 years old this summer. All four women are native Washingtonians, have known each other since early childhood and have remained lifelong friends. The Zion Baptist Church will officially recognize Ruth Elizabeth Chatman Hammett (June 14, 1916), Gladys Ware Butler (July 4, 1916), Bernice Grimes Underwood (July 23, 1916) and Leona Costello Barnes (July 18, 1916) on June 18, 2016.

As little girls, the four grew up together in Southwest D.C. and could not have predicted, as they reflected on the many years and changes that followed their lives, that they would one day celebrate their 100th birthdays together. As they grew up, got married and had children, they witnessed the shaping of a remarkable century. They had relatives who fought in World War II, the Korean War and the Vietnam War. They felt hope listening to the Rev. Dr. Martin Luther King, Jr., and the despair of the riots that wracked their beloved city after his assassination. As they settled into middle age, they saw their family members join in the civil rights struggle for equality as they lived out their days in the neighborhood, and they never imagined that their friendship would outlast the stoops and storefronts.

But in the 1950s, the area was marked for urban renewal and razed, decimating the community as their church congregation and neighbors were eventually scattered. But despite this upheaval, the four women's friendship persisted. They saw each other become grandmothers, great-grandmothers, and "great-great-greats". They still share fond memories of places and people that no one else remembers and by the age of 92, the four women thought that they had seen it all. But then something truly amazing happened that they never would have predicted. A black man became the President of the United States. To each of these four women it was the culmination of a lifelong journey as black people in America, and they only wished that some of their relatives could have lived to witness such a historic event.

Mr. Speaker, I ask the House to join me in recognizing the full lives of Ruth Elizabeth Chatman Hammett, Gladys Ware Butler, Bernice Grimes Underwood, and Leona Costello Barnes, and in celebrating this momentous occasion, which they are sharing together as lifelong friends.

LETTERS FROM NORTH SIDE ELEMENTARY SCHOOL ON LONG ISLAND SOUND

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 3, 2016

Mr. ISRAEL. Mr. Speaker, I rise today to share letters written to me by Mrs. Widyn's 4th Grade Class at North Side Elementary School in East Williston about the importance of preserving Long Island Sound. It was a pleasure to visit this class and see how motivated they

are to save our environment broadly, and Long Island Sound specifically. I would like to insert letters they wrote to me in the CONGRESSIONAL RECORD.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask the Congress to set aside some money to keep the Long Island Sound clean. I have many reasons why we need to protect this beautiful body of water. One reason is that it is our greatest natural resource. Also, there are many animal habitats that are getting wrecked because of all the dirty garbage. Some of the animals are birds, wildlife and marine life. There is also a bird there that is endangered called the Piping Plover. The Piping Plover might become extinct if we keep this up. One last reason is that in a few years there would be so much garbage and pollution that it will cost even more money to fix than it already does.

I am 9 years old and I figured out the importance of keeping the Long Island Sound in good shape. I hope the people we elect to represent us gives this problem their consideration and that they understand the importance of this big issue, not just for the people who live on the Long Island Sound, but for the environment that everybody shares.

Sincerely,

BRIANNA JANICEK.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to give money to protect the Long Island Sound from being polluted! It is our greatest natural resource!

A reason why we need money to protect the Long Island Sound is we eat fish, oysters and clams from the Long Island Sound and nobody wants to eat fish, oysters or clams that have been in polluted water!

Another reason is polluted water can cause habitat loss for marine life, and if there are no fish, the birds that eat fish will starve!

Finally, many people like swimming in the Long Island Sound and if the water they're swimming in is polluted, they will not want to swim there anymore!

I am 9 years old, and realize how important the Long Island Sound is. I hope Congress sets aside money to protect the Long Island Sound!

Thank you for reading my letter.

Sincerely,

GRACE WONG.

DEAR CONGRESSMAN ISRAEL: I am writing to because I think the Congress should set aside money to keep the Long Island Sound beautiful and clean.

I think we should protect the Long Island Sound because it is our greatest natural resource. It gives us five billion dollars in our economy. If the water is not clean, people will not want to come here anymore and we can kiss five billion dollars bye-bye. People who live near the Long Island Sound will want to move if the water is polluted because dirty and filthy water will be washing against their houses. I would not want to live their either. Finally, wildlife and marine life will continue to decrease in population. The piping plover will eventually become extinct if we continue to pollute the Long Island Sound. Also, the fish that we eat could be dirty and unhealthy for our body.

I know I am only nine years old, but I take this very seriously. Thank you for reading my letter. I hope something is done to protect the Long Island Sound.

Sincerely,

SAHAMA DHAMA.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside

money to keep the Long Island Sound clean and beautiful. There are many reasons why we need to protect this body of water. First of all, the Long Island Sound is one of our greatest resources. Also, if it is polluted many animals may die like birds, wildlife, and marine life. We should also have money for the Long Island Sound because it helps our economy. Fishing, tourism, and recreation take place on the Long Island Sound.

I am 9 years old and I realize how important it is to keep the Long Island Sound protected. I hope everyone who loves the Long Island Sound understands its importance for the future of our environment that we all share.

Thank you for reading my letter. I hope you are successful in obtaining funds to protect the Long Island Sound.

Sincerely,

RAHUL DAWAR.

DEAR CONGRESSMAN ISRAEL: I am a 9 year old boy who is writing a letter to you to ask Congress to give money to protect the Long Island Sound.

Here are the three reasons why we should protect the Long Island Sound. First, the Long Island Sound is one of Long Island's greatest resources. Second, habitat loss might happen if people keep polluting the Long Island Sound. The piping plover, birds, wildlife, and marine life may be lost. Lastly, water quality needs to be improved.

Thank you for reading my letter and I hope you will ask Congress to realize how important it is to protect the Long Island Sound.

Sincerely,

JOSEPH DOLEZAL.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask congress to give money to keep the Long Island Sound safe. There are many good reasons why we need to do this.

I am 10 years old and I realize how important it is to keep this beautiful body of water safe. If we do not do this, it will cause habitat loss for wildlife, marine life and birds such as the piping plover. Also, it will make our waters polluted, so we need to have money to improve our water quality. And I believe the Long Island Sound is our greatest natural resource. I hope the people we elect to represent us understand the importance of this issue, not just for the people of Long Island but for the future of the environment we share.

Sincerely,

ANTHONY LOPEZ.

DEAR CONGRESSMAN ISRAEL, I am writing this letter to you because I want to keep the Long Island Sound clean and beautiful for everyone. I have 3 reasons why we should keep this body of water clean.

I am 10 years old and in 4th grade. I know how important it is to keep the Long Island Sound protected. My first reason why we should keep the Long Island Sound clean is . . . It's not ok for the people that live near the Long Island Sound to have dirty water with garbage in them coming up to their houses. My second reason is that all this garbage is hurting the marine life, and if people are fishing they might not get healthy fish. My 3rd reason is that if we do not stop this now, in the future there is going to be more garbage and it will cost more money and it will be harder to fix the Long Island Sound.

Thank you for reading my letter and I hope we do something to help the Long Is-

land Sound. Thank You for coming to my classroom.

Sincerely,

KAYLA ROGAN.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside money to keep the Long Island Sound clean and beautiful. There are many reasons why we need to protect this body of water.

One reason is that 20 million people live within 50 miles of the Long Island Sound. Also, animals can lose their habitats like the Piping Plover. Finally, it is our greatest natural resource.

I am 9 years old and I realize how important it is to keep the Long Island Sound Protected. I hope that this letter will convince people to keep the Long Island Sound clean and safe.

Thank you for reading my letter.

Sincerely,

CHANELLE MOZA.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set money aside to keep the Long Island Sound clean and not polluted.

I am 9 years old, and I know how important it is to keep the Long Island Sound protected. I hope all of Congress understands how important it is to help the environment and the Sound. I think people should stop polluting the Sound so the marine animals under water are safe. People swim in this body of water so we need to make sure it stays clean.

Thank you for reading my letter. I hope your ideas about the Long Island Sound are heard in Congress on the Long Island Sound.

Sincerely,

RYLAN ROCKFELD.

DEAR CONGRESSMAN ISRAEL: I am writing to you because I would like you to get money for the Long Island Sound so it will stay beautiful. There are many reasons to protect this water.

I am ten years old, and I see how important it is to protect the Long Island Sound. We need to keep the Long Island Sound clean because there are birds that might take a sip of the water and if it's polluted it would hurt the birds. There is marine life that needs to be protected. They might eat the trash from the Long Island Sound and die. If you catch a fish and the fish took in some polluted water, it would not be safe to eat. Another reason why we should ask congress for money is so we help clean the Long Island Sound and help marine animals.

Sincerely,

ROBYN GARNOCK.

DEAR CONGRESSMAN ISRAEL: I am writing this to you so you can protect the Long Island Sound. Please help protect the Long Island Sound and listen to my letter.

I am 9 years old and love animals. Lots of people litter and that hurts the animals in the Long Island Sound. I am very worried some animals that live there will become extinct. If Congress gives money, we can help keep the Long Island Sound clean. Also, we do not want the water in the Sound to be polluted. We need money to keep it clean. I would like clean water to drink and swim in. Another reason is the Long Island Sound is one of our greatest natural resources and we don't want it ruined.

Thank you for listening to my letter, and do the best you can do to keep the Long Island Sound safe!

Sincerely,

RIO MALITO.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside money to keep the Long Island Sound clean and a nice place to live next to. There are many reasons why we need to protect this body of water.

One reason we need to protect the Long Island Sound is to protect the animals that live in or next to it. We eat some of those animals and we don't want to eat polluted animals. Another reason is we don't want polluted water in our drinking water. One more reason we need to protect the Long Island Sound is it is one of our greatest natural resources. We swim in the Long Island Sound and also play on beaches next to it.

I am 9 years old, and I realize how important it is to keep the Long Island Sound safe. I hope the people we elect to represent us give this matter their consideration and understand the importance of this issue, not only for people who live near the Long Island Sound, but for the future of the environment we all share.

Thank you for reading my letter. I hope you are successful in obtaining funds to protect the Long Island Sound.

Sincerely,

RAYEN KUO.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside money to keep the Long Island Sound clean and beautiful. There are many reason why we need to protect this body of water.

First, most people come to live in Long Island because we have water around it so people can swim and go fishing. Another reason is all of the fish could be dead because of pollution in the Long Island Sound. Over 20 million people live less than 50 miles from the Long Island Sound. My fourth reason is Long Island Sound is one of our great resources. People like to go banana boating and tubing. How can we do all that if the Long Island Sound is not clean.

I am 10 years old and I realize how important it is to keep the Long Island Sound protected. I hope the people we elect to represent us give this matter their consideration and understand the importance of this issue, people who live near the Long Island Sound, but for the future of the environment we all share.

Thank you for reading my letter. I hope you are successful in obtaining funds to protect the Long Island Sound.

Sincerely,

AUSTIN PRINCE.

DEAR CONGRESSMAN ISRAEL: I am writing to ask Congress to set aside money to keep the Long Island Sound clean and a nice place to swim. There are many reasons why we need to protect the Long Island Sound.

One reason to keep the long Island sound clean is because the Long Island Sound brings \$5 billion to our economy. For example, people want to buy clean fish from a fish market and you wouldn't want to buy fish with plastic in them. Also, if we keep on polluting the water, in the future we might have wiped out the piping plover species and a species of fish that might be endangered. Lastly, 20 million people live within 50 miles of the Long Island Sound. You don't want polluted water and garbage on your beaches.

I am 9 years old and I realize how important it is to keep the Long Island Sound protected. I hope the people we elect to represent us give this matter their consideration and understand the importance of the issue.

Thank you for reading my letter. I hope you are successful in obtaining funds to protect the Long Island Sound.

Sincerely,

AMELIA CROSBY.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside money to keep the Long Island Sound clean and beautiful. There are many reasons why we need to protect this body of water.

I am 9 years old and I realize how important it is to keep the Long Island Sound clean. Here are some reasons. First, we need to improve water quality so the marine animals don't get sick. Next, 20 million people live within 50 miles from the Long Island Sound so we have to keep it clean. Finally, the water in the Long Island Sound needs to be clean because it could affect our drinking water. Also, we don't want the garbage from the Sound to be right in front of our houses. Clearly, it is important to keep the Long Island Sound clean.

Sincerely,

ARYAN BADLANI.

DEAR CONGRESSMAN ISRAEL: Hello. I am writing this letter so you can ask Congress to set aside money to keep the Long Island Sound clean and gorgeous. There are a lot of reasons.

I am 10 years old and I wish we can protect the Long Island Sound so it is not polluted.

There are more than 20 million people living near the shore of the Long Island Sound. People get fish from the Long Island Sound, so if fish take in polluted water we will eat the fish and we will have the polluted water inside our own body which is bad for us. Lastly, there is a lot of wildlife that live on the Long Island Sound. For example, the Piping Plover is endangered so we need to watch out before they are extinct. There is marine life and will harm the animals. This money is for the future of our lives.

Thank you for reading my letter. I hope this will come true.

Sincerely,

AARON CHANG.

DEAR CONGRESSMAN ISRAEL: I am writing to you so you can ask Congress to set aside money to keep the Long Island Sound clean and beautiful. I have some reasons why we need to protect this body of water.

One reason is there are endangered animals that really need the Long Island Sound to live. Another reason is people come here to the Long Island Sound to swim and go boating.

I am 9 years old, and I realize how important it is to keep the Long Island Sound protected.

I really hope the people we elect to represent us give this matter their consideration and understand the importance of the issue, not only for the people who live near

the Long Island Sound, but for the future of the environment all of us share.

Thank you for reading my letter. I hope you are successful in obtaining funds to protect the Long Island Sound.

Sincerely,

NICOLE DAVIDOFF.

DEAR CONGRESSMAN ISRAEL: I am writing this so I can ask you to save the Long Island sound by using money for it because it is really important. Money will help keep it clean and not polluted and animals will be saved.

I am ten years old and I found out how important the Long Island Sound is.

We have to save the Long Island Sound. Polluted and everybody loves it. They love the Sound because the northern beaches have a lot of people that visit, but if the Long Island Sound gets polluted nobody will come to the beaches. Also, when you clean the water you can fish and sell it, but the water is polluted; fish and marine animals are dying and losing their habitats. If the Long Island Sound is not protected in the future nobody will go there.

Thank you for reading my letter. I hope you will save the Long Island Sound.

Sincerely,

BRANDON KATZ.

SENATE—Monday, June 6, 2016

The Senate met at 2 p.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

To You, O Lord, we lift our hearts, for we trust You to guide our lives. Show us the path where we should walk; point out the right road for us to follow. Lead our lawmakers by Your truth, as they put their hope in You. Lord, give them the humility to accept Your guidance so that with reverence they may arrive at Your desired destination. Hear their silent prayers, as they give their time and strength to keep America strong. Kindle in their hearts a flame of devotion to freedom's cause in our Nation and world.

Lord, on this 72nd anniversary of D-day, we thank You for the courage and self-sacrifice that paid the price for our freedom.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 6, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

DONALD TRUMP AND THE REPUBLICAN LEADER

Mr. REID. Mr. President, today the Senate is returning from a 10-day recess, but even though the Republicans took 10 days off, the Zika virus did not.

Last week a child was born in New Jersey with severe birth defects caused by the Zika virus. Thousands of our citizens are exposed to Zika now, today, but the problem will only get worse. Zika is a problem that is here and is not going away quickly. As the weather continues to warm and the mosquitoes become more active, it will inevitably cause local transmission. The number of infected Americans will skyrocket.

In light of the threat posed by Zika, one would expect Republicans to spend their break working on an emergency spending bill to send to the President's desk with the full amount, \$1.9 billion. They did not. Instead, Republicans spent their recess boasting their Republican standard bearer, Donald Trump. The Republican Party's capitulation to Donald Trump is complete. As headlined last week in the Washington Post, "It's official: The GOP is now the Party of Trump."

I was especially disappointed to see that our senior Senator from Kentucky personally led this pro-Trump propaganda tour. Senator MCCONNELL spent last week as Donald Trump's head cheerleader, a trumpet. The Republican leader left Washington 10 days ago without doing his job on Zika so he could stump for Trump. In the last 10 days, it has become clear that Senator MCCONNELL will go to any length to support Donald Trump.

Consider the Republican leader's refusal to denounce Donald Trump's racist attack on U.S. District Court Judge Curiel, a man born in Indiana—in the United States. Donald Trump opined a Federal judge should be disqualified from presiding on his case because of his Mexican heritage. He went even further in saying he would feel the same way if the judge were Muslim. How did the Republican leader respond? Senator MCCONNELL repeatedly refused to say Donald Trump's attacks on Judge Curiel's ethnicity are racist. This is precisely the type of failure that gave rise to Donald Trump in the first place.

Senator MCCONNELL and all congressional leaders have never taken a stand against Trump's vile rhetoric. That is because the hate emanating from Trump's mouth reflects the Republican Party's agenda in the U.S. Senate for the last 7½ years—the agenda Senator MCCONNELL himself promoted. For

years Senator MCCONNELL and other Republican leaders embraced the darkest elements within their party. The Republican Party made anti-woman, anti-Latino, anti-Muslim, anti-immigrant, and anti-Obama policies the norm. Trump is the logical conclusion of what Republican leaders have been saying and doing for the past 7½ years.

By refusing to denounce Trump's attack on a Federal judge for the racism it clearly connotes, it shows Senator MCCONNELL is the poster boy for Republicans' spinelessness that allowed Donald Trump to be the Republican nominee for President of the United States. I have made this argument for months. I am not the only one making it now. Now, even some Republicans are joining me. The conservative blog "RedState" railed against Senator MCCONNELL's refusal to condemn Trump's racist attacks.

The conservative blog "RedState" said this: "[Senator MCCONNELL] fell back to the last coward's refuge: we have to support Trump because he won the primary."

The junior Senator from Nebraska, Mr. SASSE, a Republican, is willing to say what Senator MCCONNELL will not. What he is saying today and he tweeted was: "Public Service Announcement: Saying someone can't do a specific job because of his or her race is the literal definition of 'racism.'"

Newt Gingrich, former Republican Speaker of the House, called Trump's comments "inexcusable." There are others. But for his part, Senator MCCONNELL is doubling down on Trump. The Republican leader is waging a nonstop campaign to persuade any Republicans who have doubts about supporting Trump to drop their complaints and fall in line. The Republican leader even went so far—listen to this—as to compare Donald Trump as comparable to President Dwight Eisenhower, to GEN Dwight Eisenhower.

Donald Trump is a failed businessman who bilked millions of Americans out of their hard-earned money. No wonder he will not release his tax returns. Trump doesn't deserve to be mentioned in the same breath as President Eisenhower, who led the Allied forces in World War II and, among other things, integrated America's schools. Comparing Eisenhower to Trump? Give us a break.

Donald Trump is the converse of all for which leaders such as Eisenhower, Lincoln, Roosevelt, and Ronald Reagan stood. They stood for equality, fairness, and decency. Trump and McConnell obviously do not. Donald Trump stands for hatred and stands for division. Senator MCCONNELL also defended

Trump's temperament, reassuring everyone that as President, Donald Trump "would be fine." That is what he said. That is a quote.

The Republican leader also extolled Trump's intelligence. Senator McCONNELL even claimed the Republican Party is "at an all-time high," with Trump at its helm. That is how the Republican leader spent last week. He wasn't fighting for resources to stop the spread of Zika. He was leading the cheers as he stumped for Trump.

Senator McCONNELL was doing zero for the 100,000 poisoned residents of Flint, MI. Senator McCONNELL was doing zero to fund our Nation's response to the opioid epidemic. It is terrible. The Republican leader was too busy being a trumpet for Trump, and now that he has firmly entrenched himself in Trump's corner, I can't help but wonder just how far Senator McCONNELL's support extends. For example, were Donald's Trump's comments about Judge Curiel racist, as the Senator from Nebraska said? Senator McCONNELL wouldn't answer that question yesterday. He had numerous opportunities to do it. So I will give him another opportunity today.

There are other questions the Republican leader needs to answer. Does he believe a Federal judge should be disqualified because of his Mexican heritage? Does he believe these attacks are acceptable for a man who wants to be President of our great country? Does he agree judges should face a religious test?

Senator McCONNELL said last week: "We know that Donald Trump will make the right kind of Supreme Court appointments." After Donald Trump's latest attacks on the judiciary, does he truly believe Trump is the right man to pick nominees to our Nation's highest Court?

The Republican leader defended Trump's temperament, saying he "would be fine" as President. I ask the Senator from Kentucky, is it fine when Donald Trump calls women pigs and dogs? Is it fine when Trump calls immigrants rapists and murderers? Is it fine that his party's Presidential candidate urges violence at rallies? These are not rhetorical questions.

The Republican leader has so fully embraced Donald Trump that we are all unclear as to where Trump's platform ends and the Senate Republicans' begins. If Republicans think a man who believes in religious and ethnic tests for Federal judges is fit to be President of the United States, they must explain why this is acceptable. The Nation has a right to know how far Senate Republicans' support of Donald Trump extends, and that starts with the Republican leader because now there doesn't appear to be any daylight between Donald Trump and Senator McCONNELL.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 3011

Mr. CORNYN. Madam President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3011) to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

Mr. CORNYN. Madam President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

TEXAS FLOODING

Mr. CORNYN. Madam President, anybody who has been watching the national news—and particularly the weather—knows we have been having some serious flooding back home in Texas. Tragically, we lost nine soldiers from Fort Hood in a very unfortunate drowning incident as part of that flooding. These soldiers were in the midst of a training mission when their vehicle got stuck in a flooded creek. I know I speak for a lot of people when I say my prayers and condolences are with the Fort Hood family and the families of these lost soldiers.

I know from experience that the Fort Hood community is a resilient one and, unfortunately, has seen more than its fair share of tragedy in recent years. But I also know the community there in Killeen, along with the entire State and Nation, will continue to offer support for our men and women in uniform, and particularly for those who have lost loved ones and those who are recovering in the days ahead.

Amidst the sad news, I have been continually thankful for the hard work and dedication of our first responders, who have devoted their lives to saving others. It is at times like these, when they rise to the occasion, that I am particularly grateful for their service.

As you might expect, my staff and I are in close contact with local officials across the State of Texas in the more than 30 counties where Governor Abbott has declared a disaster. We will be working with the Governor as they prepare to assess the damage on the ground and determine what sort of Federal resources are necessary to help people rebuild. Should Governor Abbott request a formal Federal declaration of disaster for the affected counties, I intend to do everything I can to help get such a request granted and to make sure these Texans have what they need to recover as quickly as possible.

MEMORIAL DAY, NATIONAL DEFENSE AUTHORIZATION BILL, AND FOREIGN POLICY

Mr. CORNYN. Madam President, on a happier note, during this last week, we had the occasion to celebrate Memorial Day, a day of remembrance. I know many of us had a chance to spend time with true American heroes—the veterans, the Active-Duty military members and their families—to remember the fallen on Memorial Day.

I had a particularly delightful occasion this Memorial Day to spend time with about 115 high school graduates from across Texas as part of a sendoff ceremony as they prepare to head to our Nation's military academies. We have been doing this every year for 10 years. As I always tell people: If you are a little down, if you are in a bad mood or feeling a little depressed, all you need to do is be around these wonderful young men and women who are really mature beyond their years and who aspire not only to attend our Nation's service academies but to be the next generation of military leaders. They truly are the best and the brightest.

It was also great to provide an occasion for these young people and their families to be there and hear from inspirational leaders such as COL Bruce Crandall, a Medal of Honor winner from the Vietnam war.

So in remembering this last week the service of so many people in defense of our Nation and these young people who I just mentioned on Memorial Day and our academy sendoff, it is appropriate that we return to the Senate this week to finish the national defense authorization bill, legislation that will provide our military men and women with the resources they need in order to protect and defend our country.

This is an absolutely critical piece of legislation and one that Congress has

passed each year for some 50 years-plus. If anyone doubts that, all they need to do is ask Chairman MCCAIN because he will remind us every chance he gets that this is must-pass-every-year legislation and something that has become a tradition—a good tradition—for the Senate.

This bill was passed out of the Armed Services Committee with overwhelming bipartisan support. Not a single Democrat voted against the legislation, and before Memorial Day, the Senate voted unanimously to move this legislation forward—98 yes and 0 no votes.

Despite this being a clear bipartisan priority, we have been stuck and mired down for no real reason, frankly, because of objections from the other side of the aisle. The minority leader has chosen to use every tactic and every tool available to him to slow this down. Frankly, this is not acceptable. The Defense authorization bill provides critical resources to our military. It will give our men and women in uniform a modest pay raise and support critical training and equipment modernization efforts. And it ensures that future generations of military leaders have the support they need.

I don't know what happened at Fort Hood when these nine soldiers drowned, but I hope it doesn't have anything to do with their lack of adequate training under these circumstances. What we need to do as part of our duty in the Senate is to get our work done and to pass the Defense authorization bill so there is not even a suspicion or hint of lack of adequate training or preparation by our military members that leads to tragedy.

At a time when we face instability at every turn and our military is confronting evolving and constant threats, political posturing is not appropriate. In fact, it is dangerous. Unfortunately, this is a product of misguided foreign policy choices made by this administration over the last 8 years. It has put our country and our military at greater risk. Our enemies have become emboldened and our allies' confidence has been shaken.

Instead of recognizing the growing threats our military men and women face every day, the President tries to diminish them, calling ISIS the "JV team." This is a terrorist group that continues its reign of violence across Iraq and Syria and continues to grow in strength across North Africa.

Words matter. When President Obama and former Secretary of State, Secretary Clinton, refused to attribute terrorism to radical Islam, it sent a message. And when the Obama administration and its allies ignore the reality of the enemy we are facing, our men and women in uniform are at greater risk of not having the full resources they need in order to defend U.S. interests at home and abroad.

A few weeks ago, I had the chance to visit with U.S. soldiers in the Middle East and to get a good glimpse of the reality on the ground that the administration seems to be lacking. I heard firsthand about the threats they face every day from ISIS-affiliated groups. That danger is growing, not receding.

There is no doubt in my mind that this growing ISIS presence correlates with gaps in our foreign policy under the Obama administration. This is particularly clear in Libya, where the Obama administration's failure in 2011 left a gaping hole of power—another failed state in the Middle East, which, as we have seen before, becomes a power vacuum that attracts foreign fighters and other people who want to use that to leap into Europe and commit acts of terror, either there or in the United States.

After Secretary Clinton pushed to remove Muammar Qadhafi, she prematurely heralded this intervention as her signature achievement as Secretary of State. This is something President Obama now admits was a mistake. She calls it her signature achievement as Secretary of State.

Yet the vacuum created by the United States' retreating in the region has only led to more chaos, and the ISIS fighters and recruiters have quickly filled the space, as I said a moment ago. The Financial Times even called it "a mess no one should think will be resolved by the current UN-backed peace process." This chaos doesn't just give terrorism a foothold; it provides a strategic launch point for terrorist attacks, directly across the Mediterranean from Europe.

In 2011, when the Obama administration, lacking any coherent, long-term strategy, decided to lead from behind in Libya, I strongly opposed that decision. While I can't say the same for others I have served with in the Senate, I have been proud to vote against premature troop withdrawals from volatile regions, as in Iraq, following the surge, which the chairman of the Armed Services Committee and so many others said was our one last chance in Iraq. To see us now fighting even as trainers and advisers in places such as Fallujah and Ramadi and other places where we have lost young lives to liberate—to see those now squandered by a premature exit from Iraq due to the administration's failure to get a security Status of Forces Agreement is just heartbreaking.

We know so many did oppose the surge, including then-candidate Obama, but the fact is, it paid off. Now we see all too clearly the consequences of precipitous withdrawal—the squandering of hard-earned progress achieved by the surge.

Of course, Secretary Clinton defended President Obama's decision to remove U.S. troops before the region could be stabilized. In fact, when asked about

the potential threat of civil war in Iraq by exiting too early, Secretary Clinton simply said, "Well, let's find out." Well, we found out, after all. Foreign policy isn't something we just find out about or make up as we go along. It requires thoughtful planning and purposeful, intentional action.

Of course, Syria is another case study of what can happen when the White House refuses to act decisively and proactively against our adversaries. Unfortunately, when red lines are crossed with no consequences and when groups like ISIS aren't treated as the serious threat they are, terrorism can make its way onto U.S. soil. Just consider the attacks in San Bernardino or the multiple attacks on our allies in Europe.

Unfortunately, as groups such as ISIS are getting stronger, our friends around the world are increasingly getting concerned that the United States doesn't have their backs. The White House prioritized its courtship with Iran, the No. 1 state sponsor of global terrorism, while choosing to ignore our friends and allies in the region. Turning its back on Israel to give Iran billions of dollars in sanctions relief was a hallmark of President Obama's tenure in the Oval Office, and Secretary Clinton said that she was proud to play a part in crafting that terrible nuclear deal. This simply is not good foreign policy. Why should we choose to reward those who have harmed us or threatened us while ignoring our oldest and strongest relationships? The result is what we would pretty much expect: an Iran that is ascendant in the Middle East and growing in belligerence with a nuclear program largely intact.

Our actions do speak louder than words, and right now our friends in the Middle East and around the world are losing faith in their relationship with the United States. This is simply a product of failed foreign policy under the Obama-Clinton leadership. I think it is telling that when former President Jimmy Carter, a Democrat, was asked about President Obama's policies on the world stage, he said, "I can't think of many nations in the world where we have a better relationship now than we did when he took over." This is President Carter on President Obama's foreign relations. He went on to go through a list of countries as examples of where, in his words, "the United States' influence and prestige and respect in the world is probably lower now than it was six or seven years ago." On that point, I agree with President Carter. The foreign policy of this administration is nothing to be proud of.

Our job now in the Senate is to reassure our allies that the military might of the United States has not fallen by the wayside. One way we can do that is by ensuring our military has the resources and funding necessary to remain a strong emblem of American

strength for the rest of the watching world. After delays and obstruction from our friends on the other side of the aisle, I hope we can finally complete our work this week on the Defense authorization bill under the able leadership of Chairman MCCAIN.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank the Senator from Texas for his very compelling statement.

Just one example of what the Senator from Texas has referred to is the whole issue of Qadhafi. I would remind my colleague from Texas that we got rid of Qadhafi without losing a single American and then walked away. We walked away from it, and now we see ISIS establishing a strong beachhead—a direct failure of leadership of the Obama administration and the then-Secretary of State.

There were many of us, including the Senator from Texas, who said: Look, we have to do a lot of things now that you have gotten rid of Qadhafi. This country has never known democracy; it has no institutions. For example, we could have taken care of their wounded. We could have helped them secure their borders. Instead, what did we do? We killed Qadhafi—or his own people killed him. But we set up a scenario that happened and just walked away—just as we walked away from Iraq, just as we are sort of walking away from Afghanistan while the Taliban is starting to show success throughout the country. This administration is very good at walking away. Unfortunately, the consequences are attacks on the United States of America and Europe.

So I thank the Senator from Texas for his very important statement.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCAIN. Madam President, it is my pleasure to rise with my friend and colleague from Rhode Island to speak about the National Defense Authorization Act for fiscal year 2017.

For 54 consecutive years, Congress has passed this vital piece of legislation, which provides our military servicemembers with the resources, equipment, and training they need to defend the Nation. The NDAA is one of the few bills in Congress that continues to enjoy bipartisan support year after year. That is a testament to this legislation's critical importance to our national security and the high regard with which it is held by the Congress.

Last month, the Senate Armed Services Committee voted 23 to 3—23 to 3—to approve the NDAA, an overwhelming vote that reflects the committee's proud tradition of bipartisan support for the brave men and women of our Armed Forces.

I thank the committee's ranking member, the Senator from Rhode Is-

land, for his months of hard work on the NDAA. It has been a great pleasure to work with him on this legislation, and I remain appreciative of the thoughtfulness and bipartisan spirit with which he approaches our national security. He is a great partner and a great leader.

I also thank the majority leader, the Senator from Kentucky, for his commitment to bring the NDAA to the Senate floor on time and without delay. It is a testimony to his leadership that the Senate will once again consider this bill in regular order with an open amendment process.

I am tremendously proud of the Senate Armed Services Committee's work on this legislation. This year's NDAA is the most significant piece of defense reform legislation in 30 years. It includes major reforms to the Department of Defense that can help our military rise to the challenge of a more dangerous world.

The NDAA contains updates to the Pentagon's organization to prioritize innovation and improve the development and execution of defense strategy. The legislation continues sweeping reforms of the defense acquisition system to harness American innovation and preserve our military's technological edge.

The NDAA modernizes the military health system to provide military servicemembers, retirees, and their families with higher quality care, better access to care, and a better experience of care.

The NDAA authorizes a pay raise for our troops. It invests in the modern equipment and advanced training they need to meet current and future threats. It helps to restore military readiness with \$2 billion for additional training, depot maintenance, and weapons sustainment. And it gives our allies and partners the support they need to deter aggression and fight terrorism.

This is a far-reaching piece of legislation, but there is one challenge it could not address: the dangerous mismatch between growing worldwide threats and arbitrary limits on defense spending that are in current law. This mismatch has very real consequences for the thousands of Americans who serve in uniform and sacrifice on our behalf all around the Nation and the world. Our troops are doing everything we ask of them, but we must ask ourselves: Are we doing everything we can for them? The answer, I say with profound sadness, is we are not.

Since 2011 the Budget Control Act has imposed arbitrary caps on defense spending. Over the last 5 years, as our military has struggled under the threat of sequestration, the world has only grown more complex and far more dangerous. Since 2011 we have seen Russian forces invade Ukraine, the emergence of the so-called Islamic State and its global campaign of terrorism,

increased attempts by Iran to destabilize U.S. allies and partners in the Middle East, growing assertive behavior by China and the militarization of the South China Sea, numerous cyber attacks on U.S. industry and government agencies, and further testing by North Korea of nuclear technology and other advanced military capabilities. Indeed, the Director of National Intelligence, James Clapper, testified in February that over the course of his distinguished five-decade career, he could not recall "a more diverse array of challenges and crises" than our Nation confronts today.

Our military is being forced to confront these growing threats with shrinking resources. This year's defense budget is more than \$150 billion less than fiscal year 2011. Despite periodic relief from the budget caps that imposed these cuts, including the Bipartisan Budget Act of last year, each of our military services remains underfunded, undersized, and unready to meet current and future threats. In short, as threats grow and the operational demands on our military increase, defense spending in constant dollars is decreasing. How does that make any sense?

The President's defense budget request strictly adheres to the bipartisan budget agreement, which is \$17 billion less than what the Department of Defense planned for last year. As a result, the military services' underfunded requirements total nearly \$23 billion for the coming fiscal year alone. Meanwhile, sequestration threatens to return in 2018, taking away another \$100 billion from our military through 2021. This is unacceptable.

While the NDAA conforms to last year's budget agreement at present, I have filed an amendment to increase defense spending above the current spending caps. This amendment will reverse shortsighted cuts to modernization, restore military readiness, and give our servicemembers the support they need and deserve. I do not know whether this amendment will succeed, but the Senate must have this debate and Senators are going to have to choose a side.

At the same time, as I have long believed, providing for the common defense is not just about a bigger defense budget—as necessary as that is. We must also reform our Nation's defense enterprise to meet new threats, both today and tomorrow, and to give Americans greater confidence, which they don't have a lot of now, that the Department of Defense is spending their tax dollars efficiently and effectively. That is exactly what this legislation does.

The last major reorganization of the Department of Defense was the Goldwater-Nichols Act, which marks its 30th anniversary this year. Last fall the Senate Armed Services Committee

held a series of 13 hearings on defense reform. We heard from 52 of our Nation's foremost defense experts and leaders. The Goldwater-Nichols Act of 30 years ago responded to the challenges of its time. Our goal was to determine what changes needed to be made to prepare the Department of Defense to meet the new set of strategic challenges. As Jim Locher, the lead staffer on Goldwater-Nichols, testified last year: "No organizational blueprint lasts forever. . . . [T]he world in which DOD must operate has changed dramatically over the last 30 years."

Instead of one great power rival, the United States now faces a series of transregional, cross-functional, multidomain, and long-term strategic competitions that pose a significant challenge to the organization of the Pentagon and the military, which is often rigidly aligned around functional issues and regional geography. Put simply, the Goldwater-Nichols Act of 30 years ago was about operational effectiveness—improving the ability of the military services to plan and operate together as one joint force. The problem today is strategic integration—how the Department of Defense integrates its activities and resources across different regions, functions, and domains, while balancing and sustaining those efforts over time.

The NDAA would require the next Secretary of Defense to create a series of "cross-functional mission teams" to better integrate the Department's efforts and achieve discrete objectives. For example, one could imagine a Russia mission team with representatives from policy, intelligence, acquisition, budget, the services, and more. There is no mechanism to perform this kind of integration at present. The Secretary and the Deputy have to do it ad hoc, which is an unrealistic burden. The idea of cross-functional teams has been shown to be tremendously effective in the private sector and by innovative military leaders, such as GEN Stan McChrystal. If applied effectively in the Office of the Secretary of Defense, I believe this concept could be every bit as impactful as the Goldwater-Nichols reforms.

The NDAA would also require the next Secretary to reorganize one combatant command around joint task forces focused on discrete operational missions rather than military services. Here, too, the goal is to improve integration across different military functions and do so with far fewer staff than these commands now have. Similarly, the legislation seeks to clarify the role of the Chairman of the Joint Chiefs, focusing this leader on more strategic issues, while providing the Chairman greater authority to assist the Secretary with the global integration of military operations.

The NDAA also seeks to curb the growth in civilian staff and military of-

ficers that has occurred in recent years. Over the past 30 years, the end strength—the total number of members of the services—of the joint force has decreased by 38 percent. The number of men and women serving in the military has decreased by 38 percent, but the ratio of four-star officers—admirals and generals—to the overall force has increased by 65 percent. We have seen similar increases among civilians at the senior executive service level. The NDAA, therefore, requires a carefully tailored 25-percent reduction in the number of general and flag officers, a corresponding 25-percent decrease to the ranks of senior civilians, and a 25-percent cut to the amount of money that can be spent on contractors who are doing staff work.

The NDAA also caps the size of the National Security Council policy staff at 150. The National Security Council staff will be capped at 150. The staff has steadily grown over administrations of both parties in recent decades. Under George Herbert Walker Bush, there were 40; more than 100 in the Clinton administration; more than 200 during the George W. Bush administration; and now there are reports of nearly 400 under the current administration, plus as many as 200 contractors. This tremendous growth has enabled a troubling expansion of the NSC staff's activities from their original strategic focus to micromanagement of operational issues in ways that are inconsistent with the intent of Congress when it created the NSC in 1947. It has gotten so bad that all three leaders who served as Secretary of Defense under the current administration recently blasted the NSC's micromanagement of operational issues during their tenures. Former Secretary of Defense Leon Panetta has come out publicly in favor of shrinking the staff, saying he thinks we can do the job better with fewer people.

In short, the NSC staff is becoming increasingly involved in operational issues that should be the purview of Senate-confirmed individuals in the chain of command, and doing so beyond the reach of congressional oversight. If this organization were to return to the intent of the legislation that established it, it could reasonably claim that its strategic functions on behalf of the President are protected by Executive privilege. If, on the other hand, the NSC staff is to play the kind of operational role it has in recent years—and I could give my colleagues example after example—if it is going to play the kind of operational role it has in recent years, then such a body cannot escape congressional oversight.

The purpose of the provision in the NDAA to cap the size of the NSC staff is to state a preference for the Congress's original intent in creating the NSC.

As I have said, integration is a major theme in the NDAA. Another one is in-

novation. For years after the Cold War, the United States enjoyed a near monopoly on advanced military technologies. That is changing rapidly. Our adversaries are catching up, and the United States is at real and increasing risk of losing the military technological dominance we have taken for granted for 30 years. At the same time, our leaders are struggling to innovate against an acquisition system that too often impedes their efforts. I have applauded Secretary Carter's attempts to innovate and reach out to nontraditional high-tech firms, but it is telling that this has required the Secretary's personal intervention to create new offices, organizations, outposts, and initiatives—all to move faster and get around the current acquisition system.

Innovation cannot be an auxiliary office at the Department of Defense; it must be the central mission of its acquisition system. Unfortunately, that is not the case with the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics, also known as AT&L. It has grown too big, tries to do too much, and is too focused on compliance at the expense of innovation. That is why the NDAA seeks to divide AT&L's duties between two offices—a new Under Secretary of Defense for Research and Engineering and an empowered and renamed Under Secretary of Management and Support, which was congressionally mandated 2 years ago.

The job of research and engineering would be developing defense technologies that can ensure a new era of U.S. qualitative military dominance. This office would set defense-wide acquisition and industrial-based policy. It would pull together the centers of innovation in the defense acquisition system. It would oversee the development and manufacturing of weapons by the services. In short, research and engineering would be a staff job focused on innovation, policy, and oversight of the military services and certain defense agencies, such as DARPA.

By contrast, management and support would be a line management position. It would manage the multibillion-dollar businesses—such as the Defense Logistics Agency and the Defense Commissary Agency—that buy goods and services for the Department of Defense. It would also manage other defense agencies that perform other critical business functions for the Department, such as performing audits, paying our troops, and managing contracts. This would not only enable research and engineering to focus on technology development, it would also provide for a better management of billions of dollars of spending on mission support activities.

These organizational changes complement the additional acquisition reforms in the NDAA that build on our efforts of last year. This legislation

creates new pathways for the Department of Defense to do business with nontraditional defense firms. It streamlines regulations to procure commercial goods and services. It provides new authorities for the rapid prototyping, acquisition, and fielding of new capabilities. It imposes new limits on the use of so-called “cost-plus” contracts. The overuse of these kinds of contracts and the complicated and expensive government bureaucracy that goes with them serves as a barrier to entry for commercial, nontraditional, and small businesses that are driving the innovation our military needs.

Another major reform in this year’s NDAA is the most sweeping overhaul of the military health system in a generation. This strong bipartisan effort is the result of several years of careful study. The NDAA creates greater health value for military families and retirees and their families by improving the quality of health care they receive, providing timely access to care, and enhancing patient satisfaction—all done at lower costs to the patients by encouraging them to seek high-value health services from high-value health care providers.

The NDAA incorporates many of the best practices and recent innovations of high-performing private sector health care providers. For example, the NDAA creates specialized care centers of excellence at major medical centers based on the specialized care delivery model in high-performing health systems like the Cleveland Clinic. The legislation also expands the use of telehealth services and incentivizes participation in disease management programs. Finally, the NDAA expands and improves access to care by requiring a standardized appointment system in military treatment facilities and creating more options for patients to get health care in the private sector.

Taken together, these reforms, along with many others in the bill, will improve access to and quality of care for servicemembers and their families and retirees and their families, and they will improve the military and combat medical readiness of our force and reduce rising health care costs for the Department of Defense. This entails some difficult decisions. The NDAA makes significant changes to the services’ medical command structures and right-sizes the costly military health system infrastructure, and, yes, the NDAA asks some beneficiaries to pay a little more for a better health system.

Let me make three brief points.

First, Active-Duty servicemembers will not pay for any health care services or prescription drugs they receive, and the NDAA does not increase the cost of health care by a single cent for families of active-duty servicemembers enrolled in TRICARE Prime. There will continue to be no enrollment fees for

their health care coverage. All beneficiaries, including retirees and their families, will continue to receive health care services and prescription drugs free of charge in military hospitals and clinics.

Second, the NDAA does ask working-aged retirees, many of whom are pursuing a second career, to pay a little more. Increases in annual enrollment fees for TRICARE Choice are phased in over time, and there are modest increases in pharmacy copays at retail pharmacies and for brand-name drugs through the mail-order pharmacy. It is important to remember that 68 percent of retirees live within the service area of a military hospital or clinic where they will continue to enjoy no co-pays for prescription drugs, and all military retirees have access to the mail-order pharmacy, where they can access a 90-day supply of generic prescriptions free of charge through fiscal year 2019.

Third, while some military retirees will pay a little more, the guiding principle of this reform effort is that we would not ask beneficiaries to pay more unless they receive greater value in return—better access, better care, and better health outcomes. The NDAA delivers on that promise. Modernizing the military health system is part of the NDAA’s focus on sustaining the quality of life of our military servicemembers, retirees, and their families.

The NDAA authorizes a 1.6-percent pay raise for our troops and reauthorizes over 30 types of bonuses and special pays. The legislation restructures and enhances leave for military parents to care for a new child, and it provides stability for the families of our fallen by permanently extending the special survivor indemnity allowance. No widow should have to worry year to year that she or he may not receive the offset of the so-called widows’ tax. If this NDAA becomes law, he or she will never have to worry about that.

The NDAA also implements the recommendations of the Department of Defense Military Justice Review Group by incorporating the Military Justice Act of 2016. The legislation modernizes the military court-martial trial and appellate practice, incorporates best practices from Federal criminal practice and procedures, and increases transparency and independent review in the military justice system. Taken together, the provisions contained in the NDAA constitute the most significant reforms to the Uniform Code of Military Justice in a generation.

Among the many military personnel policy provisions in the NDAA, there is one that has already attracted some controversy. That, of course, is the provision in the NDAA that requires women to register for Selective Service to the same extent as men beginning in 2018. Earlier this year, the Department of Defense lifted the ban on women serving in ground combat units. After

months of rigorous oversight, a large bipartisan majority in the Armed Services Committee agreed that there is simply no further justification to limit Selective Service registration to men. That is not just my view but the view of every single one of our military service chiefs, including the Army Chief of Staff and the Commandant of the Marine Corps.

There will likely be further debate on this issue. As it unfolds, we must never forget that women have served honorably in our military for years. They filled critical roles in every branch of our military. Some have served as pilots, like MARTHA MCSALLY, who flew combat missions in Afghanistan. Some served as logisticians, like the Presiding Officer, Senator JONI ERNST, who ran convoys into Iraq. Others have served as medics, intelligence officers, nuclear engineers, boot camp instructors, and more. Many of these women have served in harm’s way, and many women have made the ultimate sacrifice, including 160 killed in Afghanistan and Iraq.

As we uphold our commitment to the well-being of our servicemembers and their families, we must also uphold our commitment to American taxpayers. As part of the committee’s comprehensive effort to root out and eliminate wasteful spending and improve the Department of Defense acquisition system, the NDAA imposes strict oversight measures on programs such as the F-35 Joint Strike Fighter, the B-21 Long Range Strike Bomber, the Ford-class aircraft carrier, and the littoral combat ship. These provisions will ensure accountability for results, promote transparency, protect taxpayers, and drive the Department to deliver our warfighters the capabilities they need on time, as promised, and at reasonable costs.

The NDAA also upholds America’s commitment to its allies and partners. It authorizes \$3.4 billion to support our Afghan partners as they fight to preserve the gains of the last 15 years and defeat the terrorists who seek to destabilize the region and attack American interests. The legislation provides \$1.3 billion for counter-ISIL operations. The NDAA fully supports the European Reassurance Initiative to increase the capability and readiness of U.S. and NATO forces to deter and, if necessary, respond to Russian aggression. It also authorizes up to \$500 million in security assistance to Ukraine, including lethal assistance. We should give the Ukrainian people the ability to defend themselves. Finally, the legislation includes \$239 million for U.S.-Israel cooperative missile defense programs.

As we continue to support allies and partners against common threats, the NDAA makes major reforms to the Pentagon’s complex and unwieldy security cooperation enterprise, which has complicated the Department of Defense’s ability to effectively prioritize,

plan, execute, and oversee these activities.

This legislation also makes sure we are not providing support to adversaries like Russia. The United States' assured access to space continues to rely on Russian rocket engines. Purchasing these engines provides a financial benefit to Vladimir Putin's cronies, including individuals who have been sanctioned by the United States, and it subsidizes the Russian military industrial base. This is unacceptable at a time when Russia continues to occupy Crimea, destabilize Ukraine, menace our NATO allies, violate the 1987 Intermediate-Range Nuclear Forces Treaty, and bomb moderate rebels in Syria. That is why the NDAA repeals a provision from last year's Omnibus appropriations bill that furthered dependence on Russia.

Once the nine Russian rocket engines allowed by the past two NDAs are expended, the Defense Department would be required to achieve assured access to space without the use of rocket engines designed or manufactured in Russia. In testimony before the committee, the Secretary of Defense, the Director of National Intelligence, and the Secretary of the Air Force each confirmed that the United States can meet its assured access to space requirements without the use of Russian rocket engines.

We do not have to rely on Russia for access to space. Given the urgency of eliminating reliance on Russian engines, the NDAA will allow for up to half of the funds for the development of a replacement launch vehicle or propulsion system to be made available for offsetting any potential increase in launch costs as a result of prohibitions on Russian rocket engines. With \$1.2 billion budgeted over the next 5 years, we can cover the costs of ending our reliance on Russia while developing the next generation of American space launch capabilities.

Finally, the legislation takes several steps to bolster border security and homeland defense. It authorizes \$688 million for Department of Defense counterdrug programs. It enhances information sharing and operational coordination between the Department of Defense and the Department of Homeland Security. It provides additional support for the U.S. Southern Command, and it continues support for the U.S.-Israel anti-tunneling cooperation program, which helps to improve our efforts to restrict the flow of drugs across the U.S. southern border.

I say to my colleagues: This is an ambitious piece of legislation, and it is one that reflects the growing threats to our Nation. Everything about the NDAA is threat driven—everything, that is, but its top line of \$602 billion. That is an arbitrary figure set by last year's budget agreement, having nothing to do with events in the world, and

which itself was a product of 5 years of letting politics, not strategy, determine the level of funding for our national defense. Former Chairman of the Joint Chiefs GEN Martin Dempsey described last year's defense budget as "the lower ragged edge of manageable risks." Yet here we are 1 year later with defense spending arbitrarily capped at \$17 billion below what our military needed and planned for last year. I don't know what lies beneath the lower ragged edge of manageable, but this is what I fear it means—that our military is becoming less and less able to deter conflict and that if, God forbid, deterrence does fail somewhere and we end up in conflict, our Nation will deploy young Americans into battle without sufficient training or equipment to fight a war that will take longer, be larger, cost more, and ultimately claim more American lives than it otherwise would have.

That is the growing risk we face, and for the sake of the men and women serving in our military, we cannot change course soon enough. The Senate will have the opportunity to do just that when we consider my amendment to reverse the budget-driven cuts to the capabilities of our Armed Forces that are needed to defend the Nation. I hope we will seize this opportunity.

We ask a lot of our men and women in uniform, and they never let us down. We must not let them down. As we move forward with consideration of the NDAA, I stand ready to work with my colleagues on both sides of the aisle to pass this important legislation and give our military the resources they need and deserve.

Again, I note the presence of my esteemed colleague and friend, the ranking member of the Armed Services Committee, without whom this legislation would not have been possible. It happens to be a source of great pride to me—and I hope to Americans who believe that we are bitterly divided—that as an example of defending this Nation and providing for men and women whom we send into harm's way, the Senator from Rhode Island and I have developed a partnership that I believe has been incredibly productive. Without the kind of partnership that I have enjoyed with my friend from Rhode Island, it would not have been possible to produce this legislation, which is obviously the most important obligation we have, and that is to defend the Nation.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 2943 is agreed to.

The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 4206

Mr. MCCAIN. Madam President, I call up amendment No. 4206.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mrs. FISCHER, proposes an amendment numbered 4206.

The amendment is as follows:

(Purpose: To modify the requirement that the Secretary of Defense implement measures to maintain the critical wartime medical readiness skills and core competencies of health care providers within the Armed Forces)

On page 423, strike lines 16 and 17 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (c), not later than 90 days after submitting the report required by subsection (d), or one year after the date of the enactment of this Act, whichever occurs first, the Secretary of Defense

On page 425, strike lines 10 through 18 and insert the following:

(5) The Secretary shall ensure that any covered beneficiary who may be affected by modifications, reductions, or eliminations implemented under this section will be able to receive through the purchased care component of the TRICARE program any medical services that will not be available to such covered beneficiary at a military treatment facility as a result of such modifications, reductions, or eliminations.

(c) EXCEPTION.—The Secretary is not required to implement measures under subsection (a) with respect to overseas military health care facilities in a country if the Secretary determines that medical services in addition to the medical services described in subsection (b)(2) are necessary to ensure that covered beneficiaries located in that country have access to a similar level of care available to covered beneficiaries located in the United States.

(d) REPORT ON MODIFICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the modifications to medical services, military treatment facilities, and personnel in the military health system to be implemented pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) A description of the medical services and associated personnel capacities necessary for the military medical force readiness of the Department of Defense.

(B) A comprehensive plan to modify the personnel and infrastructure of the military health system to exclusively provide medical services necessary for the military medical force readiness of the Department of Defense, including the following:

(i) A description of the planned changes or reductions in medical services provided by the military health system.

(ii) A description of the planned changes or reductions in staffing of military personnel, civilian personnel, and contractor personnel within the military health system.

(iii) A description of the personnel management authorities through which changes or reductions described in clauses (i) and (ii) will be made.

(iv) A description of the planned changes to the infrastructure of the military health system.

(v) An estimated timeline for completion of the changes or reductions described in clauses (i), (ii), and (iv) and other key milestones for implementation of such changes or reductions.

(e) COMPTROLLER GENERAL REPORT.—

On page 428, between lines 15 and 16, insert the following:

(3) The terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to discuss the fiscal year 2017 national defense authorization bill, which was passed out of the Armed Services Committee on May 19 by a vote of 23 to 3.

I want to begin by thanking Chairman MCCAIN, not only for his kind and thoughtful words but for ably leading the committee through many thought-provoking hearings and a successful markup with bipartisan support of the bill. I believe the committee has worked diligently in the past month, not only to evaluate the President's budget request for fiscal year 2017 but also to take a hard look at the Department of Defense and to consider what reforms are necessary. Most, if not all, of that effort is a direct result of the leadership of Chairman MCCAIN and his commitment to ensuring that we were thoroughly immersed in the details, that we had access to expert testimony, and that we heard both sides of the argument and led to the markup, which was productive and has resulted in the legislation that is before us today.

I think we both agree that we can make improvements, and we both will strive to do that over the course of the next several weeks and in our deliberation with the House, but we are beginning with very thoughtful and very constructive legislation that we brought to the floor. I thank the chairman for that.

There are many provisions in this bill that will help the Department today and in the future. It is a lengthy bill that contains sweeping reforms, as the chairman described in some detail, and I support many aspects of this bill. In fact, I was privileged to work with

the chairman and our staffs in developing some of these aspects. Because of the scope and because of the range of these improvements and reforms, I believe—and I think this is shared by others—that we need a continued dialogue with the Department of Defense and other experts to ensure that we not only take the first steps but that the subsequent consequences, both intended and unintended, are well known and contribute to our overall national security. We truly must ensure that our decisions which are ultimately incorporated in this legislation improve the Department's operations and do not create unnecessary and detrimental consequences.

Let me highlight some of the aspects of the bill that will help our military in ongoing overseas operations.

We are engaged in a difficult struggle with ISIL and radical extremists, and critical to our efforts to fight against ISIL are our local partners. That is why this bill includes \$1.3 billion to support the Iraq and Syria train-and-equip programs and \$180 million to support the efforts of Jordan and Lebanon to secure their borders.

The bill also includes \$3.4 billion for the Afghanistan Security Forces Fund to preserve the gains of the last 15 years. These are critical investments that enhance our interests and keep pressure on our enemy.

The bill provides the funds necessary to enable our operations across Iraq, Syria, Yemen, Somalia, and other locations where ISIL, Al Qaeda, and its remnants are located. This funding will continue to enable the Department to hunt the leaders of these organizations and illuminate their network of supporters. Ensuring that there is continuous pressure on violent extremists is critical, and it is with that focus that the chairman and I worked to include these important elements in the legislation.

The bill funds U.S. Special Operations Command, or SOCOM, at the requested level of \$10.76 billion, including an increase of \$26.7 million to help address technology gaps identified by SOCOM on its fleet of MQ-9 Reaper unmanned aerial vehicles, which are important to our ability to effectively carry out counterterrorism strikes while avoiding collateral damage. The bill also extends critical authorities used by special operations forces and enhances the role of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict in providing oversight and advocacy for SOCOM within the Department.

The fight against terrorism is not our fight alone, and it requires the support of old and new partners across the globe. This bill will enable the Department of Defense to support and enable our foreign partners and also, critically, will continue to provide support to our intelligence community to protect the homeland.

Of major significance, this year's bill would undertake the most comprehensive reform of the Defense Department's security cooperation enterprise in decades. Since 9/11, Congress, partly at the request of the Department and partly through our own doing, has created dozens of new authorities to enable our Armed Forces to engage with the national security forces of friendly foreign countries. This patchwork has been difficult to navigate and oversee. To address this problem, this bill would consolidate and streamline security cooperation authorities. This will greatly enhance the Defense Department's ability to address the wide-ranging and evolving nature of global threats.

Additionally, the NDAA consolidates roughly \$2 billion in security cooperation funding into a new fund, the Security Cooperation Enhancement Fund. This new fund will enhance public transparency, increase flexibility, and improve congressional oversight.

While the Department of Defense is responsible for only two of the administration's nine lines of effort against ISIL—and this bill funds those two lines of effort—DOD also plays an essential enabling role for many other parts of our government, particularly in the areas of intelligence collection and analysis. This bill ensures the Department is able to continue this critical support so we can maintain an integrated effort against our enemy. The Department of Defense is not the only Federal agency that is responsible for our Nation's security. All agencies have a role and should receive the resources they need.

The bill before us also includes \$3.4 billion for the European Reassurance Initiative, which will deliver critical investments to increase U.S. military presence in Europe, improve existing infrastructure, and enhance allied and partner military capabilities to respond to external aggression and bolster regional stability. It also authorizes up to \$500 million for the Ukraine Security Assistance Initiative to continue the ongoing efforts to support the Ukrainian security forces in the defense of their country.

One major concern the committee heard repeatedly, and the chairman made reference to on numerous occasions, is about the state of readiness with our troops and their equipment. I am very pleased that this bill contains almost \$2 billion in additional readiness funding to satisfy some of the Service Chiefs' unfunded requirements, with the goal of restoring military readiness as soon as possible. Additionally, all of these increases are paid for with corresponding and targeted funding reductions.

One other aspect of our national security is our nuclear deterrent. In many cases, it forms the bedrock of our defense posture. This is an essential mission which must not be neglected

and our committee continues to support it on a bipartisan basis.

The bill continues to fund the President's request to modernize our triad of nuclear-capable air, sea, and ground delivery platforms. This is the first year of full engineering, manufacturing, and development funding for the B-21, which will replace the B-52s that were built in the 1960s. While the B-21 will be costly, I believe this bill places rigorous oversight on the program to ensure that we understand the technology risk as it moves forward.

Turning to the area of undersea deterrence, if we are to maintain a sea-based deterrent, the current fleet of 14 Ohio-class submarines must be replaced starting in 2027 due to the potential for hull fatigue. By then, the first Ohio submarine will be 46 years old—the oldest submarine to have sailed in our Navy in its history.

The third aspect of our triad, our land-based ICBMs, will not need to be replaced until the 2030s. We have authorized the initial development of a replacement for this responsive leg of the triad, which acts as a counterbalance to Russian ICBMs.

Let me focus for a moment on the submarine program, which is frankly an important part of our national security and an important industry for my home State where this construction begins. This bill supports the Virginia-class attack submarine production at a level of two per year. The Navy's requirement for attack submarines is a force of 48 boats. Since attack submarine force levels will fall below 48, even with the purchase of two Virginia-class submarines per year, we cannot allow the production rates to drop at all.

The bill also supports the Virginia Payload Module upgrade to the Virginia-class submarines, with production starting in fiscal year 2019. The Virginia Payload Module program is important to begin replacing Tomahawk missile magazine capacity that will decline sharply as we retire the Navy's four guided missile submarines in the next decade.

Our support of the Virginia-class attack submarine program has led to stability that helped drive down costs and improve productivity. This bill continues that support and also supports the plans for achieving similar effectiveness on the Ohio replacement program. Establishing and achieving cost reduction goals in these Virginia-class and Ohio replacement programs will yield significant stability to our Nation's submarine base, which will ensure the Navy has a modern, capable submarine fleet for many years to come.

The chairman also indicated in his remarks that the bill accomplishes much on behalf of our servicemembers and the Department of Defense. It authorizes a 1.6 percent pay raise for all

servicemembers and reauthorizes a number of expiring bonus and special pay authorities to encourage enlistment, re-enlistment, and continued service by active duty and reserve component military personnel. The bill permanently extends the Special Survivor Indemnity Allowance scheduled to expire next year, clarifies the applicability of certain employment rights for military technicians, establishes an independent National Commission on Military, National, and Public Service to review the Selective Service process, and makes numerous enhancements to military whistleblower protections.

Notably, this bill also contains a robust package of health care reforms. The current military health care system, designed decades ago, has served us well. Since 2001, battlefield survival rates have been higher than at any time in our Nation's history. Clearly, battlefield medicine is a pocket of excellence in the military health system that must be maintained. However, it is also clear that the military health care system has increasingly emphasized delivering peacetime healthcare, and beneficiaries have voiced their concerns about access to care.

While I know that many in the military community are wary of changes to the healthcare system, I believe the reforms included in this bill are designed to improve and maintain operational medical force readiness while at the same time affording better value to TRICARE beneficiaries by providing higher quality medical care, with better access to that care, and a better experience of care.

I am also pleased to note that the mark includes the 105 recommendations of the Military Justice Review Group. The review group was made up of judges and lawyers, all military justice experts, who spent 18 months reviewing and providing recommended changes to update the entire Uniform Code of Military Justice. These provisions provide a much-needed updating of the military justice system, and I want to commend the members of the review group for their work and also the counsels on the committee, Gary Leeling and Steve Barney, for all their efforts in this area.

Again, a major effort, as has been highlighted by the chairman, is to continue the Senate tradition for improving the way DOD buys everything, from major systems like the F-35 and submarines to office support services, to spare parts, and even to the buying of new technologies and next-generation research products.

I am pleased we have taken positive steps to strengthen our contracting and program management workforces and support Secretary Carter's efforts to reach out to innovative Silicon Valley companies and other high-tech small businesses. I am glad we are building on the considerable and suc-

cessful efforts Under Secretary Frank Kendall has taken to control costs and improve delivery times of our major weapons systems through his active management and leadership, which have resulted in a very successful series of better buying power procurement reforms.

Consistent with those efforts, we have taken steps to improve our ability to estimate costs of new weapons systems, especially the cost to maintain them in the field or at sea, sometimes for decades, and to de-layer the bureaucracy and untangle the redtape that the Pentagon acquisition process has sometimes been very much weighted down by.

We can use better data and better analysis to make better decisions on what we acquire and how we maintain it. I want to note that I believe there are a few provisions where continued dialogue with the Pentagon can improve our bill and make sure we achieve our shared goal: delivering the best and most modern systems to our forces, while protecting taxpayer money in the most responsible manner possible.

I hope we can work together to reexamine and refine a few provisions of the bill to that end. For example, I am concerned that we overly limit the flexibility of DOD to use all available contract types to best balance the needs of government and industry. I am pleased the bill before us is very supportive of the scientists, engineers, and other technical innovators in organizations like DARPA, in the Department of Defense, and in DOD laboratories across the Nation.

We fully fund the President's request for science and technology research programs, including the university research programs that are the foundation of almost all military and commercial technology. We also fully fund the important work of DARPA and the Strategic Capabilities Office, both of which are working to develop the next-generation systems that will dominate the battlefields of the future, on the ground, on the sea, under the sea, in space, and in cyber space.

We also take important steps to ensure that DOD can better compete with the private sector for a limited and shrinking pool of world-class technical talent. I am pleased to see we have given the DOD labs and DARPA important tools to hire the best scientists and engineers through faster hiring processes and some special pay authorities.

We have also taken steps to cut the redtape that often ties up these organizations and keeps them from achieving their full innovative potential, as well as to allow the labs to more easily build and maintain modern research equipment and laboratory facilities. One of the major challenges facing DOD is the difficulty in moving such a

large and diverse organization to adopt new and more efficient business practices.

I am pleased the bill provides a number of authorities and pilot programs that will allow the Department to explore new business practices, informed by best commercial practices, which hopefully will drive down costs and reduce the bureaucratic burdens on the military. For example, we push for the Department to make more use of the burgeoning field of big data and data analytics so it can collect and use information and data in a much more sophisticated way, to improve DOD management, human resources, and acquisition practices.

Big data techniques are changing the way the commercial sector markets products, manufactures, and manages supply chains and logistics. It is even changing the way people manage sports teams. We would like to see similar techniques and technological advances used in ways that will improve the efficiency of the Pentagon and its processes.

We take a major step in this bill to redesignate the position of the Under Secretary for Acquisition Technology and Logistics as the Under Secretary for Research and Engineering. I understand and support the chairman's intent to make sure that innovation, research, and technology are at the forefront of Pentagon thinking. We all know we are now in a world where the Pentagon can no longer corner the market on the best people or the best new technologies.

Our foreign competitors are closing the gap on our battlefield technological superiority, and global commercial companies are far outspending the government on the development of new systems and technology in areas like cyber security, biotechnology, aerospace, and others that are critical to the future of our national security.

I hope the reorganization and realignment steps we take in this bill support DOD's effort to stay at the leading edge of technological advances. I worry that we may not understand all of the implications of the major changes we are proposing, and I hope we can continue to have a robust and open dialogue, including with the Pentagon's leadership, so we can take these steps in a thoughtful, considered way.

Once again, we have taken very bold and very thoughtful steps, but I think we can enhance these steps with a bigger, productive dialogue. This bill takes several other steps to reform both the organizational structures of the civilian and military leadership and also the Pentagon's overall approach to its operations. One of the most significant provisions of the bill is the creation of cross-functional teams. The Office of the Secretary of Defense is organized exclusively along

functional lines, such as acquisition, personnel, logistics, finance, and intelligence, but the real work of the Department is mission performance, which requires integrating across all of these functional stovepipes to achieve specific objectives. This integration task has always been a serious challenge, conducted through layers of management spanning more and more functional boundaries, ending with the Secretary and Deputy Secretary of Defense.

The Armed Services Committee, in the years before drafting the Goldwater-Nichols act, grappled with the broad problem of mission integration across DOD. The committee found solutions for achieving "jointness" in the combat operations of the Department, but the committee was unable, at that time, to find practical mechanisms to achieve mission integration in the Office of the Secretary of Defense.

The problem of integrating across silos of function expertise is not unique to DOD or the government as a whole. Industry has long struggled with the same problem. Not surprisingly, industry has pioneered effective ways to integrate across their enterprises, dramatically improving outcomes in shorter timeframes, and ultimately streamlining and flattening organizational structures. This bill is the first major step in applying these concepts systematically in government. It will not be easy. There will be resistance to such changes, but I believe we are taking steps in the right direction, and I encourage the leadership of the Department of Defense to work with Congress to make this reform successful.

Another important provision is a reform of the Joint Requirements Oversight Council, JROC, which shepherds the joint acquisition process. This bill elevates the Vice Chairman of the Joint Chiefs from merely "first among equals" on the Council to the principal adviser to the Chairman on military requirements. The committee hopes this change will solve one of the most important and consistent criticisms of the JROC; namely, that it is a quid-pro-quo process dominated by parochial service interests.

There are other reform provisions—changes to the role of Chairman of the Joint Staffs and Combatant Commands, a reduction in the number of general and flag officers, and a change to the type of strategy doctrines produced by the Department. Again, these reforms are a good start, but these are major changes that may have unforeseen consequences. I think they would benefit, again, from further discussion with the Defense Department's military and civilian leadership and outside experts. I encourage and look forward to that dialogue.

Let me highlight one provision of the bill that I am somewhat concerned with. It limits the Defense Depart-

ment's ability to implement an important Executive order that protects the health, safety, and labor rights of veterans, disabled persons, and other persons of the defense industry workforce. The Executive order is an important tool to ensure that DOD is working with responsible contractors that are more likely to deliver goods and services critical to national security on time and on budget when they are following these procedures.

This order is being implemented in a way that protects the rights of all employees, while also protecting due process rights for the companies concerned, and ensuring that there is no discrimination against them based on incomplete evidence of wrongdoing or unsubstantiated allegations. I hope we can work to continue a policy, as enunciated by the Executive order, that I think we can all support, ensuring DOD is working with responsible contractors to protect our workforce and support national security missions.

Finally, I would like to say a few words about the funding levels for defense. The bill reported out of committee includes \$523.9 billion in discretionary spending for defense base budget requirements and \$58.9 billion for Overseas Contingency Operations. It also includes \$19.3 billion for Department of Energy-related activities, resulting in a top-line funding level of \$602 billion for discretionary national defense spending.

While these funding levels adhere to the spending limits mandated by the Bipartisan Budget Act, BBA, of 2015, concerns have been raised that the Department requires additional resources. As all Members are aware, when the Senate considered the BBA last fall, it established the discretionary funding levels of defense spending for fiscal year 2017.

That agreement passed this chamber with support from Senators from both political parties. Furthermore, the BBA split the increase in discretionary spending evenly between the security and nonsecurity categories. As we consider the fiscal year 2017 NDAA, there is likely to be—in fact, the chairman has made it very clear—an effort to increase military spending above the level established by the BBA.

It is important to remember that since the Budget Control Act was enacted in 2011, we have made repeated incremental changes to the discretionary budget caps for both defense and nondefense accounts. We have done so in order to provide some budget certainty to the Department of Defense and also to domestic agencies. As debate on this bill continues, the chairman has indicated he will propose an amendment to increase spending for defense only.

Again, this seems to run counter to the central tenets of all the previous budget negotiation agreements. If defense funds are increased, funding for

domestic agencies must also be increased, I believe. In addition, this is a point that I think all of us acknowledge, our national security is broader than simply the accounts in the Department of Defense. It is the FBI, it is the Department of Homeland Security, and it is many other agencies that contribute to our national security.

Let me conclude, once again, by thanking the chairman and my colleagues on the committee who contributed significantly and thoughtfully through this whole process, and I particularly thank the staff who worked laboriously and at great personal cost to ensure that we have a bill we can bring to our colleagues on the floor and stand and continue a very thoughtful, vigorous, and important dialogue about the national security of the United States. Let me thank them.

I know there are many amendments that have been filed. I look forward to working with the chairman and all of my colleagues to get this legislation completed and sent forward.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be equally charged to both sides.

The Senator from Delaware.

50TH ANNIVERSARY OF ROBERT F. KENNEDY'S
"RIPPLES OF HOPE" SPEECH

Mr. COONS. Madam President, on this exact date half a century ago, then-Senator Robert F. Kennedy delivered a powerful speech in Cape Town, South Africa, a nation that was then struggling through the cruel injustices of apartheid. It was the conclusion of a remarkable trip to South Africa in which Bobby Kennedy visited the Nobel Peace Prize-winning Chief Lutuli, visited Soweto, visited the University of Wits in Johannesburg, and spoke with students at the University of Cape Town.

Last week I had the opportunity to help lead a congressional delegation to commemorate Bobby Kennedy's historic journey and his famous "Ripples of Hope" speech he delivered during his visit. The trip offered all of us an opportunity to reflect on the parallels between America's civil rights movement and South Africa's liberation struggle and to renew the conversation of reconciliation as both countries face legacies that remain both difficult and unresolved.

More importantly, as South Africa and the United States face serious challenges to the very institutions that underpin and preserve our democracies, this trip served as a reminder that while our constitutional orders may be supported by courageous and principled leaders through critical moments in our history, nations don't endure because of a few charismatic and historic individuals, they endure because of institutions.

I was honored to be joined on this trip by a bipartisan group of colleagues

from the House of Representatives, including, most importantly, Congressman JOHN LEWIS of Georgia, who is a hero of America's own civil rights movement, Democratic Whip STENY HOYER of Maryland, and five others. There was also a "Ripples of Hope" delegation that traveled alongside us that included RFK's children, Kerry Kennedy and Rory Kennedy. Kerry is now president of the RFK Human Rights Foundation. There were more than a dozen members of the Kennedy family, of several generations, as well as the leaders and some members of the Faith in Politics Institute. It is Faith in Politics that annually organizes—under the leadership of Congressman JOHN LEWIS—the civil rights pilgrimage of Members of Congress, Republicans and Democrats, House and Senate, who retrace the steps of the famous Selma march, which he helped lead, as well as the pivotal events of both Montgomery and Birmingham at the height of the American civil rights movement. These three organizations—the Faith in Politics Institute, the RFK Foundation, and the congressional delegation—met up in South Africa.

At the time of Bobby Kennedy's visit 50 years ago, South Africa was deep in the throes of apartheid, with a liberation movement that had been decapitated in the Liliesleaf raid of 1963 and pushed far underground. At that point, Black South Africans lived in fear, and their leaders were either imprisoned or in exile. The National Party and the South African security forces controlled nearly every state institution. As author Evan Thomas has described it, "Nowhere was injustice more stark or the prospect for change bleaker than South Africa in 1966." RFK would later write about what he what called "the dilemma of South Africa: a land of enormous promise and potential, aspiration and achievement—yet a land also of repression and sadness, darkness and cruelty" as of 1966. To put it plainly and simply, apartheid was a brutal form of racial subjugation.

In the midst of an environment in which White supremacy was codified by law and most anti-apartheid leaders and stalwarts were imprisoned or on the run, Bobby Kennedy was invited to give the University of Cape Town's Day of Affirmation address. Kennedy began his speech at Jameson Hall, describing "a land in which the native inhabitants were at first subdued, but relations with whom remain a problem to this day; a land which defined itself on a hostile frontier; . . . a land which once [was] the importer of slaves, and now must struggle to wipe out the last traces of that former bondage." RFK then paused before concluding: "I refer, of course, to the United States of America."

As you listen to the audio recording of his speech, you can then hear a ripple of recognition and applause that

Kennedy—who many thought was introducing his speech about South Africa—was instead recognizing remarkable parallels between our two nations. As Kennedy spoke to a large crowd who had waited in the cold for hours, he made it clear with his opening that he came not to preach to the people of South Africa from our supposed position of superiority due to the length of our democratic experiment but to share and to learn from our common legacies and challenges.

Then and now, the differences between the United States and South Africa are profound and real. Yet Americans and South Africans do share more than we might widely recognize. We have similar stories to tell, and we have many lessons that we can and should learn from each other.

Today, more than 20 years after the end of apartheid, South Africa's post-apartheid nonracial democracy is struggling to deliver on the promise of its ambitious founding principles and to transform its economy to generate opportunity for all its citizens. Meanwhile, here in the United States, we are mired in dysfunctional politics, and many Americans justifiably feel that we have failed to make even modest progress on the economic and social challenges we face.

Our countries also share a deeply embedded history of racial discrimination and division from which we have not yet healed—a shared struggle exemplified by the fact that 50 years ago during Kennedy's trip to South Africa, American civil rights activist James Meredith was shot by a White gunman while marching for voting rights in Mississippi.

We share complex histories of struggles balancing the role of violence and nonviolence in seeking justice and equality under the law.

Today we share flawed criminal justice systems that disproportionately punish our citizens of color, and we share sadly imperfect education systems that don't do enough to support them.

Today we also continue to share a struggle to find the most appropriate way to welcome and incorporate literally millions of undocumented immigrants and to prevent the tensions associated with xenophobia—something we have seen in the United States and we also heard about in South Africa last week.

Yet, despite our common shortcomings, we share remarkable constitutions and inspiring foundational documents—South Africa's Freedom Charter and our own Declaration of Independence—whose soaring principles say powerful and inspiring things but whose lived experiences have so far fallen short.

We share a powerful commitment to democracy framed by these strong original documents, respect for the

rule of law, and capable and independent judiciaries—institutions created and sustained by the work of many over hundreds of years.

We share a striking foundational moment: Our President George Washington and their President Nelson Mandela—both, as founding Presidents, stepped down from their offices willingly and set powerful precedents of respect for constitutions and term limits.

We share the fact that we are deeply religious nations across all racial backgrounds and all income levels. Both South Africa and the United States have deep and long traditions of faith and religion which have powerfully influenced our public lives. These, of course, are traditions which were at times in the past twisted into justifications for prejudice and racial discrimination but which also served as guiding lights for the nonviolent efforts to achieve justice and reconciliation.

If you think about it, these shared faith traditions have inspired some of our most powerful leaders. Congressman JOHN LEWIS, who was with us on this trip, was beaten, bloodied, and arrested 40 times in the streets of the South, fighting for equality in the South under the law. He led the Student Nonviolent Coordinating Committee. As the leader of the march on Selma in 1966, he encountered State troopers armed with guns, tear gas, and clubs wrapped in barbed wire as he crossed the Edmund Pettus Bridge and simply said, before the onslaught that later became known as Bloody Sunday, "Let us pray."

We all remember that Reverend Dr. Martin Luther King, Jr., was one of the most important leaders of our civil rights movement, the Baptist preacher and president of the Southern Christian Leadership Conference who, when imprisoned in a Birmingham jail, wrote that "human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be coworkers with God."

Similarly, in South Africa some of their most important leaders were clergymen. One of the most moving moments for me in our trip was the chance to revisit a fellowship I have shared with Archbishop Desmond Tutu, for whom I worked briefly 30 years ago. Tutu, the Anglican bishop who led the South African Council of Churches and fought for decades against apartheid, was lifted up and recognized with the Nobel Peace Prize in 1984 and many years later received the Presidential Medal of Freedom here in the United States. He ultimately chaired the post-apartheid Truth and Reconciliation Commission, which engaged in the very hard work of convening whole committees of both those who committed the atrocities of apartheid and their victims in a disciplined, constitutionally created, nationwide effort at reconciliation. It was Archbishop Desmond

Tutu who wrote, "Hate has no place in the house of God."

In both the United States and South Africa, the language used to challenge unjust structures and actions of the government in civil society at the time were rooted in Biblically based questions of justice and righteousness. It made possible national conversations about forgiveness and reconciliation.

Some of the most striking and powerful witnesses offered quietly on the sides of our journey were from two Americans who were participants in the faith and politics civil rights pilgrimage this year in Charleston, SC. They were survivors of the horrible events at the Emanuel AME Church in Charleston, a tragedy in which relatives and friends were savagely murdered during a Bible reflection prayer session. It was a tragedy from which two survivors, Felicia and Polly, traveled with us to South Africa last week, with the Kennedy delegation. It was many of those who survived that tragic event in Charleston, SC, who just a few days later, in confronting the gunman, were able and willing, out of the depths of their faith, to say publicly:

We have no room for hate. We have to forgive.

I will remind you that one thing that is most impressive about Congressman JOHN LEWIS from his own experience in our civil rights movement is his ability to reconcile and forgive. Decades after a member of the Ku Klux Klan beat JOHN LEWIS and many other Freedom Riders in the summer of 1961, the now U.S. Congressman JOHN LEWIS welcomed a Klansman who had actually beaten him decades before to his office here in Washington and said, as he has repeated many times on our civil rights pilgrimage, "I accept your apology. I forgive you."

One of the most striking aspects of Nelson Mandela's leadership as the first President of a truly free, non-racial South Africa was his capacity for forgiveness. Twenty years after he was released from prison—an imprisonment that lasted 27 years and robbed him of his opportunity to be a free man, to see his own children grow up, to be a contributing part of his society; an apartheid imprisonment that took away virtually his entire adult life—20 years after his release from prison, Mandela invited one of his former jailers to dinner at his own home, a man with whom he had become friends, saying that their friendship "reinforced my belief in the essential humanity of even those who had kept me behind bars." Think about the depths of that forgiveness. As our own President Obama has put it, referring to Mandela by his familiar name, "It took a man like Madiba to free not just the prisoner, but the jailer as well."

It is individuals such as JOHN LEWIS and Nelson Mandela who set the example of healing, forgiveness, and rec-

onciliation that may ultimately allow us to move forward from our foundational sins of slavery and discrimination. And it is the powerful witness of those from South Carolina, from the Emanuel AME Church, who have challenged us anew, in an era of Black Lives Matter concerns and protests, to redouble our efforts to achieve real repentance by those who weigh violence against our racial minorities in the United States and those whose still need reconciliation and forgiveness.

Last week our congressional delegation had a chance to break bread with Archbishop Desmond Tutu. We heard him discuss the vital importance of the Truth and Reconciliation Commission, which allowed the people of South Africa to attempt to work together to move past the bitterness and hatred of apartheid. There is much work undone in South Africa today, as I referenced, but the transformational impact of the Truth and Reconciliation Commission is beyond doubt in that it made it possible for both the perpetrators and the victims of apartheid to see each other face to face and to engage in many acts of contrition and reconciliation.

We had a chance on our trip to South Africa to visit Liliesleaf Farm just outside of Johannesburg, which was the site where the leaders of the underground anti-apartheid movement—led by Nelson Mandela, Walter Sisulu, and Andrew Mlangeni, the African National Congress—where all of those leaders were at one time picked up by the South African security police. This was in July of 1963. We had a chance to meet with and hear from many of the stalwarts of that stage of the struggle—from Walter Sisulu's son Max to Mlangeni himself, now in his late eighties—about their struggles following the raid and the Rivonia treason trials, after which there were life sentences imposed on many of those captured at Liliesleaf.

We also visited Nelson Mandela's home in Soweto and his jail cell on Robben Island, where he served out 18 years of his very long sentence. We had a remarkable and moving tour of Robben Island, provided for us by Ahmed Kothrada, who goes by the casual name of "Kathy," and who talked with us about his experience on Robben Island and about how they maintained discipline, how they were able to continue to work together to shore up each other's spirits as they coped with year after year of brutal conditions and hard prison labor.

One of the most striking things for me was to hear from this man, Mr. Kothrada, the absence of bitterness, the absence of vitriol after his life, too, was marred by decades of imprisonment by the apartheid regime.

It wasn't just members of our delegation who had an opportunity to learn from these conversations. There were also many South Africans who had the

opportunity to hear from Congressman JOHN LEWIS, as he spoke passionately in several different settings, both in Johannesburg and in Cape Town, about his experience in our civil rights movement. It was uplifting to see him mobbed afterwards by young South Africans everywhere he went who wanted to meet with him, hear from him, take pictures with him, and reflect once again on the common and constructive legacies of our two nations.

As we look back at 50 years, we see from the struggles of people like JOHN LEWIS and Nelson Mandela that while progress is possible, RFK's observation that "humanity sometimes progresses very slowly indeed" remains true, and humanity has much more work to do.

Today, in South Africa, over half the Black population lives in poverty compared to less than 1 percent of the White population. Average annual household income is over \$25,000 for White South Africans, yet barely \$4,000 for Blacks. South Africa's unemployment rate is 7 percent for Whites and over 30 percent for Blacks, and it is much higher in the townships and for younger South Africans. Even when Black students make it to South Africa's universities, like the University of Cape Town, they are much less likely to graduate.

I have many more statistics that I could cite, but by important measures, inequality between Whites and Blacks has actually increased since the end of apartheid in South Africa since 1994.

These disparities are not unique to South Africa. A Pew Research Center study found that in 2013 in the United States, White households had a median net worth 13 times greater than that of our African-American households—the largest discrepancy in decades in our country. Our Department of Education recently found that compared to White students, Black students in America are far less likely to have access to preschool, advanced high school courses, are much more likely to be suspended, and are much less likely to complete college.

These divides sadly extend to our legal system as well. On average, Black men in America receive sentences 20-percent longer than White men who commit identical crimes. The population of my home State of Delaware is 22 percent Black, yet two-thirds of our prison population is African American.

Behind all these challenging and difficult statistics lies the very real challenge of how to be true to our foundational values and yet find a path forward that creates both growth and empowerment and opportunity and progress for the peoples of both of our countries. By any measure, we have more work to do. Echoing the words of Congressman LEWIS, "we have come a great distance . . . but we have a great distance farther to go."

In that June 6 address 50 years ago, Bobby Kennedy described the plane

that brought him to South Africa from which "we could see no national boundaries, no vast gulfs or high walls dividing people from people." Today, globalization has proven that the boundaries between us and them—whether by race or religion, party or nationality—are indeed what RFK called them—illusions of differences.

Still, we need to find the courage and the strength to tackle these problems, to not fall victim to the forces of apathy and complacency. We must find solutions that work for each country in its own context.

Exactly 50 years ago today, Bobby Kennedy told South Africans: "Few will have the greatness to bend history but each of us can work to change a small portion of the events, and then the total of all these acts will be written in the history of this generation." That, in some ways, was the enduring power of his best known quote from that speech, about how each man, each individual—man or woman—who stands up for an ideal acts to improve the lot of others or strikes out against injustice and sends forth a tiny ripple of hope. All those ripples in combination can form a wall of water that knocks down even the greatest of impediments to progress and justice, such as the walls of apartheid.

It was these very ripples that sent forth hope to all South Africans in 1966, when Bobby Kennedy spoke. It was these ripples that sustained Mandela's struggle over decades and that prompted the son of an African immigrant to America to take his first steps towards a career in public service, a decision that ultimately brought him to our Presidency today. It was the same commitment to equality and justice that led me, 30 years ago, to travel to South Africa and work for the Council of Churches there, under the tutelage of both Reverend Paul Verryn and Archbishop Desmond Tutu. It was this same experience which was reflected in Bishop Tutu's "Ubuntu," the distinctly South African idea that, as President Obama put it, we are all bound together in ways invisible to the eye but there is a oneness to humanity.

I met a remarkable range of men and women, young and old, leaders of this generation and the last in South Africa in this past week, and I was reminded in all of our conversations—on Robben Island, at Liliesleaf, with young entrepreneurs in Soweto, with business leaders trying to grow the economy and create opportunity, with those from every background in South Africa—that all of these men and women have fought that fight, sending forth ripples of hope that brought the mighty walls of apartheid crashing down and built a more equal nation in its place 20 years ago. That has to continue to be part of this progress today and going forward.

Bobby Kennedy's visit 50 years ago played a critical role in changing the

tone and tempo of the anti-apartheid struggle at the time. Margaret Marshall, a student activist then in South Africa, recalled this from the time of his visit in 1966:

The world seemed to ignore us . . . but Bobby Kennedy was different. He reminded us . . . that we were not alone. That we were part of a great and noble tradition, the reaffirmation of nobility and value in every human person. We all had felt alienated. It felt to me that what I was doing was small and meaningless. He put us back into the great sweep of history.

Last week, speaking at that same university at which her father provided this vital infusion of optimism a half century ago, Kerry Kennedy told us these ripples of hope didn't have to come from governments or militaries or corporations. They can come from anyone, anywhere—from seemingly average people, just as was the case with Margaret Marshall five decades ago. Today, they come from us, from the citizens we represent across this Nation and the people struggling across South Africa to find together a better and brighter future.

In the months and years to come, the United States and South Africa can and should look to each other for lessons and inspirations as we continue to work to heal the damage of racial injustice, to reverse the trends of economic inequality, and to protect our experiments in democracy.

As South Africa prepares for upcoming municipal elections in August, and as we prepare for our own national elections in November, both nations are entering periods in our electoral history where our institutions of democracy and governance are being challenged. Today, South Africa is showing just how important to the sustainment of democracy it is to have not just charismatic, worldly, historical, or forgiving heads of state or individuals leading churches but also a very strong public protector, an independent judiciary, a vibrant media, and an engaged electorate.

In America and South Africa, I believe our institutions will protect and preserve our democracies. These institutions must, of course, be inspired and led by courageous and principled individuals, like Senator Kennedy, like Congressman LEWIS, like President Mandela. But nations don't endure because of individuals. Nations must endure because of strong institutions.

Two months after he returned to the United States, Kennedy reflected on his speech of 50 years ago today, and said:

I acknowledged the United States, like other countries, still had far to go to keep the promises of our Constitution. What was important . . . was that we were trying.

In 1991, when President Mandela came here to speak, he told an American audience: "I am not a saint, unless you think of a saint as a sinner who keeps on trying." The people of the

United States must keep trying to be true to our foundational values and documents, and the people of South Africa must as well. We must all keep on trying, as President Obama said, because “action and ideas are not enough. No matter how right, they must be chiseled into law and institutions” that will endure.

We have a lot of trying left to do. From last week, I have concluded that we have much to learn from each other and much to teach the rest of the world. So let's rededicate ourselves, 50 years after Bobby Kennedy's speech gave hope to South Africa and the world, to facing these challenges together.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

72ND ANNIVERSARY OF D-DAY

Mr. TILLIS. Madam President, I am here today to talk about a very important event in American history. Seventy-two years ago today, six American and four British and Canadian divisions began the assault on Adolf Hitler's Fortress Europe, on what German Field Marshal Rommel famously referred to as “the longest day.”

As the paratroopers moved to their planes and infantrymen embarked on their ships, Dwight Eisenhower reminded them of their cause when he said:

You are about to embark upon the Great Crusade, toward which we have striven these many months. The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you. In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world.

North Carolina was at Normandy on that day. At 1:51 a.m., Fort Bragg's 82nd Airborne Division, under the command of MG Matthew Ridgeway and BG James Gavin, began the fight. The paratroopers of the “All-American Division” were scattered by bad weather and German anti-aircraft fire, missing many of their designated drop zones. Within hours, though, through sheer guts and determination, the All-American Division had captured towns and crossroads and ensured that the Panzer counterattack did not reach Normandy beaches, allowing the Allied infantry to push into the heart of German-occupied France.

The 82nd Airborne finished the war as the most decorated combat unit in the history of the United States, a distinc-

tion that still holds today. The cross-channel invasion fixed Omaha and Utah Beaches for the American assault. “Bloody Omaha” was the most difficult of the landing beaches, due to its rough terrain and bluffs fortified by Rommel's infantry division.

Omaha was hit by the U.S. First and 29th Infantry Divisions. The 29th, known as “The Blue and Gray Division,” was a National Guard unit composed of men from North Carolina, Virginia, and Maryland. In the first wave, A Company, 1st Battalion, 116th Infantry, from the Virginia National Guard in Bedford, VA, was annihilated as it landed.

The catastrophic losses suffered by the small Virginia community led it to being selected for the site of the National D-day Memorial. Losses were so heavy that GEN Omar Bradley seriously considered pulling American forces from Omaha Beach. However, follow-on units from the North Carolina National Guard reached that beach, as immortalized in the opening scenes of the movie “Saving Private Ryan.”

By nightfall, the division headquarters and 10,000 reinforcements landed and began fighting inland. On Omaha Beach, “uncommon valor was [quite] common” that day.

By the evening of June 6, over 1,000 men from the 29th had become casualties on Omaha Beach. Added to losses at other beaches and drop zones made the total casualties for Operation Overlord 6,500 Americans and 3,000 British and Canadian soldiers.

During World War II, the 29th Infantry Division had such a high casualty rate it was said that its commanding general actually commanded three divisions: one on the field of battle, one in the hospital, and one in the cemetery. The 29th Infantry Division lost 3,720 killed in action, 15,403 wounded in action, 462 missing in action, 526 prisoners of war, and another 8,665 noncombat casualties, for a total of 28,776 casualties during 242 days of combat.

Today, thousands of North Carolinian guardsmen continue the brave tradition of this proud unit.

The people of North Carolina remember the soldiers of D-day and their comrades from other battlefields of the war. On the Cape Fear River sits the USS *North Carolina*, the most decorated battleship of World War II. It is not a museum. It is a reminder. It is our memorial. The names of over 10,000 North Carolinians who paid the ultimate price are set on the walls of that great ship. In Franklin Roosevelt's words, “They fought not for the lust of conquest. They fought to end conquest. They fought to liberate.”

As we observe D-day, I hope we all recognize the ultimate sacrifice so many men and women have paid in uniform, and on the week that we consider the national defense authorization, I

hope all of my colleagues will recognize the incredible importance and the debt we owe them to do our job here so that they can continue to defend us abroad. We have to do everything we can to get them safe and prepared and ready to do that mission.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I didn't know my colleague from North Carolina was going to come to the floor to talk about D-day. That is what I am going to talk about too. I would like to follow on his comments, first, to congratulate him for a terrific job of explaining the importance of this day, not just to our country but to the world, the day America truly began the liberation of Europe, and also for his description of the North Carolina brave soldiers who lost their lives that day.

It was 72 years ago this morning when the invasion began. It was a day in which there was a lot of concern and anxiety. People knew this was going to be a major conflict.

Some 40 years later, Ronald Reagan spoke at Pointe du Hoc. He made the point that every church in America was filled that morning. By about 4 that morning, people were praying all over the country, knowing this was going to be a very difficult battle. It was the largest amphibious assault in the history of the world. There were 150,000 Allied troops involved, and as my friend from North Carolina indicated, we lost over 10,000 troops that day, most of whom were Americans. There were 10,000 aircraft involved as well and 6,000 ships.

It was thought that day that Franklin Delano Roosevelt would give a speech, as he had done many times before, called a “fireside chat,” from the White House, talking about the invasion and helping the American people to understand the importance of that day, but he decided to do something else instead. He decided, instead of giving a speech, to recite a prayer. That prayer has become known as the “D-day Prayer.” It is a very powerful statement.

About 2 years ago on this day, the 70th anniversary, we passed legislation in the Senate to actually ensure that prayer would be part of the World War II Memorial. We are now going through the process to have that included in the World War II Memorial so all Americans today, and the children and grandchildren of those World War II veterans and heroes, as they come to Washington, are able to see this prayer Franklin Delano Roosevelt said that day. I would like to read these words that were spoken 72 years ago by President Roosevelt, if I might. He said:

My fellow Americans: Last night, when I spoke with you about the fall of Rome, I knew at that moment that troops of the United States and our allies were crossing

the Channel in another and greater operation. It has come to pass with success thus far.

And so, in this poignant hour, I ask you to join with me in prayer:

Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.

Lead them straight and true, give strength to their arms, stoutness to their hearts, steadfastness to their faith.

They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.

They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.

For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and good will among all Thy people. They yearn but for the end of battle, for their return to the haven of home.

Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas—whose thoughts and prayers are ever with them—help us, Almighty God, to rededicate ourselves in renewed faith in Thee in this hour of great sacrifice.

Many people have urged that I call the Nation into a single day of special prayer. But because the road is long and the desire is great, I ask that our people devote themselves in a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help to our efforts.

Give us strength, too—strength in our daily tasks, to redouble the contributions we make in the physical and the material support of our armed forces.

And let our hearts be stout, to wait out the long travail, to bear sorrows that may come, to impart our courage unto our sons wheresoever they may be.

And, O Lord, give us Faith. Give us Faith in Thee; Faith in our sons; Faith in each other; Faith in our crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment let not these deter us in our unconquerable purpose.

With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogancies. Lead us to the saving of our country, and with our sister Nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.

Thy will be done, Almighty God.
Amen.

This is the prayer that he spoke on D-day. What a powerful moment.

On this day, 72 years later, we remember the bravery and the sacrifice of D-day. We remember the fact that this was the beginning of the liberation of Europe, and, indeed, as President

Roosevelt predicted, we would ultimately prevail, despite great losses.

Let us also today, as we are talking on the floor—this evening, tomorrow, and through the week—about our defense forces, remember the importance of this prayer, as it talks about the need for us to ensure we do have a strong military and that we support those in the military forces as we take up the Defense authorization legislation.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 4206

Mr. MORAN. Mr. President, I yield back the time.

The PRESIDING OFFICER (Mr. RUBIO). All time has expired.

The question occurs on agreeing to amendment No. 4206.

Mr. MORAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Arizona (Mr. FLAKE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea" and the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—91

Alexander	Cantwell	Cotton
Ayotte	Capito	Crapo
Baldwin	Cardin	Cruz
Barrasso	Carper	Daines
Bennet	Casey	Donnelly
Blumenthal	Cassidy	Durbin
Blunt	Cochran	Enzi
Boozman	Collins	Ernst
Boxer	Coons	Feinstein
Brown	Corker	Fischer
Burr	Cornyn	Franken

Gardner	McConnell	Schumer
Gillibrand	Menendez	Scott
Graham	Merkley	Sessions
Grassley	Mikulski	Shaheen
Hatch	Moran	Shelby
Heinrich	Murphy	Stabenow
Heller	Murray	Sullivan
Hirono	Nelson	Tester
Inhofe	Paul	Thune
Isakson	Perdue	Tillis
Kaine	Peters	Toomey
King	Portman	Udall
Klobuchar	Reed	Vitter
Lankford	Reid	Warner
Leahy	Risch	Warren
Lee	Roberts	Whitehouse
Manchin	Rounds	Wicker
Markey	Rubio	Wyden
McCain	Sasse	
McCaskill	Schatz	

NOT VOTING—9

Booker	Heitkamp	Kirk
Coats	Hoeven	Murkowski
Flake	Johnson	Sanders

The amendment (No. 4206) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. BOOKER. Mr. President, today the Senate voted on amendment No. 4206 to S. 2943, the National Defense Authorization Act, NDAA, for fiscal year 2017. This amendment would ensure that beneficiaries affected by changes to military health care designed to maintain critical wartime medical readiness skills and core competencies will be able to access through TRICARE medical services no longer available at military treatment facilities. I support this amendment because it ensures military families and retirees receive the care they deserve while allowing the military to focus on its wartime medical skills and training, and I would have voted in favor of it if I were present for the vote.

Currently, the Military Health System has the dual role of medically supporting wartime deployments while caring for Active Duty members, retirees, and their families in peacetime. However, the core competencies and skills required for wartime and peacetime medical care can, at times, diverge. Great efficiencies can be found through public-private partnerships that can allow military medical professionals to focus on their wartime skills, while allowing the civilian health system to provide more care to military families and retirees. In our fiscally constrained environment, we must ensure that we use our defense dollars for maximum effect.

Amendment No. 4206 specifies how beneficiaries will receive care because of changes to the Military Health System. The amendment also requires the Secretary of Defense to submit a report to Congress on the modifications to medical services, treatment facilities, and personnel in the Military Health System. This ensures appropriate oversight of the Department of Defense's reforms in this area. I will continue to work to ensure that the individuals

that protect us every day receive the care and support that we owe them.●

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 4229

(Purpose: To address unfunded priorities of the Armed Forces)

Mr. MCCAIN. Mr. President, I call up my amendment No. 4229.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4229.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of May 25, 2016, under "Text of Amendments.")

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise today to speak about the National Defense Authorization Act, which we will be processing this week, I hope. Particularly, I want to talk about Section 578. Section 578 is a provision designed to protect the children of our servicemembers and specifically to protect them while they are at school from convicted pedophiles and other dangerous felons.

This is an issue I have been working on for 2½ years. My involvement resulted from hearing about a horrific story that is about a little boy name Jeremy Bell. The story begins at a school in Delaware County in Southeastern Pennsylvania. A schoolteacher there had molested several boys—had raped one. When the school officials and the local law enforcement figured out that something very, very wrong was going on, they unfortunately concluded that they just did not have enough evidence. They did not have a strong case that they could bring against this teacher.

The school wanted to get rid of him, and tragically they were OK with letting him become someone else's problem. They wrote a letter of recommendation with the understanding that he would leave. This monster took the letter of recommendation, went across the State line to West Virginia, was hired as a teacher, and several years later he had become a principal. Of course, these people don't change their ways, and he didn't. He continued to molest and attack little boys. It ended when he raped and killed a 12-year-old boy named Jeremy Bell in West Virginia.

That time, justice caught up with this teacher. He is now serving a life sentence in jail for that murder, but of course it is too late for Jeremy Bell. Tragically, Jeremy Bell is not alone.

Since JOE MANCHIN and I first began this effort in this Chamber 2½ years ago, at least 1,150 school employees

have been arrested across the country for sexual misconduct with the kids whom they are supposed to be looking after, they are supposed to be caring for, and they are supposed to be teaching—1,150. That is more than one a day. Of course, those are the ones where the officials knew enough to feel confident that they could make an arrest and actually press charges. How many more cases are actually happening? I would stress that these aren't just numbers. Every one of these 1,150 arrests represents a horrific tragedy and, in many cases, more than one.

Consider a few examples from my State of Pennsylvania.

Just this past January, the parents of children at Trinity High School in Washington County learned something absolutely horrific. They learned that a special education teacher there was charged with raping a little girl over a 15-year period. It started when she was just 3 years old, and they didn't discover this until she was 18. He had raped another little girl who was only 6 years old.

Or consider the Phoenixville Area Middle School in Chester County. In November 2013, the school's principal was sentenced to 2 years in prison for having child pornography. A month later, a special education and math teacher at the school was arrested for possessing child pornography, some involving very, very young children.

It is hard to even talk about these things. It is very uncomfortable to hear about this, to talk about this, but we can't shy away from this. If we think it is uncomfortable to think about it, talk about it, and hear about it, what about the experience for the child and the child's family? Every day it seems there is a new story.

In Pittsburgh, Plum High School, two teachers have pled guilty to having sex with younger students. A third one is awaiting trial on related charges. The DA is investigating allegations that the school superintendent and principal might have ignored reports of abuse along the way.

Another teacher has been charged with witness intimidation. He made one of the victims, a girl who is a victim, stand up in front of the class, and he mocked her because she brought the issue to the attention of the authorities.

This is outrageous. This has to stop. I have vowed that I am going to do everything I can to try to provide greater security to our kids in our schools.

This past December we took a big step in the right direction, in my view. Congress passed legislation, and President Obama signed it into law. It was legislation in the broader education bill we passed that had my legislation which now explicitly prohibits, forbids, knowingly recommending one of these monsters for hire. So exactly the circumstances that gave rise to the mur-

der of Jeremy Bell—where a school knows they have a pedophile, they discover it, and they still send along a letter of recommendation so that he can become someone else's problem—are now illegal, as well they should be. It is not as rare as you might think. In fact, the practice is so common that it is well understood in the circles of child advocates and the people who prosecute these crimes and who defend children when they have been victimized by these crimes. It is so common that it even has its own name. It is called "passing the trash." But, unfortunately, when we got that piece of our legislation passed, we were not successful in persuading all of our colleagues that we also had to have another element to this. To really keep our kids safe, we need to make sure that we have a rigorous background check and that people aren't able to skirt—and we know that does happen.

I promised I would be back on the Senate floor to try to address this weakness, this loophole—the fact that we don't have consistently rigorous background checks—to make sure that we are not hiring these creeps in the first place.

I am very pleased to announce today that I think we are very close to taking another step forward in this legislation, thanks to Chairman MCCAIN, who just left the floor. But the senior Senator from Arizona, the chairman of the Armed Services Committee, incorporated into this legislation, the national defense authorization bill, the bill that I introduced to protect our servicemembers' children. That is what it is called; it is called the Protecting Our Servicemembers' Children from Sexual and Violent Predators Act. It simply states that a school district that accepts Impact money—that is the funding we approve in Congress; it runs through the Defense Department, and it goes to the school districts that are educating the children of our servicemembers when they are on a base. What our legislation says is that such a school district has to have a safe environment for kids. That is all. They have to have a policy requiring criminal background checks for all the school workers, any adults, who have unsupervised contact with children. If a person applies for a job with such a school and it turns out they have been convicted—not alleged, but convicted of a serious crime, including murder, rape, or any violent or sexual crime against children—then such a person may not be employed at a school in a capacity where they would have unsupervised access to children. As I said, this applies only to those school districts that receive Federal Impact Aid; that is, those school districts that receive money to help compensate them for the fact that they are educating our military families' children. It is about 17 percent of America's school districts

that receive this Federal Impact Aid. It is roughly 8.5 million kids.

The legislation also applies to the DOD-operated schools. The Defense Department operates its own schools to educate the children of our military personnel. To the credit of the Defense Department, it is already their own internal policy to require these appropriate background checks that are rigorous enough to make sure that we stop a violent predator from being hired in this capacity.

Because it is just internal policy, it could change, and enforcement could lapse. What our legislation does is codify it because this is the right thing to do. Let's codify it. Since it is the right thing to do and we are doing it at our DOD schools, let's also do it at the other schools that are educating our military families' kids.

I don't think this should even be controversial. Pennsylvanians whom I talk to don't think this is controversial. Of course, they think we should insist that our schools are at least as safe an environment as we can make them. While the men and women are providing enormous service to all of us—the sacrifice they make by wearing the uniform, committing to serving in our Armed Forces—don't we owe it to them to provide the level of protection that we can provide to their kids? I think we do.

In addition, it shouldn't be controversial because, substantively, this isn't anything new.

Last year every Member of Congress but one—the vote was 523 to 1, the House and the Senate—passed almost identical background check legislation with respect to daycare workers who worked for a daycare that got funding through the childcare and development block grant bill. In other words, we have already agreed. With 1 dissenting vote—out of 100 Senators and 435 House Members, there was 1 dissenting vote. Every other Senator and House Member on both sides of the aisle agreed that this level of background check security ought to be provided for very young kids. Why wouldn't we do it for slightly older kids—the kids who are in primary and secondary schools—as well?

Despite that, there is opposition. Just last week, the senior Senator from Illinois came to the floor to criticize my legislation. He stated: "This provision fails to provide adequate due process and civil rights protections for innocent individuals." I want to address this because I couldn't disagree more.

First, it is important to note that our legislation—the legislation that forbids the hiring of these pedophiles, people who have committed these terrible crimes against kids—applies only if the applicant has been convicted of a crime. If you have been alleged or rumored—that is not what the legislation

contemplates; it is only someone who has been convicted.

The last time I checked, our criminal justice system was loaded with due process rights. In order to get a conviction, we have very elaborate processes that someone can avail themselves of, and of course they always do. So nobody has been convicted without having had the opportunity for all of us to pay for their lawyer to defend them, for instance, if they need to; to have a jury trial if they want to do that; all the civil rights guarantees throughout the Constitution. It is all there. Due process—they have already had enormous due process or they wouldn't have been convicted.

But our legislation goes a step beyond that. What we do is we say that the applicant is entitled to a copy of the background check, so they get full disclosure of whatever was discovered, and the school district must have an appeals process if it turns out the applicant is denied, because we acknowledge that it is conceivable that there could be a mistake. It could be like the wrong John Smith who is applying for a job at a school. There could be an error of some sort. In the first place, you have to have been convicted, and in the second place, you get to appeal. What more due process is necessary than that?

Well, I can tell you because we have had this debate before, and some on the other side have suggested that they want something that I don't even think qualifies as due process. It is a totally different category, but they call it due process. What they want is a carve-out. They want a minitrial. They want to give the convicted pedophile the opportunity to make the case for why an exception should be made in his case. It is unbelievable to me. How do I know this? Because last year 39 special interest groups sent a letter to the Senate asserting that it is unfair to deny even a convicted child molester a teaching job. They wrote this. I am going to quote from the letter briefly. It says:

We believe that individuals who have been convicted of crimes and have completed their sentences should not be unnecessarily subjected to additional punishments because of these convictions.

Let's think about what they are saying. What they are explicitly saying is that a person could admit to and be convicted of raping a child, serve a sentence, walk out of prison, go down the road to the local elementary school, apply for a job as a teacher, and they should be hired. It is unbelievable.

I am not suggesting that the pedophile should never be eligible to do any work at all, never have any job. That is not what I am saying. But how about we keep them away from young kids? Is that really unreasonable? That is all we are asking for. That is what we are saying.

We have other colleagues who object to this notion, this legislative ap-

proach, on the grounds that it offends their sense of federalism. They think we should leave it to the States to decide whether and to what extent the States and school districts will protect kids from predators. I strongly disagree with that for many reasons. We might well have an extended debate about that, but let me just give two brief ones.

First, I think we have an oversight responsibility. I think the Pennsylvanians who send me to the Senate and know I am casting votes on how we are going to spend their tax dollars expect that I am providing some kind of oversight—such that, for instance, their tax dollars aren't used to hire a pedophile in a school. That would not be a controversial notion with my constituents.

The second thing is that the folks who are hung up on the federalism issue insist that every State is free to do what it wants to do. They have to be able to pass whatever laws—or not—as they see fit.

What about the military family who can't determine which State? They don't get to pick the State in which they are based—not always. They are in a State. It is not their native State. They are assigned to that base in a particular State, and they have to live with whatever the laws are there.

Don't we agree that every child in America deserves to have protection from these predators?

I do.

Our legislation doesn't go that far. I wish it did. We tried, and I am not going to give up. But can't we at least provide that security for the children of our military families? That is what our legislation does do.

Again, I want to thank Chairman MCCAIN. He has been a consistent advocate for providing this level of protection to children. He was a cosponsor of my legislation that prohibited passing the trash. His support was essential in getting it passed last year, and I am really proud of and grateful to him for working with me to incorporate the language of my legislation into our NDAA legislation.

I strongly urge my colleagues that it is past time to act on this. As I said, Senator MANCHIN and I have been pushing this for 2½ years, and in that time another 1,150 school employees have been arrested for sexual misconduct with the kids they are supposed to be taking care of.

Clearly, we are not doing enough. And we really need to ask ourselves: How much bigger does that number have to get? How many more children have to have their childhoods ruined? How many families need to be torn apart before we are willing to pass this measure? I would argue that we have seen more than enough, the children of America have seen more than enough, and the children of the men and women

who wear the uniform of this country and who make the sacrifices to protect and defend all of us absolutely deserve this protection.

So I hope we will pass this Defense authorization bill with this language intact, and I once again express my appreciation to the chairman for putting it into the base text.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING MUHAMMAD ALI

Mr. McCONNELL. Mr. President, over the weekend the world learned the sad news of the passing of Muhammad Ali. Ali was one of the preeminent athletes of the 20th century. His story was an American story. It is one that touched people in every corner of the world. It is one that began in my hometown of Louisville. Louisville is where he grew up. Louisville is where he fought his first professional fight. Louisville is where the Muhammad Ali Center stands today. It is a memorial to his legacy and to his life story. It is where mourners now lay flowers in his memory.

As people around the world honor "The Greatest," the spotlight shines bright upon his hometown. I wish to again add my condolences as well. I wish to again recognize a legend from Louisville who was more than just a boxer, he was an icon known for grace on his feet and power in his fists inside the ring and a great exuberance for life outside it.

Mr. President, after needless and inexplicable delay by colleagues across the aisle, we have begun consideration of the National Defense Authorization Act today and will work to pass it this week.

The NDAA authorizes funds aimed at meeting the combat-readiness needs of our armed services, maintaining our national security posture, and supporting defense health care and benefits for servicemembers and their families. It is an important measure we consider each year. It is especially critical today given the myriad of threats facing our country.

The next Commander in Chief, regardless of party, will take office facing a number of security challenges—everything from instability in Libya, Syria, and Yemen, to a belligerent North Korea, to a newly aggressive Russia. It is imperative to do what we can now to better position our country to confront challenges currently facing us and to better prepare for those yet to come.

Ensuring military readiness and keeping Americans safe should be a top priority for all of us, so I would encourage my colleagues to put aside partisan politics and work together to bring this NDAA across the finish line this week. We may pass the bill on Friday, we may pass it sooner, but we will pass it this week. So let's all work hard to do so.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

50TH ANNIVERSARY OF THE AMERICAN CIVIL LIBERTIES UNION OF NEVADA

Mr. REID. Mr. President, today I wish to recognize the 50th anniversary of the American Civil Liberties Union, ACLU, of Nevada.

Since it was established in 1966, the ACLU of Nevada has been dedicated to protecting the civil rights and liberties of all Nevadans. The organization, which was founded in a living room by a group of volunteers, had humble beginnings, but has grown to include 2,000 members throughout the Silver State.

The ACLU of Nevada has been instrumental in defending voting, free speech, and other rights protected by the U.S. and Nevada Constitutions. The organization also works on other issues of importance to Nevadans, including privacy, public education, racial justice, criminal justice reform, and marriage equality. For instance, the ACLU of Nevada's efforts contributed to a successful outcome in the Nevada marriage equality case. Through public education, advocacy, and litigation, the ACLU of Nevada defends and advances the civil rights and liberties of Nevadans.

I commend the ACLU of Nevada for 50 years of exceptional service, and I applaud executive director Tod Story and his dedicated staff for their fine leadership of this organization. As the ACLU of Nevada begins its next chapter in protecting civil liberties in the Silver State, I wish the organization continued success.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notifica-

tion of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-17, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$301 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J.W. Rixey, Vice Admiral,
USN, Director.)

Enclosures:

TRANSMITTAL NO. 16-17

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:
Major Defense Equipment* \$216 million.
Other \$85 million.
Total \$301 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Up to eighty (80) STANDARD Missile, SM-2 Block IIIB Vertical Launching Tactical All-Up Rounds, RIM-66M-09.

Up to fifteen (15) MK 97 SM-2 Block IIIB Guidance Sections (GSs).

Non-MDE: This request also includes the following Non-MDE: MK 13 MOD 0 Vertical Launching System Canisters, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

(iv) Military Department: Navy (AMM).

(v) Prior Related Cases, if any: AT-P-AYR-28 JUL 10-\$39,499,569, AT-P-LCY-30 APR 05-\$221,521,728, AT-P-GSQ-22 APR 11-\$58,842,285

(vi)

(vii) Sales Commission, Fee, etc. Paid, Offered, or Agreed to be Paid: None.

(viii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(ix) Date Report Delivered to Congress: May 27, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia-SM-2 Block IIIB STANDARD Missiles

The Government of Australia requested a possible sale of:

Major Defense Equipment (MDE):

Up to eighty (80) STANDARD Missile, SM-2 Block IIIB Vertical Launching Tactical All-Up Rounds, RIM-66M-09.

Up to fifteen (15) MK 97 SM-2 Block IIIB Guidance Sections (GSs).

This request also includes the following Non-MDE: MK 13 MOD 0 Vertical Launching System Canisters, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

The total estimated value of MDE is \$216 million. The total overall estimated value is \$301 million.

Australia is one of the major political and economic powers in Southeast Asia, a key democratic partner of the United States in ensuring regional peace and stability, a close coalition ally in major/lesser regional contingency operations, and a close cooperative and international exchange agreement partner. It is vital to U.S. national interests that Australia develops and maintains a strong and ready self-defense capability. This sale is consistent with U.S. regional objectives.

The SM-2 Block IIIB missiles proposed in this purchase will be used for anti-air warfare test firings during Combat Systems Ship Qualification Trials for the Royal Australian Navy's three new Air Warfare Destroyers (AWD) currently under construction). The SM-2 Block IIIB missiles, combined with the Aegis combat systems in the AWDs, will provide significantly enhanced area defense capabilities over critical South East Asian air-and-sea-lines of communication. Australia has already integrated the SM-2 Block IIIA into its Perry-class FFGs and recently upgraded its Intermediate-Level Maintenance Depot at Defense Establishment Orchard Hills with new guided missile test equipment capable of maintaining the SM-2 All-Up Round. Australia will have no difficulty absorbing these new missiles.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Raytheon Missile Systems Company, Tucson, Arizona; Raytheon Company, Camden, Arkansas; and BAE of Minneapolis and Aberdeen, South Dakota. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this sale will not require the assignment of any U.S. or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-17

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. A completely assembled STANDARD Missile-2 (SM-2) Block IIIB with or without a conventional warhead, whether a tactical, telemetry or inert (training) configuration, is classified CONFIDENTIAL. Missile component hardware includes: Guidance Section (classified CONFIDENTIAL), Target Detection Device (classified CONFIDENTIAL), Warhead (UNCLASSIFIED), Rocket Motor (UNCLASSIFIED), Steering Control Section (UNCLASSIFIED), Safe and Arming Device (UNCLASSIFIED), Autopilot Battery Unit (classified CONFIDENTIAL), and if telemetry missiles, AN/DKT-71 Telemeters (UNCLASSIFIED).

2. SM-2 operator and maintenance documentation is usually CONFIDENTIAL. Ship-

board operation/firing guidance is generally CONFIDENTIAL. Pre-firing missile assembly/pedigree information is UNCLASSIFIED.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Australia.

CENTENNIAL OF THE WYOMING DENTAL ASSOCIATION

Mr. BARRASSO. Mr. President, I am honored to recognize the Wyoming Dental Association as it celebrates its 100th anniversary. This historic milestone marks the success of the organization's efforts to assist its members in their mission of achieving the highest level of patient care for Wyoming.

Life on the frontier posed many challenges for Wyoming's first dentists. Pioneer practitioners often traveled long distances through rugged terrain to treat their patients. Armed with rudimentary tools, including forceps, pedal-powered drills, and whiskey to kill the pain, these circuit riders treated patients with little or no oversight. Seeing a need for standardization, the Wyoming Legislature created the Wyoming Board of Dental Examiners, which required all practicing dentists to register with the State. In 1916, several licensed dentists joined to form the Wyoming Dental Association, an organization dedicated to supporting the State's dentists. From that day forward, the association's members dedicated themselves toward advancing the practice of dentistry.

Thanks to extensive progress made in technology and medical care, modern oral health care has dramatically improved. Today there are over 500 licensed dentists in Wyoming. Our State's dentists are dedicated to their patients' health, not only providing dental care, but also educating the public on the importance of oral hygiene. Every dentist has adopted a professional code of ethics and works to maintain the highest standards of excellence.

The Wyoming Dental Association is a leader in promoting dental hygiene. Through its dedicated advocacy and leadership, the association collaborates with the Wyoming Legislature, local government agencies, and nonprofit organizations to help the people of Wyoming. Their achievements are impressive.

In particular, dentists around the State volunteered hundreds of hours to complete Wyoming's oral health initiative, which was designed to gauge the overall dental health of residents. The initiative provided stakeholders with valuable data which led to the development of strategies to improve education and access to care. Thanks to the Wyoming Dental Association's participation in this crucial study, the State is advancing dental health care to new levels of success.

After 100 years, the Wyoming Dental Association is stronger than ever thanks to its incredible leadership. The dedicated efforts of the association's executive director, Diane Bouzis, and its current board of directors continue to improve the services its members receive. Thank you to President Mike Shane, President-elect Dana Leroy, Vice President Lance Griggs, Secretary-Treasurer Deb Shevick, and ADA delegates Rod Hill and Brad Kincheloe. We also acknowledge the hard work of the State's district directors, including Lorraine Gallagher, Brian Cotant, Steve Harmon, Paul Dona, Aaron Taff, and Leslie Basse. These incredible individuals serve the association and their patients with great integrity.

The Wyoming Dental Association is a remarkable organization committed to improving dental health care in all of Wyoming's communities. I am pleased to offer my sincere appreciation to the members of the Wyoming Dental Association as they celebrate their centennial.

TRIBUTE TO CARL GULBRANDSEN

Ms. BALDWIN. Mr. President, today I wish to honor Carl Gulbrandsen on his retirement from the Wisconsin Alumni Research Foundation, or WARF. After 19 impressive years at the foundation, 16 years as managing director, Carl committed his career to ensuring the success of WARF and its mission to support, aid, and encourage UW-Madison research by protecting its discoveries and licensing them for use around the world.

Carl's journey began when he enlisted in the military during the last years of the Vietnam war. Carl was stationed at a medical post in Germany, leading him to later obtain a Ph.D. in physiology from the University of Wisconsin-Madison in 1978. That same year, he began law school, as his medical background ignited an interest in the law and its impact on medical regulations.

After serving as a litigation lawyer at the firm of Ross and Stevens for several years, Carl decided to expand his legal practice, taking the patent law exam in 1985. Carl's first case secured a patent for vitamin D metabolism, a discovery made by Heinrich Schnoes and Hector DeLuca of UW-Madison's

biochemistry department, who went on to become WARF's most prolific patent holder.

Guided by his academic background, Carl's patent litigation career flourished. Carl firmly believed in the "Wisconsin Idea": the scientific research and work done at the University of Wisconsin should benefit the State as a whole. After a decade working in private practice, Carl joined WARF in 1997 as a legal adviser. In 2000, Carl took over as managing director, determined to create a transparent organization known for its deep and broad ranging expertise. Over the last 16 years as managing director, Carl's leadership has often called for grace under fire. In 1998, Dr. James Thomson's breakthrough research on human embryonic stem cells was considered one of the discoveries of the century, while at the same time sparking controversy and debate over the ethics of stem cell use. Carl's leadership ensured WARF's success amidst controversy, allowing researchers to continue their important research. Today, Dr. Thomson's work continues through the nonprofit WiCell Research Institute, which provides stem cell resources to more than 300 labs worldwide, assisting scientists in the discovery of new breakthroughs in stem cell applications.

Under Carl's direction, WARF achieved significant global impact and continues to give back to the UW community and the Wisconsin economy as a whole. Since 2000, WARF's endowment has doubled to \$2.86 billion, enabling it to gift \$895 million to the UW-Madison, ensuring its continued success as a top research institution. Additionally, Carl helped establish WiSys Technology Foundation to guarantee that the impressive scientific advances at campuses throughout the UW System go beyond campus laboratories and into the marketplace.

As his tenure as managing director comes to a close, Carl's work and expertise has firmly established WARF as one of the Nation's most respected scientific organizations. Under his leadership, WARF helped shape stem cell policy, brought forth new cancer therapies, and created countless technologies that will improve and even save lives. Although I am sure he will be missed by colleagues and those whose lives he has impacted, I am excited that he will have the opportunity to pursue other goals. I wish him, his wife, Mary, and their family well as they write the next chapter of their lives.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. JANIE DARR

• Mr. BOOZMAN. Mr. President, today I honor Rogers School District Superintendent Dr. Janie Darr, who will re-

tire this month after nearly five decades of commitment to education in the community. For more than 40 years, Dr. Darr has served the Rogers School District, beginning as an English teacher in 1967, before working her way up to administrative assistant and eventually superintendent when chosen by the school board in 1999.

During her tenure with the school district, she has made sure that students come first. Rogers High School has been named as one of the best high schools in the State and Nation by U.S. News and World Report under the direction of Dr. Darr. She has directed the district in times of fast growth and increased diversity. The Rogers School Board recognized Dr. Darr's dedication to education by naming its newest elementary school in her honor. The Janie Darr Elementary School opened in 2014 and has the capacity to serve up to 750 students.

Dr. Darr has a special way of treating everyone with dignity and respect, so it is no surprise that public service is a centerpiece of her life. If serving as superintendent isn't enough to keep her busy, her commitment to the community and the State keep her active in a variety of other roles, including service on the Arvest Bank Board, United Way, Ozark Guidance Center, and Rogers Historical Museum boards. She is an ex-officio member of the Rogers Public Education Foundation board and a lifetime member of the parent-teacher association. She is an active member of Central United Methodist Church in Rogers, where she is a trustee and former staff-parish relations and education committee chair, as well as a former Sunday school teacher and youth counselor.

I congratulate Dr. Janie Darr for her outstanding commitment to education, the Rogers School District, and our community as a whole. As a member of the Rogers School Board for many years, I had the privilege of working closely with Dr. Darr and have greatly appreciated her friendship and leadership. I enjoyed supporting her efforts to continue making the school district a positive experience for students, faculty, and staff. I wish her continued success in retirement. Rogers School District is much improved thanks to the dedicated leadership of Dr. Darr.●

RECOGNIZING FORT SMITH NATIONAL HISTORIC SITE

• Mr. COTTON. Mr. President, in honor of the National Park Service's 100th birthday year, I want to recognize Fort Smith National Historic Site in Fort Smith, AR. Situated along the Arkansas River, Fort Smith was officially recognized as a historic site in 1961 to preserve two frontier forts from the 19th century, as well as the courtroom of the U.S. District Court for the Western District of Arkansas. These sites

are a wonderful representation of the history of the Arkansas River Valley.

The first fort was first established to resolve disputes between the Osage and Cherokee in 1817. But as frontier settlement continued further west, the fort was eventually abandoned in 1824. The remnants of its foundation were later uncovered by archeologists and are visible on site today.

The second fort was built in 1838, just 2 years after Arkansas officially became a State. It served a variety of functions for over three decades. Two of the fort's original buildings are still intact today and are open for tours. Visitors to Fort Smith can make a stop in the fort's original commissary building and experience firsthand what it was like when it functioned as supply warehouse for provisions waiting to be sent to troops out west.

Fort Smith is also home to the jail and courtroom where the infamous Judge Isaac Parker—also called the hanging judge for the number of death sentences he handed down—presided for two decades in the late 19th century. Although jurisdiction of this particular court has since shifted, at the time, Judge Parker and the court wielded vast influence over an expansive area.

The Fort Smith National Historic Site is just another example of Arkansas' rich American history. I encourage Arkansans and all Americans to stop by and learn about some of the prominent figures and characters in 19th century Arkansas—including U.S. marshals, outlaws, and judges. In honor of the National Park Service's 100th year, I encourage you to find your park.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on May 27, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bill was signed on May 27, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. CASSIDY).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 3, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) has signed the following enrolled bills:

H.R. 136. An act to designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the "Camp Pendleton Medal of Honor Post Office".

H.R. 433. An act to designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the "Specialist Ross A. McGinnis Memorial Post Office".

H.R. 1132. An act to designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the "W. Ronald Coale Memorial Post Office Building".

H.R. 2458. An act to designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the "Lionel R. Collins, Sr. Post Office Building".

H.R. 2928. An act to designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the "Harold George Bennett Post Office".

H.R. 3082. An act to designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the "Daryle Holloway Post Office Building".

H.R. 3274. An act to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the "Francis Manuel Ortega Post Office".

H.R. 3601. An act to designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the "Melvoid J. Benson Post Office Building".

H.R. 3735. An act to designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the "Maya Angelou Memorial Post Office".

H.R. 3866. An act to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building".

H.R. 4046. An act to designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office.

H.R. 4605. An act to designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the "Sgt. 1st Class Terryl L. Pasker Post Office Building".

Under the authority of the order of the Senate of January 6, 2015, the en-

rolled bills were signed on June 3, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MCCONNELL).

ENROLLED JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 3, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following joint resolution:

H.J. Res. 88. Joint resolution disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary".

Under the authority of the order of the Senate of January 6, 2015, the enrolled joint resolution was signed on June 3, 2016, during the adjournment of the Senate, by the Acting President pro tempore (Mr. MCCONNELL).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3011. A bill to improve the accountability, efficiency, transparency, and overall effectiveness of the Federal Government.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 27, 2016, she had presented to the President of the United States the following enrolled bill:

S. 184. An act to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 3017. An original bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BURR:

S. 3017. An original bill to authorize appropriations for fiscal year 2017 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. KING (for himself, Mr. RISCH, Ms. COLLINS, and Mr. HEINRICH):

S. 3018. A bill to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector; to the Committee on Energy and Natural Resources.

By Mr. ROUNDS:

S. 3019. A bill to require the Secretary of Defense to implement processes and procedures to provide expedited evaluation and treatment for prenatal surgery under the TRICARE program; to the Committee on Armed Services.

By Mr. GARDNER:

S. 3020. A bill to update the map of, and modify the maximum acreage available for inclusion in, the Florissant Fossil Beds National Monument; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself and Mr. LANKFORD):

S. 3021. A bill to amend title 38, United States Code, to authorize the use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE (for himself, Mrs. BOXER, Mr. DURBIN, Mr. MARKEY, Mr. MENENDEZ, Mr. REID, Mr. SCHUMER, and Mrs. SHAHEEN):

S. 3022. A bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MCCASKILL:

S. 3023. A bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VITTER (for himself and Mr. PETERS):

S. 3024. A bill to improve cyber security for small businesses; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Mr. RUBIO, Mr. MARKEY, Ms. AYOTTE, Mr. COONS, and Mr. KIRK):

S. Res. 482. A resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible; to the Committee on Foreign Relations.

By Mr. ALEXANDER (for himself and Mr. DURBIN):

S. Res. 483. A resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 484. A resolution authorizing the taking of a photograph in the Senate Chamber; considered and agreed to.

ADDITIONAL COSPONSORS

S. 271

At the request of Mr. REID, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 356

At the request of Mr. LEE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 366

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 386

At the request of Mr. THUNE, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 591

At the request of Mr. BLUNT, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 591, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 698

At the request of Mr. ENZI, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 698, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 979

At the request of Mr. NELSON, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit

Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1062

At the request of Ms. HIRONO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1062, a bill to improve the Federal Pell Grant program, and for other purposes.

S. 1473

At the request of Mr. MARKEY, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 1473, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 1479

At the request of Mr. MARKEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1479, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1566

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 2175

At the request of Mr. TESTER, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2175, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 2200

At the request of Mrs. FISCHER, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2200, a bill to amend the Fair Labor Standards Act of 1938 to strengthen equal pay requirements.

S. 2301

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2301, a bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2487

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

At the request of Mrs. BOXER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2487, *supra*.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2596

At the request of Mr. HELLER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2596, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.

S. 2598

At the request of Ms. WARREN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2655

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2655, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2659

At the request of Mr. BURR, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2717

At the request of Mr. BARRASSO, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2717, a bill to improve the

safety and address the deferred maintenance needs of Indian dams to prevent flooding on Indian reservations, and for other purposes.

S. 2773

At the request of Ms. AYOTTE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2773, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 2800

At the request of Mr. COONS, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Maine (Ms. COLLINS), and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2854

At the request of Mr. BURR, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2882

At the request of Mrs. CAPITO, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2882, a bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2944

At the request of Mr. GRASSLEY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2944, a bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes.

S. 2993

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2993, a bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms.

S. 3007

At the request of Mr. COTTON, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 3007, a bill to prohibit funds from being obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President submits a certification related to such sensor to Congress and for other purposes.

S. 3012

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3012, a bill to amend the Federal Power Act to establish an Office of Public Participation and Consumer Advocacy.

S. CON. RES. 35

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. RES. 462

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 462, a resolution urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

S. RES. 478

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. Res. 478, a resolution expressing support for the designation of June 2, 2016, as "National Gun Violence Awareness Day" and June 2016 as "National Gun Violence Awareness Month".

AMENDMENT NO. 4067

At the request of Mr. WARNER, the names of the Senator from Montana (Mr. DAINES) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4112

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4112 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4120

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 4120 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4138

At the request of Mr. PETERS, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Montana (Mr. TESTER) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 4138 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4175

At the request of Mr. REID, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4175 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4227

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4227 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4235

At the request of Mr. HELLER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 4235 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4250

At the request of Mrs. SHAHEEN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of amendment No. 4250 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4252

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 4252 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4295

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 4295 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4334

At the request of Mr. UDALL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4334 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4346

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4346 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year

2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4356

At the request of Mr. LEAHY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4356 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4369

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Mr. MARKEY), the Senator from Ohio (Mr. BROWN), the Senator from Vermont (Mr. LEAHY), the Senator from Hawaii (Ms. HIRONO), the Senator from Rhode Island (Mr. REED), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Montana (Mr. TESTER), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Mr. KIRK), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. UDALL), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. SCHATZ), the Senator from Kansas (Mr. MORAN), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. CARDIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 4369 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 482—URGING THE EUROPEAN UNION TO DESIGNATE HIZBALLAH IN ITS ENTIRETY AS A TERRORIST ORGANIZATION AND TO INCREASE PRESSURE ON THE ORGANIZATION AND ITS MEMBERS TO THE FULLEST EXTENT POSSIBLE

Mrs. SHAHEEN (for herself, Mr. RUBIO, Mr. MARKEY, Ms. AYOTTE, Mr. COONS, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 482

Whereas in July 2012, a Hizballah terror attack in Bulgaria killed 5 Israeli tourists and 1 Bulgarian;

Whereas in March 2013, a Hizballah operative in Cyprus was convicted of planning terror attacks after admitting that he was a member of Hizballah, had been trained in the use of weapons, and used a dual Swedish-Lebanese passport to travel around Europe on missions as a courier and scout for Hizballah;

Whereas although that Hizballah operative was convicted on criminal-related charges, authorities had to drop terrorism charges against him because Hizballah was not listed as a terrorist organization;

Whereas in July 2013, the European Union (referred to in this Resolution as the "EU") designated Hizballah's so-called "military wing", but not the organization as a whole, as a terrorist organization;

Whereas the EU designation of Hizballah's military wing has enabled substantial and important cooperation between United States and European authorities aimed at uncovering and thwarting Hizballah's international criminal activities, such as drug trafficking and money laundering, the proceeds of which are used to purchase weapons and advance Hizballah's terrorist aims;

Whereas the Hizballah International Financing Prevention Act of 2015 (Public Law 114-102) was signed into law in December 2015, broadening financial sector sanctions against Hizballah to compel foreign financial institutions to refrain from supporting the terrorist group;

Whereas in February 2016, the United States Drug Enforcement Administration and U.S. Customs and Border Protection partnered with counterparts in France, Germany, Italy, and Belgium to arrest top leaders of the European cell of Hizballah's External Security Organization Business Affairs Component, which engages in international money laundering and drug trafficking to support Hizballah's terror activities;

Whereas for many years, Iran and Syria have been the prime sponsors of Hizballah, by harboring, financing, training, and arming the terrorist group;

Whereas according to the Department of State's Country Reports on Terrorism, Iran has armed Hizballah, provided hundreds of millions of dollars in support of Hizballah, and trained thousands of its fighters;

Whereas Hizballah now has an arsenal of approximately 150,000 missiles and rockets, many of which can reach deep into Israel, at a time when Hizballah Secretary General Hassan Nasrallah is threatening to invade Galilee or attack civilian Israeli chemical plants to generate mass destruction;

Whereas while the EU confronts the migrant crisis sparked by violence in Syria, 6,000 to 8,000 Hizballah fighters have been on the ground in Syria aiding the Assad regime in its slaughter of innocent Syrians;

Whereas the Lebanese Armed Forces, the legitimate security establishment of the country as set forth in United Nations Security Council Resolution 1701 (2006), are struggling to control the flow of weapons and Hizballah fighters at its borders;

Whereas Hizballah trains and provides weapons for armed groups in Iraq and Yemen, further destabilizing the region and perpetuating violence in those countries;

Whereas in October 2012, Hizballah Deputy Secretary General Naim Qassem stated that Hizballah does not "have a military wing and a political one . . . Every element of Hizballah, from commanders to members as

well as our various capabilities, are in the service of the resistance”;

Whereas the United States, Canada, Israel, and the Netherlands have designated Hizballah in its entirety as a terrorist organization, while Australia and New Zealand have applied the designation to the organization's military wing;

Whereas in March 2016, the Gulf Cooperation Council, composed of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates, formally branded Hizballah, in its entirety, a terrorist organization, and the League of Arab States shortly thereafter adopted the same designation; and

Whereas in April 2016, the Organization of Islamic Cooperation, denounced Hizballah's “terrorist acts” in the Middle East:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses appreciation to the EU for the progress made in countering Hizballah since the EU designated Hizballah's military wing as a terrorist organization;

(2) expresses support for the continued, increased cooperation between the United States and the EU in thwarting Hizballah's criminal and terrorist activities; and

(3) urges the EU to designate Hizballah in its entirety as a terrorist organization and increase pressure on the group, including through—

(A) facilitating better cross-border cooperation between EU members in combating Hizballah;

(B) issuing arrest warrants against members and active supporters of Hizballah;

(C) freezing Hizballah's assets in Europe, including those masquerading as charities; and

(D) prohibiting fundraising activities in support of Hizballah.

SENATE RESOLUTION 483—DESIGNATING JUNE 20, 2016, AS “AMERICAN EAGLE DAY” AND CELEBRATING THE RECOVERY AND RESTORATION OF THE BALD EAGLE, THE NATIONAL SYMBOL OF THE UNITED STATES

Mr. ALEXANDER (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 483

Whereas the bald eagle was chosen as the central image of the Great Seal of the United States on June 20, 1782, by the Founding Fathers at the Congress of the Confederation;

Whereas the bald eagle is widely known as the living national symbol of the United States and for many generations has represented values such as—

- (1) freedom;
- (2) democracy;
- (3) courage;
- (4) strength;
- (5) spirit;
- (6) independence;
- (7) justice; and
- (8) excellence;

Whereas the bald eagle is unique only to North America and cannot be found naturally in any other part of the world, which was one of the primary reasons the Founding Fathers selected the bald eagle to symbolize the Government of the United States;

Whereas the bald eagle is the central image used in the official logos of many branches and departments of the Federal Government, including—

- (1) the Office of the President;
- (2) Congress;
- (3) the Supreme Court;
- (4) the Department of Defense;
- (5) the Department of the Treasury;
- (6) the Department of Justice;
- (7) the Department of State;
- (8) the Department of Commerce;
- (9) the Department of Homeland Security;
- (10) the Department of Veterans Affairs;
- (11) the Department of Labor;
- (12) the Department of Health and Human Services;
- (13) the Department of Energy;
- (14) the Department of Housing and Urban Development;
- (15) the Central Intelligence Agency; and
- (16) the United States Postal Service;

Whereas the bald eagle is an inspiring symbol of the spirit of freedom and the sovereignty of the United States;

Whereas the image and symbolism of the bald eagle has played a significant role in art, music, literature, architecture, commerce, education, and culture in the United States, and on United States stamps, currency, and coinage;

Whereas the bald eagle was once endangered and facing possible extinction in the lower 48 States, but has made a gradual and encouraging comeback to the lands, waterways, and skies of the United States;

Whereas the dramatic recovery of the national bird of the United States is an endangered species success story and an inspirational example to other environmental, natural resource, and wildlife conservation efforts worldwide;

Whereas, in 1940, noting that the species was “threatened with extinction”, Congress passed the Bald Eagle Protection Act (16 U.S.C. 668 et seq.), which prohibited killing, selling, or possessing the species, and a 1962 amendment expanded protection to the golden eagle, thereby establishing the Bald and Golden Eagle Protection Act;

Whereas, by 1963, there were only an estimated 417 nesting pairs of bald eagles remaining in the lower 48 States, with loss of habitat, poaching, and the use of pesticides and other environmental contaminants contributing to the near demise of the national bird of the United States;

Whereas the bald eagle was officially declared an endangered species in 1967 under the Endangered Species Preservation Act of 1966 (Public Law 89-669; 80 Stat. 926) in all areas of the United States south of the 40th parallel due to the dramatic decline in the population of the bald eagle in the lower 48 States;

Whereas the Endangered Species Act (16 U.S.C. 1531 et seq.) was signed into law in 1973 and, in 1978, the bald eagle was listed as “endangered” throughout the lower 48 states, except in Michigan, Minnesota, Oregon, Washington, and Wisconsin, where it was designated as “threatened”;

Whereas, in July 1995, the United States Fish and Wildlife Service announced that bald eagles in the lower 48 States had recovered to the point where populations of bald eagles previously considered “endangered” were now considered “threatened”;

Whereas, by 2007, bald eagles residing in the lower 48 States had rebounded to approximately 11,000 pairs;

Whereas the United States Department of the Interior and the United States Fish and Wildlife Service removed the bald eagle from Endangered Species Act protection on June 28, 2007, but the species continues to be protected under the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668 et seq.), the

Migratory Bird Treaty Act of 1918 (16 U.S.C. 703 et seq.), and the Lacey Act and the amendments thereto (16 U.S.C. 3371 et seq.);

Whereas the trained, educational bald eagle “Challenger” of the American Eagle Foundation in Pigeon Forge, Tennessee, was invited by the United States Department of the Interior to perform a free-flight demonstration during the official bald eagle delisting ceremony held at the Jefferson Memorial in Washington, DC;

Whereas experts and population growth charts estimate that the bald eagle population could reach 15,000 pairs, even though a physical count has not been conducted by State and Federal wildlife agencies since 2007;

Whereas caring and concerned agencies, corporations, organizations, and people of the United States representing the Federal, State, and private sectors passionately and resourcefully banded together, determined to save and protect the national bird of the United States;

Whereas the recovery of the bald eagle population in the United States was largely accomplished due to the dedicated and vigilant efforts of Federal and State wildlife agencies and non-profit organizations, such as the American Eagle Foundation, through public education, captive breeding and release programs, hacking and release programs, and the translocation of bald eagles from places in the United States with dense bald eagle populations to suitable locations in the lower 48 States which had suffered a decrease in bald eagle populations;

Whereas various non-profit organizations, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, contribute to the continuing recovery of the bald eagle through rehabilitation and educational efforts;

Whereas the bald eagle might have been lost permanently if not for dedicated conservation efforts and strict protection laws like the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the Bald and Golden Eagle Protection Act of 1940 (16 U.S.C. 668 et seq.), the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703 et seq.), and the Lacey Act and the amendments thereto (16 U.S.C. 3371 et seq.); and

Whereas the sustained recovery of the bald eagle population will require the continuation of recovery, management, education, and public awareness programs to ensure that the population numbers and habitat of the bald eagle will remain healthy and secure for generations to come: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 20, 2016, as “American Eagle Day”;

(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a way to generate critical funds for the protection of the bald eagle; and

(3) encourages—

(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and

(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

SENATE RESOLUTION 484—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE SENATE CHAMBER

Mr. MCCONNELL (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 484

Resolved, That paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph the Senate in actual session on Tuesday, June 14, 2016, at the hour of 2:15 p.m.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefore, which arrangements shall provide for a minimum of disruption to Senate proceedings.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4372. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4373. Mr. MARKEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4374. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4375. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4376. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4377. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4378. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4379. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4380. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4381. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4382. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4383. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4384. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4385. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4386. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4387. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4388. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4389. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4390. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4391. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4392. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4393. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4394. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4395. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4396. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4397. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4398. Mr. MCCAIN (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4399. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4400. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4401. Mr. REID (for Mr. BOOKER (for himself and Mr. BROWN)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4402. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4403. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4404. Mr. PAUL (for himself, Mr. MURPHY, and Mr. LEE) submitted an amendment

intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4405. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4406. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4407. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4408. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4409. Mr. WYDEN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4410. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4411. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4412. Ms. AYOTTE (for herself and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4413. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4414. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4415. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4416. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4417. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4418. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4419. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4420. Mr. CORKER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4421. Mr. WARNER (for himself, Mr. CARPER, Mr. COONS, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4422. Mr. BENNET (for himself, Mr. HATCH, Mr. BLUMENTHAL, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4423. Mr. PORTMAN submitted an amendment intended to be proposed by him

to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4424. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4425. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4426. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4427. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4428. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4429. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4430. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4431. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4432. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4433. Mr. WYDEN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4434. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4435. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4436. Mr. RUBIO (for himself, Mr. SULIVAN, Mr. CASSIDY, Mr. VITTER, Mr. BLUNT, Mrs. CAPITO, Mr. WICKER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4437. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4438. Mr. SCHATZ (for himself, Mr. BROWN, Ms. MIKULSKI, Mr. INHOFE, Mr. HATCH, Mr. KAINE, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4439. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4440. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4441. Mr. BLUMENTHAL (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4442. Mr. CRUZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4443. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4444. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4445. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4446. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4447. Mr. CRUZ (for himself, Mr. GRASSLEY, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4372. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 926. REPORT ON SERVICE-COMMON SUPPORT AND ENABLING CAPABILITIES CONTRIBUTED BY THE ARMED FORCES TO UNITED STATES SPECIAL OPERATIONS FORCES.

(a) **REPORT REQUIRED.**—
(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a written report on service-common support and enabling capabilities contributed by each of the Armed Forces to special operations forces.

(2) **ELEMENTS.**—The report under paragraph (1) shall include the following:

(A) A definition of the terms “service-common” and “special operations-peculiar”.

(B) A description of the factors and process used by the Department of Defense to determine whether combat support, combat service support, base operating support, and enabling capabilities are service-common or special operations-peculiar.

(C) A detailed accounting of the resources allocated by each Armed Force to provide combat support, combat service support, base operating support, and enabling capabilities for special operations forces.

(D) An identification of any change in the level or type of service-common support and enabling capabilities provided by each of the Armed Forces to special operations forces in fiscal year 2017 when compared with fiscal year 2016, including the rationale for any such change and any mitigating actions.

(E) An assessment of the specific effects that the budget of the President for fiscal year 2017 (as submitted to Congress pursuant to section 1105 of title 31, United States Code), and any anticipated future manpower and force structure changes, are likely to have on the ability of each of the Armed Forces to provide service-common support

and enabling capabilities to special operations forces.

(F) Any other matters the Secretary considers appropriate.

(b) **ANNUAL UPDATES.**—For each of fiscal years 2018 through 2020, the Secretary shall submit to the congressional defense committees an update of the report under subsection (a) at the same time as the budget of the President for such fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code.

(c) **FORM.**—The report under subsection (a) and each update under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SA 4373. Mr. MARKEY (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 221. MICRO-PURCHASE THRESHOLD FOR UNIVERSITIES, INDEPENDENT RESEARCH INSTITUTES, AND NON-PROFIT RESEARCH ORGANIZATIONS.

Section 1902 of title 41, United States Code, is amended—

(1) in subsection (a), as amended by section 215(b)—

(A) by inserting “(1)” before “Except as provided”;

(B) by inserting “and paragraph (2)” after “section 2338 of title 10”; and

(C) by adding at the end the following new paragraph:

“(2) For purposes of this section, the micro-purchase threshold for procurement activities administered under sections 6303 through 6305 of title 31, United States Code, by institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), or related or affiliated nonprofit entities, or by nonprofit research organizations or independent research institutes is—

“(A) \$10,000; or

“(B) such higher threshold as determined appropriate by the head of the relevant executive agency and consistent with clean audit findings under chapter 75 of title 31, United States Code, internal institutional risk assessment, or State law.”; and

(2) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting “with a price not greater than the micro-purchase threshold”.

SA 4374. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. MILITARY APPRENTICESHIP PROGRAMS.

(a) **PROMOTION REQUIRED.**—The Secretary of Defense shall, in consultation with the Secretary of Labor, promote the enhancement and implementation of military apprenticeship programs that provide an opportunity for members of the Armed Forces to improve their job skills and obtain certificates of completion for registered apprenticeship programs while on active duty. The Secretary of Defense also shall promote connections between military training, education, and transition activities and registered apprenticeship programs in order to improve employment outcomes for veterans and help ready-to-hire employers connect to this skilled workforce.

(b) **VOLUNTARY GOALS.**—In carrying out subsection (a), the Secretary of Defense shall establish voluntary goals for each Armed Force relating to—

(1) the number of members participating in activities relating to registered apprenticeships prior to separation from active duty;

(2) the establishment of partnerships with registered apprenticeship programs through the United Services Military Apprenticeship Program, Skill Bridge programs, Transition Assistance Program, tuition assistance programs, and other appropriate mechanisms; and

(3) the number of veterans entering registered apprenticeship programs upon separation from active duty.

(c) **BIENNIAL REPORT.**—Not later than two years after the date of the enactment of this Act, and every two years thereafter, the Secretary of Defense shall submit to the appropriate committees of Congress a report describing the activities undertaken pursuant to this section during the two-year period ending on the date of such report, including a description and assessment of the progress made in achieving the voluntary goals established under subsection (b).

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(2) the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives.

SA 4375. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. ARSENAL INSTALLATION REUTILIZATION AUTHORITY.

(a) **MODIFIED AUTHORITY.**—In the case of a military manufacturing arsenal, the Secretary concerned may authorize leases and contracts under section 2667 of title 10, United States Code, for a term of up to 25 years, notwithstanding subsection (b)(1) of such section, if the Secretary determines that a lease or contract of that duration will promote the national defense or be in the public interest for the purpose of—

(1) helping to maintain the viability of the military manufacturing arsenal and any military installations on which it is located;

(2) eliminating, or at least reducing, the cost of Government ownership of the military manufacturing arsenal, including the costs of operations and maintenance, the costs of environmental remediation, and other costs; and

(3) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

(b) **DELEGATION.**—The Secretary concerned may delegate the authority provided by this section to the commander of the major subordinate command of the Army that has responsibility for the military manufacturing arsenal or, if part of a larger military installation, the installation as a whole. The commander may approve such an arrangement on a case-by-case basis or a class basis.

(c) **MILITARY MANUFACTURING ARSENAL DEFINED.**—In this section, the term “military manufacturing arsenal” means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.

(d) **SUNSET.**—The authority under this section shall terminate at the close of September 30, 2019.

SA 4376. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 215.

On page 476, line 6, strike “is amended” and insert “, as amended by section 811(b)(1), is further amended”.

On page 476, strike lines 8 through the matter following line 14 and insert the following:

“§ 2339. Micro-purchase threshold

“Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is \$5,000, except that for purposes of basic research programs and for the activities of the Department of Defense science and technology reinvention laboratories, the micro-purchase threshold for the Department for purposes of such section is \$10,000.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter, as amended by section 811(b)(2), is further amended by adding at the end the following new item:

“2339. Micro-purchase threshold.”.

On page 484, line 22, strike “is amended” and insert “as amended by section 812(a)(1), is further amended”.

On page 485, line 1, strike “2338” and insert “2340”.

On page 490, line 7, strike “is amended” and insert “, as amended by section 812(a)(2), is further amended”.

On page 490, strike the matter following line 8 and insert the following:

“2340. Comprehensive small business contracting plans.”.

On page 492, line 9, strike “is amended” and insert “as amended by section 818(a)(1), is further amended”.

On page 492, line 11, strike “2338” and insert “2341”.

On page 495, line 2, strike “is amended” and insert “, as amended by section 818(a)(2), is further amended”.

On page 495, strike the matter following line 3 and insert the following:

“2341. Government Accountability Office bid protests.”.

On page 508, strike lines 10 through 20 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **TRAINING.**—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, the Defense Acquisition University shall develop and implement a training program for Department of Defense acquisition personnel on share-in-savings contracts and other contracts to achieve similar goals.”.

On page 509, line 7, strike “is amended” and insert “as amended by section 821(a), is further amended”.

On page 509, line 9, strike “2338” and insert “2342”.

On page 511, line 16, strike “is amended” and insert “as amended by section 821(b), is further amended”.

On page 511, strike the matter following line 17 and insert the following:

“2342. Special emergency procurement authority.”.

On page 519, line 6, strike “For purposes” and insert “Except as provided in paragraph (2), for purposes”.

On page 521, line 9, strike “(2) **RECOMMENDATIONS.**—” and insert the following:

(2) **EXCEPTION.**—The limitation under paragraph (1) does not apply to contracts with the Central Nonprofit Agency designated to serve agencies for the blind pursuant to section 8503(C) of title 41, United States Code, National Industries for the Blind, or to a qualified nonprofit agency for the blind, as that term is defined in section 8501(7) of title 41, United States Code.

(3) **RECOMMENDATIONS.**—

On page 529, strike lines 12 through 15 and insert the following:

(c) **CONFORMING AMENDMENTS.**—(1) Section 2334(a) of title 10, United States Code, is amended—

(A) in paragraph (2), by striking “or a major automated information system under chapter 144A of this title”; and

(B) in paragraph (6)—

(i) in clause (ii), by striking the semicolon and inserting “; and”; and

(ii) by striking clause (iv).

(2) Section 1706(c)(2) of title 10, United States Code, is amended by striking “has the meaning given such term in section 2445a of this title.” and inserting the following: “means a Department of Defense program for the acquisition of an automated information system (either as a product or a service) if—

“(A) the program is designated by the Secretary of Defense, or a designee of the Secretary, as a major automated information system program; or

“(B) the dollar value of the program is estimated to exceed—

“(i) \$ 32,000,000 in fiscal year 2000 constant dollars for all program costs in a single fiscal year;

“(ii) \$ 126,000,000 in fiscal year 2000 constant dollars for all program acquisition costs for the entire program; or

“(iii) \$ 378,000,000 in fiscal year 2000 constant dollars for the total life-cycle costs of

the program (including operation and maintenance costs)."

(3) Section 2505(b)(6) of title 10, United States Code, is amended by striking "as defined in section 2445a" and inserting "as defined in section 1706(c)(2)".

On page 541, line 16, strike "is amended" and insert "as amended by section 829B(a), is further amended".

On page 541, line 18, strike "2338" and insert "2343".

On page 542, line 20, strike "is amended" and insert "as amended by section 829B(b), is further amended".

On page 542, strike the matter following line 21 and insert the following:

"2343. Counting of major defense acquisition program subcontracts toward small business goals."

On page 585, lines 2 and 3, strike "TECHNICAL" and insert "TECHNOLOGY".

On page 585, line 8, strike "Technical" and insert "Technology".

On page 585, line 12, strike "Technical" and insert "Technology".

On page 585, line 23, strike "Technical" and insert "Technology".

On page 586, line 1, strike "Technical" and insert "Technology".

On page 586, line 8, strike "Technical" and insert "Technology".

On page 587, line 11, strike "Technical" and insert "Technology".

On page 599, line 20, strike "is amended" and insert "as amended by section 838(a), is further amended".

On page 599, line 22, strike "2338" and insert "2344".

On page 600, line 13, strike "is amended" and insert "as amended by section 838(b), is further amended".

On page 600, strike the matter following line 14 and insert the following:

"2344. Clarification of treatment of contracts performed outside the United States."

On page 605, line 12, strike "is amended" and insert "as amended by section 884(a), is further amended".

On page 605, line 14, strike "2338" and insert "2345".

On page 606, line 22, strike "not" and insert "only".

On page 610, line 6, strike "is amended" and insert "as amended by section 884(b), is further amended".

On page 610, strike the matter following line 7 and insert the following:

"2345. Contractor business system requirements."

On page 614, strike lines 1 and 2 and insert the following:

SEC. 894. ADDITIONAL DUTIES OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

On page 1018, strike line 13 and all that follows through "(e)" on line 24 and insert "(d)".

On page 1064, line 23, strike "conducting" and insert "building the capacity of such country or countries to conduct".

On page 1129, line 20, insert "available" before "unobligated".

SA 4377. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1613. SENSE OF CONGRESS ON PROCUREMENT OF VEHICLES FOR THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM.

It is the sense of Congress that the Secretary of the Air Force should assess whether there could be benefits from maintaining three providers of vehicles for the evolved expendable launch vehicle program for next-generation launch to mitigate risk in the program and to increase competition in and lower the cost of the program.

SA 4378. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1032, after line 23, add the following:

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it should be the policy of the United States to support, within the framework of the Iraq Constitution, the Kurdish Peshmerga in Iraq, Iraq Security Forces, Sunni tribal forces, and other local security forces, including ethnic and religious minority groups such as Iraqi Christian militias, in the campaign against the Islamic State of Iraq and the Levant;

(2) recognizing the important role of the Kurdish Peshmerga in Iraq in the military campaign against the Islamic State of Iraq and the Levant in Iraq, the United States should provide arms, training, and appropriate equipment to the Kurdistan Regional Government;

(3) efforts should be made to ensure transparency and oversight mechanisms are in place for oversight of United States assistance under section 1236 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 in order to combat waste, fraud, and abuse; and

(4) securing safe areas, including the Nineveh Plain, for purposes of resettling and reintegrating ethnic and religious minorities, including victims of genocide, into their homelands in Iraq is a critical component toward achieving a safe, secure, and sovereign Iraq.

SA 4379. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 2701 and 2702 and insert the following:

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Defense Base Closure and Realignment

SEC. 2711. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the "Defense Base Closure and Realignment Act of 2016".

(b) PURPOSE.—The purpose of this subtitle is to provide a fair process that will result in the timely closure and realignment of military installations in the United States.

SEC. 2712. THE COMMISSION.

(a) ESTABLISHMENT.—There is established an independent commission to be known as the "Defense Base Closure and Realignment Commission".

(b) DUTIES.—The Commission shall carry out the duties specified for the Commission in this subtitle.

(c) APPOINTMENT.—(1)(A) The Commission shall be composed of nine members appointed by the President, by and with the advice and consent of the Senate.

(B) Subject to the certifications required under section 2713(b), the President may commence a round for the selection of military installations for closure and realignment under this subtitle in 2019 by transmitting to the Senate nominations for appointment to the Commission by not later than February 1, 2019.

(C) If the President does not transmit to Congress the nominations for appointment to the Commission on or before February 1, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

(2) In selecting individuals for nominations for appointments to the Commission, the President should consult with—

(A) the Speaker of the House of Representatives concerning the appointment of two members;

(B) the majority leader of the Senate concerning the appointment of two members;

(C) the minority leader of the House of Representatives concerning the appointment of one member; and

(D) the minority leader of the Senate concerning the appointment of one member.

(3) At the time the President nominates individuals for appointment to the Commission, the President shall designate one such individual who shall serve as Chairman of the Commission.

(d) TERMS.—(1) Except as provided in paragraph (2), each member of the Commission shall serve until December 31, 2019.

(2) The Chairman of the Commission shall serve until the confirmation of a successor.

(e) MEETINGS.—(1) The Commission shall meet only during calendar year 2019.

(2)(A) Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

(B) All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the following:

(i) The Chairman and the ranking minority party member of the Subcommittee on Readiness and Management Support of the Committee on Armed Services of the Senate, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(ii) The Chairman and the ranking minority party member of the Subcommittee on Readiness of the Committee on Armed Services of the House of Representatives, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(iii) The Chairmen and ranking minority party members of the subcommittees with jurisdiction for military construction of the Committees on Appropriations of the Senate and of the House of Representatives, or such other members of the subcommittees designated by such Chairmen or ranking minority party members.

(iv) The Chairmen and ranking minority party members of the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives, or such other members of the subcommittees designated by such Chairmen or ranking minority party members.

(C) A member of the Commission shall be recused from consideration of matters before the Commission in accordance with section 208 of title 18, United States Code. A member of the Commission shall not participate in the deliberations on, or vote regarding any matter from which the member is recused.

(f) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment, but the individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

(g) PAY AND TRAVEL EXPENSES.—(1)(A) Each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

(2) Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(h) DIRECTOR OF STAFF.—(1) The Commission shall, without regard to section 5311 of title 5, United States Code, appoint a Director who has not served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment.

(2) The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(i) STAFF.—(1) Subject to paragraphs (2) and (3), the Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(2) The Director may make such appointments without regard to the provisions of

title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-15 of the General Schedule.

(3)(A) Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(B)(i) Not more than one-fifth of the professional analysts of the Commission staff may be persons detailed from the Department of Defense to the Commission.

(ii) No person detailed from the Department of Defense to the Commission may be assigned as the lead professional analyst with respect to a military department or defense agency.

(C) A person may not be detailed from the Department of Defense to the Commission if, within one year before the detail is to begin, that person participated personally and substantially in any matter within the Department of Defense concerning the preparation of recommendations for closures or realignments of military installations.

(D) No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(i) prepare any report concerning the effectiveness, fitness, or efficiency of the performance on the staff of the Commission of any person detailed from the Department of Defense to that staff;

(ii) review the preparation of such a report; or

(iii) approve or disapprove such a report.

(4) Upon request of the Director, the head of any Federal agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this subtitle.

(5) The Comptroller General of the United States shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(6) Not later than April 1, 2019, the Chairman of the Commission shall certify to the congressional defense committees regarding whether the Commission and its staff have adequate capacity to review the recommendations to be submitted by the Secretary of Defense pursuant to section 2713.

(7) The following restrictions relating to the personnel of the Commission shall apply during the period beginning on January 1, 2020, and ending on April 15, 2020:

(A) There may not be more than 15 persons on the staff at any one time.

(B) The staff may perform only such functions as are necessary—

(i) to prepare for the termination of the Commission; and

(ii) to transfer all records of the Commission to the Secretary of Defense or national archives.

(C) No member of the Armed Forces and no employee of the Department of Defense may serve on the staff.

(j) OTHER AUTHORITY.—(1) The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) The Commission may lease space and acquire personal property to the extent funds are available.

(k) FUNDING.—(1) There are authorized to be appropriated to the Commission such

funds as are necessary to carry out its duties under this subtitle. Such funds shall remain available until expended.

(2) If no funds are appropriated to the Commission by the end of the second session of the 115th Congress, the Secretary of Defense may transfer to the Commission for purposes of its activities under this subtitle such funds as the Commission may require to carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.

(l) TERMINATION.—The Commission shall terminate on April 15, 2020.

(m) PROHIBITION AGAINST RESTRICTING COMMUNICATIONS.—Section 1034 of title 10, United States Code, shall apply with respect to communications with the Commission.

SEC. 2713. PROCEDURE FOR MAKING RECOMMENDATIONS FOR BASE CLOSURES AND REALIGNMENTS.

(a) FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.—(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2019, the Secretary shall submit to Congress the following:

(A) A force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet those threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) Using the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) The Secretary may revise the force-structure plan and infrastructure inventory prepared under paragraph (1). If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than February 15, 2019. For purposes of selecting military installations for closure or realignment under this

subtitle, no revision of the force-structure plan or infrastructure inventory is authorized after February 15, 2019.

(b) **CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.**—(1) On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists—

(i) a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than six years following the commencement of such closures and realignments; and

(ii) a certification that the additional round of closures and realignments will have the primary objective of eliminating excess infrastructure capacity within the Department of Defense and reconfiguring the infrastructure of the Department to maximize efficiency and reduce costs.

(2) If the Secretary does not include the certifications referred to in paragraph (1) as part of the submission of the force-structure plan and infrastructure inventory prepared under subsection (a), the President may not commence a round for the selection of military installations for closure and realignment under this subtitle in the year following submission of the force-structure plan and infrastructure inventory.

(c) **COMPTROLLER GENERAL EVALUATION.**—

(1) If the certification is provided under subsection (b), the Comptroller General of the United States shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in paragraph (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) The Comptroller General shall submit to Congress the evaluation prepared under paragraph (1) not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) **FINAL SELECTION CRITERIA.**—(1) The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations in the United States under this subtitle shall be the military value criteria specified in paragraph (2) and additional criteria specified in paragraph (3).

(2) The military value criteria specified in this paragraph are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total

force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the manpower implications.

(3) The additional criteria that the Secretary shall use in making recommendations for the closure or realignment of military installations in the United States under this subtitle are as follows:

(A) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(B) The economic impact on existing communities in the vicinity of military installations.

(C) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

(D) The environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(e) **PRIORITY GIVEN TO MILITARY VALUE.**—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.

(f) **DETERMINING COSTS.**—When determining the costs associated with a closure or realignment of a military installation under this subtitle, the Secretary shall consider the costs associated with military construction, information technology, termination of public-private contracts, guarantees, the costs of any other activity of the Department of Defense or another Federal agency that may be required to assume responsibility for activities at the military installation, and such other factors as the Secretary determines as contributing to the cost of a closure or realignment.

(g) **EMPHASIS GIVEN TO SAVINGS.**—(1) Subject to subsection (e), the Secretary shall emphasize recommendations for the closure or realignment of a military installation that yield net savings within five years of completing such closure or realignment.

(2) The Secretary shall not consider any recommendation that does not yield net savings within 20 years unless the Secretary determines that the military value of such recommendation supports or enhances a critical national security interest of the United States.

(h) **RELATION TO OTHER MATERIALS.**—Except as provided in subsection (g), the final selection criteria specified in subsection (d) shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations in the United States under this subtitle.

(i) **DEPARTMENT OF DEFENSE RECOMMENDATIONS.**—(1) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by no later than April 15, 2019, publish in the Federal Register and transmit to the congressional defense committees and to the Commission a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and the final selection criteria specified in subsection (d).

(2) The Secretary shall include, with the list of recommendations published and trans-

mitted pursuant to paragraph (1), a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation. The Secretary shall transmit the matters referred to in the preceding sentence not later than seven days after the date of the transmittal to the congressional defense committees and the Commission of the list referred to in paragraph (1).

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations in the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations to the Commission, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(4) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Commission and the Comptroller General of the United States.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense or the Commission concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that persons knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and

submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations that the Secretary of Defense shall prescribe, regulations that the Secretary of each military department shall prescribe for personnel within that military department, or regulations that the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Commission by a person described in paragraph (5)(B) shall also be submitted to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Commission.

(j) **REVIEW AND RECOMMENDATIONS BY THE COMMISSION.**—(1) After receiving the recommendations from the Secretary pursuant to subsection (i), the Commission shall conduct public hearings on the recommendations. All testimony before the Commission at a public hearing conducted under this paragraph shall be presented under oath.

(2)(A) The Commission shall, by no later than October 1, 2019, transmit to the President a report containing the Commission's findings and conclusions based on a review and analysis of the recommendations made by the Secretary pursuant to subsection (i), together with the Commission's recommendations for closures and realignments of military installations in the United States.

(B) Subject to subparagraphs (C) and (E), in making its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the force-structure plan and final criteria referred to in subsection (d)(1) in making recommendations.

(C) In the case of a change described in subparagraph (D) in the recommendations made by the Secretary, the Commission may make the change only if—

(i) the Commission—

(I) makes the determination required by subparagraph (B);

(II) determines that the change is consistent with the force-structure plan and final criteria referred to in subsection (d)(1);

(III) publishes a notice of the proposed change in the Federal Register not less than 45 days before transmitting its recommendations to the President pursuant to subparagraph (A); and

(IV) conducts public hearings on the proposed change;

(ii) at least two members of the Commission visit the military installation before the date of the transmittal of the report; and

(iii) the decision of the Commission to make the change is supported by at least seven members of the Commission.

(D) Subparagraph (C) shall apply to a change by the Commission in the Secretary's recommendations that would—

(i) add a military installation to the list of military installations recommended by the Secretary for closure;

(ii) add a military installation to the list of military installations recommended by the Secretary for realignment; or

(iii) increase the extent of a realignment of a particular military installation recommended by the Secretary.

(E) The Commission may not consider making a change in the recommendations of

the Secretary that would add a military installation to the Secretary's list of installations recommended for closure or realignment unless, in addition to the requirements of subparagraph (C)—

(i) the Commission provides the Secretary with at least a 15-day period, before making the change, in which to submit an explanation of the reasons why the installation was not included on the closure or realignment list by the Secretary; and

(ii) the decision to add the installation for Commission consideration is supported by at least seven members of the Commission.

(F) In making recommendations under this paragraph, the Commission may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of a military installation.

(3) The Commission shall explain and justify in its report submitted to the President pursuant to paragraph (2) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (i). The Commission shall transmit a copy of such report to the congressional defense committees on the same date on which it transmits its recommendations to the President under paragraph (2).

(4) After October 1, 2019, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(5) The Comptroller General of the United States shall—

(A) assist the Commission, to the extent requested, in the Commission's review and analysis of the recommendations made by the Secretary pursuant to subsection (i); and

(B) by not later than June 3, 2019, transmit to Congress and to the Commission a report containing a detailed analysis of the Secretary's recommendations and selection process.

(k) **REVIEW BY THE PRESIDENT.**—(1) The President shall, by not later than October 15, 2019, transmit to the Commission and to Congress a report containing the President's approval or disapproval of the Commission's recommendations under subsection (j).

(2) If the President approves all the recommendations of the Commission, the President shall transmit a copy of such recommendations to Congress, together with a certification of such approval.

(3) If the President disapproves the recommendations of the Commission, in whole or in part, the President shall transmit to the Commission and Congress the reasons for that disapproval. The Commission shall then transmit to the President, by not later than November 18, 2019, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Commission transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to Congress, together with a certification of such approval.

(5) If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) by December 2, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

SEC. 2714. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

(a) **IN GENERAL.**—Subject to subsection (b), the Secretary shall—

(1) close all military installations recommended for closure by the Commission in each report transmitted to Congress by the President pursuant to section 2713(k);

(2) realign all military installations recommended for realignment by such Commission in each such report;

(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations of the Commission in such report and is determined by the Commission to be the most cost-effective method of implementation of the recommendation;

(4) initiate all such closures and realignments not later than two years after the date on which the President transmits a report to Congress pursuant to section 2713(k) containing the recommendations for such closures or realignments; and

(5) complete all such closures and realignments not later than the end of the six-year period beginning on the date on which the President transmits the report pursuant to section 2713(k) containing the recommendations for such closures or realignments.

(b) **CONGRESSIONAL DISAPPROVAL.**—(1) The Secretary may not carry out any closure or realignment recommended by the Commission in a report transmitted from the President pursuant to section 2713(k) if a joint resolution is enacted, in accordance with the provisions of section 2718, disapproving such recommendations of the Commission before the earlier of—

(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

(B) the adjournment of Congress sine die for the session during which such report is transmitted.

(2) For purposes of paragraph (1) of this subsection and subsections (a) and (c) of section 2718, the days on which either House of Congress is not in session because of adjournment of more than three days to a day certain shall be excluded in the computation of a period.

SEC. 2715. IMPLEMENTATION.

(a) **IN GENERAL.**—(1) In closing or realigning any military installation under this subtitle, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B)(i) provide—

(I) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(II) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for

economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account.

(D) provide outplacement assistance to civilian employees employed by the Department of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this subtitle, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(b) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this subtitle—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b et seq.).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code.

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this subtitle, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this subtitle, the Secretary of Defense shall

consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this subtitle includes a road used for public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 180 days after the date of approval of the closure or realignment of a military installation under this subtitle, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with—

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities specified in clause (ii) with respect to an installation referred to in that clause until the earlier of—

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) two years after the date of approval of the closure or realignment of the installation; or

(IV) 90 days before the date of the closure or realignment of the installation.

(ii) The activities specified in this clause are activities relating to the closure or realignment of an installation to be closed or realigned under this subtitle as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this subtitle to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation,

if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this subtitle if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal agency for which expenditures for similar property would be necessary; and

(II) is the subject of a written request by the head of the agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this subtitle to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the

economic redevelopment of, or related to, the installation:

- (i) Road construction.
- (ii) Transportation management facilities.
- (iii) Storm and sanitary sewer construction.
- (iv) Police and fire protection facilities and other public facilities.
- (v) Utility construction.
- (vi) Building rehabilitation.
- (vii) Historic property preservation.
- (viii) Pollution prevention equipment or facilities.
- (ix) Demolition.
- (x) Disposal of hazardous materials generated by demolition.
- (xi) Landscaping, grading, and other site or public improvements.
- (xii) Planning for or the marketing of the development and reuse of the installation.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this subtitle (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another Federal agency. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal agency using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chap-

ter 5 of title 40, United States Code, if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as the Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another Federal agency has identified a use for any portion of a military installation to be closed or realigned under this subtitle, or will accept transfer of any portion of such installation, are made not later than 180 days after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this subtitle as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this subtitle shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another Federal

agency has identified a use, or of which another Federal agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at the completion of such final determinations) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 90 days and not later than 180 days after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 90 days and not later than 180 days after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A description of the buildings and property at the installation that are necessary in order to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the

plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 270 days after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application containing the plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph (F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or

off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(v) If the Secretary of Housing and Urban Development determines as a result of such a review that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(II) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the

buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term “communities in the vicinity of the installation”, in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term “other interested parties”, in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, air-field operation services, or other community services by such governments at military installations to be closed under this subtitle, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this subtitle, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(c) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President, the Commission, and, except as provided in paragraph (2), the Department of Defense in carrying out this subtitle.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this subtitle—

(i) during the process of property disposal; and

(ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to

the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission;

(ii) the need for transferring functions to any military installation which has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(d) **WAIVER.**—The Secretary of Defense may close or realign military installations under this subtitle without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

(e) **TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.**—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this subtitle that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (b)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this subtitle that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities,

the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4) of this subsection.

SEC. 2716. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2016.

(a) **IN GENERAL.**—(1) If the Secretary makes the certifications required under section 2713(b), there shall be established on the books of the Treasury an account to be known as the “Department of Defense Base Closure Account 2016” (in this section referred to as the “Account”). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this subtitle.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until

transferred by law after the congressional defense committees receive the final report transmitted under subsection (c)(2).

(b) **USE OF FUNDS.**—(1) The Secretary may use the funds in the Account only for the purposes described in section 2715 with respect to military installations approved for closure or realignment under this subtitle.

(2) When a decision is made to use funds in the Account to carry out a construction project under section 2715(a) and the cost of the project will exceed the maximum amount authorized by law for a minor military construction project, the Secretary shall notify in writing the congressional defense committees of the nature of, and justification for, the project and the amount of expenditures for such project. Any such construction project may be carried out without regard to section 2802(a) of title 10, United States Code.

(c) **REPORTS.**—(1)(A) Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this subtitle using amounts in the Account, the Secretary shall transmit a report to the congressional defense committees of—

(i) the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year;

(ii) the amount and nature of other expenditures made pursuant to section 2715(a) during such fiscal year;

(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2715(a) during the first fiscal year commencing after the submission of the report.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2717(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this subtitle.

(2) Not later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expended from the Account or otherwise expended under this subtitle with respect to such installations; and

(B) any amount remaining in the Account.

(d) **DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NON-APPROPRIATED FUNDS.**—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this subtitle, a portion of the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for non-appropriated fund instrumentalities.

(4) In this subsection:

(A) The term “commissary store funds” means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term “nonappropriated funds” means funds received from a non-appropriated fund instrumentality.

(C) The term “nonappropriated fund instrumentality” means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) **ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.**—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2715(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) **AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.**—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or \$2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Act of Congress authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be carried out using funds in the Account with an estimated cost of less than \$5,000,000, unless the project has not been previously identified in any budget submission for the Account and exceeds the applicable minor construction threshold under section 2805 of title 10, United States Code.

(3) The limitation on cost or scope variation specified in paragraph (1) shall not apply if the Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in the scope of work for a military construction project or military family housing project to be carried out using funds in the Account is required for the sole purpose of meeting unusual variations in cost or scope. If the Secretary makes such a determination, the Secretary shall notify the congressional defense committees of the variation in cost or scope not later than 21 days before the date on which the variation is made in connection with the project or, if the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code, not later than 14 days before the date on which the variation is made. The Secretary shall include the reasons for the variation in the notification.

SEC. 2717. REPORTS.

As part of the budget request for fiscal year 2021 and for each fiscal year thereafter through fiscal year 2032 for the Department of Defense, the Secretary shall transmit to the congressional defense committees—

(1) a schedule of the closure actions to be carried out under this subtitle in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and of the time period in which these savings are to be achieved in each case, together with the Secretary's assessment of the environmental effects of such actions;

(2) a description of the military installations, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures, together with the Secretary's assessment of the environmental effects of such transfers;

(3) a description of the closure actions already carried out at each military installation since the date of the installation's approval for closure under this subtitle and the current status of the closure of the installation, including whether—

(A) a redevelopment authority has been recognized by the Secretary for the installation;

(B) the screening of property at the installation for other Federal use has been completed; and

(C) a redevelopment plan has been agreed to by the redevelopment authority for the installation;

(4) a description of redevelopment plans for military installations approved for closure under this subtitle, the quantity of property remaining to be disposed of at each installation as part of its closure, and the quantity of property already disposed of at each installation;

(5) a list of the Federal agencies that have requested property during the screening process for each military installation approved for closure under this subtitle, including the date of transfer or anticipated transfer of the property to such agencies, the acreage involved in such transfers, and an explanation for any delays in such transfers;

(6) a list of known environmental remediation issues at each military installation approved for closure under this subtitle, including the acreage affected by those issues, an estimate of the cost to complete such environmental remediation, and the plans (and timelines) to address such environmental remediation; and

(7) an estimate of the date for the completion of all closure actions at each military

installation approved for closure or realignment under this subtitle.

SEC. 2718. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT.

(a) **TERMS OF THE RESOLUTION.**—For purposes of section 2714(b), the term “joint resolution” means only a joint resolution which is introduced within the 10-day period beginning on the date on which the President transmits the report to Congress under section 2713(k), and—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows: “That Congress disapproves the recommendations of the Defense Base Closure and Realignment Commission as submitted by the President on _____”, the blank space being filled in with the appropriate date; and

(3) the title of which is as follows: “Joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission.”.

(b) **REFERRAL.**—A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(c) **DISCHARGE.**—If the committee to which a resolution described in subsection (a) is referred has not reported such a resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to Congress under section 2713(k), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) **CONSIDERATION.**—(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the

resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) Immediately following the conclusion of the debate on a resolution described in subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 2719. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.

(a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act, and ending on April 15, 2020, this subtitle shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this subtitle, during the period specified in subsection (a)—

(1) to identify, through any transmittal to Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.—Nothing in this subtitle affects the authority of the Secretary to carry out closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency described in subsection (d) of such section.

SEC. 2720. DEFINITIONS.

In this subtitle:

(1) The term “Account” means the Department of Defense Base Closure Account established by section 2716(a)(1).

(2) The term “congressional defense committees” means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term “Commission” means the Commission established by section 2712.

(4) The term “military installation” means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

(5) The term “realignment” includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(6) The term “Secretary” means the Secretary of Defense.

(7) The term “United States” means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(8) The term “date of approval”, with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this subtitle expires.

(9) The term “redevelopment authority”, in the case of an installation to be closed or realigned under this subtitle, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(10) The term “redevelopment plan” in the case of an installation to be closed or realigned under this subtitle, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(11) The term “representative of the homeless” has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2721. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) DEFINITION OF “BASE CLOSURE LAW” IN TITLE 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) The Defense Base Closure and Realignment Act of 2016.”.

(b) DEFINITION OF “BASE CLOSURE LAW” IN OTHER LAWS.—

(1) Section 131(b) of Public Law 107-249 (10 U.S.C. 221 note) is amended by striking “means” and all that follows and inserting “has the meaning given the term ‘base closure law’ in section 101(a)(17) of title 10, United States Code.”.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2016.”.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2016.”.

SEC. 2722. CONFORMING AMENDMENTS.

(a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “on or after January 1, 2005,” and inserting “from January 1, 2005 through December 31, 2005,”; and

(2) by adding at the end the following new paragraph:

“(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2716 of the Defense Base Closure and Realignment Act of 2016.”.

(b) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking “the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is defined in section 101(a)(17) of title 10.”.

SA 4380. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 2701 and 2702 and insert the following:

Subtitle A—Authorization of Appropriations

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2016, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure

and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

Subtitle B—Defense Base Closure and Realignment

SEC. 2711. SHORT TITLE; PURPOSE.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Defense Base Closure and Realignment Act of 2016”.

(b) **PURPOSE.**—The purpose of this subtitle is to provide a fair process that will result in the timely closure and realignment of military installations in the United States.

SEC. 2712. THE COMMISSION.

(a) **ESTABLISHMENT.**—There is established an independent commission to be known as the “Defense Base Closure and Realignment Commission”.

(b) **DUTIES.**—The Commission shall carry out the duties specified for the Commission in this subtitle.

(c) **APPOINTMENT.**—(1)(A) The Commission shall be composed of nine members appointed by the President, by and with the advice and consent of the Senate.

(B) Subject to the certifications required under section 2713(b), the President may commence a round for the selection of military installations for closure and realignment under this subtitle in 2019 by transmitting to the Senate nominations for appointment to the Commission by not later than February 1, 2019.

(C) If the President does not transmit to Congress the nominations for appointment to the Commission on or before February 1, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

(2) In selecting individuals for nominations for appointments to the Commission, the President should consult with—

(A) the Speaker of the House of Representatives concerning the appointment of two members;

(B) the majority leader of the Senate concerning the appointment of two members;

(C) the minority leader of the House of Representatives concerning the appointment of one member; and

(D) the minority leader of the Senate concerning the appointment of one member.

(3) At the time the President nominates individuals for appointment to the Commission, the President shall designate one such individual who shall serve as Chairman of the Commission.

(d) **TERMS.**—(1) Except as provided in paragraph (2), each member of the Commission shall serve until December 31, 2019.

(2) The Chairman of the Commission shall serve until the confirmation of a successor.

(e) **MEETINGS.**—(1) The Commission shall meet only during calendar year 2019.

(2)(A) Each meeting of the Commission, other than meetings in which classified information is to be discussed, shall be open to the public.

(B) All the proceedings, information, and deliberations of the Commission shall be open, upon request, to the following:

(i) The Chairman and the ranking minority party member of the Subcommittee on Readiness and Management Support of the Committee on Armed Services of the Senate, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(ii) The Chairman and the ranking minority party member of the Subcommittee on Readiness of the Committee on Armed Services of the House of Representatives, or such other members of the Subcommittee designated by such Chairman or ranking minority party member.

(iii) The Chairmen and ranking minority party members of the subcommittees with jurisdiction for military construction of the Committees on Appropriations of the Senate and of the House of Representatives, or such other members of the subcommittees designated by such Chairmen or ranking minority party members.

(iv) The Chairmen and ranking minority party members of the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives, or such other members of the subcommittees designated by such Chairmen or ranking minority party members.

(C) A member of the Commission shall be recused from consideration of matters before the Commission in accordance with section 208 of title 18, United States Code. A member of the Commission shall not participate in the deliberations on, or vote regarding any matter from which the member is recused.

(f) **VACANCIES.**—A vacancy in the Commission shall be filled in the same manner as the original appointment, but the individual appointed to fill the vacancy shall serve only for the unexpired portion of the term for which the individual's predecessor was appointed.

(g) **PAY AND TRAVEL EXPENSES.**—(1)(A) Each member, other than the Chairman, shall be paid at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Commission.

(B) The Chairman shall be paid for each day referred to in subparagraph (A) at a rate equal to the daily equivalent of the minimum annual rate of basic pay payable for level III of the Executive Schedule under section 5314, of title 5, United States Code.

(2) Members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(h) **DIRECTOR OF STAFF.**—(1) The Commission shall, without regard to section 5311 of title 5, United States Code, appoint a Director who has not served on active duty in the Armed Forces or as a civilian employee of the Department of Defense during the one-year period preceding the date of such appointment.

(2) The Director shall be paid at the rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(i) **STAFF.**—(1) Subject to paragraphs (2) and (3), the Director, with the approval of the Commission, may appoint and fix the pay of additional personnel.

(2) The Director may make such appointments without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and any personnel so appointed may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for GS-15 of the General Schedule.

(3)(A) Not more than one-third of the personnel employed by or detailed to the Commission may be on detail from the Department of Defense.

(B)(i) Not more than one-fifth of the professional analysts of the Commission staff may be persons detailed from the Department of Defense to the Commission.

(ii) No person detailed from the Department of Defense to the Commission may be assigned as the lead professional analyst with respect to a military department or defense agency.

(C) A person may not be detailed from the Department of Defense to the Commission if, within one year before the detail is to begin, that person participated personally and substantially in any matter within the Department of Defense concerning the preparation of recommendations for closures or realignments of military installations.

(D) No member of the Armed Forces, and no officer or employee of the Department of Defense, may—

(i) prepare any report concerning the effectiveness, fitness, or efficiency of the performance on the staff of the Commission of any person detailed from the Department of Defense to that staff;

(ii) review the preparation of such a report; or

(iii) approve or disapprove such a report.

(4) Upon request of the Director, the head of any Federal agency may detail any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this subtitle.

(5) The Comptroller General of the United States shall provide assistance, including the detailing of employees, to the Commission in accordance with an agreement entered into with the Commission.

(6) Not later than April 1, 2019, the Chairman of the Commission shall certify to the congressional defense committees regarding whether the Commission and its staff have adequate capacity to review the recommendations to be submitted by the Secretary of Defense pursuant to section 2713.

(7) The following restrictions relating to the personnel of the Commission shall apply during the period beginning on January 1, 2020, and ending on April 15, 2020:

(A) There may not be more than 15 persons on the staff at any one time.

(B) The staff may perform only such functions as are necessary—

(i) to prepare for the termination of the Commission; and

(ii) to transfer all records of the Commission to the Secretary of Defense or national archives.

(C) No member of the Armed Forces and no employee of the Department of Defense may serve on the staff.

(j) **OTHER AUTHORITY.**—(1) The Commission may procure by contract, to the extent funds are available, the temporary or intermittent services of experts or consultants pursuant to section 3109 of title 5, United States Code.

(2) The Commission may lease space and acquire personal property to the extent funds are available.

(k) **FUNDING.**—(1) There are authorized to be appropriated to the Commission such funds as are necessary to carry out its duties under this subtitle. Such funds shall remain available until expended.

(2) If no funds are appropriated to the Commission by the end of the second session of the 115th Congress, the Secretary of Defense may transfer to the Commission for purposes of its activities under this subtitle such funds as the Commission may require to

carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.

(1) **TERMINATION.**—The Commission shall terminate on April 15, 2020.

(m) **PROHIBITION AGAINST RESTRICTING COMMUNICATIONS.**—Section 1034 of title 10, United States Code, shall apply with respect to communications with the Commission.

SEC. 2713. PROCEDURE FOR MAKING RECOMMENDATIONS FOR BASE CLOSURES AND REALIGNMENTS.

(a) **FORCE-STRUCTURE PLAN AND INFRASTRUCTURE INVENTORY.**—(1) As part of the budget justification documents submitted to Congress in support of the budget for the Department of Defense for fiscal year 2019, the Secretary shall submit to Congress the following:

(A) A force-structure plan for the Armed Forces based on an assessment by the Secretary of the probable threats to the national security during the 20-year period beginning with that fiscal year, the probable end-strength levels and major military force units (including land force divisions, carrier and other major combatant vessels, air wings, and other comparable units) needed to meet those threats, and the anticipated levels of funding that will be available for national defense purposes during such period.

(B) A comprehensive inventory of military installations world-wide for each military department, with specifications of the number and type of facilities in the active and reserve forces of each military department.

(2) Using the force-structure plan and infrastructure inventory prepared under paragraph (1), the Secretary shall prepare (and include as part of the submission of such plan and inventory) the following:

(A) A description of the infrastructure necessary to support the force structure described in the force-structure plan.

(B) A discussion of categories of excess infrastructure and infrastructure capacity.

(C) An economic analysis of the effect of the closure or realignment of military installations to reduce excess infrastructure.

(3) In determining the level of necessary versus excess infrastructure under paragraph (2), the Secretary shall consider the following:

(A) The anticipated continuing need for and availability of military installations outside the United States, taking into account current restrictions on the use of military installations outside the United States and the potential for future prohibitions or restrictions on the use of such military installations.

(B) Any efficiencies that may be gained from joint tenancy by more than one branch of the Armed Forces at a military installation.

(4) The Secretary may revise the force-structure plan and infrastructure inventory prepared under paragraph (1). If the Secretary makes such a revision, the Secretary shall submit the revised plan or inventory to Congress not later than February 15, 2019. For purposes of selecting military installations for closure or realignment under this subtitle, no revision of the force-structure plan or infrastructure inventory is authorized after February 15, 2019.

(b) **CERTIFICATION OF NEED FOR FURTHER CLOSURES AND REALIGNMENTS.**—(1) On the basis of the force-structure plan and infrastructure inventory prepared under subsection (a) and the descriptions and economic

analysis prepared under such subsection, the Secretary shall include as part of the submission of the plan and inventory—

(A) a certification regarding whether the need exists for the closure or realignment of additional military installations; and

(B) if such need exists—

(i) a certification that the additional round of closures and realignments would result in annual net savings for each of the military departments beginning not later than six years following the commencement of such closures and realignments; and

(ii) a certification that the additional round of closures and realignments will have the primary objective of eliminating excess infrastructure capacity within the Department of Defense and reconfiguring the infrastructure of the Department to maximize efficiency and reduce costs.

(2) If the Secretary does not include the certifications referred to in paragraph (1) as part of the submission of the force-structure plan and infrastructure inventory prepared under subsection (a), the President may not commence a round for the selection of military installations for closure and realignment under this subtitle in the year following submission of the force-structure plan and infrastructure inventory.

(c) **COMPTROLLER GENERAL EVALUATION.**—(1) If the certification is provided under subsection (b), the Comptroller General of the United States shall prepare an evaluation of the following:

(A) The force-structure plan and infrastructure inventory prepared under subsection (a) and the final selection criteria specified in paragraph (d), including an evaluation of the accuracy and analytical sufficiency of such plan, inventory, and criteria.

(B) The need for the closure or realignment of additional military installations.

(2) The Comptroller General shall submit to Congress the evaluation prepared under paragraph (1) not later than 60 days after the date on which the force-structure plan and infrastructure inventory are submitted to Congress.

(d) **FINAL SELECTION CRITERIA.**—(1) The final criteria to be used by the Secretary in making recommendations for the closure or realignment of military installations in the United States under this subtitle shall be the military value criteria specified in paragraph (2) and additional criteria specified in paragraph (3).

(2) The military value criteria specified in this paragraph are as follows:

(A) The current and future mission capabilities and the impact on operational readiness of the total force of the Department of Defense, including the impact on joint warfighting, training, and readiness.

(B) The availability and condition of land, facilities, and associated airspace (including training areas suitable for maneuver by ground, naval, or air forces throughout a diversity of climate and terrain areas and staging areas for the use of the Armed Forces in homeland defense missions) at both existing and potential receiving locations.

(C) The ability to accommodate contingency, mobilization, surge, and future total force requirements at both existing and potential receiving locations to support operations and training.

(D) The cost of operations and the manpower implications.

(3) The additional criteria that the Secretary shall use in making recommendations for the closure or realignment of military

installations in the United States under this subtitle are as follows:

(A) The extent and timing of potential costs and savings, including the number of years, beginning with the date of completion of the closure or realignment, for the savings to exceed the costs.

(B) The economic impact on existing communities in the vicinity of military installations.

(C) The ability of the infrastructure of both the existing and potential receiving communities to support forces, missions, and personnel.

(D) The environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.

(e) **PRIORITY GIVEN TO MILITARY VALUE.**—The Secretary shall give priority consideration to the military value criteria specified in subsection (d)(2) in the making of recommendations for the closure or realignment of military installations.

(f) **DETERMINING COSTS.**—When determining the costs associated with a closure or realignment of a military installation under this subtitle, the Secretary shall consider the costs associated with military construction, information technology, termination of public-private contracts, guarantees, the costs of any other activity of the Department of Defense or another Federal agency that may be required to assume responsibility for activities at the military installation, and such other factors as the Secretary determines as contributing to the cost of a closure or realignment.

(g) **EMPHASIS GIVEN TO SAVINGS.**—(1) Subject to subsection (e), the Secretary shall emphasize recommendations for the closure or realignment of a military installation that yield net savings within five years of completing such closure or realignment.

(2) The Secretary shall not consider any recommendation that does not yield net savings within 20 years unless the Secretary determines that the military value of such recommendation supports or enhances a critical national security interest of the United States.

(h) **RELATION TO OTHER MATERIALS.**—Except as provided in subsection (g), the final selection criteria specified in subsection (d) shall be the only criteria to be used, along with the force-structure plan and infrastructure inventory referred to in subsection (a), in making recommendations for the closure or realignment of military installations in the United States under this subtitle.

(i) **DEPARTMENT OF DEFENSE RECOMMENDATIONS.**—(1) If the Secretary makes the certifications required under subsection (b), the Secretary shall, by no later than April 15, 2019, publish in the Federal Register and transmit to the congressional defense committees and to the Commission a list of the military installations inside the United States that the Secretary recommends for closure or realignment on the basis of the force-structure plan and infrastructure inventory prepared by the Secretary under subsection (a) and the final selection criteria specified in subsection (d).

(2) The Secretary shall include, with the list of recommendations published and transmitted pursuant to paragraph (1), a summary of the selection process that resulted in the recommendation for each installation, including a justification for each recommendation. The Secretary shall transmit the matters referred to in the preceding sentence not later than seven days after the date of the transmittal to the congressional defense

committees and the Commission of the list referred to in paragraph (1).

(3)(A) In considering military installations for closure or realignment, the Secretary shall consider all military installations in the United States equally without regard to whether the installation has been previously considered or proposed for closure or realignment by the Department.

(B) In considering military installations for closure or realignment, the Secretary may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of an installation.

(C) For purposes of subparagraph (B), in the case of a community anticipating the economic effects of a closure or realignment of a military installation, advance conversion planning—

(i) shall include community adjustment and economic diversification planning undertaken by the community before an anticipated selection of a military installation in or near the community for closure or realignment; and

(ii) may include the development of contingency redevelopment plans, plans for economic development and diversification, and plans for the joint use (including civilian and military use, public and private use, civilian dual use, and civilian shared use) of the property or facilities of the installation after the anticipated closure or realignment.

(D) In making recommendations to the Commission, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

(E) Notwithstanding the requirement in subparagraph (D), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan, infrastructure inventory, and final selection criteria otherwise applicable to such recommendations.

(F) The recommendations shall include a statement of the result of the consideration of any notice described in subparagraph (D) that is received with respect to a military installation covered by such recommendations. The statement shall set forth the reasons for the result.

(4) In addition to making all information used by the Secretary to prepare the recommendations under this subsection available to Congress (including any committee or member of Congress), the Secretary shall also make such information available to the Commission and the Comptroller General of the United States.

(5)(A) Each person referred to in subparagraph (B), when submitting information to the Secretary of Defense or the Commission concerning the closure or realignment of a military installation, shall certify that such information is accurate and complete to the best of that person's knowledge and belief.

(B) Subparagraph (A) applies to the following persons:

(i) The Secretaries of the military departments.

(ii) The heads of the Defense Agencies.

(iii) Each person who is in a position the duties of which include personal and substantial involvement in the preparation and submission of information and recommendations concerning the closure or realignment of military installations, as designated in regulations that the Secretary of Defense shall prescribe, regulations that the Secretary of each military department shall pre-

scribe for personnel within that military department, or regulations that the head of each Defense Agency shall prescribe for personnel within that Defense Agency.

(6) Any information provided to the Commission by a person described in paragraph (5)(B) shall also be submitted to the Senate and the House of Representatives to be made available to the Members of the House concerned in accordance with the rules of that House. The information shall be submitted to the Senate and House of Representatives within 48 hours after the submission of the information to the Commission.

(J) REVIEW AND RECOMMENDATIONS BY THE COMMISSION.—(1) After receiving the recommendations from the Secretary pursuant to subsection (i), the Commission shall conduct public hearings on the recommendations. All testimony before the Commission at a public hearing conducted under this paragraph shall be presented under oath.

(2)(A) The Commission shall, by no later than October 1, 2019, transmit to the President a report containing the Commission's findings and conclusions based on a review and analysis of the recommendations made by the Secretary pursuant to subsection (i), together with the Commission's recommendations for closures and realignments of military installations in the United States.

(B) Subject to subparagraphs (C) and (E), in making its recommendations, the Commission may make changes in any of the recommendations made by the Secretary if the Commission determines that the Secretary deviated substantially from the force-structure plan and final criteria referred to in subsection (d)(1) in making recommendations.

(C) In the case of a change described in subparagraph (D) in the recommendations made by the Secretary, the Commission may make the change only if—

(i) the Commission—

(I) makes the determination required by subparagraph (B);

(II) determines that the change is consistent with the force-structure plan and final criteria referred to in subsection (d)(1);

(III) publishes a notice of the proposed change in the Federal Register not less than 45 days before transmitting its recommendations to the President pursuant to subparagraph (A); and

(IV) conducts public hearings on the proposed change;

(ii) at least two members of the Commission visit the military installation before the date of the transmittal of the report; and

(iii) the decision of the Commission to make the change is supported by at least seven members of the Commission.

(D) Subparagraph (C) shall apply to a change by the Commission in the Secretary's recommendations that would—

(i) add a military installation to the list of military installations recommended by the Secretary for closure;

(ii) add a military installation to the list of military installations recommended by the Secretary for realignment; or

(iii) increase the extent of a realignment of a particular military installation recommended by the Secretary.

(E) The Commission may not consider making a change in the recommendations of the Secretary that would add a military installation to the Secretary's list of installations recommended for closure or realignment unless, in addition to the requirements of subparagraph (C)—

(i) the Commission provides the Secretary with at least a 15-day period, before making

the change, in which to submit an explanation of the reasons why the installation was not included on the closure or realignment list by the Secretary; and

(ii) the decision to add the installation for Commission consideration is supported by at least seven members of the Commission.

(F) In making recommendations under this paragraph, the Commission may not take into account for any purpose any advance conversion planning undertaken by an affected community with respect to the anticipated closure or realignment of a military installation.

(3) The Commission shall explain and justify in its report submitted to the President pursuant to paragraph (2) any recommendation made by the Commission that is different from the recommendations made by the Secretary pursuant to subsection (i). The Commission shall transmit a copy of such report to the congressional defense committees on the same date on which it transmits its recommendations to the President under paragraph (2).

(4) After October 1, 2019, the Commission shall promptly provide, upon request, to any Member of Congress information used by the Commission in making its recommendations.

(5) The Comptroller General of the United States shall—

(A) assist the Commission, to the extent requested, in the Commission's review and analysis of the recommendations made by the Secretary pursuant to subsection (i); and

(B) by not later than June 3, 2019, transmit to Congress and to the Commission a report containing a detailed analysis of the Secretary's recommendations and selection process.

(K) REVIEW BY THE PRESIDENT.—(1) The President shall, by not later than October 15, 2019, transmit to the Commission and to Congress a report containing the President's approval or disapproval of the Commission's recommendations under subsection (j).

(2) If the President approves all the recommendations of the Commission, the President shall transmit a copy of such recommendations to Congress, together with a certification of such approval.

(3) If the President disapproves the recommendations of the Commission, in whole or in part, the President shall transmit to the Commission and Congress the reasons for that disapproval. The Commission shall then transmit to the President, by not later than November 18, 2019, a revised list of recommendations for the closure and realignment of military installations.

(4) If the President approves all of the revised recommendations of the Commission transmitted to the President under paragraph (3), the President shall transmit a copy of such revised recommendations to Congress, together with a certification of such approval.

(5) If the President does not transmit to Congress an approval and certification described in paragraph (2) or (4) by December 2, 2019, the process by which military installations may be selected for closure or realignment under this subtitle shall be terminated.

SEC. 2714. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall—

(1) close all military installations recommended for closure by the Commission in each report transmitted to Congress by the President pursuant to section 2713(k);

(2) realign all military installations recommended for realignment by such Commission in each such report;

(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission only if privatization in place is a method of closure or realignment of the military installation specified in the recommendations of the Commission in such report and is determined by the Commission to be the most cost-effective method of implementation of the recommendation;

(4) initiate all such closures and realignments not later than two years after the date on which the President transmits a report to Congress pursuant to section 2713(k) containing the recommendations for such closures or realignments; and

(5) complete all such closures and realignments not later than the end of the six-year period beginning on the date on which the President transmits the report pursuant to section 2713(k) containing the recommendations for such closures or realignments.

(b) **CONGRESSIONAL DISAPPROVAL.**—(1) The Secretary may not carry out any closure or realignment recommended by the Commission in a report transmitted from the President pursuant to section 2713(k) if a joint resolution is enacted, in accordance with the provisions of section 2718, disapproving such recommendations of the Commission before the earlier of—

(A) the end of the 45-day period beginning on the date on which the President transmits such report; or

(B) the adjournment of Congress sine die for the session during which such report is transmitted.

(2) For purposes of paragraph (1) of this subsection and subsections (a) and (c) of section 2718, the days on which either House of Congress is not in session because of adjournment of more than three days to a day certain shall be excluded in the computation of a period.

SEC. 2715. IMPLEMENTATION.

(a) **IN GENERAL.**—(1) In closing or realigning any military installation under this subtitle, the Secretary may—

(A) take such actions as may be necessary to close or realign any military installation, including the acquisition of such land, the construction of such replacement facilities, the performance of such activities, and the conduct of such advance planning and design as may be required to transfer functions from a military installation being closed or realigned to another military installation, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for use in planning and design, minor construction, or operation and maintenance;

(B)(i) provide—

(I) economic adjustment assistance to any community located near a military installation being closed or realigned, and

(II) community planning assistance to any community located near a military installation to which functions will be transferred as a result of the closure or realignment of a military installation,

if the Secretary of Defense determines that the financial resources available to the community (by grant or otherwise) for such purposes are inadequate, and may use for such purposes funds in the Account or funds appropriated to the Department of Defense for economic adjustment assistance or community planning assistance;

(C) carry out activities for the purposes of environmental restoration and mitigation at any such installation, and shall use for such purposes funds in the Account.

(D) provide outplacement assistance to civilian employees employed by the Depart-

ment of Defense at military installations being closed or realigned, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense for outplacement assistance to employees; and

(E) reimburse other Federal agencies for actions performed at the request of the Secretary with respect to any such closure or realignment, and may use for such purpose funds in the Account or funds appropriated to the Department of Defense and available for such purpose.

(2) In carrying out any closure or realignment under this subtitle, the Secretary shall ensure that environmental restoration of any property made excess to the needs of the Department of Defense as a result of such closure or realignment be carried out as soon as possible with funds available for such purpose.

(b) **MANAGEMENT AND DISPOSAL OF PROPERTY.**—(1) The Administrator of General Services shall delegate to the Secretary of Defense, with respect to excess and surplus real property, facilities, and personal property located at a military installation closed or realigned under this subtitle—

(A) the authority of the Administrator to utilize excess property under subchapter II of chapter 5 of title 40, United States Code;

(B) the authority of the Administrator to dispose of surplus property under subchapter III of chapter 5 of title 40, United States Code;

(C) the authority to dispose of surplus property for public airports under sections 47151 through 47153 of title 49, United States Code; and

(D) the authority of the Administrator to determine the availability of excess or surplus real property for wildlife conservation purposes in accordance with the Act of May 19, 1948 (16 U.S.C. 667b et seq.).

(2)(A) Subject to subparagraph (B) and paragraphs (3), (4), (5), and (6), the Secretary of Defense shall exercise the authority delegated to the Secretary pursuant to paragraph (1) in accordance with all regulations governing the utilization of excess property and the disposal of surplus property under subtitle I of title 40, United States Code.

(B) The Secretary may, with the concurrence of the Administrator of General Services—

(i) prescribe general policies and methods for utilizing excess property and disposing of surplus property pursuant to the authority delegated under paragraph (1); and

(ii) issue regulations relating to such policies and methods, which shall supersede the regulations referred to in subparagraph (A) with respect to that authority.

(C) The Secretary of Defense may transfer real property or facilities located at a military installation to be closed or realigned under this subtitle, with or without reimbursement, to a military department or other entity (including a nonappropriated fund instrumentality) within the Department of Defense or the Coast Guard.

(D) Before any action may be taken with respect to the disposal of any surplus real property or facility located at any military installation to be closed or realigned under this subtitle, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering any plan for the use of such property by the local community concerned.

(E) If a military installation to be closed, realigned, or placed in an inactive status under this subtitle includes a road used for

public access through, into, or around the installation, the Secretary of Defense shall consult with the Governor of the State and the heads of the local governments concerned for the purpose of considering the continued availability of the road for public use after the installation is closed, realigned, or placed in an inactive status.

(3)(A) Not later than 180 days after the date of approval of the closure or realignment of a military installation under this subtitle, the Secretary, in consultation with the redevelopment authority with respect to the installation, shall—

(i) inventory the personal property located at the installation; and

(ii) identify the items (or categories of items) of such personal property that the Secretary determines to be related to real property and anticipates will support the implementation of the redevelopment plan with respect to the installation.

(B) If no redevelopment authority referred to in subparagraph (A) exists with respect to an installation, the Secretary shall consult with—

(i) the local government in whose jurisdiction the installation is wholly located; or

(ii) a local government agency or State government agency designated for the purpose of such consultation by the chief executive officer of the State in which the installation is located.

(C)(i) Except as provided in subparagraphs (E) and (F), the Secretary may not carry out any of the activities specified in clause (ii) with respect to an installation referred to in that clause until the earlier of—

(I) one week after the date on which the redevelopment plan for the installation is submitted to the Secretary;

(II) the date on which the redevelopment authority notifies the Secretary that it will not submit such a plan;

(III) two years after the date of approval of the closure or realignment of the installation; or

(IV) 90 days before the date of the closure or realignment of the installation.

(ii) The activities specified in this clause are activities relating to the closure or realignment of an installation to be closed or realigned under this subtitle as follows:

(I) The transfer from the installation of items of personal property at the installation identified in accordance with subparagraph (A).

(II) The reduction in maintenance and repair of facilities or equipment located at the installation below the minimum levels required to support the use of such facilities or equipment for nonmilitary purposes.

(D) Except as provided in paragraph (4), the Secretary may not transfer items of personal property located at an installation to be closed or realigned under this subtitle to another installation, or dispose of such items, if such items are identified in the redevelopment plan for the installation as items essential to the reuse or redevelopment of the installation. In connection with the development of the redevelopment plan for the installation, the Secretary shall consult with the entity responsible for developing the redevelopment plan to identify the items of personal property located at the installation, if any, that the entity desires to be retained at the installation for reuse or redevelopment of the installation.

(E) This paragraph shall not apply to any personal property located at an installation to be closed or realigned under this subtitle if the property—

(i) is required for the operation of a unit, function, component, weapon, or weapons system at another installation;

(ii) is uniquely military in character, and is likely to have no civilian use (other than use for its material content or as a source of commonly used components);

(iii) is not required for the reutilization or redevelopment of the installation (as jointly determined by the Secretary and the redevelopment authority);

(iv) is stored at the installation for purposes of distribution (including spare parts or stock items); or

(v)(I) meets known requirements of an authorized program of another Federal agency for which expenditures for similar property would be necessary; and

(II) is the subject of a written request by the head of the agency.

(F) Notwithstanding subparagraphs (C)(i) and (D), the Secretary may carry out any activity referred to in subparagraph (C)(ii) or (D) if the Secretary determines that the carrying out of such activity is in the national security interest of the United States.

(4)(A) The Secretary may transfer real property and personal property located at a military installation to be closed or realigned under this subtitle to the redevelopment authority with respect to the installation for purposes of job generation on the installation.

(B) The transfer of property located at a military installation under subparagraph (A) may be for consideration at or below the estimated fair market value or without consideration. The determination of such consideration may account for the economic conditions of the local affected community and the estimated costs to redevelop the property. The Secretary may accept, as consideration, a share of the revenues that the redevelopment authority receives from third-party buyers or lessees from sales and long-term leases of the conveyed property, consideration in kind (including goods and services), real property and improvements, or such other consideration as the Secretary considers appropriate. The transfer of property located at a military installation under subparagraph (A) may be made for consideration below the estimated fair market value or without consideration only if the redevelopment authority with respect to the installation—

(i) agrees that the proceeds from any sale or lease of the property (or any portion thereof) received by the redevelopment authority during at least the first seven years after the date of the initial transfer of property under subparagraph (A) shall be used to support the economic redevelopment of, or related to, the installation; and

(ii) executes the agreement for transfer of the property and accepts control of the property within a reasonable time after the date of the property disposal record of decision or finding of no significant impact under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) For purposes of subparagraph (B)(i), the use of proceeds from a sale or lease described in such subparagraph to pay for, or offset the costs of, public investment on or related to the installation for any of the following purposes shall be considered a use to support the economic redevelopment of, or related to, the installation:

- (i) Road construction.
- (ii) Transportation management facilities.
- (iii) Storm and sanitary sewer construction.
- (iv) Police and fire protection facilities and other public facilities.
- (v) Utility construction.
- (vi) Building rehabilitation.

(vii) Historic property preservation.

(viii) Pollution prevention equipment or facilities.

(ix) Demolition.

(x) Disposal of hazardous materials generated by demolition.

(xi) Landscaping, grading, and other site or public improvements.

(xii) Planning for or the marketing of the development and reuse of the installation.

(D) The Secretary may recoup from a redevelopment authority such portion of the proceeds from a sale or lease described in subparagraph (B) as the Secretary determines appropriate if the redevelopment authority does not use the proceeds to support economic redevelopment of, or related to, the installation for the period specified in subparagraph (B).

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this subtitle (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another Federal agency. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal agency using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii), if a lease under clause (i) involves a substantial portion of the installation, the agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

(F) The transfer of personal property under subparagraph (A) shall not be subject to the provisions of subchapters II and III of chapter 5 of title 40, United States Code, if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

(G) The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

(H) The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as the Secretary considers appropriate to protect the interests of the United States.

(5)(A) Except as provided in subparagraphs (B) and (C), the Secretary shall take such actions as the Secretary determines necessary to ensure that final determinations under paragraph (1) regarding whether another Federal agency has identified a use for any portion of a military installation to be closed or realigned under this subtitle, or will accept transfer of any portion of such installation, are made not later than 180 days after the date of approval of closure or realignment of that installation.

(B) The Secretary may, in consultation with the redevelopment authority with respect to an installation, postpone making the final determinations referred to in subparagraph (A) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure or realignment of the installation.

(C)(i) Before acquiring non-Federal real property as the location for a new or replacement Federal facility of any type, the head of the Federal agency acquiring the property shall consult with the Secretary regarding the feasibility and cost advantages of using Federal property or facilities at a military installation closed or realigned or to be closed or realigned under this subtitle as the location for the new or replacement facility. In considering the availability and suitability of a specific military installation, the Secretary and the head of the Federal agency involved shall obtain the concurrence of the redevelopment authority with respect to the installation and comply with the redevelopment plan for the installation.

(ii) Not later than 30 days after acquiring non-Federal real property as the location for a new or replacement Federal facility, the head of the Federal agency acquiring the property shall submit to Congress a report containing the results of the consultation under clause (i) and the reasons why military installations referred to in such clause that are located within the area to be served by the new or replacement Federal facility or within a 200-mile radius of the new or replacement facility, whichever area is greater, were considered to be unsuitable or unavailable for the site of the new or replacement facility.

(6)(A) The disposal of buildings and property located at installations approved for closure or realignment under this subtitle shall be carried out in accordance with this paragraph.

(B)(i) Not later than the date on which the Secretary of Defense completes the final determinations referred to in paragraph (5) relating to the use or transferability of any portion of an installation covered by this paragraph, the Secretary shall—

(I) identify the buildings and property at the installation for which the Department of Defense has a use, for which another Federal agency has identified a use, or of which another Federal agency will accept a transfer;

(II) take such actions as are necessary to identify any building or property at the installation not identified under subclause (I) that is excess property or surplus property;

(III) submit to the Secretary of Housing and Urban Development and to the redevelopment authority for the installation (or the chief executive officer of the State in which the installation is located if there is no redevelopment authority for the installation at

the completion of such final determinations) information on any building or property that is identified under subclause (II); and

(IV) publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the buildings and property identified under subclause (II).

(ii) Upon the recognition of a redevelopment authority for an installation covered by this paragraph, the Secretary of Defense shall publish in the Federal Register and in a newspaper of general circulation in the communities in the vicinity of the installation information on the redevelopment authority.

(C)(i) State and local governments, representatives of the homeless, and other interested parties located in the communities in the vicinity of an installation covered by this paragraph shall submit to the redevelopment authority for the installation a notice of the interest, if any, of such governments, representatives, and parties in the buildings or property, or any portion thereof, at the installation that are identified under subparagraph (B)(i)(II). A notice of interest under this clause shall describe the need of the government, representative, or party concerned for the buildings or property covered by the notice.

(ii) The redevelopment authority for an installation shall assist the governments, representatives, and parties referred to in clause (i) in evaluating buildings and property at the installation for purposes of this subparagraph.

(iii) In providing assistance under clause (ii), a redevelopment authority shall—

(I) consult with representatives of the homeless in the communities in the vicinity of the installation concerned; and

(II) undertake outreach efforts to provide information on the buildings and property to representatives of the homeless, and to other persons or entities interested in assisting the homeless, in such communities.

(iv) It is the sense of Congress that redevelopment authorities should begin to conduct outreach efforts under clause (iii)(II) with respect to an installation as soon as practicable after the date of approval of closure or realignment of the installation.

(D)(i) State and local governments, representatives of the homeless, and other interested parties shall submit a notice of interest to a redevelopment authority under subparagraph (C) not later than the date specified for such notice by the redevelopment authority.

(ii) The date specified under clause (i) shall be—

(I) in the case of an installation for which a redevelopment authority has been recognized as of the date of the completion of the determinations referred to in paragraph (5), not earlier than 90 days and not later than 180 days after the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV); and

(II) in the case of an installation for which a redevelopment authority is not recognized as of such date, not earlier than 90 days and not later than 180 days after the date of the recognition of a redevelopment authority for the installation.

(iii) Upon specifying a date for an installation under this subparagraph, the redevelopment authority for the installation shall—

(I) publish the date specified in a newspaper of general circulation in the communities in the vicinity of the installation concerned; and

(II) notify the Secretary of Defense of the date.

(E)(i) In submitting to a redevelopment authority under subparagraph (C) a notice of interest in the use of buildings or property at an installation to assist the homeless, a representative of the homeless shall submit the following:

(I) A description of the homeless assistance program that the representative proposes to carry out at the installation.

(II) An assessment of the need for the program.

(III) A description of the extent to which the program is or will be coordinated with other homeless assistance programs in the communities in the vicinity of the installation.

(IV) A description of the buildings and property at the installation that are necessary in order to carry out the program.

(V) A description of the financial plan, the organization, and the organizational capacity of the representative to carry out the program.

(VI) An assessment of the time required in order to commence carrying out the program.

(ii) A redevelopment authority may not release to the public any information submitted to the redevelopment authority under clause (i)(V) without the consent of the representative of the homeless concerned unless such release is authorized under Federal law and under the law of the State and communities in which the installation concerned is located.

(F)(i) The redevelopment authority for each installation covered by this paragraph shall prepare a redevelopment plan for the installation. The redevelopment authority shall, in preparing the plan, consider the interests in the use to assist the homeless of the buildings and property at the installation that are expressed in the notices submitted to the redevelopment authority under subparagraph (C).

(ii)(I) In connection with a redevelopment plan for an installation, a redevelopment authority and representatives of the homeless shall prepare legally binding agreements that provide for the use to assist the homeless of buildings and property, resources, and assistance on or off the installation. The implementation of such agreements shall be contingent upon the decision regarding the disposal of the buildings and property covered by the agreements by the Secretary of Defense under subparagraph (K) or (L).

(II) Agreements under this clause shall provide for the reversion to the redevelopment authority concerned, or to such other entity or entities as the agreements shall provide, of buildings and property that are made available under this paragraph for use to assist the homeless in the event that such buildings and property cease being used for that purpose.

(iii) A redevelopment authority shall provide opportunity for public comment on a redevelopment plan before submission of the plan to the Secretary of Defense and the Secretary of Housing and Urban Development under subparagraph (G).

(iv) A redevelopment authority shall complete preparation of a redevelopment plan for an installation and submit the plan under subparagraph (G) not later than 270 days after the date specified by the redevelopment authority for the installation under subparagraph (D).

(G)(i) Upon completion of a redevelopment plan under subparagraph (F), a redevelopment authority shall submit an application

containing the plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(ii) A redevelopment authority shall include in an application under clause (i) the following:

(I) A copy of the redevelopment plan, including a summary of any public comments on the plan received by the redevelopment authority under subparagraph (F)(iii).

(II) A copy of each notice of interest of use of buildings and property to assist the homeless that was submitted to the redevelopment authority under subparagraph (C), together with a description of the manner, if any, in which the plan addresses the interest expressed in each such notice and, if the plan does not address such an interest, an explanation why the plan does not address the interest.

(III) A summary of the outreach undertaken by the redevelopment authority under subparagraph (C)(iii)(II) in preparing the plan.

(IV) A statement identifying the representatives of the homeless and the homeless assistance planning boards, if any, with which the redevelopment authority consulted in preparing the plan, and the results of such consultations.

(V) An assessment of the manner in which the redevelopment plan balances the expressed needs of the homeless and the need of the communities in the vicinity of the installation for economic redevelopment and other development.

(VI) Copies of the agreements that the redevelopment authority proposes to enter into under subparagraph (F)(ii).

(H)(i) Not later than 60 days after receiving a redevelopment plan under subparagraph (G), the Secretary of Housing and Urban Development shall complete a review of the plan. The purpose of the review is to determine whether the plan, with respect to the expressed interest and requests of representatives of the homeless—

(I) takes into consideration the size and nature of the homeless population in the communities in the vicinity of the installation, the availability of existing services in such communities to meet the needs of the homeless in such communities, and the suitability of the buildings and property covered by the plan for the use and needs of the homeless in such communities;

(II) takes into consideration any economic impact of the homeless assistance under the plan on the communities in the vicinity of the installation;

(III) balances in an appropriate manner the needs of the communities in the vicinity of the installation for economic redevelopment and other development with the needs of the homeless in such communities;

(IV) was developed in consultation with representatives of the homeless and the homeless assistance planning boards, if any, in the communities in the vicinity of the installation; and

(V) specifies the manner in which buildings and property, resources, and assistance on or off the installation will be made available for homeless assistance purposes.

(ii) It is the sense of Congress that the Secretary of Housing and Urban Development shall, in completing the review of a plan under this subparagraph, take into consideration and be receptive to the predominant views on the plan of the communities in the vicinity of the installation covered by the plan.

(iii) The Secretary of Housing and Urban Development may engage in negotiations

and consultations with a redevelopment authority before or during the course of a review under clause (i) with a view toward resolving any preliminary determination of the Secretary that a redevelopment plan does not meet a requirement set forth in that clause. The redevelopment authority may modify the redevelopment plan as a result of such negotiations and consultations.

(iv) Upon completion of a review of a redevelopment plan under clause (i), the Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under that clause.

(v) If the Secretary of Housing and Urban Development determines as a result of such a review that a redevelopment plan does not meet the requirements set forth in clause (i), a notice under clause (iv) shall include—

(I) an explanation of that determination; and

(II) a statement of the actions that the redevelopment authority must undertake in order to address that determination.

(I)(i) Upon receipt of a notice under subparagraph (H)(iv) of a determination that a redevelopment plan does not meet a requirement set forth in subparagraph (H)(i), a redevelopment authority shall have the opportunity to—

(I) revise the plan in order to address the determination; and

(II) submit the revised plan to the Secretary of Defense and the Secretary of Housing and Urban Development.

(i) A redevelopment authority shall submit a revised plan under this subparagraph to such Secretaries, if at all, not later than 90 days after the date on which the redevelopment authority receives the notice referred to in clause (i).

(J)(i) Not later than 30 days after receiving a revised redevelopment plan under subparagraph (I), the Secretary of Housing and Urban Development shall review the revised plan and determine if the plan meets the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development shall notify the Secretary of Defense and the redevelopment authority concerned of the determination of the Secretary of Housing and Urban Development under this subparagraph.

(K)(i) Upon receipt of a notice under subparagraph (H)(iv) or (J)(ii) of the determination of the Secretary of Housing and Urban Development that a redevelopment plan for an installation meets the requirements set forth in subparagraph (H)(i), the Secretary of Defense shall dispose of the buildings and property at the installation.

(ii) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation.

(iii) The Secretary of Defense shall dispose of buildings and property under clause (i) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give substantial deference to the redevelopment plan concerned.

(iv) The disposal under clause (i) of buildings and property to assist the homeless shall be without consideration.

(v) In the case of a request for a conveyance under clause (i) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(L)(i) If the Secretary of Housing and Urban Development determines under subparagraph (J) that a revised redevelopment plan for an installation does not meet the requirements set forth in subparagraph (H)(i), or if no revised plan is so submitted, that Secretary shall—

(I) review the original redevelopment plan submitted to that Secretary under subparagraph (G), including the notice or notices of representatives of the homeless referred to in clause (ii)(I) of that subparagraph;

(II) consult with the representatives referred to in subclause (I), if any, for purposes of evaluating the continuing interest of such representatives in the use of buildings or property at the installation to assist the homeless;

(III) request that each such representative submit to that Secretary the items described in clause (ii); and

(IV) based on the actions of that Secretary under subclauses (I) and (II), and on any information obtained by that Secretary as a result of such actions, indicate to the Secretary of Defense the buildings and property at the installation that meet the requirements set forth in subparagraph (H)(i).

(ii) The Secretary of Housing and Urban Development may request under clause (i)(III) that a representative of the homeless submit to that Secretary the following:

(I) A description of the program of such representative to assist the homeless.

(II) A description of the manner in which the buildings and property that the representative proposes to use for such purpose will assist the homeless.

(III) Such information as that Secretary requires in order to determine the financial capacity of the representative to carry out the program and to ensure that the program will be carried out in compliance with Federal environmental law and Federal law against discrimination.

(IV) A certification that police services, fire protection services, and water and sewer services available in the communities in the vicinity of the installation concerned are adequate for the program.

(iii) Not later than 90 days after the date of the receipt of a revised plan for an installation under subparagraph (J), the Secretary of Housing and Urban Development shall—

(I) notify the Secretary of Defense and the redevelopment authority concerned of the buildings and property at an installation under clause (i)(IV) that the Secretary of Housing and Urban Development determines are suitable for use to assist the homeless; and

(II) notify the Secretary of Defense of the extent to which the revised plan meets the criteria set forth in subparagraph (H)(i).

(iv)(I) Upon notice from the Secretary of Housing and Urban Development with respect to an installation under clause (iii), the Secretary of Defense shall dispose of buildings and property at the installation in

consultation with the Secretary of Housing and Urban Development and the redevelopment authority concerned.

(II) For purposes of carrying out an environmental assessment of the closure or realignment of an installation, the Secretary of Defense shall treat the redevelopment plan submitted by the redevelopment authority for the installation (including the aspects of the plan providing for disposal to State or local governments, representatives of the homeless, and other interested parties) as part of the proposed Federal action for the installation. The Secretary of Defense shall incorporate the notification of the Secretary of Housing and Urban Development under clause (iii)(I) as part of the proposed Federal action for the installation only to the extent, if any, that the Secretary of Defense considers such incorporation to be appropriate and consistent with the best and highest use of the installation as a whole, taking into consideration the redevelopment plan submitted by the redevelopment authority.

(III) The Secretary of Defense shall dispose of buildings and property under subclause (I) in accordance with the record of decision or other decision document prepared by the Secretary in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). In preparing the record of decision or other decision document, the Secretary shall give deference to the redevelopment plan submitted by the redevelopment authority for the installation.

(IV) The disposal under subclause (I) of buildings and property to assist the homeless shall be without consideration.

(V) In the case of a request for a conveyance under subclause (I) of buildings and property for public benefit under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, the sponsoring Federal agency shall use the eligibility criteria set forth in such section or subchapter II of chapter 471 of title 49, United States Code (as the case may be) to determine the eligibility of the applicant and use proposed in the request for the public benefit conveyance. The determination of such eligibility should be made before submission of the redevelopment plan concerned under subparagraph (G).

(M)(i) In the event of the disposal of buildings and property of an installation pursuant to subparagraph (K) or (L), the redevelopment authority for the installation shall be responsible for the implementation of and compliance with agreements under the redevelopment plan described in that subparagraph for the installation.

(ii) If a building or property reverts to a redevelopment authority under such an agreement, the redevelopment authority shall take appropriate actions to secure, to the maximum extent practicable, the utilization of the building or property by other homeless representatives to assist the homeless. A redevelopment authority may not be required to utilize the building or property to assist the homeless.

(N) The Secretary of Defense may postpone or extend any deadline provided for under this paragraph in the case of an installation covered by this paragraph for such period as the Secretary considers appropriate if the Secretary determines that such postponement is in the interests of the communities affected by the closure or realignment of the installation. The Secretary shall make such determinations in consultation with the redevelopment authority concerned and, in the case of deadlines provided for under this

paragraph with respect to the Secretary of Housing and Urban Development, in consultation with the Secretary of Housing and Urban Development.

(O) For purposes of this paragraph, the term "communities in the vicinity of the installation", in the case of an installation, means the communities that constitute the political jurisdictions (other than the State in which the installation is located) that comprise the redevelopment authority for the installation.

(P) For purposes of this paragraph, the term "other interested parties", in the case of an installation, includes any parties eligible for the conveyance of property of the installation under section 550 of title 40, United States Code, or sections 47151 through 47153 of title 49, United States Code, whether or not the parties assist the homeless.

(7)(A) Subject to subparagraph (C), the Secretary may enter into agreements (including contracts, cooperative agreements, or other arrangements for reimbursement) with local governments for the provision of police or security services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this subtitle, or at facilities not yet transferred or otherwise disposed of in the case of installations closed under this subtitle, if the Secretary determines that the provision of such services under such agreements is in the best interests of the Department of Defense.

(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

(C) The Secretary may not exercise the authority under subparagraph (A) with respect to an installation earlier than 180 days before the date on which the installation is to be closed.

(D) The Secretary shall include in a contract for services entered into with a local government under this paragraph a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.

(C) APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—(1) The provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the actions of the President, the Commission, and, except as provided in paragraph (2), the Department of Defense in carrying out this subtitle.

(2)(A) The provisions of the National Environmental Policy Act of 1969 shall apply to actions of the Department of Defense under this subtitle—

(i) during the process of property disposal; and

(ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated.

(B) In applying the provisions of the National Environmental Policy Act of 1969 to the processes referred to in subparagraph (A), the Secretary of Defense and the Secretary of the military departments concerned shall not have to consider—

(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission;

(ii) the need for transferring functions to any military installation which has been selected as the receiving installation; or

(iii) military installations alternative to those recommended or selected.

(3) A civil action for judicial review, with respect to any requirement of the National Environmental Policy Act of 1969 to the extent such Act is applicable under paragraph (2), of any act or failure to act by the Department of Defense during the closing, realigning, or relocating of functions referred to in clauses (i) and (ii) of paragraph (2)(A), may not be brought more than 60 days after the date of such act or failure to act.

(d) WAIVER.—The Secretary of Defense may close or realign military installations under this subtitle without regard to—

(1) any provision of law restricting the use of funds for closing or realigning military installations included in any appropriations or authorization Act; and

(2) sections 2662 and 2687 of title 10, United States Code.

(e) TRANSFER AUTHORITY IN CONNECTION WITH PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.—(1)(A) Subject to paragraph (2) of this subsection and section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary may enter into an agreement to transfer by deed real property or facilities referred to in subparagraph (B) with any person who agrees to perform all environmental restoration, waste management, and environmental compliance activities that are required for the property or facilities under Federal and State laws, administrative decisions, agreements (including schedules and milestones), and concurrences.

(B) The real property and facilities referred to in subparagraph (A) are the real property and facilities located at an installation closed or to be closed, or realigned or to be realigned, under this subtitle that are available exclusively for the use, or expression of an interest in a use, of a redevelopment authority under subsection (b)(6)(F) during the period provided for that use, or expression of interest in use, under that subsection. The real property and facilities referred to in subparagraph (A) are also the real property and facilities located at an installation approved for closure or realignment under this subtitle that are available for purposes other than to assist the homeless.

(C) The Secretary may require any additional terms and conditions in connection with an agreement authorized by subparagraph (A) as the Secretary considers appropriate to protect the interests of the United States.

(2) A transfer of real property or facilities may be made under paragraph (1) only if the Secretary certifies to Congress that—

(A) the costs of all environmental restoration, waste management, and environmental compliance activities otherwise to be paid by the Secretary with respect to the property or facilities are equal to or greater than the fair market value of the property or facilities to be transferred, as determined by the Secretary; or

(B) if such costs are lower than the fair market value of the property or facilities, the recipient of the property or facilities agrees to pay the difference between the fair market value and such costs.

(3) In the case of property or facilities covered by a certification under paragraph (2)(A), the Secretary may pay the recipient of such property or facilities an amount equal to the lesser of—

(A) the amount by which the costs incurred by the recipient of such property or

facilities for all environmental restoration, waste, management, and environmental compliance activities with respect to such property or facilities exceed the fair market value of such property or facilities as specified in such certification; or

(B) the amount by which the costs (as determined by the Secretary) that would otherwise have been incurred by the Secretary for such restoration, management, and activities with respect to such property or facilities exceed the fair market value of such property or facilities as so specified.

(4) As part of an agreement under paragraph (1), the Secretary shall disclose to the person to whom the property or facilities will be transferred any information of the Secretary regarding the environmental restoration, waste management, and environmental compliance activities described in paragraph (1) that relate to the property or facilities. The Secretary shall provide such information before entering into the agreement.

(5) Nothing in this subsection shall be construed to modify, alter, or amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(6) Section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 10 U.S.C. 2687 note) shall not apply to any transfer under this subsection to persons or entities described in subsection (a)(2) of such section 330, except in the case of releases or threatened releases not disclosed pursuant to paragraph (4) of this subsection.

SEC. 2716. DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2016.

(a) IN GENERAL.—(1) If the Secretary makes the certifications required under section 2713(b), there shall be established on the books of the Treasury an account to be known as the "Department of Defense Base Closure Account 2016" (in this section referred to as the "Account"). The Account shall be administered by the Secretary as a single account.

(2) There shall be deposited into the Account—

(A) funds authorized for and appropriated to the Account;

(B) any funds that the Secretary may, subject to approval in an appropriation Act, transfer to the Account from funds appropriated to the Department of Defense for any purpose, except that such funds may be transferred only after the date on which the Secretary transmits written notice of, and justification for, such transfer to the congressional defense committees; and

(C) except as provided in subsection (d), proceeds received from the lease, transfer, or disposal of any property at a military installation that is closed or realigned under this subtitle.

(3) The Account shall be closed at the time and in the manner provided for appropriation accounts under section 1555 of title 31, United States Code. Unobligated funds which remain in the Account upon closure shall be held by the Secretary of the Treasury until transferred by law after the congressional defense committees receive the final report transmitted under subsection (c)(2).

(b) USE OF FUNDS.—(1) The Secretary may use the funds in the Account only for the purposes described in section 2715 with respect to military installations approved for closure or realignment under this subtitle.

(2) When a decision is made to use funds in the Account to carry out a construction

project under section 2715(a) and the cost of the project will exceed the maximum amount authorized by law for a minor military construction project, the Secretary shall notify in writing the congressional defense committees of the nature of, and justification for, the project and the amount of expenditures for such project. Any such construction project may be carried out without regard to section 2802(a) of title 10, United States Code.

(c) **REPORTS.**—(1)(A) Not later than 60 days after the end of each fiscal year in which the Secretary carries out activities under this subtitle using amounts in the Account, the Secretary shall transmit a report to the congressional defense committees of—

(i) the amount and nature of the deposits into, and the expenditures from, the Account during such fiscal year;

(ii) the amount and nature of other expenditures made pursuant to section 2715(a) during such fiscal year;

(iii) the amount and nature of anticipated deposits to be made into, and the anticipated expenditures to be made from, the Account during the first fiscal year commencing after the submission of the report; and

(iv) the amount and nature of anticipated expenditures to be made pursuant to section 2715(a) during the first fiscal year commencing after the submission of the report.

(B) The report for a fiscal year shall include the following:

(i) The obligations and expenditures from the Account during the fiscal year, identified by subaccount and installation, for each military department and Defense Agency.

(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

(iii) Each military construction project for which such obligations and expenditures were made, identified by installation and project title.

(iv) A description and explanation of the extent, if any, to which expenditures for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2717(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of—

(I) any failure to carry out military construction projects that were so proposed; and

(II) any expenditures for military construction projects that were not so proposed.

(v) An estimate of the net revenues to be received from property disposals to be completed during the first fiscal year commencing after the submission of the report at military installations approved for closure or realignment under this subtitle.

(2) Not later than 60 days after the closure of the Account under subsection (a)(3), the Secretary shall transmit to the congressional defense committees a report containing an accounting of—

(A) all the funds deposited into and expended from the Account or otherwise expended under this subtitle with respect to such installations; and

(B) any amount remaining in the Account.

(d) **DISPOSAL OR TRANSFER OF COMMISSARY STORES AND PROPERTY PURCHASED WITH NON-APPROPRIATED FUNDS.**—(1) If any real property or facility acquired, constructed, or improved (in whole or in part) with commissary store funds or nonappropriated funds is transferred or disposed of in connection with the closure or realignment of a military installation under this subtitle, a portion of

the proceeds of the transfer or other disposal of property on that installation shall be deposited in the reserve account established under section 204(b)(7)(C) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(2) The amount so deposited shall be equal to the depreciated value of the investment made with such funds in the acquisition, construction, or improvement of that particular real property or facility. The depreciated value of the investment shall be computed in accordance with regulations prescribed by the Secretary.

(3) The Secretary may use amounts in the reserve account, without further appropriation, for the purpose of acquiring, constructing, and improving—

(A) commissary stores; and

(B) real property and facilities for non-appropriated fund instrumentalities.

(4) In this subsection:

(A) The term “commissary store funds” means funds received from the adjustment of, or surcharge on, selling prices at commissary stores fixed under section 2685 of title 10, United States Code.

(B) The term “nonappropriated funds” means funds received from a non-appropriated fund instrumentality.

(C) The term “nonappropriated fund instrumentality” means an instrumentality of the United States under the jurisdiction of the Armed Forces (including the Army and Air Force Exchange Service, the Navy Resale and Services Support Office, and the Marine Corps exchanges) which is conducted for the comfort, pleasure, contentment, or physical or mental improvement of members of the Armed Forces.

(e) **ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR ENVIRONMENTAL RESTORATION PROJECTS.**—Except for funds deposited into the Account under subsection (a), funds appropriated to the Department of Defense may not be used for purposes described in section 2715(a)(1)(C). The prohibition in this subsection shall expire upon the closure of the Account under subsection (a)(3).

(f) **AUTHORIZED COST AND SCOPE OF WORK VARIATIONS.**—(1) Subject to paragraphs (2) and (3), the cost authorized for a military construction project or military family housing project to be carried out using funds in the Account may not be increased or reduced by more than 20 percent or \$2,000,000, whichever is less, of the amount specified for the project in the conference report to accompany the Act of Congress authorizing the project. The scope of work for such a project may not be reduced by more than 25 percent from the scope specified in the most recent budget documents for the projects listed in such conference report.

(2) Paragraph (1) shall not apply to a military construction project or military family housing project to be carried out using funds in the Account with an estimated cost of less than \$5,000,000, unless the project has not been previously identified in any budget submission for the Account and exceeds the applicable minor construction threshold under section 2805 of title 10, United States Code.

(3) The limitation on cost or scope variation specified in paragraph (1) shall not apply if the Secretary of Defense makes a determination that an increase or reduction in cost or a reduction in the scope of work for a military construction project or military family housing project to be carried out using funds in the Account is required for the sole purpose of meeting unusual variations in cost or scope. If the Secretary

makes such a determination, the Secretary shall notify the congressional defense committees of the variation in cost or scope not later than 21 days before the date on which the variation is made in connection with the project or, if the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code, not later than 14 days before the date on which the variation is made. The Secretary shall include the reasons for the variation in the notification.

SEC. 2717. REPORTS.

As part of the budget request for fiscal year 2021 and for each fiscal year thereafter through fiscal year 2032 for the Department of Defense, the Secretary shall transmit to the congressional defense committees—

(1) a schedule of the closure actions to be carried out under this subtitle in the fiscal year for which the request is made and an estimate of the total expenditures required and cost savings to be achieved by each such closure and of the time period in which these savings are to be achieved in each case, together with the Secretary's assessment of the environmental effects of such actions;

(2) a description of the military installations, including those under construction and those planned for construction, to which functions are to be transferred as a result of such closures, together with the Secretary's assessment of the environmental effects of such transfers;

(3) a description of the closure actions already carried out at each military installation since the date of the installation's approval for closure under this subtitle and the current status of the closure of the installation, including whether—

(A) a redevelopment authority has been recognized by the Secretary for the installation;

(B) the screening of property at the installation for other Federal use has been completed; and

(C) a redevelopment plan has been agreed to by the redevelopment authority for the installation;

(4) a description of redevelopment plans for military installations approved for closure under this subtitle, the quantity of property remaining to be disposed of at each installation as part of its closure, and the quantity of property already disposed of at each installation;

(5) a list of the Federal agencies that have requested property during the screening process for each military installation approved for closure under this subtitle, including the date of transfer or anticipated transfer of the property to such agencies, the acreage involved in such transfers, and an explanation for any delays in such transfers;

(6) a list of known environmental remediation issues at each military installation approved for closure under this subtitle, including the acreage affected by those issues, an estimate of the cost to complete such environmental remediation, and the plans (and timelines) to address such environmental remediation; and

(7) an estimate of the date for the completion of all closure actions at each military installation approved for closure or realignment under this subtitle.

SEC. 2718. CONGRESSIONAL CONSIDERATION OF COMMISSION REPORT.

(a) **TERMS OF THE RESOLUTION.**—For purposes of section 2714(b), the term “joint resolution” means only a joint resolution which is introduced within the 10-day period beginning on the date on which the President transmits the report to Congress under section 2713(k), and—

(1) which does not have a preamble;

(2) the matter after the resolving clause of which is as follows: "That Congress disapproves the recommendations of the Defense Base Closure and Realignment Commission as submitted by the President on _____", the blank space being filled in with the appropriate date; and

(3) the title of which is as follows: "Joint resolution disapproving the recommendations of the Defense Base Closure and Realignment Commission."

(b) REFERRAL.—A resolution described in subsection (a) that is introduced in the House of Representatives shall be referred to the Committee on Armed Services of the House of Representatives. A resolution described in subsection (a) introduced in the Senate shall be referred to the Committee on Armed Services of the Senate.

(c) DISCHARGE.—If the committee to which a resolution described in subsection (a) is referred has not reported such a resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the President transmits the report to Congress under section 2713(k), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) CONSIDERATION.—(1) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (c)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) Immediately following the conclusion of the debate on a resolution described in

subsection (a) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) CONSIDERATION BY OTHER HOUSE.—(1) If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (a) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(f) RULES OF THE SENATE AND HOUSE.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 2719. RESTRICTION ON OTHER BASE CLOSURE AUTHORITY.

(a) IN GENERAL.—Except as provided in subsection (c), during the period beginning on the date of the enactment of this Act, and ending on April 15, 2020, this subtitle shall be the exclusive authority for selecting for closure or realignment, or for carrying out any closure or realignment of, a military installation inside the United States.

(b) RESTRICTION.—Except as provided in subsection (c), none of the funds available to the Department of Defense may be used, other than under this subtitle, during the period specified in subsection (a)—

(1) to identify, through any transmittal to Congress or through any other public announcement or notification, any military installation inside the United States as an installation to be closed or realigned or as an installation under consideration for closure or realignment; or

(2) to carry out any closure or realignment of a military installation inside the United States.

(c) EXCEPTION.—Nothing in this subtitle affects the authority of the Secretary to carry out closures and realignments to which section 2687 of title 10, United States Code, is not applicable, including closures and realignments carried out for reasons of national security or a military emergency described in subsection (d) of such section.

SEC. 2720. DEFINITIONS.

In this subtitle:

(1) The term "Account" means the Department of Defense Base Closure Account established by section 2716(a)(1).

(2) The term "congressional defense committees" means the Committee on Armed Services and the Committee on Appropriations of the Senate and the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

(3) The term "Commission" means the Commission established by section 2712.

(4) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility. Such term does not include any facility used primarily for civil works, rivers and harbors projects, flood control, or other projects not under the primary jurisdiction or control of the Department of Defense.

(5) The term "realignment" includes any action which both reduces and relocates functions and civilian personnel positions but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, or skill imbalances.

(6) The term "Secretary" means the Secretary of Defense.

(7) The term "United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and any other commonwealth, territory, or possession of the United States.

(8) The term "date of approval", with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this subtitle expires.

(9) The term "redevelopment authority", in the case of an installation to be closed or realigned under this subtitle, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation or for directing the implementation of such plan.

(10) The term "redevelopment plan" in the case of an installation to be closed or realigned under this subtitle, means a plan that—

(A) is agreed to by the local redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure or realignment of the installation.

(11) The term "representative of the homeless" has the meaning given such term in section 501(i)(4) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411(i)(4)).

SEC. 2721. TREATMENT AS A BASE CLOSURE LAW FOR PURPOSES OF OTHER PROVISIONS OF LAW.

(a) DEFINITION OF "BASE CLOSURE LAW" IN TITLE 10.—Section 101(a)(17) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(D) The Defense Base Closure and Realignment Act of 2016."

(b) DEFINITION OF "BASE CLOSURE LAW" IN OTHER LAWS.—

(1) Section 131(b) of Public Law 107-249 (10 U.S.C. 221 note) is amended by striking

“means” and all that follows and inserting “has the meaning given the term ‘base closure law’ in section 101(a)(17) of title 10, United States Code.”.

(2) Section 1334(k)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2701 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2016.”.

(3) Section 2918(a)(1) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 10 U.S.C. 2687 note) is amended by adding at the end the following new subparagraph:

“(C) The Defense Base Closure and Realignment Act of 2016.”.

SEC. 2722. CONFORMING AMENDMENTS.

(a) DEPOSIT AND USE OF LEASE PROCEEDS.—Section 2667(e) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “on or after January 1, 2005,” and inserting “from January 1, 2005 through December 31, 2005,”; and

(2) by adding at the end the following new paragraph:

“(6) Money rentals received by the United States from a lease under subsection (g) at a military installation approved for closure or realignment under a base closure law on or after January 1, 2006, shall be deposited into the account established under section 2716 of the Defense Base Closure and Realignment Act of 2016.”.

(b) RESTORED LEAVE.—Section 6304(d)(3)(A) of title 5, United States Code, is amended by striking “the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note)” and inserting “a base closure law, as that term is defined in section 101(a)(17) of title 10.”.

SA 4381. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXVIII, insert the following:

SEC. 28. ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION.

(a) IN GENERAL.—As part of any land conveyance by the Army to a public or private entity under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Secretary of the Army shall carry out the activities described in subsection (b).

(b) ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION ACTIVITIES.—The activities described in this subsection are—

(1) environmental remediation activities, including—

(A) any corrective action required under a permit issued by the State in which the property is located pursuant to the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) relating to the property;

(B) any activity to be carried out by the entity pursuant to a consent agreement (including any amendments) between the entity and the State in which the property is located regarding Army activities at the property;

(C) the abatement of any potential explosive and ordnance conditions on the property;

(D) the demolition, abatement, removal, and disposal of any structure containing asbestos and lead-based paint, including the foundations, footing, and slabs of the structure, together with backfilling and seeding;

(E) the removal and disposal of any soil that contains a quantity of pesticide in excess of the standard of the State in which the property is located, together with backfilling and seeding;

(F) the design, construction, closure, and post-closure of any solid waste landfill facility permitted by the State in which the property is located pursuant to the delegated authority of the State under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) to accommodate the consolidation of any existing landfills on the property and future requirements;

(G) lime sludge removal, disposal, and backfilling relating to any water treatment plant;

(H) the closure of any septic tank on the property; and

(I) any financial assurance required in connection with the activities described in this paragraph; and

(2) site restoration activities, including—

(A) the collection and disposal of any solid waste that was present on the property before the date on which the Army conveys the land to the entity;

(B) the removal of any improvement to the property that was present on the property before the date on which the Army conveys the land to the entity, including roads, sewers, gas lines, poles, ballast, structures, slabs, footings, and foundations, together with backfilling and seeding;

(C) any impediments to redevelopment of the property arising from the use of the property by, or on behalf of, the Army or any contractor of the Army;

(D) any financial assurance required in connection with the activities described in this paragraph; and

(E) payment of the legal, environmental, and engineering costs incurred by the entity for the analysis of the work necessary to complete the environmental remediation.

SA 4382. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CLOSURE OF ST. MARYS AIRPORT, ST. MARYS, GEORGIA.

(a) RELEASE OF RESTRICTIONS.—Subject to subsection (b), the United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) REQUIREMENTS FOR RELEASE OF RESTRICTIONS.—The Administrator shall execute the release under subsection (a) once all of the following occurs:

(1) The Secretary of the Navy transfers to the Georgia Department of Transportation the amounts described in subsection (c) and requires as an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a regional airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The City of St. Marys, for consideration as provided for in this section, grants to the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, as determined acceptable by the Secretary, under such terms and conditions that the Secretary considers necessary to protect the interests of the United States and prohibiting the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a). In carrying out such obligations—

(A) the Administrator shall not assume or consider any potential or proposed future redevelopment of the current St. Marys airport property;

(B) any potential new regional airport in Georgia shall be deemed to be not connected with the release noted in subsection (a) nor the closure of St. Marys Airport; and

(C) any environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a potential regional airport in Georgia shall be considered through an environmental review process separate and apart from the environmental review made a condition of release by this section.

(5) The Administrator fulfills the obligations under sections 47107(h) and 46319 of title 49, United States Code.

(6) Any actions required under part 157 of title 14, Code of Federal Regulations, are carried out to the satisfaction of the Administrator.

(c) TRANSFER OF AMOUNTS DESCRIBED.—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value of the real property of the St. Marys Airport, as determined by the Secretary and concurred in by the Administrator, based on an appraisal report and title documentation that—

(A) is prepared or adopted by the Secretary, and concurred in by the Administrator, not more than 180 days prior to the transfer described in subsection (b)(1); and

(B) meets all requirements of Federal law and the appraisal and documentation standards applicable to the acquisition and disposal of real property interests of the United States.

(2) An amount equal to the unamortized portion of any Federal development grants (including grants available under a State block grant program established pursuant to section 47128 of title 49, United States Code), other than used for the acquisition of land, paid to the City of St. Marys for use as the St. Marys Airport.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Marys Airport as of the date of the enactment of this Act and as otherwise due to or received by the City of St. Marys after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) **AUTHORIZATION FOR TRANSFER OF FUNDS.**—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b)(1).

(e) **ADDITIONAL REQUIREMENTS.**—

(1) **SURVEY.**—The exact acreage and legal description of St. Marys Airport shall be determined by a survey satisfactory to the Secretary and concurred in by the Administrator.

(2) **PLANNING OF REGIONAL AIRPORT.**—Any planning effort for the development of a regional airport in southeast Georgia shall be conducted in coordination with the Secretary, and shall ensure that any such regional airport does not interfere with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia. The determination of the Secretary shall be final as to whether the operations of a new regional airport in southeast Georgia would interfere with such military operations.

SA 4383. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 829K. COMPETITION EXCEPTIONS FOR MULTIPLE AWARD CONTRACTS.

Section 2304c(b) of title 10, United States Code, is amended—

(1) in paragraph (3), by striking “; or” and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new paragraph:

“(5) the task or delivery order satisfies one of the exceptions in 2304(c) of this title to the requirement to use competitive procedures.”.

SA 4384. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 15 and all that follows through page 42, line 17, and insert the following:

(c) **REPEAL OF REPORTING REQUIREMENTS RELATED TO NAVAL VESSELS AND MERCHANT MARINE.**—

SA 4385. Mr. LEE submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title X, strike subtitle G.

SA 4386. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 709. INCLUSION OF COVERAGE OF IN VITRO FERTILIZATION TREATMENTS AS PART OF CONTINUED HEALTH BENEFITS COVERAGE.

The Secretary of Defense shall include coverage of in vitro fertilization treatments at military treatment facilities as a covered health benefit under the program of continued health benefits coverage under section 1078a of title 10, United States Code, for any beneficiary under such section in the same manner in which such treatments were covered for such beneficiary under chapter 55 or section 1145 of such title before the beneficiary became eligible for coverage under section 1078a of such title.

SA 4387. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PERSONNEL APPOINTMENT AUTHORITY.

(a) **IN GENERAL.**—Section 306 of the Homeland Security Act of 2002 (6 U.S.C. 186) is amended by adding at the end the following:

“(e) **PERSONNEL APPOINTMENT AUTHORITY.**—

“(1) **IN GENERAL.**—In appointing employees to positions in the Directorate of Science and Technology, the Secretary shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105-261) (referred to in this subsection as ‘section 1101’).”

“(2) **TERM OF APPOINTMENTS.**—The term of appointments for employees under subsection (c)(1) of section 1101 may not exceed 5 years before the granting of any extension under subsection (c)(2) of that section.

“(3) **TERMINATION.**—The authority under this subsection shall terminate on the date on which the authority to carry out the program under section 1101 terminates under section 1101(e)(1).”.

(b) **CONFORMING AMENDMENTS.**—Section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)) is amended by—

(1) striking paragraph (6); and

(2) redesignating paragraph (7) as paragraph (6).

(c) **RULE OF CONSTRUCTION.**—Nothing in the amendments made by this section shall be construed to limit the authority granted under paragraph (6) of section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)), as in effect on the day before the date of enactment of this Act.

SA 4388. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. USE OF FILLMORE CANYON FOR RECREATIONAL ACTIVITIES AND MILITARY TRAINING.

(a) **IN GENERAL.**—The Secretary of the Army (referred to in this section as the “Secretary”) shall allow for the conduct of certain recreational activities on the approximately 2,050 acres of land generally depicted as “Parcel D” on the map entitled “Organ Mountains Area” and dated April 19, 2016 (referred to in this section as the “parcel”), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1952 (17 Fed. Reg. 4822).

(b) **OUTDOOR RECREATION PLAN.**—

(1) **IN GENERAL.**—The Secretary shall develop a plan for public outdoor recreation on the parcel that is consistent with the primary military mission of the parcel.

(2) **REQUIREMENT.**—In developing the plan under paragraph (1), the Secretary shall ensure, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including, hunting, hiking, wildlife viewing, and camping.

(c) **CLOSURES.**—The Secretary may close the parcel or any portion of the parcel to the public as the Secretary determines to be necessary to protect—

(1) public safety; or

(2) the safety of the military members training on the parcel.

(d) **TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.**—

(1) **IN GENERAL.**—On a determination by the Secretary that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of the Interior of administrative jurisdiction over the parcel, the Secretary shall transfer to the Secretary of the Interior administrative jurisdiction over the parcel.

(2) **WITHDRAWAL.**—On transfer of the parcel under paragraph (1), the parcel shall be—

(A) under the jurisdiction of the Director of the Bureau of Land Management; and

(B) withdrawn from—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(3) **RESERVATION.**—On transfer under paragraph (1), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with a memorandum of understanding entered into under subsection (e).

(e) **MEMORANDUM OF UNDERSTANDING RELATING TO MILITARY TRAINING.**—

(1) **IN GENERAL.**—If, after the transfer of the parcel under subsection (d)(1), the Secretary requests that the Secretary of the Interior enter into a memorandum of understanding, the Secretary of the Interior shall enter into a memorandum of understanding with the Secretary providing for the conduct of military training on the parcel.

(2) **REQUIREMENTS.**—The memorandum of understanding entered into under paragraph (1) shall—

(A) address the location, frequency, and type of training activities to be conducted on the parcel;

(B) provide to the Secretary access to the parcel for the conduct of military training;

(C) authorize the Secretary of the Interior or the Secretary to close the parcel or a portion of the parcel to the public as the Secretary of the Interior or the Secretary determines to be necessary to protect—

(i) public safety; or
(ii) the safety of the military members training; and

(D) to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(f) **MILITARY OVERFLIGHTS.**—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the parcel, including military overflights that can be seen or heard within the parcel;

(2) the designation of new units of special airspace over the parcel; or

(3) the use or establishment of military flight training routes over the parcel.

SA 4389. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 596, line 5, strike “(8) Other systems” and insert the following:

(8) Secure laser communications systems with high data rates to provide low probability of interception by adversaries.

(9) Other systems

SA 4390. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DISCONTINUATION BY DEPARTMENT OF VETERANS AFFAIRS OF USE OF SOCIAL SECURITY ACCOUNT NUMBERS TO IDENTIFY VETERANS.

(a) **IN GENERAL.**—Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

(1) For all veterans submitting to the Secretary of Veterans Affairs new claims for benefits under laws administered by the Secretary, not later than two years after the date of the enactment of this Act.

(2) For all individuals not described in paragraph (1), not later than five years after the date of the enactment of this Act.

(b) **EXCEPTION.**—The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs if and only if the use of such number is required to obtain information the Secretary requires from an information system that is not under the jurisdiction of the Secretary.

SA 4391. Mrs. GILLIBRAND (for herself, Mr. BOOKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RESEARCH BY DEPARTMENT OF VETERANS AFFAIRS ON THERAPEUTIC USES OF CANNABIS PLANT.

(a) **IN GENERAL.**—The Secretary of Veterans Affairs may, in coordination with the National Center for Posttraumatic Stress Disorder, within the limits of statutory authorities and funding under other provisions of law, conduct clinical research on the potential benefits of therapeutic use of the cannabis plant by veterans—

(1) to treat serious health conditions, such as posttraumatic stress disorder (PTSD), chronic pain and neuropathies, sleep disorders, traumatic brain injury, seizures, Parkinson's disease, cancer, spinal cord injuries, human immunodeficiency virus (HIV), and Crohn's disease; and

(2) as a treatment to achieve and maintain abstinence from opioids and heroin.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing any efforts of the Department of Veterans Affairs to expand the conduct of research described in subsection (a).

SA 4392. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1641. TRAINING FOR MEMBER OF THE ARMED FORCES ON CYBER SKILLS FOR THE PROTECTION OF INDUSTRIAL CONTROL SYSTEMS.

(a) **IN GENERAL.**—The Secretary of Defense shall develop and implement a program of training for members of the Armed forces on cyber skills for the protection of industrial control systems that utilizes industrial control system cyber assessment expertise and training capabilities within the Department of Defense. The program of training shall include applied hands on training from Department units currently performing industrial control systems assessments. Such training shall be designed to enable members receiving such training to carry out activities to protect such systems from cyber attacks of significant consequence in situations where such authority already exists.

(b) **CONSULTATION.**—The Secretary of Defense shall consult with, and as appropriate leverage the expertise and capabilities of the Department of Homeland Security and the Department of Energy national laboratories, and institutions of higher education and other appropriate organizations and entities in the private sector in carrying out the program.

SA 4393. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1151 and insert the following:

SEC. 1151. TERMINATION OF DEPARTMENT OF DEFENSE POLICY ON FLAT RATE PER DIEM FOR LONG-TERM TEMPORARY DUTY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT.

(a) **TERMINATION.**—The policy of the Department of Defense on flat rate per diem for long-term temporary duty for civilian employees of the Department (MAP/CAP 118-13), effective as of November 1, 2014, is hereby terminated, and the rate of per diem payable for such employees for such duty after the date of the enactment of this Act shall be the rate of per diem that was payable for such employees for such duty as of October 31, 2014.

(b) **FUNDING AND OFFSET.**—Within the amounts authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 301—

(1) the amount available for Undistributed Operation and Maintenance as specified in the funding table in section 4301 is hereby increased by \$52,000,000, with the amount of the increase to be available for payment of per diem for long-term temporary duty for civilian employees of the Department of Defense in connection with the termination of policy made by subsection (a); and

(2) the amount available for the Defense Contract Management Agency as specified in the funding table in section 4301 is hereby reduced by \$52,000,000, with the amount of the

reduction to be applied to amounts otherwise available for Administration and Service-wide Activities.

SA 4394. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. HAZING IN THE ARMED FORCES.

(a) IDENTIFICATION OF SYSTEM FOR REPORTING AND TRACKING INCIDENTS.—The Secretary of Defense shall identify a data collection system that provides the Department of Defense with the best mechanism for the reporting and tracking of incidents of hazing involving members of the Armed Forces. The system so identified may be a new data collection system or a current data collection system (either as is or as modified).

(b) SURVEYS.—

(1) STATUS OF FORCES SURVEY.—Each annual Status of Forces Survey conducted by the Defense Manpower Data Center (DMDC) after fiscal year 2017 shall include questions on hazing in the Armed Forces, including questions designed to determine the following:

(A) The prevalence of hazing in the Armed Forces.

(B) The effectiveness of training provided members of the Armed Forces on hazing.

(C) The extent to which incidents of hazing in the Armed Forces are reported.

(2) DEVELOPMENT.—The Defense Manpower Data Center shall develop the elements of the Status of Forces Survey required pursuant to paragraph (1) in coordination with the Inter-Service Survey Coordinating Committee (ISSCC).

(c) REPORTS.—

(1) REPORTS TO SECRETARY OF DEFENSE.—Not later than January 31 each year, each Secretary of a military department and the Chief of the National Guard shall submit to the Secretary of Defense a report on hazing in the Armed Forces under the jurisdiction of such Secretary or the National Guard, as applicable, during the preceding year.

(2) REPORTS TO CONGRESS.—Not later than April 30 each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a consolidated report on hazing in the Armed Forces during the preceding year.

SA 4395. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. REPORT ON DELAY IN ISSUANCE OF FINAL RULE ON ENDING TRAFFICKING IN GOVERNMENT CONTRACTING.

Section 1708(c)(1) of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104d(c)(1)) is amended by adding at the end the following new subparagraph:

“(C)(i) If the final rule on defining ‘recruitment fees’ (FAR Case 2015-017), which would further amend the amended Federal Acquisition Regulation pursuant to subparagraph (A) (FAR Case 2013-001, final rule issued January 22, 2015), has not been issued by October 31, 2016, the Secretary of Defense, the Administrator for General Services, and the Administrator of National Aeronautics and Space shall, not later than November 30, 2016, jointly submit to the appropriate congressional committees a report on the reasons for the delay.

“(ii) In this subparagraph, the term ‘appropriate congressional committees’ means—

“(I) the congressional defense committees;

“(II) the Committee on Foreign Relations and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(III) the Committee on Foreign Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”.

SA 4396. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. MITIGATION OF RISKS POSED BY CERTAIN FURNITURE IN MILITARY HOUSING UNITS.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) allow residents of military housing units to anchor furniture, televisions, and large appliances to the wall without incurring a penalty or obligation to repair the wall upon vacating the unit; and

(2) securely anchor to the wall all provided clothing storage units covered by the Standard Safety Specification for Clothing Storage Units (ASTM F2057-14) or any successor standard, bookcases, televisions, and large appliances in each furnished military housing unit in which a child under the age of 6 resides or is a frequent visitor.

(b) ANCHORING FOR ALL UNITS.—The Secretary of Defense shall securely anchor all provided clothing storage units covered by the Standard Safety Specification for Clothing Storage Units (ASTM F2057-14) or any successor standard, bookcases, televisions, and large appliances in each furnished military housing unit not later than 1 year after the date of enactment of this Act.

SA 4397. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXPANSION OF ELIGIBILITY FOR VETERANS HIRING PREFERENCES TO INCLUDE CERTAIN FORMER MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 2108(1) of title 5, United States Code, is amended—

(1) by striking “180 consecutive days” each place it appears and inserting “180 cumulative days”; and

(2) in subparagraph (B), by striking “not including service under section 12103(d) of title 10” and inserting “including service”.

SA 4398. Mr. MCCAIN (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 308 strike line 16 and insert the following:

complies with the requirements of this subsection.

“(4) This subsection does not apply to the furnishing of athletic footwear to the members of the Army, the Navy, the Air Force, or the Marine Corps upon their initial entry into the armed forces, or prohibit the provision of a cash allowance to such members for such purpose, if—

“(A) the Secretary of Defense determines that compliance with paragraph (2) would result in a sole source contract for procurement of athletic footwear for the purpose stated in paragraph (1) because there would be limited qualified or approved sources of supply for such footwear; or

“(B) the Secretary of the military department concerned determines, with respect to members in initial entry training under the jurisdiction of such Secretary, that providing athletic footwear as otherwise required by this subsection would have the potential to cause unnecessary harm and risk to the safety and wellbeing of members in initial entry training.”.

SA 4399. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. UPGRADES TO THE NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that upgrading the nuclear command, control, and communications system is essential to maintaining a secure nuclear stockpile.

(b) **AVAILABILITY OF FUNDS.**—The Secretary of Defense may use funds authorized to be appropriated by this Act and available for upgrades to the nuclear command, control, and communications system to ensure high quality cybersecurity and to expedite modernization of communications that travel over leased telephone lines.

SA 4400. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1227. SENSE OF CONGRESS ON SAFE RESETTLEMENT OF CAMP LIBERTY RESIDENTS.

It is the sense of Congress that the United States Government should—

(1) work with the Government of Iraq and the United Nations High Commissioner for Refugees (UNHCR) to ensure that all residents of Camp Liberty are safely resettled in Albania;

(2) urge the Government of Iraq to take prompt and appropriate steps in accordance with international agreements to promote the physical security and protection of residents of Camp Liberty during the resettlement process, including steps to ensure that the personnel responsible for providing security at Camp Liberty are adequately vetted to determine that they are not affiliated with the Islamic Revolutionary Guard Corps' Qods Force;

(3) urge the Government of Iraq to ensure continued and reliable access to food, clean water, medical assistance, electricity and other energy needs, and any other equipment and supplies necessary to sustain the residents during periods of attack or siege by external forces during the resettlement process;

(4) work with the Government of Iraq to make all reasonable efforts to facilitate the sale of residents' property and assets remaining at Camp Ashraf and Camp Liberty for the purpose of funding their cost of living and resettlement out of Iraq;

(5) work with the Government of Iraq and the UNHCR to ensure that Camp Liberty residents may exercise full control of all personal assets in Camp Liberty and the former Camp Ashraf as the residents deem necessary;

(6) assist, and maintain close and regular communication with, the UNHCR for the purpose of expediting the ongoing resettlement of all residents of Camp Liberty to Albania;

(7) urge the Government of Albania, and the UNHCR to ensure the continued recognition of the resettled residents as "persons of concern" entitled to international protections according to principles and standards in the 1951 Geneva Convention relating to the Status of Refugees, and the International Bill of Human Rights; and

(8) work with the Government of Albania and the UNHCR to facilitate and provide suitable locations for housing of the remaining Camp Liberty residents in Albania until such time as the residents become self-sufficient in meeting their residential needs in Albania.

SA 4401. Mr. REID (for Mr. BOOKER (for himself and Mr. BROWN)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. PROHIBITION ON ESTABLISHMENT, MAINTENANCE, OR SUPPORT OF SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS AT PUBLIC EDUCATIONAL INSTITUTIONS THAT DISPLAY CONFEDERATE BATTLE FLAG.

(a) **PROHIBITION.**—Section 2102 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) **PROHIBITION RELATED TO DISPLAY OF CONFEDERATE BATTLE FLAG.**—(1) The Secretary of a military department may not establish, maintain, or support a unit of the program at any public educational institution, including any senior military college specified in section 2111a of this title, that displays, in a location other than in a museum exhibit, the Confederate battle flag.

"(2)(A) Upon making a determination under paragraph (1) that an educational institution displays, in a location other than in a museum exhibit, the Confederate battle flag, the Secretary of the military department concerned shall terminate, in accordance with subparagraph (B), any unit of the program at that educational institution in existence as of the date of the determination.

"(B) The termination of a unit of the program at an educational institution pursuant to this paragraph shall take effect on the date on which—

"(i) each member of the program who, as of the date of the determination, is enrolled in the educational institution is no longer so enrolled; and

"(ii) each student who, as of the date of the determination, is enrolled in the educational institution but not yet a member of the program, is no longer so enrolled.

"(3) Not later than January 31, 2017, and each January 31 thereafter through January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report—

"(A) identifying each unit of the program located at an educational institution that displays, in a location other than in a museum exhibit, the Confederate battle flag; and

"(B) describing the implementation of this subsection with respect to that educational institution.

"(4) In this subsection, the term 'Confederate battle flag' means the battle flag of the Army of Northern Virginia, the battle flag of the Army of Tennessee, the battle flag of Forrest's Cavalry Corps, the Second Confederate Navy Jack, the Second Confederate Navy Ensign, or other flag with a like design."

(b) **CONFORMING AMENDMENTS.**—Such title is further amended as follows:

(1) In section 2102(d), striking "The President" and inserting "Subject to subsection (e), the President".

(2) In section 2111a—

(A) in subsection (d), by striking "The Secretary" and inserting "Except as provided in section 2102(e) of this title, the Secretary".

(B) in subsection (e)(1), by striking "The Secretary" and inserting "Except in the case of a senior military college at which a unit of the program is terminated pursuant to section 2102(e) of this title, the Secretary".

SA 4402. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROTECTING INDIVIDUALS FROM MASS AERIAL SURVEILLANCE.

(a) **SHORT TITLE.**—This section may be cited as the "Protecting Individuals From Mass Aerial Surveillance Act of 2015".

(b) **DEFINITIONS.**—In this section—

(1) the terms "mobile aerial-view device" and "MAVD" mean any device that through flight or aerial lift obtains a dynamic, aerial view of property, persons or their effects, including an unmanned aircraft (as defined in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note));

(2) the term "law enforcement party" means a person or entity authorized by law, or funded by the Government of the United States, to investigate or prosecute offenses against the United States;

(3) the term "Federal entity" means any person or entity acting under the authority of, or funded in whole or in part by, the Government of the United States, including a Federal law enforcement party, but excluding State, tribal, or local government agencies or departments;

(4) the term "non-Federal entity" means any person or entity that is not a Federal entity;

(5) the term "surveil" means to photograph, record, or observe using a sensing device, regardless of whether the photographs, observations, or recordings are stored, and excludes using a sensing device for the purposes of testing or training operations of MAVDs;

(6)(A) the term "sensing device" means a device capable of remotely acquiring personal information from its surroundings using any frequency of the electromagnetic spectrum, or a sound detecting system, or a system that detects chemicals in the atmosphere; and

(B) the term "sensing device" does not include equipment whose sole function is to provide information directly necessary for safe air navigation or operation of a MAVD;

(7) the term "public lands" means lands owned by the Government of the United States; and

(8) the term "national borders" refers to any region no more than 25 miles of an external land boundary of the United States.

(c) **PROHIBITED USE OF MAVDS.**—A Federal entity shall not use a MAVD to surveil property, persons or their effects, or gather evidence or other information pertaining to known or suspected criminal conduct, or conduct that is in violation of a statute or regulation.

(d) **EXCEPTIONS.**—This section does not prohibit any of the following:

(1) **PATROL OF BORDERS.**—The use of a MAVD by a Federal entity to surveil national borders to prevent or deter illegal entry of any persons or illegal substances at the borders.

(2) **EXIGENT CIRCUMSTANCES.**—

(A) The use of a MAVD by a Federal entity when exigent circumstances exist. For the purposes of this paragraph, exigent circumstances exist when the Federal entity possesses reasonable suspicion that under particular circumstances, swift action is necessary—

(i) to prevent imminent danger of death or serious bodily harm to a specific individual; or

(ii) to counter an imminent risk of a terrorist attack by a specific individual or organization;

(iii) to prevent imminent destruction of evidence; or

(iv) to counter an imminent or actual escape of a criminal or terrorist suspect.

(B) A Federal entity using a MAVD pursuant to clause (i)(I) must maintain a retrievable record of the facts giving rise to the reasonable suspicion that an exigent circumstance existed.

(3) **PUBLIC SAFETY AND RESEARCH.**—The use of a MAVD by a Federal entity—

(A) to discover, locate, observe, gather evidence in connection to, or prevent forest fires;

(B) to monitor environmental, geologic, or weather-related catastrophe or damage from such an event;

(C) to research or survey for wildlife management, habitat preservation, or geologic, atmospheric, or environmental damage or conditions;

(D) to survey for the assessment and evaluation of environmental, geologic or weather-related damage, erosion, flood, or contamination; and

(E) to survey public lands for illegal vegetation.

(4) **CONSENT.**—The use of a MAVD by a Federal entity for the purpose of acquiring information about an individual, or about an individual's property or effects, if such individual has given written consent to the use of a MAVD for such purposes.

(5) **WARRANT.**—Law enforcement using a MAVD, pursuant to, and in accordance with, a Rule 41 warrant, to surveil specific property, persons or their effects.

(e) **BAN ON IDENTIFYING INDIVIDUALS.**—

(1) No Federal entity actor may make any intentional effort to identify an individual from, or associate an individual with, the information collected by operations authorized by paragraphs (1) through (3) of subsection(d), nor shall the collected information be disclosed to any entity except another Federal entity or State, tribal, or local government agency or department, or political subdivision thereof, that agrees to be bound by the restrictions in this section.

(2) The restrictions described in paragraph (1) shall not apply if there is probable cause that the information collected is evidence of specific criminal activity.

(f) **PROHIBITION ON USE OF EVIDENCE.**—No evidence obtained or collected in violation of this Act may be received as evidence against an individual in any trial, hearing, or other proceeding in or before any court, grand jury, department, officer, agency, regulatory body, legislative committee, or other authority of the United States, a State, or a political subdivision thereof.

(g) **PROHIBITION ON SOLICITATION AND PURCHASE.**—

(1) A Federal entity shall not solicit to or award contracts to any entity for such enti-

ty to surveil by MAVD for the Federal entity, unless the Federal entity has existing authority to surveil the particular property, persons or their effects, or interest.

(2) A Federal entity shall not purchase any information obtained from MAVD surveillance by a non-Federal entity if such information contains personal information, except pursuant to the express consent of all persons whose personal information is to be sold.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preempt any State law regarding the use of MAVDs exclusively within the borders of that State.

SA 4403. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. OUTDOOR RECREATION ACCESS FOR SERVICEMEMBERS AND VETERANS.

(a) **IN GENERAL.**—The Secretary of Agriculture and the Secretary of the Interior are encouraged to work with the Secretary of Defense and the Secretary of Veterans Affairs on ways to ensure veterans have access to the outdoors and to outdoor programs as a part of the basic services provided to veterans.

(b) **INCLUSION OF INFORMATION.**—Each branch of the Armed Forces is encouraged to include information about outdoor recreation in the materials and counseling services provided in the Transition Assistance Program, including—

(1) the benefits of outdoor recreation for physical and mental health;

(2) maps of parks, trails, and other recreation sites within 200 miles of military bases;

(3) resources to access guided outdoor trips; and

(4) information regarding the Public Land Corps of the National Park Service.

(c) **OUTDOOR RECREATION PROGRAM ATTENDANCE.**—Each branch of the Armed Forces is encouraged to permit members of the Armed Forces on active duty status, at the discretion of the commander of the member, to use not more than 7 days of a Permissive Temporary Duty Assignment allotted to the member to attend an outdoor recreation program following deployment.

SA 4404. Mr. PAUL (for himself, Mr. MURPHY, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. SENSE OF CONGRESS ON NEED FOR EXPLICIT AUTHORITY TO CONDUCT MILITARY OPERATIONS AGAINST ISIS.

(a) **FINDING.**—Congress finds that neither the 2001 Authorization for Use of Military

Force (Public Law 107-40; 50 U.S.C. 1541 note) or the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) authorize the use of military force against the Islamic State in Iraq and al-Sham (ISIS).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that the President, unless acting out of self-defense or to address an imminent threat to the United States, is not authorized to conduct military operations against ISIS without explicit authorization for the use of such force, and Congress should debate and pass such an authorization.

SA 4405. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 110, strike line 17 and all that follows through page 111, line 4.

On page 844, strike line 8 and all that follows through page 848, the matter following line 2.

On page 848, strike line 15 and all that follows through page 850, line 4.

SA 4406. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 848, strike line 15 and all that follows through page 850, line 4.

SA 4407. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 844, strike line 8 and all that follows through page 848, the matter following line 2.

SA 4408. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 110, strike line 17 and all that follows through page 111, line 4.

SA 4409. Mr. WYDEN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. INCORPORATION TRANSPARENCY AND LAW ENFORCEMENT ASSISTANCE.

(a) **SHORT TITLE.**—This section may be cited as the “Stop Terrorist Financing and Shell Company Abuse Act”.

(b) **TRANSPARENT INCORPORATION PRACTICES.**—

(1) **TRANSPARENT INCORPORATION PRACTICES.**—

(A) **IN GENERAL.**—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding after section 5332 the following:

“§ 5333. Transparent incorporation practices

“(a) REPORTING REQUIREMENTS.—

“(1) **IN GENERAL.**—Subject to paragraph (3), not later than the beginning of fiscal year 2017, the Secretary of the Treasury shall issue regulations requiring each corporation and limited liability company formed in a State that does not have a formation system described under subsection (b) to file with the Secretary such information as the corporation or limited liability company would be required to provide the State if such State had a formation system described under subsection (b).

“(2) **DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.**—Beneficial ownership information reported to the Secretary of the Treasury pursuant to paragraph (1) shall be provided by the Secretary of the Treasury upon receipt of—

“(A) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

“(B) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28 issued in response to a request for assistance from a foreign country; or

“(C) a written request made by the Financial Crimes Enforcement Network of the Department of the Treasury.

“(3) **LIMITATION.**—In issuing regulations pursuant to paragraph (1), the Secretary may not require the corporation or limited liability company to file with the Internal Revenue Service the information described in that paragraph.

“(b) **FORMATION SYSTEM.**—

“(1) **IN GENERAL.**—With respect to a State, a formation system is described under this subsection if it meets the following requirements:

“(A) **IDENTIFICATION OF BENEFICIAL OWNERS.**—Except as provided in paragraphs (2) and (4), and subject to paragraph (3), each applicant seeking to form a corporation or limited liability company under the laws of the State is required to provide to the State during the formation process a list of the beneficial owners of the corporation or limited liability company that—

“(i) except as provided in subparagraph (F), identifies each beneficial owner by—

“(I) name;

“(II) current residential or business street address; and

“(III) a unique identifying number from a nonexpired passport issued by the United States or a nonexpired drivers license issued by a State; and

“(ii) if the applicant is not the beneficial owner, provides the identification information described in clause (i) relating to the applicant.

“(B) **UPDATED INFORMATION.**—For each corporation or limited liability company formed under the laws of the State—

“(i) the corporation or limited liability company is required by the State to update the list of the beneficial owners of the corporation or limited liability company by providing the information described in subparagraph (A) to the State not later than 60 days after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner;

“(ii) in the case of a corporation or limited liability company formed or acquired by a formation agent and retained by the formation agent as a beneficial owner for transfer to another person, the formation agent is required by the State to submit to the State an updated list of the beneficial owners and the information described in subparagraph (A) for each such beneficial owner not later than 10 days after date on which the formation agent transfers the corporation or limited liability company to another person; and

“(iii) the corporation or limited liability company is required by the State to submit to the State an annual filing containing the list of the beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner.

“(C) **RETENTION OF INFORMATION.**—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State is required to be maintained by the State until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

“(D) **INFORMATION REQUESTS.**—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State shall be provided by the State upon receipt of—

“(i) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

“(ii) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or section 1782 of title 28, United States Code; or

“(iii) a written request made by the Financial Crimes Enforcement Network.

“(E) **NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.**—A corporation or limited liability company formed under the laws of the State may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

“(2) **STATES THAT LICENSE FORMATION AGENTS.**—

“(A) **IN GENERAL.**—Notwithstanding paragraph (1), a State described in subparagraph (B) may permit an applicant to form a corporation or limited liability company under

the laws of the State, or a corporation or limited liability company formed under the laws of the State, to provide the required information to a licensed formation agent residing in the State, instead of to the State directly, if the application under paragraph (1)(A) or the update under paragraph (1)(B) contains—

“(i) the name, current business address, contact information, and licensing number of the licensed formation agent that has agreed to maintain the information required under this subsection; and

“(ii) a certification by the licensed formation agent that the licensed formation agent has possession of the information required under this subsection and will maintain the information in the State licensing the licensed formation agent in accordance with State law.

“(B) **STATES DESCRIBED.**—A State described in this subparagraph is a State that maintains a formal licensing system for formation agents that requires a formation agent to register with the State, meet standards for fitness and honesty, maintain a physical office and records within the State, undergo regular monitoring, and be subject to sanctions for noncompliance with State requirements.

“(C) **LICENSED FORMATION AGENT DUTIES.**—A licensed formation agent that receives beneficial ownership information under State law in accordance with this paragraph shall—

“(i) maintain the information in the State in which the corporation or limited liability company is being or has been formed in the same manner as required for States under paragraph (1)(C);

“(ii) provide the information under the same circumstances as required for States under paragraph (1)(D); and

“(iii) perform the duties of a formation agent under paragraph (3).

“(D) **TERMINATION OF RELATIONSHIP.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), a licensed formation agent that receives beneficial ownership information relating to a corporation or limited liability company under State law in accordance with this paragraph and that resigns, dissolves, or otherwise ends a relationship with the corporation or limited liability company shall promptly—

“(I) notify the State in writing that the licensed formation agent has resigned or ended the relationship; and

“(II) transmit all beneficial ownership information relating to the corporation or limited liability company in the possession of the licensed formation agent to the licensing State.

“(ii) **EXCEPTION.**—If a licensed formation agent receives written instructions from a corporation or limited liability company, the licensed formation agent may transmit the beneficial ownership information relating to the corporation or limited liability company to another licensed formation agent that is within the same State and has agreed to maintain the information in accordance with this section.

“(iii) **NOTICE TO STATE.**—If a licensed formation agent provides beneficial ownership information to another licensed formation agent under clause (ii), the licensed formation agent providing the information shall promptly notify in writing the State under the laws of which the corporation or limited liability company is formed of the identity of the licensed formation agent receiving the information.

“(3) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, officer, director, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection does not have a non-expired passport issued by the United States or a nonexpired drivers license or identification card issued by a State, each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a certification by a formation agent residing in the State that the formation agent—

“(A) has obtained for each such person a current residential or business street address and a legible and credible copy of the pages of a nonexpired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

“(B) has verified the name, address, and identity of each such person;

“(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request under the same circumstances as required for States under paragraph (1)(D); and

“(D) will retain the information and proof of verification under this paragraph in the State in which the corporation or limited liability company is being or has been formed until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

“(4) EXEMPT ENTITIES.—

“(A) IN GENERAL.—A formation system described in paragraph (1) shall require that an application for an entity described in subparagraph (C) or (D) of subsection (d)(2) that is proposed to be formed under the laws of a State and that will be exempt from the beneficial ownership disclosure requirements under this subsection shall include in the application a certification by the applicant, or a prospective officer, director, or similar agent of the entity—

“(i) identifying the specific provision of subsection (d)(2) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1), (2), and (3);

“(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(2); and

“(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (3).

“(B) EXISTING ENTITIES.—On and after the date that is 2 years after the effective date of the amendments to the formation system of a State made to comply with this section, an entity formed under the laws of the State before such effective date shall be considered to be a corporation or limited liability company for purposes of, and shall be subject to the requirements of, this subsection unless an officer, director, or similar agent of the entity submits to the State a certification—

“(i) identifying the specific provision of subsection (d)(2) under which the entity is exempt from the requirements under paragraphs (1), (2), and (3);

“(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(2); and

“(iii) providing identification information for the officer, director, or similar agent

making the certification in the same manner as provided under paragraph (1) or (3).

“(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(2) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

“(C) PENALTIES.—

“(1) IN GENERAL.—It shall be unlawful for—

“(A) any person to affect interstate or foreign commerce by—

“(i) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to a State or licensed formation agent under State law in accordance with this section;

“(ii) intentionally failing to provide complete or updated beneficial ownership information to a State or licensed formation agent under State law in accordance with this section; or

“(iii) knowingly disclosing the existence of a subpoena, summons, or other request for beneficial ownership information, except—

“(I) to the extent necessary to fulfill the authorized request; or

“(II) as authorized by the entity that issued the subpoena, summons, or other request; or

“(B) in the case of a formation agent, knowingly failing to obtain or maintain credible, legible, and updated beneficial ownership information, including any required identifying photograph.

“(2) CIVIL AND CRIMINAL PENALTIES.—In addition to any civil or criminal penalty that may be imposed by a State, any person who violates paragraph (1)—

“(A) shall be liable to the United States for a civil penalty of not more than \$10,000; and

“(B) may be fined under title 18, imprisoned for not more than 3 years, or both.

“(d) DEFINITIONS.—For the purposes of this section:

“(1) BENEFICIAL OWNER.—

“(A) IN GENERAL.—The term ‘beneficial owner’—

“(i) means a natural person who, directly or indirectly—

“(I) exercises substantial control over a corporation or limited liability company; or

“(II) has a substantial interest in or receives substantial economic benefits from the assets of a corporation or limited liability company; and

“(ii) does not include—

“(I) a minor child;

“(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person; or

“(III) a natural person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the natural person.

“(B) ANTI-ABUSE RULE.—The exclusions under clause (ii) shall not apply if the person is acting as a nominee, intermediary, custodian or agent on behalf of another person or solely as an employee of a corporation or

limited liability company, as applicable, with the intent to evade the requirements of this subsection or any regulation promulgated under this subsection.

“(2) CORPORATION; LIMITED LIABILITY COMPANY.—The terms ‘corporation’ and ‘limited liability company’—

“(A) have the meanings given such terms under the laws of the applicable State;

“(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability company under the laws of the applicable State;

“(C) do not include any entity that is, and discloses in the application by the entity to form under the laws of the State or, if the entity was formed before the date of the enactment of this section, in a filing with the State under State law—

“(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 780(d));

“(ii) a business concern constituted or sponsored by a State, a political subdivision of a State, under an interstate compact between 2 or more States, by a department or agency of the United States, or under the laws of the United States;

“(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

“(iv) a credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

“(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841));

“(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

“(vii) an exchange or clearing agency (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q-1);

“(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a-3)) or an investment advisor (as defined in section 202 of the Investment Advisors Act of 1940 (15 U.S.C. 80b-2)), if the company or adviser is registered with the Securities and Exchange Commission, or has filed an application for registration which has not been denied, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) or the Investment Advisor Act of 1940 (15 U.S.C. 80b-1 et seq.);

“(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a-2));

“(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

“(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212);

“(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

“(xiii) a church, charity, or nonprofit entity that is described in section 501(c), 527, or

4947(a)(1) of the Internal Revenue Code of 1986, has not been denied tax exempt status, and has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

“(xiv) any business concern that—

“(I) employs more than 20 employees on a full-time basis in the United States;

“(II) files income tax returns in the United States demonstrating more than \$5,000,000 in gross receipts or sales; and

“(III) has an operating presence at a physical office within the United States; or

“(xv) any corporation or limited liability company formed and owned by an entity described in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), or (xiv); and

“(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury, with the written concurrence of the Attorney General of the United States, has determined in writing should be exempt from the requirements of subsection (a), because requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

“(3) FORMATION AGENT.—The term ‘formation agent’ means a person who, for compensation—

“(A) acts on behalf of another person to assist in the formation of a corporation or limited liability company under the laws of a State; or

“(B) purchases, sells, or transfers the public records that form a corporation or limited liability company.”.

(B) RULEMAKING.—To carry out this Act and the amendments made by this Act, the Secretary of the Treasury, in consultation with the Secretary of Homeland Security and the Attorney General of the United States, may issue guidance or a rule to—

(i) clarify the definitions under section 5333(d) of title 31, United States Code, as added by subparagraph (A); and

(ii) specify how to verify beneficial ownership information or other identification information for purposes of section 5333, including whether the verification procedures specified in section 5333(b)(3) should apply to all applicants under section 5333(b)(1) or whether such verification process should require the notarization of signatures.

(C) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(i) in section 5321(a)—

(I) in paragraph (1), by striking “sections 5314 and 5315” each place it appears and inserting “sections 5314, 5315, and 5333”; and

(II) in paragraph (6), by inserting “(except section 5333)” after “subchapter” each place it appears; and

(ii) in section 5322, by striking “section 5315 or 5324” each place it appears and inserting “section 5315, 5324, or 5333”.

(D) TABLE OF CONTENTS.—The table of contents for subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

“Sec. 5333. Transparent incorporation practices.”.

(E) RESTRICTIONS ON PUBLIC ACCESS.—A State may—

(i) restrict public access to all or any portion of the beneficial ownership information provided to the State as described under section 5332 of title 31, United States Code, as added by this Act; and

(ii) by statute, regulation, order, or interpretation adopted or issued by the State after the date of enactment of this Act, provide for public access to all or any portion of such information.

(F) NO DUTY OF VERIFICATION.—This Act and the amendments made by this Act do not impose any obligation on a State to verify the name, address, or identity of a beneficial owner whose information is submitted to such State under section 5333 of title 31, United States Code, as added by this Act.

(2) FUNDING AUTHORIZATION.—

(A) IN GENERAL.—To carry out section 5333 of title 31, United States Code, as added by this Act, during the 3-year period beginning on the date of enactment of this Act, funds shall be made available to each State to pay reasonable costs relating to compliance with the requirements of such section.

(B) FUNDING SOURCES.—To protect the United States against the misuse of United States corporations and limited liability companies with hidden owners, funds shall be provided to each State to carry out the purposes described in subparagraph (A) from one or more of the following sources:

(i) Upon application by a State, and without further appropriation, the Secretary of the Treasury shall make available to the State unobligated balances described in section 9703(g)(4)(B) of title 31, United States Code, in the Department of the Treasury Forfeiture Fund established under section 9703(a) of title 31, United States Code.

(ii) Upon application by a State, after consultation with the Secretary of the Treasury, and without further appropriation, the Attorney General of the United States shall make available to the State excess unobligated balances (as defined in section 524(c)(8)(D) of title 28, United States Code) in the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(C) MAXIMUM AMOUNTS.—

(i) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may not make available to States a total of more than \$30,000,000 under subparagraph (B)(i).

(ii) DEPARTMENT OF JUSTICE.—The Attorney General of the United States may not make available to States a total of more than \$10,000,000 under subparagraph (B)(ii).

(D) RULEMAKING.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury and the Attorney General shall, jointly, issue regulations setting forth the procedures for States to apply for funds under this paragraph, including determining which State measures should be funded to assess, plan, develop, test, or implement relevant policies, procedures, or system modifications.

(3) COMPLIANCE REPORT.—Nothing in this subsection or the amendments made by this subsection authorizes the Secretary of the Treasury to withhold from a State any funding otherwise available to the State because of a failure by that State to comply with section 5333 of title 31, United States Code, as added by this Act. Not later than the end of the 42-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report—

(A) identifying which States obtain beneficial ownership information as described in section 5333;

(B) with respect to each State that does not obtain such information, whether corporations and limited liability companies formed under the laws of such State are in compliance with such section 5333 and providing the specified beneficial ownership information to the Secretary of the Treasury; and

(C) whether the Department of the Treasury is in compliance with section 5333 and, if not, what steps it must take to come into compliance with this subsection.

(4) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor who is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, as added by this Act, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

(5) ANTI-MONEY LAUNDERING OBLIGATIONS OF FORMATION AGENTS.—

(A) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(i) in subparagraph (Y), by striking “or” at the end;

(ii) by redesignating subparagraph (Z) as subparagraph (AA); and

(iii) by inserting after subparagraph (Y) the following:

“(Z) any person who, for compensation—

“(i) acts on behalf of another person to form, or assist in formation of, a corporation or limited liability company under the laws of a State; or

“(ii) purchases, sells, or transfers the public records that form a corporation or limited liability company; or”.

(B) DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR FORMATION AGENTS.—

(i) PROPOSED RULE.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General of the United States and the Commissioner of the Internal Revenue Service, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as amended by this paragraph, to establish anti-money laundering programs under subsection (h) of section 5318 of that title.

(ii) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury shall publish the rule described in this paragraph in final form in the Federal Register.

(iii) EXCLUSIONS.—Any rule promulgated under this paragraph shall exclude from the category of persons involved in forming a corporation or limited liability company—

(I) any government agency; and

(II) any attorney or law firm that uses a paid formation agent operating within the United States to form the corporation or limited liability company.

(c) STUDIES AND REPORTS.—

(1) OTHER LEGAL ENTITIES.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report—

(A) identifying each State that has procedures that enable persons to form or register

under the laws of the State partnerships, trusts, or other legal entities, and the nature of those procedures;

(B) identifying each State that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State to provide information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this Act) or beneficiaries of such entities, and the nature of the required information;

(C) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(i) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct; and

(ii) has impeded investigations into entities suspected of such misconduct; and

(D) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

(2) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this Act and the amendments made by this Act in—

(A) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(B) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

SA 4410. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. PROGRAM PARTICIPATION AGREEMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)(24)—

(A) by inserting “that receives funds provided under this title” before “, such institution”; and

(B) by striking “other than funds provided under this title, as calculated in accordance with subsection (d)(1)” and inserting “other than Federal educational assistance, as defined in subsection (d)(5) and calculated in accordance with subsection (d)(1)”; and

(2) in subsection (d)—

(A) in the subsection heading, by striking “NON-TITLE IV” and inserting “NON-FEDERAL EDUCATIONAL”; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “that receives funds provided under this title” before “shall”; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking “assistance under this title” and inserting “Federal educational assistance”; and

(II) in clause (ii)(I), by inserting “, or on a military base if the administering Secretary for a program of Federal educational assistance under clause (ii), (iii), or (iv) of paragraph (5)(B) has authorized such location” before the semicolon;

(iii) in subparagraph (C), by striking “program under this title” and inserting “program of Federal educational assistance”; and

(iv) in subparagraph (E), by striking “funds received under this title” and inserting “Federal educational assistance”; and

(v) in subparagraph (F)—

(I) in clause (iii), by striking “under this title” and inserting “of Federal educational assistance”; and

(II) in clause (iv), by striking “under this title” and inserting “of Federal educational assistance”;

(C) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

“(A) INELIGIBILITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, a proprietary institution of higher education receiving funds provided under this title that fails to meet a requirement of subsection (a)(24) for two consecutive institutional fiscal years shall be ineligible to participate in or receive funds under any program of Federal educational assistance for a period of not less than two institutional fiscal years.

“(ii) REGAINING ELIGIBILITY.—To regain eligibility to participate in or receive funds under any program of Federal educational assistance after being ineligible pursuant to clause (i), a proprietary institution of higher education shall demonstrate compliance with all eligibility and certification requirements for the program for a minimum of two consecutive institutional fiscal years after the institutional fiscal year in which the institution became ineligible. In order to regain eligibility to participate in any program of Federal educational assistance under this title, such compliance shall include meeting the requirements of section 498 for such 2-year period.

“(iii) NOTIFICATION OF INELIGIBILITY.—The Secretary of Education shall determine when a proprietary institution of higher education that receives funds under this title is ineligible under clause (i) and shall notify all other administering Secretaries of the determination.

“(iv) ENFORCEMENT.—Each administering Secretary for a program of Federal educational assistance shall enforce the requirements of this subparagraph for the program concerned upon receiving notification under clause (iii) of a proprietary institution of higher education’s ineligibility.”; and

(i) in subparagraph (B)—

(I) in the matter preceding clause (i)—

(aa) by striking “In addition” and all that follows through “education fails” and inserting “Notwithstanding any other provision of law, in addition to such other means of enforcing the requirements of a program of Federal educational assistance as may be available to the administering Secretary, if a proprietary institution of higher education that receives funds provided under this title fails”; and

(bb) by striking “the programs authorized by this title” and inserting “all programs of Federal educational assistance”; and

(II) in clause (i), by inserting “with respect to a program of Federal educational assist-

ance under this title,” before “on the expiration date”;

(D) in paragraph (4)(A), by striking “sources under this title” and inserting “Federal educational assistance”; and

(E) by adding at the end the following:

“(5) DEFINITIONS.—In this subsection:

“(A) ADMINISTERING SECRETARY.—The term ‘administering Secretary’ means the Secretary of Education, the Secretary of Defense, the Secretary of Veterans Affairs, the Secretary of Homeland Security, or the Secretary of a military department responsible for administering the Federal educational assistance concerned.

“(B) FEDERAL EDUCATIONAL ASSISTANCE.—The term ‘Federal educational assistance’ means funds provided under any of the following provisions of law:

“(i) This title.

“(ii) Chapter 30, 31, 32, 33, 34, or 35 of title 38, United States Code.

“(iii) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

“(iv) Section 1784a of title 10, United States Code.”.

SEC. 566. DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS ACTIONS ON INELIGIBILITY OF CERTAIN PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION FOR PARTICIPATION IN PROGRAMS OF EDUCATIONAL ASSISTANCE.

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2008 the following new section:

“§ 2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance

“(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (ii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Defense shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for education at the institution for the period of institutional fiscal years covered by such notice.

“(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department of Defense as follows:

“(1) This chapter.

“(2) Chapters 105, 106A, 106A, 1606, 1607, and 1608 of this title.

“(3) Section 1784a of this title.

“(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Defense shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

“(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department of Defense that provides information to persons described in paragraph (1), of the following:

“(A) The name of the institution.

“(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

“(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

“(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2008 the following new item:

“2008a. Ineligibility of certain proprietary institutions of higher education for participation in Department of Defense programs of educational assistance.”.

(b) DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Subchapter II of chapter 36 of title 38, United States Code, is amended by inserting after section 3681 the following new section:

“§ 3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance

“(a) IN GENERAL.—Upon receipt of a notice from the Secretary of Education under clause (iii) of section 487(d)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)(2)(A)) that a proprietary institution of higher education is ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of such section, the Secretary of Veterans Affairs shall ensure that no educational assistance under the provisions of law specified in subsection (b) is available or used for education at the institution for the period of institutional fiscal years covered by such notice.

“(b) COVERED ASSISTANCE.—The provisions of law specified in this subsection are the provisions of law on educational assistance through the Department under chapters 30, 31, 32, 33, 34, and 35 of this title.

“(c) NOTICE ON INELIGIBILITY.—(1) The Secretary of Veterans Affairs shall take appropriate actions to notify persons receiving or eligible for educational assistance under the provisions of law specified in subsection (b) of the application of the limitations in section 487(d)(2) of the Higher Education Act of 1965 to particular proprietary institutions of higher education.

“(2) The actions taken under this subsection with respect to a proprietary institution shall include publication, on the Internet website of the Department that provides information to persons described in paragraph (1), of the following:

“(A) The name of the institution.

“(B) The extent to which the institution failed to meet the requirements of section 487(a)(24) of the Higher Education Act of 1965.

“(C) The length of time the institution will be ineligible for participation in or receipt of funds under any program of Federal educational assistance by reason of section 487(d)(2)(A) of that Act.

“(D) The nonavailability of educational assistance through the Department for enrollment, attendance, or pursuit of a program of education at the institution by reason of such ineligibility.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 of such title is amended by inserting after the item relating to section 3681 the following new item:

“3681A. Ineligibility of certain proprietary institutions of higher education for participation in Department of Veterans Affairs programs of educational assistance.”.

SA 4411. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. REIMBURSEMENT OF STATES FOR CERTAIN FIRE SUPPRESSION SERVICES AS A RESULT OF FIRE CAUSED BY MILITARY TRAINING OR OTHER ACTIONS OF THE ARMED FORCES OR THE DEPARTMENT OF DEFENSE.

(a) REIMBURSEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense may, upon application by a State, reimburse the State for the reasonable costs of the State for fire suppression services coordinated by the State as a result of a wildland fire caused by military training or other actions of units or members of the Armed Forces in Federal status or employees of the Department of Defense on a military training installation owned by the State.

(2) SERVICES COVERED.—Services reimbursable under this subsection shall be limited to services proximately related to the fire for which reimbursement is sought under this subsection.

(3) LIMITATIONS.—Nothing in this section shall apply to Department-owned military training installations. Nothing in this section shall affect existing memoranda of understanding between Department-owned military training installations and local governments. Reimbursement may not be made under this section for any services for which a claim may be made under the Federal Tort Claims Act.

(b) APPLICATION.—Each application of a State for reimbursement for costs under subsection (a) shall set forth an itemized request of the services covered by the application, including the costs of such services.

(c) FUNDS.—Any reimbursements under subsection (a) shall be made from amounts authorized to be appropriated for the Department of Defense for operation and maintenance.

SA 4412. Ms. AYOTTE (for herself and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. SCORE PROGRAM.

(a) REAUTHORIZATION.—Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

(2) by adding at the end the following:

“(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry out the SCORE program authorized under section 8(b)(1) such sums as are necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed \$10,500,000 in each of fiscal years 2017 and 2018.”.

(b) PROGRAM AMENDMENTS.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), in the first sentence, by striking “a Service Corps of Retired Executives (SCORE)” and inserting “the SCORE program described in subsection (c)”; and

(2) by striking subsection (c) and inserting the following:

“(c)(1) In this subsection—

“(A) the term ‘SCORE Association’ means any organization that receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A); and

“(B) the term ‘SCORE program’ means the SCORE program authorized under subsection (b)(1)(B).

“(2)(A) The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

“(B) A volunteer participating in the SCORE program shall—

“(i) based on the business experience and knowledge of the volunteer—

“(I) provide personal counseling, mentoring, and coaching—

“(aa) at no cost;

“(bb) to individuals who own, or aspire to own, a small business concern; and

“(cc) relating to the process of starting, expanding, managing, buying, and selling a small business concern; and

“(II) facilitate low-cost education workshops for individuals who own, or aspire to own, a small business concern; and

“(ii) as appropriate, use tools, resources, and the expertise of other organizations to carry out the SCORE program.

“(3) The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services—

“(A) to individuals in—

“(i) rural areas;

“(ii) economically disadvantaged communities; and

“(iii) other traditionally underserved communities; and

“(B) that include plans for—

“(i) electronic initiatives;

“(ii) web-based initiatives;

“(iii) chapter expansion;

“(iv) partnerships; and

“(v) the development of new skills by volunteers participating in the SCORE program.

“(4) The SCORE Association shall submit to the Administrator an annual report that contains—

“(A) the number of individuals counseled or trained under the SCORE program;

“(B) the number of hours of counseling provided under the SCORE program; and

“(C) to the extent possible—

“(i) the number of small business concerns formed with assistance from the SCORE program;

“(ii) the number of small business concerns expanded with assistance from the SCORE program; and

“(iii) the number of jobs created with assistance from the SCORE program.

“(5)(A) Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of the individual or small business concern, unless—

“(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

“(ii) the Administrator determines that such a disclosure is necessary to conduct a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

“(B) This paragraph shall not—

“(i) restrict the access of the Administrator to program activity data; or

“(ii) prevent the Administrator from using client information to conduct client surveys.

“(C)(i) The Administrator shall, after the opportunity for notice and comment, establish standards for—

“(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

“(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

“(ii) The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.”.

SA 4413. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Preventing Dirty Bomb Terrorism
SEC. 1097. SHORT TITLE.

This subtitle may be cited as the “Preventing Dirty Bomb Terrorism Act of 2016”.
SEC. 1098. STRATEGY FOR SECURING HIGH ACTIVITY RADIOLOGICAL SOURCES.

(a) IN GENERAL.—The Administrator for Nuclear Security shall—

(1) not later than 5 years after the date of enactment of this Act, in coordination with the Chairman of the Nuclear Regulatory Commission and the Secretary of Homeland Security, develop a strategy to enhance the security of all risk-significant radiological materials; and

(2) not later than 120 days after the date of the enactment of this Act, submit to the appropriate congressional committees a report describing the strategy required by paragraph (1).

(b) ELEMENTS.—The report required by subsection (a)(2) shall include the following:

(1) A description of activities of the National Nuclear Security Administration, ongoing as of the date of the enactment of this Act—

(A) to secure risk-significant radiological materials; and

(B) to secure radiological materials and prevent the illicit trafficking of such materials as part of the Global Nuclear Detection Architecture.

(2) A list of any gaps in the legal authority of United States Government agencies need-

ed to secure all risk-significant radiological materials.

(3) An estimate of the cost of securing all risk-significant radiological materials.

(4) A list, in the classified annex authorized by subsection (c), of all locations where risk-significant radiological material is kept under conditions that fail to meet the enhanced physical security standards promulgated by the Office of Global Material Security of the National Nuclear Security Administration.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form and shall include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, and the Committee on Homeland Security of the House of Representatives.

(2) RISK-SIGNIFICANT RADIOLOGICAL MATERIAL.—The term “risk-significant radiological material” means category 1 and category 2 radioactive materials, as determined by the Nuclear Regulatory Commission, located within the United States.

(3) SECURE.—The terms “secure” and “security”, with respect to risk-significant radiological materials, refer to all activities to prevent terrorists from acquiring such sources, including enhanced physical security and tracking measures, removal and disposal of such sources that are not used, replacement of such sources with nonradiological technologies where feasible, and detection of illicit trafficking of such sources.

SEC. 1099. PREVENTING TERRORIST ACCESS TO DOMESTIC RADIOLOGICAL SOURCES.

(a) COMMERCIAL LICENSES.—Section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133) is amended—

(1) in subsection d., in the third sentence, by inserting “under a circumstance described in subsection g., or” after “within the United States”; and

(2) by adding at the end the following:

“g. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license for risk-significant radiological material to any person that is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“h. The Commission shall suspend any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

“(1) listed in the terrorist screening database maintained by the Federal Government

Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“i. The Commission may lift the suspension of a license made pursuant to subsection h. if—

“(1) the licensee has revoked unescorted access privileges to the employee;

“(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.

“j. Any suspension enacted by the Commission in subsection h. shall only take effect 48 hours after the licensee receives notification from the Commission of an employee that meets the criteria listed in subsection h.”.

(b) MEDICAL THERAPY AND RESEARCH AND DEVELOPMENT.—Section 104 of the Atomic Energy Act of 1954 (42 U.S.C. 2134) is amended—

(1) in subsection d., in the third sentence, by inserting “under a circumstance described in subsection e., or” after “within the United States”; and

(2) by adding at the end the following:

“e. In addition to the limitations described in subsection d. and the limitations provided at the discretion of the Commission, the Commission shall not grant a license to any individual who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“f. The Commission shall suspend any license granted under this section if the Commission discovers that the licensee is providing unescorted access to any employee who is—

“(1) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(2) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(A) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism;

“(B) providing material support or resources for terrorism; or

“(C) the making of a terrorist threat or terroristic threat.

“g. The Commission may lift the suspension of a license made pursuant to subsection f. if—

“(1) the licensee has revoked unescorted access privileges to the employee;

“(2) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(3) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.

“h. Any suspension enacted by the Commission in subsection f. shall only take effect 48 hours after the licensee receives notification from the Commission of an employee that meets the criteria listed in subsection f.”.

(c) COOPERATION WITH STATES.—Section 274 b. of the Atomic Energy Act of 1954 (42 U.S.C. 2021(b)) is amended—

(1) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(2) in the matter preceding subparagraph (A) (as so redesignated), by striking “b. Except as” and inserting the following:

“b. AUTHORIZATION TO ENTER INTO AGREEMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), except as”; and

(3) by adding at the end the following:

“(2) REQUIREMENT.—

“(A) IN GENERAL.—The Commission shall not enter into an agreement with the Governor of a State under paragraph (1) unless the Governor agrees that the State—

“(i) shall not grant a license to any individual who is—

“(I) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(II) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(aa) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism; or

“(bb) providing material support or resources for terrorism; or

“(cc) the making of a terrorist threat or terroristic threat; and

“(ii) shall suspend the license of a licensee if the Commission or the State discovers that the licensee is providing unescorted access to any employee who is—

“(I) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(II) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(aa) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism; or

“(bb) providing material support or resources for terrorism; or

“(cc) the making of a terrorist threat or terroristic threat.

“(B) EXISTING AGREEMENTS.—With respect to a State with an agreement in effect as of the date of enactment of this paragraph, the Commission shall terminate the agreement pursuant to subsection j. unless the Governor of the State agrees that the State shall not grant a license to any individual who is—

“(i) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(ii) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(I) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism; or

“(II) providing material support or resources for terrorism; or

“(III) the making of a terrorist threat or terroristic threat.

“(C) SUSPENSION OF EXISTING AGREEMENTS.—With respect to a State with an agreement in effect as of the date of enactment of this paragraph, the Governor of the State shall suspend immediately any license granted by the State if the Commission or the State discovers that the licensee is providing unescorted access to any employee who is—

“(i) listed in the terrorist screening database maintained by the Federal Government Terrorist Screening Center of the Federal Bureau of Investigation; or

“(ii) convicted of any offense under any Federal, State, or local law or ordinance, an element of which is—

“(I) engaging in conduct constituting, in preparation of, in aid of, or related to terrorism; or

“(II) providing material support or resources for terrorism; or

“(III) the making of a terrorist threat or terroristic threat.

“(D) LIFTING OF SUSPENSION.—The Governor of the State may lift the suspension of a license made pursuant to subparagraph (A)(ii) or subparagraph (C) if—

“(i) the licensee has revoked unescorted access privileges to the employee; or

“(ii) the licensee has alerted the appropriate Federal, State, and local law enforcement offices of the provision and revocation of unescorted access to the employee; and

“(iii) the Commission has conducted a review of the security of the licensee and determined that reinstatement of the licensee would not be inimical to the national security interests of the United States.

“(E) TERMINATION.—If the Governor of a State does not suspend a license under subparagraph (A)(ii) or subparagraph (C), the Commission shall suspend the agreement with the Governor of the State until the Governor of the State suspends the license.”.

SEC. 1099A. OUTREACH TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES ON RADIOLOGICAL THREATS.

Section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)) is amended by adding at the end the following:

“(26)(A) Not later than every 2 years, the Secretary shall submit a written certification to Congress that field staff of the Department have briefed State and local law enforcement representatives about radiological security threats.

“(B) A briefing conducted under subparagraph (A) shall include information on—

“(i) the presence and current security status of all risk-significant radiological materials housed within the jurisdiction of the law enforcement agency being briefed; or

“(ii) the threat that risk-significant radiological materials could pose to their communities and to the national security of the United States if these sources were lost, stolen or subject to sabotage by criminal or terrorist actors; and

“(iii) guidelines and best pest practices for mitigating the impact of emergencies involving risk-significant radiological materials.

“(C) The National Nuclear Security Administration, the Nuclear Regulatory Commission, and Federal law enforcement agencies shall provide information to the Department in order for the Department to submit the written certification described in subparagraph (A).

“(D) A written certification described in subparagraph (A) shall include a report on the activity of the field staff of the Department to brief State and local law enforcement representatives, including, as provided to field staff of the Department by State and local law enforcement agencies—

“(i) an aggregation of incidents regarding radiological material; and

“(ii) information on current activities undertaken to address the vulnerabilities of these risk-significant radiological materials.

“(E) In this paragraph, the term ‘risk-significant radiological material’ means category 1 and category 2 radioactive materials, as determined by the Nuclear Regulatory Commission, located within the United States.”.

SA 4414. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

Subtitle F—National Commission on Defense Reform

SEC. 981. NATIONAL COMMISSION ON DEFENSE REFORM.

(a) ESTABLISHMENT.—There is established in the executive branch an independent commission to be known as the National Commission on Defense Reform (in this subtitle referred to as the “Commission”). The Commission shall be considered an independent establishment of the Federal Government as defined by section 104 of title 5, United States Code, and a temporary organization under section 3161 of such title.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 9 members, of whom—

(A) one shall be appointed by the President;

(B) two shall be appointed by the Majority Leader of the Senate, in consultation with the Chairman of the Committee on Armed Services of the Senate;

(C) two shall be appointed by the Minority Leader of the Senate, in consultation with the Ranking Member of the Committee on Armed Services of the Senate;

(D) two shall be appointed by the Speaker of the House of Representatives, in consultation with the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) two shall be appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) APPOINTMENT DATE.—The appointments of the members of the Commission shall be made not later than 90 days after the date of the enactment of this Act (which deadline shall be referred to in this subtitle as the “Commission establishment date”).

(3) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If an appointment or appointments under a subparagraph of paragraph (1) is not made by the appointment date specified in paragraph (2), the authority to make an appointment or appointments under such subparagraph shall expire, and

the number of members of the Commission shall be reduced by the number equal to the number otherwise appointable under such subparagraph.

(4) **EXPERTISE.**—In making appointments under this subsection, consideration should be given to individuals with expertise in national and international security policy and strategy, military forces capability, force structure design and employment, and improving the effectiveness of large organizations.

(c) **PERIOD OF APPOINTMENT; VACANCIES.**—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) **CHAIR AND VICE CHAIR.**—The Commission shall select a Chair and Vice Chair from among its members.

(e) **STATUS AS FEDERAL EMPLOYEES.**—Notwithstanding section 2105 of title 5, United States Code, including the supervision required under subsection (a)(3) of such section, the members of the Commission shall be deemed to be Federal employees.

(f) **INITIAL MEETING.**—The Commission shall hold its first meeting not later than 30 days after the Commission establishment date.

(g) **MEETINGS.**—The Commission shall meet at the call of the Chair.

(h) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

SEC. 982. PURPOSE AND SCOPE OF THE COMMISSION.

(a) **PURPOSE.**—The purpose of the Commission is to undertake a comprehensive review of the organization and operations of the Department of Defense, in order to make recommendations for reform.

(b) **SCOPE OF REVIEW.**—In undertaking the review required by subsection (a), the Commission shall give consideration to the following:

(1) The structure and organization of the Department of Defense, including the Office of the Secretary of Defense, the Office of the Chairman of the Joint Chiefs of Staff, the Joint Staff, and the headquarters of the Armed Forces.

(2) The responsibilities and authorities of the geographic and functional combatant commands.

(3) The organization, responsibilities, and interaction of the combatant commands, subordinate commands, and Joint Task Forces with the Joint Staff and the Office of the Secretary of Defense, including overlap in such matters.

(4) The responsibilities and authorities of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

(5) The development and structure of the defense budget.

(6) The development and promulgation of the Unified Command Plan, military strategy and contingency planning.

(7) The professional education and development of military and civilian defense leaders.

(8) Cost-management and business practices.

(9) Interaction between the Department and industry.

(10) Interaction, including planning and coordination authorities, between the Department of Defense and other departments and agencies of the Federal Government with equities in national security.

(11) Reforms and reorganizations undertaken by the Secretary of Defense, including those directed by this Act.

(c) **PRINCIPLES.**—The recommendations of the Commission shall sustain and strengthen the following enduring principles:

(1) Preservation of civilian control of the military.

(2) Maximization of the effectiveness of military operations.

(3) Availability of appropriate numbers of members of the Armed Forces for required operations.

(4) Efficient and effective management of the defense establishment.

(5) Maintenance of the all-volunteer joint force.

(6) Innovation and accountability in defense acquisition.

(7) Maintenance of the focus of the activities of the Department on support of the warfighter.

(8) Adequacy and sufficiency in the development of defense policy, strategy, and plans.

SEC. 983. DUTIES OF THE COMMISSION.

(a) **SECRETARY OF DEFENSE RECOMMENDATIONS.**—

(1) **DEADLINE.**—Not later than six months after the Commission establishment date, the Secretary of Defense shall transmit to the Commission the recommendations of the Secretary for reform of the organization and operations of the Department of Defense. The Secretary shall concurrently transmit the recommendations to the Committees on Armed Services of the Senate and the House of Representatives.

(2) **JUSTIFICATION.**—The Secretary shall include with the recommendations under paragraph (1) the justification of the Secretary for each recommendation.

(3) **AVAILABILITY OF INFORMATION.**—The Secretary shall make available to the Commission and to the Committees on Armed Services of the Senate and the House of Representatives the information used by the Secretary to prepare the recommendations of the Secretary under paragraph (1).

(b) **INDEPENDENT EFFICIENCY REVIEW.**—

(1) **IN GENERAL.**—The Commission shall work with an appropriate entity outside the Department of Defense to conduct a review of the current structure, organization, and operations of the Department and to make recommendations to reduce fragmentation, overlap, or duplication in such structure, organization, and operations.

(2) **ENTITY TO PERFORM REVIEW.**—The entity performing the review under paragraph (1) shall have—

(A) a depth of experience in management best practices in the private sector; and

(B) familiarity with the unique requirements of the defense enterprise.

(3) **PURPOSE AND SCOPE.**—The review under paragraph (1) shall address the following:

(A) Areas of fragmentation, overlap, or duplication in the structure, organization, and operations of the Department.

(B) Opportunities for integrating, streamlining, or otherwise enhancing the efficiency of the structure, organization, and operations of the Department.

(C) Private sector best practices that could be implemented by the Department to improve efficiency and reduce costs within the Department.

(4) **PRINCIPLES.**—Any recommendations developed pursuant to the review under paragraph (1) shall adhere to the principles specified in section 982(c).

(5) **REPORT.**—The entity under paragraph (1) shall submit to the Commission and the congressional defense committees a report on the review under paragraph (1) not later than one year after the date of the enactment of this Act.

(c) **INTERIM REPORTS.**—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to be a majority of Commission members. Such interim reports may include alternate or dissenting views from Commission members.

(d) **FINAL REPORT.**—Within one year of the date of the first meeting of the Commission, the Commission shall submit to the President and Congress a final report containing a detailed statement of such findings, conclusions, and recommendations for legislative and administrative actions as have been agreed to by a majority of the Commission members. The final report may include alternate or dissenting views from Commission members.

SEC. 984. POWERS OF THE COMMISSION AND RELATED ADMINISTRATIVE MATTERS.

(a) **POWERS.**—

(1) **HEARINGS.**—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under this subtitle.

(2) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out its duties. Upon request of the Chair of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) **SPACE FOR USE OF COMMISSION.**—Not later than 90 days after the date of the enactment of this Act, the Administrator of General Services shall, in consultation with the Secretary of Defense, identify and make available suitable excess space within the Federal space inventory to house the operations of the Commission. If the Administrator is not able to make such suitable excess space available within such 90-day period, the Commission may lease space to the extent the funds are available.

(c) **CONTRACTING AUTHORITY.**—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

SEC. 985. COMMISSION PERSONNEL MATTERS.

(a) **COMPENSATION.**—

(1) **IN GENERAL.**—Each member, other than the Chair, of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) **CHAIR.**—The Chair of the Commission shall be paid at a rate equal to the daily equivalent of the annual rate of basic pay payable for Level III of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties of the Commission.

(b) **TRAVEL EXPENSES.**—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) **STAFF.**—

(1) **IN GENERAL.**—The Chair of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(2) **COMPENSATION.**—The Chair of the Commission may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) **DETAIL OF GOVERNMENT EMPLOYEE.**—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chair of the Commission may procure for the Commission temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

SEC. 986. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 983(d).

SEC. 987. FUNDING.

Amounts for the activities of the Commission under this subtitle shall be derived from amounts authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 301 and available for operation and maintenance, Defense-wide, as specified in the funding table in section 4301.

SA 4415. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. 1114. AUTHORITY FOR NONCOMPETITIVE HIRING FOR CAREER OR TERM POSITIONS IN THE DEPARTMENT OF DEFENSE OF SPOUSES OF MEMBERS OF THE ARMED FORCES RELOCATING DUE TO A PERMANENT OR TEMPORARY CHANGE OF DUTY STATION.

(a) **IN GENERAL.**—The Secretary of Defense or the head of any other department, agency, or element of the Department of Defense may appoint on a noncompetitive basis to a career or term position in the Department of

Defense or such department, agency, or element, as applicable, any current spouse of a member of the Armed Forces who is relocating with the member in connection with the member's permanent or temporary change of duty station and is appropriately qualified for such position.

(b) **WAIVER OF APPLICABLE LAW.**—In making an appointment pursuant to subsection (a), the official making such appointment may waive any provision of chapter 33 of title 5, United States Code, otherwise applicable to such appointment in order to make such appointment on a noncompetitive basis.

(c) **ACQUISITION OF COMPETITIVE STATUS.**—A person appointed pursuant to subsection (a) acquires competitive status automatically upon completion of probation.

SA 4416. Mr. Kaine (for himself and Mr. Warner) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 899C. COMPTROLLER GENERAL REPORT ON USE OF SOLE SOURCE CONTRACTS.

(a) **IN GENERAL.**—Not later than September 30, 2017, the Comptroller General of the United States shall conduct a review and submit to the congressional defense committees a report on the use by the Department of Defense of sole source contracts.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) An assessment of the extent to which the Department of Defense used the various source selection approaches in fiscal year 2015 in comparison to what the Government Accountability Office found in its 2014 report.

(2) A description of the factors considered by Department of Defense personnel when determining which source selection approach to use.

(3) An assessment of the extent to which these approaches resulted in effective competition.

(4) A description of whether the resulting contract awards were protested and the results of those protests.

(5) An analysis of whether the use of a particular source selection approach contributed to successful acquisition outcomes, such as the delivery of timely, high quality, and cost-effective goods and services that met the warfighter's needs or contributed to cost overruns, schedule delays, performance shortfalls, or the need to award follow-on contracts to address these shortfalls.

(6) Any recommendations to improve the Department's source selection procedures.

SA 4417. Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. PILOT PROGRAM ON DEPARTMENT OF DEFENSE AND UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT COOPERATION TO COUNTER VIOLENT EXTREMISM.

(a) **PILOT PROGRAM.**—The Secretary of Defense and the Administrator of the United States Agency for International Development may jointly carry out in accordance with this section a pilot program to assess the feasibility and advisability of cooperation between the Department of Defense and the United States Agency for International Development in projects to prevent support for violent extremism.

(b) **COOPERATION THROUGH SUPPORT OF PROJECTS.**—In carrying out the pilot program, the Secretary is authorized to provide support for projects of the United States Agency for International Development to prevent support for violent extremism.

(c) **FUNDS.**—Any support under the pilot program in a fiscal year shall be provided using amounts available for such fiscal year for the Department of Defense for security cooperation programs and activities of the Department of Defense, and shall be subject to the authorities and limitations governing the activities of the Administrator of the United States Agency for International Development.

(d) **REQUEST AND CONCURRENCE REQUIRED.**—Any support under the pilot program may be provided only at the request of the commander of a combatant command and with the concurrence of the Chairman of the Joint Chiefs of Staff.

(e) **JOINT DETERMINATION REQUIRED.**—Support may be provided under the pilot program for a project of the United States Agency for International Development only if the Secretary and the Administrator jointly determine that the project—

(1) is in support of, or necessary to the effectiveness of, one or more programs conducted by the Department of Defense; and

(2) cannot be carried out by the Department.

(f) **LIMITATION.**—The amount of support provided by the Secretary under the pilot program in any fiscal year may not exceed \$10,000,000.

(g) **NOTICE TO CONGRESS.**—Not later than 15 days before providing support for a project under the pilot program, the Secretary shall submit to the congressional defense committees a notice detailing the project to be supported.

(h) **SUNSET.**—The authority to provide support under the pilot program shall expire on September 30, 2018. The expiration of the authority on that date shall not affect the availability of funds made available to the Administrator of the United States Agency for International Development under the authority before that date.

SA 4418. Mr. Perdue submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. SUPPORT FOR E-8C JSTARS FLEET.

The Secretary of Defense shall continue to fully fund all necessary aircraft repairs and

modifications and to maintain the existing E-8C JSTARS fleet in a common mission equipment configuration and deployable state, including with respect to supply parts, operational aircrew, maintenance, and combat training instructors to ensure that the fleet can continue worldwide operational missions, avoid degradation of mission performance, and meet combatant commander requirements for operations until the Joint Surveillance Target Attack Radar System (JSTARS) Recapitalization Program achieves Full Operational Capability (FOC).

SA 4419. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. ACQUISITION STRATEGY FOR AIR FORCE HELICOPTERS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on an acquisition strategy for replacement of the Air Force UH-1N helicopter program.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) a description of the Air Force rotorcraft requirements, and the extent to which program requirements differ among Air Force Global Strike Command, Air Force District of Washington, and other Major Command airlift missions;

(2) a life-cycle cost analysis of alternatives, including mixed-fleet versus single-fleet acquisition program solutions to meet all Air Force requirements; and

(3) consideration of the trade-offs between the capability and affordability of commercial derivative aircraft versus military purpose designed aircraft.

SA 4420. Mr. CORKER (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 587, line 21, insert before the period the following: “, and shall provide copies of such report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1009, between lines 12 and 13, insert the following:

(c) SUBMITTAL OF REPORTS.—Section 1201(b)(1) of the National Defense Authorization Act for Fiscal Year 2012, as so amended, is further amended by inserting “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives” after “congressional defense committees”.

On page 1011, line 11, strike “relevant Chief of Mission” and insert “Secretary of State”.

On page 1011, beginning on line 13, strike “, irregular forces, groups, or individuals”.

On page 1012, beginning on line 2, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1012, line 16, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1013, line 12, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1015, strike lines 5 through 7.

On page 1015, line 8, strike “(2)” and insert “(1)”.

On page 1015, strike lines 12 through 19.

On page 1015, line 20, strike “(5)” and insert “(2)”.

On page 1024, beginning on line 13, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1025, line 6, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1026, beginning on line 2, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1026, line 19, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1027, beginning on line 12, insert after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1032, between lines 5 and 6, insert the following:

(c) SECRETARY OF STATE CONCURRENCE.—Subsection (a) of such section is further amended by striking “in coordination with the Secretary of State” and inserting “with the concurrence of the Secretary of State”.

On page 1032, strike lines 9 through 13 and insert the following:

(a) IN GENERAL.—Section 1236(a) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-12 291; 128 Stat. 3559) is amended—

(1) by striking “in coordination with the Secretary of State” and inserting “with the concurrence of the Secretary of State”; and

(2) by striking “December 31, 2016” and inserting “December 31, 2019”.

On page 1034, strike lines 19 through 23 and insert the following:

(1) in subsection (a), by striking “Of the amounts” and all that follows through “in coordination with the Secretary of State” and inserting “Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with the concurrence of the Secretary of State”.

On page 1040, between lines 16 and 17, insert the following:

(g) SUBMITTAL OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(b) of the

Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 is amended by inserting after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1041, between lines 12 and 13, insert the following:

(c) SECRETARY OF STATE CONCURRENCE.—Subsection (a) of such section is amended by inserting “, with the concurrence of the Secretary of State,” after “The Secretary of Defense”.

(d) SUBMITTAL OF REPORT.—Subsection (c)(2) of such section is inserting after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

(e) BRIEFING TO CONGRESS.—Subsection (e) of such section is amended by inserting after “congressional defense committees” the following: “and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

On page 1045, beginning on line 8, strike “shall present to the congressional defense committees” and insert “shall, in coordination with the Secretary of State, present to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

Strike section 1235.

On page 1048, beginning on line 16, strike “the Committees on Armed Services of the Senate and the House of Representatives” and insert “the Committees on Armed Services and Foreign Relations of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representatives”.

On page 1051, strike lines 6 through 10.

On page 1051, line 11, strike “(5)” and insert “(4)”.

On page 1051, line 15, strike “(6)” and insert “(5)”.

Strike section 1244.

Strike section 1245.

On page 1055, after line 25, add the following:

(1) United States security sector assistance is a tool to facilitate the achievement of United States foreign policy objectives;

On page 1056, line 1, strike “(1)” and insert “(2)”.

On page 1056, line 6, strike “(2)” and insert “(3)”.

On page 1056, line 12, strike “(3)” and insert “(4)”.

On page 1057, line 4, strike “(4)” and insert “(5)”.

On page 1057, line 8, strike “(5)” and insert “(6)”.

On page 1057, beginning on line 10, strike “, and conducts critical security cooperation programs of its own”.

On page 1057, line 12, strike “(6)” and insert “(7)”.

On page 1057, line 19, strike “(7)” and insert “(8)”.

On page 1058, line 1, strike “(8)” and insert “(9)”.

On page 1060, strike lines 1 through 13 and insert the following:

“(2) The term “defense article” has the meaning given that term in section 47(3) of the Arms Export Control Act (22 U.S.C. 2794(3)).

“(3) The term “defense service” has the meaning given that term 47(4) of the Arms Export Control Act (22 U.S.C. 2794(4)).

On page 1061, line 5, insert after “any” the following: “security sector assistance”.

On page 1061, between lines 8 and 9, insert the following:

“(A) To complement the strategic long-term security assistance and cooperation programs of the Department of State.

On page 1061, line 9, strike “(A)” and insert “(B)”.

On page 1061, line 11, strike “(B)” and insert “(C)”.

On page 1061, line 14, strike “(C)” and insert “(D)”.

On page 1061, strike line 20 and all that follows through page 1062, line 2, and insert the following:

“(7) The term “training” has the meaning given that term in section 47(5) of the Arms Export Control Act (22 U.S.C. 2974(5)).

On page 1062, between lines 2 and 3, insert the following:

“(8) The term “friendly foreign country” means any country identified annually by the President, by not later than October 1 of a fiscal year, in a submission to the appropriate committees of Congress, as a friendly foreign country that is eligible to receive United States security assistance under this chapter in that fiscal year.

On page 1064, beginning on line 11, strike “(d) SUPERSEDING AUTHORITY TO TRAIN AND EQUIP FOREIGN SECURITY FORCES.—” and all that follows through “AUTHORITY.—” on line 19. *[Don't understand the purposes of this amendment. the amendatory instruction sought to be stricken is necessary to insert the material that begins on page 1064, line 17, into new chapter 16]*

On page 1065, line 20, insert before the period the following: “, including with regard to identification of the particular recipient country, recipient organization, and content of the assistance provided”.

On page 1065, after line 25, add the following:

“(3) JOINT FORMULATION.—The Secretary of Defense and the Secretary of State shall jointly formulate any program authorized by subsection (a).

On page 1070, between lines 13 and 24, insert the following:

“(h) TERMINATION OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) terminates at the close of September 30, 2020. Any program conducted or supported under that authority before that date may be completed, but only using funds available for fiscal years 2017 through 2020.

On page 1070, line 14, strike “(h)” and insert “(i)”.

1072, line 1, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1072, beginning on line 5, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1077, line 8, strike “after consultation with” and insert “with the concurrence of”.

On page 1087, line 9, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1091, strike line 2 through 17, and insert the following:

(2) in subsection (b)—
(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively; and

(B) by inserting before paragraph (2), as so redesignated, the following new paragraph (1):

“(1) An exchange of personnel under an international defense personnel exchange agreement may only be made with the con-

currence of the Secretary to State to the extent the exchange is with—

“(A) a non-defense security ministry of a foreign government; or

“(B) an international or regional security organization.”; and

(C) in paragraph (3), as so redesignated, by inserting before the period the following: “, subject to the concurrence of the Secretary of State”;

(3) in subsection (c)—

(A) by striking “Each government shall be required under” and inserting “In the case of”; and

(B) by inserting after “exchange agreement” the following: “that provides for reciprocal exchanges, each government shall be required”;

(4) in subsection (f), by inserting “defense or security ministry of that” after “military personnel of the”; and

(5) by adding at the end the following new subsection:

“(g) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than 90 days after the end of a fiscal year in which the authority in subsection (a) is exercised, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the use of the authority during such fiscal year.

“(2) ELEMENTS.—The report required under paragraph (1) shall include the number of non-reciprocal international defense personnel exchange agreements, the number of personnel assigned pursuant to such agreements, the Department of Defense component to which the personnel have been assigned, the duty title of each assignment, and the countries with which the agreements have been concluded.”.

On page 1092, line 15, add at the end the following: “Such expenses may be paid only with the concurrence of the Secretary of State, other than in the case of payment of expenses of defense personnel of a friendly foreign government, for which such concurrence is not required.”.

On page 1096, between lines 16 and 17, insert the following:

“(3) SECRETARY OF STATE CONCURRENCE FOR ASSIGNMENT OF NON-DEFENSE FOREIGN LIAISON OFFICERS.—In the case of a non-defense foreign liaison officer, the authority of the Secretary of Defense under subsection (a) to pay any expenses specified in paragraph (2) or (3) of subsection (b) may be exercised only if the assignment of that liaison officer as a liaison officer with the Department of Defense was accepted by the Secretary of Defense with the concurrence of the Secretary of State.

On page 1098, beginning on line 1, strike “or other security forces”.

On page 1098, line 3, strike the Secretary determines” and insert “the Secretary of Defense and the Secretary of State jointly determine”.

On page 1098, line 4, add at the end the following: “Any such training with forces of a foreign country may be conducted only with the concurrence of the Secretary of State.”.

On page 1101, beginning on line 6, strike “congressional defense committees” and insert “appropriate committees of Congress”.

Strike section 1258.

On page 1126, beginning on line 13, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1127, beginning on line 2, strike “the Secretary of Defense shall submit to the congressional defense committees” and insert “the Secretary of Defense shall, in coordination with the Secretary of State, submit to the appropriate committees of Congress”.

On page 1127, line 3, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1128, beginning on line 10, strike “congressional defense committees” and insert “appropriate committees of Congress”.

On page 1134, between lines 4 and 5, insert the following:

(e) SUBMITTAL OF REPORTS.—Such section is further amended—

(1) by redesignating subsections (e) and (f), as redesignated by subsection (d) of this section, as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) SUBMITTAL OF REPORTS.—Each report under this section that is submitted to the congressional defense committees shall also be submitted to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.”.

On page 1134, line 5, strike “(e)” and insert “(f)”.

On page 1134, line 10, strike “(f)” and insert “(g)”.

On page 1135, between lines 5 and 6, insert the following:

SEC. 1261A. CONCURRENCE OF SECRETARY OF STATE IN SECURITY COOPERATION WITH FOREIGN NON-MILITARY PERSONNEL.

Chapter 16 of title 10, United States Code, as added by section 1252(a)(3) of this Act, is amended by inserting after section 384, as added by section 1261 of this Act, the following new section:

“§ 385. Security cooperation with foreign non-military personnel: concurrence of Secretary of State

“Any security cooperation program or activity of the Department of Defense undertaken under this chapter that engages foreign personnel not under the authority of a ministry of defense of a foreign country shall require the concurrence of the Secretary of State.”.

On page 1142, line 5, add at the end the following: “Until the joint regulations are so prescribed, no activities shall be undertaken under section 333 of title 10, United States Code, as added by section 1252(d) of this Act.”.

On page 1144, strike lines 13 through 16.

On page 1156, beginning on line 6, strike “the Chairman of the Joint Chiefs of Staff shall submit to the congressional defense committees” and insert “the Chairman of the Joint Chiefs of Staff shall, in coordination with the Secretary of State, submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives”.

SA 4421. Mr. WARNER (for himself, Mr. CARPER, Mr. COONS, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. ENERGY PREPAREDNESS FOR THE DEPARTMENT OF DEFENSE AND THE ARMED FORCES.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense and the Armed Forces to ensure the readiness of the Armed Forces for their military missions by pursuing energy preparedness, including resilient sources of electric power and the efficient use of electric power.

(b) AUTHORITIES.—In order to achieve the policy set forth in subsection (a), the Secretary of Defense may take the actions as follows:

(1) ELECTRIC POWER RESILIENCY PLANS FOR MILITARY INSTALLATIONS.—The Secretary may require the service secretaries to establish and maintain electric power resiliency plans that best meet their installations' mission assurance guidelines.

(2) RESILIENCY OF ELECTRIC POWER AND COST OF BACKUP POWER AS FACTORS IN PROCUREMENT.—The Secretary may authorize the use of resiliency and the cost of backup power as factors in the cost-benefit analysis for procurement of electric power.

SA 4422. Mr. BENNET (for himself, Mr. HATCH, Mr. BLUMENTHAL, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Promise for Antibiotics and Therapeutics

SEC. 1097. SHORT TITLE.

This subtitle may be cited as the "Promise for Antibiotics and Therapeutics for Health Act" or the "PATH Act".

SEC. 1097A. ANTIBACTERIAL RESISTANCE MONITORING.

Section 319E of the Public Health Service Act (42 U.S.C. 247d-5) is amended—

(1) by redesignating subsections (f) and (g) as subsections (k) and (l), respectively; and

(2) by inserting after subsection (e), the following:

"(f) MONITORING AT FEDERAL HEALTH CARE FACILITIES.—The Secretary shall encourage reporting on aggregate antibacterial drug use and bacterial resistance to antibacterial drugs and the implementation of antibiotic stewardship programs by health care facilities of the Department of Defense, the Department of Veterans Affairs, and the Indian Health Service and shall provide technical assistance to the Secretary of Defense and the Secretary of Veterans Affairs, as appropriate and upon request.

"(g) REPORT ON ANTIBACTERIAL RESISTANCE IN HUMANS AND USE OF ANTIBACTERIAL DRUGS.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Secretary shall prepare and make publically available data and information concerning—

"(1) aggregate national and regional trends of bacterial resistance in humans to antibacterial drugs, including those approved under section 506(g) of the Federal Food, Drug, and Cosmetic Act;

"(2) antibacterial stewardship, which may include summaries of State efforts to address bacterial resistance in humans to anti-

bacterial drugs and antibacterial stewardship; and

"(3) coordination between the Director of the Centers for Disease Control and Prevention and the Commissioner of Food and Drugs with respect to the monitoring of—

"(A) any applicable resistance under paragraph (1); and

"(B) drugs approved under section 506(g) of the Federal Food, Drug, and Cosmetic Act.

"(h) INFORMATION RELATED TO ANTIBIOTIC STEWARDSHIP PROGRAMS.—The Secretary shall, as appropriate, disseminate guidance, educational materials, or other appropriate materials related to the development and implementation of evidence-based antibiotic stewardship programs or practices at health care facilities, such as nursing homes and other long-term care facilities, ambulatory surgical centers, dialysis centers, and community and rural hospitals.

"(i) SUPPORTING STATE-BASED ACTIVITIES TO COMBAT ANTIBACTERIAL RESISTANCE.—The Secretary shall continue to work with State and local public health departments on statewide or regional programs related to antibacterial resistance. Such efforts may include activities to related to—

"(1) identifying patterns of bacterial resistance in humans to antibacterial drugs;

"(2) preventing the spread of bacterial infections that are resistant to antibacterial drugs; and

"(3) promoting antibiotic stewardship.

"(j) ANTIBACTERIAL RESISTANCE AND STEWARDSHIP ACTIVITIES.—

"(1) IN GENERAL.—For the purposes of supporting stewardship activities, examining changes in bacterial resistance, and evaluating the effectiveness of section 506(g) of the Federal Food, Drug, and Cosmetic Act, the Secretary shall—

"(A) provide a mechanism for facilities to report data related to their antimicrobial stewardship activities (including analyzing the outcomes of such activities); and

"(B) evaluate—

"(i) antimicrobial resistance data using a standardized approach; and

"(ii) trends in the utilization of drugs approved under such section 506(g) with respect to patient populations.

"(2) USE OF SYSTEMS.—The Secretary shall use available systems, including the National Healthcare Safety Network or other systems identified by the Secretary, to fulfill the requirements or conduct activities under this section.

"(3) AVAILABILITY OF DATA.—The Secretary shall make the data collected pursuant to this subsection public. Nothing in this subsection shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code."

SEC. 1097B. LIMITED POPULATION PATHWAY FOR ANTIBACTERIAL DRUGS.

Section 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356) is amended—

(1) by transferring subsection (e) so that it appears before subsection (f); and

(2) by adding at the end the following:

"(g) LIMITED POPULATION PATHWAY FOR ANTIBACTERIAL DRUGS.—

"(1) IN GENERAL.—The Secretary may approve an antibacterial drug, alone or in combination with one or more other drugs, as a limited population drug pursuant to this subsection only if—

"(A) the drug is intended to treat a serious or life-threatening infection in a limited population of patients with unmet needs;

"(B) the standards for approval under section 505(c) and (d), or the standards for licensure under section 351 of the Public Health Service Act, as applicable, are met; and

"(C) the Secretary receives a written request from the sponsor to approve the drug as a limited population drug pursuant to this subsection.

"(2) BENEFIT-RISK CONSIDERATION.—The Secretary's determination of safety and effectiveness of a limited population antibacterial drug shall reflect the benefit-risk profile of the drug in the intended limited population, taking into account the severity, rarity, or prevalence of the infection the drug is intended to treat and the availability or lack of alternative treatment in such limited population. Such drug may be approved under this subsection notwithstanding a lack of evidence to fully establish a favorable benefit-risk profile in a population that is broader than the intended limited population.

"(3) ADDITIONAL REQUIREMENTS.—A drug approved under this subsection shall be subject to the requirements of this paragraph, in addition to any other applicable requirements of this Act:

"(A) LABELING.—To indicate that the safety and effectiveness of a drug approved under this subsection has been demonstrated only with respect to a limited population—

"(i) all labeling and advertising of an antibacterial drug approved under this subsection shall contain the statement 'Limited Population' in a prominent manner and adjacent to, and not more prominent than—

"(I) the proprietary name of such drug, if any; or

"(II) if there is no proprietary name, the established name of the drug, if any, as defined in section 503(e)(3), or for drugs which are biological products, the proper name, as defined by regulation; and

"(ii) the prescribing information for such antibacterial drug required by section 201.57 of title 21, Code of Federal Regulations (or any successor regulation) shall also include the following statement: 'This drug is indicated for use in a limited and specific population of patients.'

"(B) PROMOTIONAL MATERIAL.—The sponsor of an antibacterial drug subject to this subsection shall submit to the Secretary copies of all promotional materials related to such drug at least 30 calendar days prior to dissemination of the materials.

"(4) OTHER PROGRAMS.—A sponsor of a drug that seeks approval of a drug under this subsection for antibacterial drugs may also seek designation or approval, as applicable, of such drug under other applicable sections or subsections of this Act of the Public Health Service Act.

"(5) GUIDANCE.—Not later than 18 months after the date of enactment of the Promise for Antibiotics and Therapeutics for Health Act, the Secretary shall issue draft guidance describing criteria, processes, and other general considerations for demonstrating the safety and effectiveness of limited population antibacterial drugs. The Secretary shall publish final guidance within 18 months of the close of the public comment period on such draft guidance. The Secretary may approve antibacterial drugs under this subsection prior to issuing guidance under this paragraph.

"(6) ADVICE.—The Secretary shall provide prompt advice to the sponsor of a drug for which the sponsor seeks approval under this subsection for antibacterial drugs to enable the sponsor to plan a development program to obtain the necessary data for approval of

such drug under this subsection for antibacterial drugs and to conduct any additional studies that would be required to gain approval of such drug for use in a broader population.

“(7) **TERMINATION OF LIMITATIONS.**—If, after approval of a drug under this subsection, the Secretary approves a broader indication for such drug for which the sponsor applies under section 505(b) or section 351(a) of the Public Health Service Act, the Secretary may remove any postmarketing conditions, including requirements with respect to labeling and review of promotional materials under paragraph (3), applicable to the approval of the drug under this subsection.

“(8) **RULES OF CONSTRUCTION.**—Nothing in this subsection shall be construed to alter the authority of the Secretary to approve drugs pursuant to this Act and section 351 of the Public Health Service Act, including the standards of evidence, and applicable conditions, for approval under such Acts, the standards of approval of a drug under this Act or the Public Health Service Act, or to alter the authority of the Secretary to monitor drugs pursuant to this Act or the Public Health Service Act.

“(9) **REPORTING AND ACCOUNTABILITY.**—

“(A) **BIANNUAL REPORTING.**—The Secretary shall report to Congress not less often than once every 2 years on the number of requests for approval, and the number of approvals, of an antibacterial drug under this subsection.

“(B) **GAO REPORT.**—Not later than December 2021, the Comptroller General of the United States shall report on the coordination of activities required under section 319E of the Public Health Service Act, a review of such activities, and the extent to which the use of the pathway established under this subsection has streamlined premarket approval for antibacterial drugs for limited populations, if such pathway has functioned as intended, if such pathway has helped provide for safe and effective treatment for patients, if such premarket approval would be appropriate for other categories of drugs, and if the authorities under this subsection have affected antibiotic resistance.”

SEC. 1097C. PRESCRIBING AUTHORITY.

Nothing in this subtitle, or an amendment made by this subtitle, shall be construed to restrict the prescribing of antibacterial drugs or other products, including drugs approved under section 506(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356(g)), by health care professionals, or to limit the practice of health care.

SA 4423. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 526. PLAN TO MEET DEMAND FOR CYBERSPACE CAREER FIELDS IN THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) **PLAN REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth a plan for meeting the increased demand for cyberspace career fields in the reserve components of the Armed Forces.

(b) **ELEMENTS.**—The plan shall take into account the following:

(1) The availability of qualified local workforces.

(2) Potential best practices of private sector companies involved in cyberspace and of educational institutions with established cyberspace-related academic programs.

(3) The potential for Total Force Integration throughout the defense cyber community.

(4) Recruitment strategies to attract individuals with critical cyber training and skills to join the reserve components.

(c) **METRICS.**—The plan shall include appropriate metrics for use in the evaluation of the implementation of the plan.

SA 4424. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. MECHANISMS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS TO SUPPORT DEPARTMENT OF DEFENSE MISSIONS.

(a) **IN GENERAL.**—The Secretary of Defense shall establish one or more multi-institution task order contracts, consortia, cooperative agreements, or other arrangements to facilitate expedited access to university technical expertise in support of Department of Defense missions in the areas specified in subsection (e). The Secretary may use this arrangement to fund technical analyses and other engineering support as required to address acquisition and operational challenges, including support for classified programs and activities. The Secretary shall ensure that work under task orders awarded through the arrangement is performed primarily by the designated university performer.

(b) **LIMITATION.**—The arrangement established under subsection (a) may not be used to fund research programs that can be executed through other Department of Defense basic research activities.

(c) **COORDINATION WITH OTHER DEPARTMENT OF DEFENSE ACTIVITIES.**—The arrangement shall be made in coordination with other Department of Defense activities, including federally funded research and development centers (FFRDCs), university affiliated research centers (UARCs), and Defense laboratories and test centers, for purposes of providing technical expertise and reducing costs and duplicative efforts.

(d) **POLICIES AND PROCEDURES.**—The Secretary shall establish and implement policies and procedures to govern—

(1) selection of participants in the arrangement;

(2) the awarding of task orders under the arrangement;

(3) maximum award size for tasks under the arrangement;

(4) the appropriate use of competitive awards and sole source awards under the arrangement; and

(5) technical areas under the arrangement.

(e) **MISSION AREAS.**—The Secretary may establish the arrangement in any of the following technical areas:

(1) Cybersecurity.

(2) Air and ground vehicles.

(3) Shipbuilding.

(4) Explosives detection.

(5) Modeling and simulation.

(6) Undersea warfare.

(7) Trusted microelectronics.

(8) Unmanned systems.

(9) Directed energy.

(10) Energy, power, and propulsion.

(11) Advanced materials.

(12) Other areas as designated by the Secretary.

SA 4425. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. REPORT AND GUIDANCE ON JOB TRAINING, EMPLOYMENT SKILLS TRAINING, APPRENTICESHIPS, AND INTERNSHIPS AND SKILLBRIDGE INITIATIVES FOR MEMBERS OF THE ARMED FORCES WHO ARE BEING SEPARATED.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public, a report evaluating the success of the Job Training, Employment Skills Training, Apprenticeships, and Internships (known as JTEST-AI) and SkillBridge initiatives, under which civilian businesses and companies make available to members of the Armed Forces who are being separated from the Armed Forces training or internship opportunities that offer a high probability of employment for the members after their separation.

(b) **ELEMENTS.**—In preparing the report required by subsection (a), the Under Secretary shall use the effectiveness metrics described in Enclosure 5 of Department of Defense Instruction No. 1322.29. The report shall include the following:

(1) An assessment of the successes of the Job Training, Employment Skills Training, Apprenticeships, and Internships and SkillBridge initiatives.

(2) Recommendations by the Under Secretary on ways in which the administration of the initiatives could be improved.

(3) Recommendations by civilian companies participating in the initiatives on ways in which the administration of the initiatives could be improved.

SA 4426. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 544. SUSPENSION OF ADMINISTRATIVE SEPARATION OF MEMBERS OF THE ARMED FORCES WITH MEDICAL CONDITIONS ARISING FROM SEXUAL TRAUMA INCURRED DURING SERVICE IN THE ARMED FORCES.

(a) **POLICY ON SUSPENSION REQUIRED.**—The Secretary of Defense shall issue a policy under which the Secretaries of the military departments may—

(1) suspend the proposed involuntary separation from the Armed Forces of any member of the Armed Forces described in subsection (b); and

(2) provide for appropriate medical evaluation of such member for purposes of determining the eligibility of such member for retirement or separation for physical disability under chapter 61 of title 10, United States Code.

(b) **COVERED MEMBERS.**—A member of the Armed Forces described in this subsection is a member who is diagnosed by a health care professional specified in the policy under subsection (a) as having a medical condition related to sexual assault or sexual harassment incurred by the member during service in the Armed Forces.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the policy to be issued pursuant to subsection (a).

(d) **EFFECTIVE DATE.**—The policy issued pursuant to subsection (a) shall take effect on the date of the submittal of the policy to Congress under subsection (c), and shall apply to members of the Armed Forces described in subsection (b) who are proposed to be involuntarily separated from the Armed Forces on or after that date.

SA 4427. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. REPORT ON IMPLEMENTATION OF REFORM OF ARTICLE 32 OF THE UNIFORM CODE OF MILITARY JUSTICE.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a description and assessment by the Secretary of the implementation of the reform of section 832 of title 10, United States Code (article 32 of the Uniform Code of Military Justice), made by section 1702 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 954).

SA 4428. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1266. ENHANCEMENT OF EFFORTS FOR THE RECRUITMENT AND ADVANCEMENT OF WOMEN IN THE SECURITY SECTOR AS PART OF DEFENSE INSTITUTION BUILDING PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

In carrying out programs and activities for defense institution building of foreign countries under the security cooperation programs and activities of the Department of Defense, the Secretary of Defense shall, in coordination with the Secretary of State, include policies to strengthen and facilitate, to the extent practicable, the efforts of countries participating in such defense institution building programs and activities to recruit, retain, professionalize, and advance women in their security sectors.

SA 4429. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) **STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.**—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

“§ 922A. Attorney General’s discretion to deny transfer of a firearm

“The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

“(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3)

“The Attorney General may determine that—

“(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t)(3) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”;

(2) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

“(37) The term ‘material support or resources’ has the meaning given the term in section 2339A of this title.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

“922A. Attorney General’s discretion to deny transfer of a firearm.

“922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).”.

(b) **EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.**—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking “and” at the end; and

(II) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(ii) in clause (ii), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;”;

(4) in paragraph (4), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”; and

(5) in paragraph (5), by inserting “, or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”.

(c) **UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.**—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.”.

(d) **ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.**—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title.”.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any” and inserting “Except as provided in paragraph (3), any”; and

(2) by adding at the end the following:

“(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(e)”; and

(2) by striking “revoke any license” and inserting the following: “revoke—
“(A) any license”;

(3) by striking “. The Attorney General may, after notice and opportunity for hearing, revoke the license” and inserting the following: “;

“(B) the license”; and

(4) by striking “. The Secretary’s action” and inserting the following: “; or

“(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

“(2) The Attorney General’s action”.

(g) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: “However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.”.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(h) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: “If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from

the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (3) the following:

“(4) constitutes an act of terrorism, or providing material support or resources for terrorism.”.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Remedy for erroneous denial of firearm**” and inserting “**Remedies**”; and

(B) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B”; and

(C) by adding at the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General’s determination under section 922A or 922B of this title. The court shall sustain the Attorney General’s determination upon a showing by the United States by a preponderance of evidence that the Attorney General’s determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court’s own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General’s determination satisfies the requirements of section 922A or 922B.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

“925A. Remedies.”.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting “or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,” after “is ineligible to receive a firearm”; and

(B) by inserting “except any information for which the Attorney General has determined that disclosure would likely compromise national security,” after “reasons to the individual,”; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting “or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,” after “or State law,”; and

(ii) by inserting “, except any information for which the Attorney General has determined that disclosure would likely compromise national security” before the period at the end; and

(B) by adding at the end the following: “Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.”.

(1) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting “; or”; and

(2) by adding at the end the following:

“(10) has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting “; or” at the end; and

(2) by inserting after paragraph (7) the following:

“(8) who has received actual notice of the Attorney General’s determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.”.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “Upon” and inserting “Except as provided in subsection (j), upon”; and

(2) by adding at the end the following:

“(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(d)”; and

(2) by striking “if in the opinion” and inserting the following: “if—

“(A) in the opinion”; and

(3) by striking “. The Secretary’s action” and inserting the following: “; or

“(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting,

in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

“(2) The Attorney General’s action”.

(p) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: “However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.”; and

(2) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting “or in subsection (j) of this section (on grounds of terrorism)” after “section 842(i)”; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting “or in subsection (j) of this section,” after “section 842(i)”; and

(B) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” after “determination”.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

SA 4430. Mr. CARPER submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RENAMING THE NATIONAL PROTECTION AND PROGRAMS DIRECTORATE.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(2) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(b) UNITED STATES AGENCY FOR CYBER AND INFRASTRUCTURE SECURITY.—The National Protection and Programs Directorate of the Department shall be known and designated as the “United States Agency for Cyber and Infrastructure Security”. Any reference to the National Protection and Programs Directorate of the Department in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the United States Agency for Cyber and Infrastructure Security of the Department.

(c) STREAMLINING.—

(1) ALLOCATION OF FUNCTIONS.—To support the United States Agency for Cyber and Infrastructure Security and increase efficiency and effectiveness, the Secretary may allocate and reallocate the mission support, Stakeholder Engagement and Cyber Infrastructure Resilience, and sector-specific agency functions, personnel, and assets that are supporting National Protection and Programs Directorate of the Department on the day before the date of enactment of this Act.

(2) FUNDING.—Notwithstanding section 520 of division F of the Consolidated Appropriations Act, 2016 (Public Law 114-113; 129 Stat. 2515), funds available to the United States Agency for Cybersecurity and Infrastructure Protection are authorized as necessary to streamline in accordance with this Act.

(3) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a plan for allocating the functions of the United States Agency for Cyber and Infrastructure Security.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in the table of contents in section 1(b), by striking the item relating to section 201 and inserting the following:

“201. Information and analysis; cyber and infrastructure security.”;

(B) in section 103(a)(1) (6 U.S.C. 113(a)(1)), by striking subparagraph (H) and inserting the following:

“(H) An Under Secretary for Cyber and Infrastructure Security.”;

(C) in section 201 (6 U.S.C. 121)—

(i) in the section heading, by striking “AND INFRASTRUCTURE PROTECTION” and inserting “; CYBER AND INFRASTRUCTURE SECURITY”;

(ii) in subsection (a)—

(I) in the subsection heading, by striking “AND INFRASTRUCTURE PROTECTION” and inserting “; CYBER AND INFRASTRUCTURE SECURITY”;

(II) by striking “an Office of Intelligence and Analysis and an Office of Infrastructure

Protection” and inserting “the United States Agency for Cyber and Infrastructure Security and an Office of Intelligence and Analysis”;

(iii) in subsection (b)—

(I) in the subsection heading, by inserting “, UNDER SECRETARY FOR CYBER AND INFRASTRUCTURE SECURITY,” after “ANALYSIS”;

(II) by striking paragraph (3); and

(III) by inserting after paragraph (2) the following:

“(3) UNITED STATES AGENCY FOR CYBER AND INFRASTRUCTURE SECURITY.—

“(A) IN GENERAL.—The United States Agency for Cyber and Infrastructure Security shall be headed by an Under Secretary for Cyber and Infrastructure Security.

“(B) ASSISTANT SECRETARIES.—Notwithstanding section 103(a)(1)(I), the Secretary may appoint 2 Assistant Secretaries to assist in carrying out the duties of the United States Agency for Cyber and Infrastructure Security.”;

(iv) in subsection (c)—

(I) by striking “infrastructure protection” and inserting “cyber and infrastructure security”;

(II) by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”;

(v) in subsection (d)—

(I) in the subsection heading, by striking “AND INFRASTRUCTURE PROTECTION” and inserting “CYBER AND INFRASTRUCTURE SECURITY”;

(II) in the matter preceding paragraph (1), by striking “infrastructure protection” and inserting “cyber and infrastructure security”;

(III) in paragraph (1)—

(aa) in subparagraph (A), by inserting “, cyber, and other” after “terrorist”; and

(bb) in subparagraph (B), by inserting “and cyber attacks” after “terrorism”;

(IV) in paragraph (2), by inserting “and cyber” after “terrorist”;

(V) in paragraph (3)(A), by inserting “, cyber,” after “terrorist”;

(VI) in paragraph (8), by inserting “, cyber, and other” after “terrorist”;

(VII) in paragraph (9), by striking “of terrorism”;

(VIII) in paragraph (10), by striking “of terrorism”; and

(IX) in paragraph (12), by striking “of terrorism in” and inserting “against”;

(vi) in subsection (e)(1), by striking “the Office of Intelligence and Analysis and the Office of Infrastructure Protection” and inserting “the United States Agency for Cyber and Infrastructure Security and the Office of Intelligence and Analysis”;

(vii) in subsection (f)(1), by striking “the Office of Intelligence and Analysis and the Office of Infrastructure Protection” and inserting “the United States Agency for Cyber and Infrastructure Security and the Office of Intelligence and Analysis”;

(viii) in subsection (g), in the matter preceding paragraph (1), by striking “the Office of Intelligence and Analysis and the Office of Infrastructure Protection” and inserting “the United States Agency for Cyber and Infrastructure Security and the Office of Intelligence and Analysis”;

(D) in section 204 (6 U.S.C. 124a)—

(i) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”; and

(ii) in subsection (d)(1), in the matter preceding subparagraph (A), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”;

(E) in section 210A(c)(2)(B) (6 U.S.C. 124h(c)(2)(B)), by striking “Office of Infrastructure Protection” and inserting “United States Agency for Cyber and Infrastructure Security”;

(F) in section 223 (6 U.S.C. 143)—

(i) in the matter preceding paragraph (1), by striking “the Under Secretary appointed under section 103(a)(1)(H)” and inserting “the Under Secretary for Cyber and Infrastructure Security”;

(ii) in paragraph (1)(B)—

(I) by striking “Under Secretary for Emergency Preparedness and Response” and inserting “Administrator of the Federal Emergency Management Agency”; and

(II) by striking “and” at the end; and

(iii) in paragraph (2), by striking “Under Secretary for Emergency Preparedness and Response” and inserting “Administrator of the Federal Emergency Management Agency”;

(G) in section 224 (6 U.S.C. 144), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”;

(H) in section 227 (6 U.S.C. 148)—

(i) in subsection (b), by striking “the Under Secretary appointed under section 103(a)(1)(H)” and inserting “the Under Secretary for Cyber and Infrastructure Security”;

(ii) in subsection (e)(1)(G), by striking the semicolon at the end; and

(iii) in subsection (f)(1), by striking “the Under Secretary appointed under section 103(a)(1)(H)” and inserting “the Under Secretary for Cyber and Infrastructure Security”;

(I) in section 228(c) (6 U.S.C. 149(c)), by striking “The Under Secretary appointed under section 103(a)(1)(H)” and inserting “The Under Secretary for Cyber and Infrastructure Security”;

(J) in section 302 (6 U.S.C. 182)—

(i) in paragraph (2), by striking “biological,” and inserting “biological”; and

(ii) in paragraph (3), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”;

(K) in section 514 (6 U.S.C. 321c)—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(L) in section 523(a) (6 U.S.C. 321l(a)), in the matter preceding paragraph (1), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Under Secretary for Cyber and Infrastructure Security”;

(M) in section 524(a)(2)(B) (6 U.S.C. 321m(a)(2)(B)), by striking “Assistant Secretary for Infrastructure Protection, based on consideration of the expertise of the Assistant Secretary” and inserting “Under Secretary for Cyber and Infrastructure Security, based on consideration of the expertise of the Under Secretary”;

(N) in section 1801(b) (6 U.S.C. 571(b)), by striking “Assistant Secretary for Cybersecurity and Communications” and inserting “Under Secretary for Cyber and Infrastructure Security”.

(e) OTHER MATTERS.—

(1) RULES OF CONSTRUCTION.—Nothing in this section or any amendments made by this section may be construed as affecting in any manner any rule or regulation issued or promulgated pursuant to any provision of

law as in existence on the day before the date of enactment of this Act, and any such rule or regulation shall continue to have full force and effect on and after such date.

(2) CONTINUATION IN OFFICE.—The individual serving as the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H)) on the day before the date of enactment of this Act may serve as the Under Secretary for Cyber and Infrastructure Security on and after such date of enactment until an Under Secretary for Cyber and Infrastructure Security is appointed under such section 103(a)(1)(H).

(3) REFERENCE.—On and after the date of the enactment of this Act, any reference in law or regulation to the Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H)) or the Assistant Secretary for Infrastructure Protection shall be deemed to be a reference to the Under Secretary for Cyber and Infrastructure Security.

SA 4431. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 306. AIR FORCE REPORT ON PERFLUORO-OCTANOIC ACID (PFOA) AND PERFLUOROOCTANE SULFONATES (PFOS) CONTAMINATION AT CERTAIN MILITARY INSTALLATIONS.

(a) FINDING.—Congress makes the following findings:

(1) An increasing number of communities across New York have reportedly identified the presence of perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS), which can contaminate water and cause adverse health effects.

(2) According to reports, levels of PFOA and PFOS have been detected in the public and private water supplies in the city of Newburgh, New York. Public and private wells in these communities are being tested by the New York Department of Environmental Conservation (DEC) and the New York Department of Health (DOH).

(3) The Environmental Protection Agency (EPA) has identified PFOA as an “emerging contaminant,” and in 2009, the EPA issued an updated provisional health advisory for drinking water of 70 parts per trillion for PFOA and PFOS.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 1, 2016, the Secretary of the Air Force, in collaboration with the Administrator of the Environmental Protection Agency, shall submit to Congress a report on perfluorooctanoic acid (PFOA) and perfluorooctane sulfonates (PFOS) contamination at Stewart Air National Guard Base, New York.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on the cleanup at Stewart Air National Guard Base.

(B) An update on the Air Force’s efforts to identify and notify everyone affected or impacted by the contamination.

(C) An assessment of the Air Force’s role, if any, in the new contaminations.

(D) A summary of the Air Force’s support, where appropriate, for the EPA with respect to the latest contaminations.

SA 4432. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. WAIVER OF CERTAIN POLYGRAPH EXAMINATION REQUIREMENTS.

The Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, may waive the polygraph examination requirement under section 3 of the Anti-Border Corruption Act of 2010 (Public Law 111-376) for any applicant who—

(1) the Commissioner determines is suitable for employment;

(2) holds a current, active Top Secret clearance and is able to access sensitive compartmented information;

(3) has a current single scope background investigation;

(4) was not granted any waivers to obtain the clearance; and

(5) is a veteran (as such term is defined in section 2108 or 2108a of title 5, United States Code).

SA 4433. Mr. WYDEN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DISCLOSURE OF RECENT TAX RETURNS OF CERTAIN PRESIDENTIAL CANDIDATES.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

“(j) DISCLOSURE OF TAX RETURNS OF CERTAIN PRESIDENTIAL CANDIDATES.—

“(1) IN GENERAL.—Not later than 15 days after the nomination of any candidate of a major party for the office of President, such candidate shall file with the Commission a copy of the income tax returns of such candidate for the 3 most recent taxable years for which such a return has been filed with the Internal Revenue Service as of the date of the nomination.

“(2) PROCEDURE IF NO INFORMATION FILED.—In any case in which the candidate of a major party for the office of President has

not filed with the Commission the income tax returns described in paragraph (1) before the date which is 30 days after the date such candidate is nominated, the Chairman of the Commission shall request the Secretary of the Treasury to provide such returns.

“(3) RETURNS MADE PUBLIC.—A tax return provided to the Commission by a candidate under paragraph (1) or by the Secretary of the Treasury pursuant to paragraph (2) shall be treated in the same manner as a report filed by the candidate and, except as provided in paragraph (4), shall be made publicly available at the same time and in the same manner as other reports and statements under this section.

“(4) REDACTION OF CERTAIN INFORMATION.—Before making any return described in paragraph (1) or (2) available to the public, the Commission shall redact such information as the Commission, in consultation with the Secretary of the Treasury (or the Secretary’s delegate), determines appropriate.

“(5) DEFINITIONS.—For purposes of this subsection:

“(A) MAJOR PARTY.—The term ‘major party’ has the meaning given such term by section 9002(6) of the Internal Revenue Code of 1986.

“(B) INCOME TAX RETURN.—The term ‘income tax return’ means any return (as defined in section 6103(b)(1) of the Internal Revenue Code of 1986) relating to Federal income taxes.”

(b) AUTHORITY TO DISCLOSE INFORMATION.—

(1) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(23) DISCLOSURE OF RETURN INFORMATION OF CERTAIN PRESIDENTIAL CANDIDATES BY FEDERAL ELECTION COMMISSION.—

“(A) IN GENERAL.—The Federal Election Commission may disclose to the public the applicable returns of any person who has been nominated as a candidate of a major party (as defined in section 9002(6)) for the office of President.

“(B) DISCLOSURE TO FEC IN CASES WHERE CANDIDATE DOES NOT PROVIDE RETURNS.—The Secretary shall, upon written request from the Chairman of the Federal Election Commission pursuant to section 304(j)(2) of the Federal Election Campaign Act of 1971, provide to officers and employees of the Federal Election Commission copies of the applicable returns of any person who has been nominated as a candidate of a major party (as defined in section 9002(6)) for the office of President.

“(C) APPLICABLE RETURNS.—For purposes of this paragraph, the term ‘applicable returns’ means, with respect to any candidate for the office of President, income tax returns for the 3 most recent taxable years for which a return has been filed as of the date of the nomination.”

(2) CONFORMING AMENDMENTS.—Section 6103(p)(4) of such Code, in the matter preceding subparagraph (A) and in subparagraph (F)(ii), is amended by striking “or (22)” and inserting “(22), or (23)” each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 4434. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

SEC. 965. INFORMATION ON WHISTLEBLOWER REPRISAL INVESTIGATIONS IN SEMI-ANNUAL REPORTS TO CONGRESS OF THE INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE.

(a) INFORMATION REQUIRED.—The Inspector General of the Department of Defense shall include in each semiannual report to Congress of the Inspector General pursuant to section 5(a) of the Inspector General Act of 1978 (5 U.S.C. App.) the information specified in subsection (c) with respect to investigations of prohibited personnel actions against personnel specified in subsection (b) during the period covered by such report.

(b) COVERED PERSONNEL.—The personnel specified in this subsection are personnel of the Department of Defense, and of each element of the intelligence community referred to in section 8H(a)(1)(A) of the Inspector General Act of 1978, as follows:

(1) Members of the Armed Forces, including members of the National Guard and the Reserves, on active duty.

(2) Civilian employees.

(3) Non-appropriated fund instrumentality employees.

(4) Employees of contractors.

(5) Employees of subcontractors.

(6) Employees of grantees.

(7) Employees of subgrantees.

(8) Such other personnel as the Inspector General considers appropriate for purposes of this section.

(c) COVERED INFORMATION.—The information specified in this subsection is information on prohibited personnel actions against the personnel specified in subsection (b), set forth by category of personnel enumerated in that subsection, as follows:

(1) The number of allegations received by the Inspector General.

(2) The number of allegations investigated by the Inspector General.

(3) The number of allegations dismissed or withdrawn.

(4) The number of allegations closed by the Inspector General, including—

(A) the number of allegations closed by the Inspector General without investigation; and

(B) the number of allegations closed by the Inspector General without the complainant being interviewed.

(5) The number of investigated allegations substantiated by the Inspector General, and the substantiation rate.

(6) The average time for the investigation of allegations.

(7) In the case of personnel of the Department of Defense, the number of allegations pursued by an Inspector General within a military department and subsequently reviewed by the Inspector General of the Department of Defense.

(8) In the case of personnel of the elements of the intelligence community referred to in subsection (b), the number of investigations returned by an Inspector General of the Intelligence Community for additional analysis or investigation.

(9) In the case of allegations received from employees of contractors, subcontractors, grantees, and subgrantees under section 2409 of title 10, United States Code—

(A) the number of allegations received; and

(B) the statutory standards applied in the investigation of such allegations.

(10) In the case of substantiated allegations, the number and percentage of cases in

which the department, agency, element, or component concerned took remedial action.

(11) The number and types of disciplinary actions taken against persons determined to have committed a prohibited personnel action.

(d) OUTREACH AND TRAINING.—Each report described in subsection (a) shall also include a description of the telephone hotline outreach and training events conducted for personnel of the Department of Defense by the Inspector General of the Department of Defense during the period covered by such report.

(e) DEFINITIONS.—In this section:

(1) The term “prohibited personnel action” means the taking or threatening to take an unfavorable personnel action, or the withholding or threatening to withhold a favorable personnel action, as a reprisal against an individual for making or preparing to make the following:

(A) A lawful communication to a Member of Congress or an Inspector General.

(B) A communication to a covered individual or organization in which the individual complains of, or discloses information that the individual reasonably believes constitutes evidence of, any of the following:

(i) A violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination.

(ii) Gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(2) The term “covered individual or organization” means any recipient of a communication specified in clauses (i) through (v) of section 1034(b)(1)(B) of title 10, United States Code.

(3) The term “unlawful discrimination” means discrimination on the basis of race, color, religion, sex, or national origin.

SA 4435. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) ALIENS DESCRIBED.—Section 602(b)(2)(A)(ii)(I) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended to read as follows:

“(I)(aa) by, or on behalf of, the United States Government, in the case of an alien submitting an application for Chief of Mission approval pursuant to subparagraph (D) before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

“(bb) in the case of an alien submitting an application for Chief of Mission approval pursuant to subparagraph (D) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, in a capacity that required the alien—

“(AA) to serve as an interpreter or translator for personnel of the Department of State or the United States Agency for International Development in Afghanistan while traveling away from United States embassies or consulates with such personnel;

“(BB) to serve as an interpreter or translator for United States military personnel in Afghanistan while traveling off-base with such personnel; or

“(CC) to perform sensitive and trusted activities for United States military personnel stationed in Afghanistan; or”.

(b) **NUMERICAL LIMITATIONS.**—Section 602(b)(3)(F) of such Act is amended by striking “December 31, 2016;” each place it appears and inserting “December 31, 2017;”.

(c) **REPORT.**—Section 602(b)(14) of such Act is amended—

(1) in the matter preceding subparagraph (A), by striking “Not later than 60 days after the date of the enactment of this paragraph,” and inserting “Not later than December 31, 2016, and annually thereafter through January 31, 2021;” and

(2) in subparagraph (A)(i), by striking “under this section;” and inserting “under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);”.

SA 4436. Mr. RUBIO (for himself, Mr. SULLIVAN, Mr. CASSIDY, Mr. VITTER, Mr. BLUNT, Mrs. CAPITO, Mr. WICKER, and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 01. SHORT TITLE.

This title may be cited as the “Vessel Incidental Discharge Act”.

SEC. 02. FINDINGS; PURPOSE.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Since the enactment of the Act to Prevent Pollution from Ships (22 U.S.C. 1901 et seq.) in 1980, the United States Coast Guard has been the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(2) The Coast Guard estimates there are approximately 12,000,000 State-registered recreational vessels, 75,000 commercial fishing vessels, and 33,000 freight and tank barges operating in United States waters.

(3) From 1973 to 2005, certain discharges incidental to the normal operation of a vessel were exempted by regulation from otherwise applicable permitting requirements.

(4) During the 32 years during which this regulatory exemption was in effect, Congress enacted several statutes to deal with the regulation of discharges incidental to the normal operation of a vessel, including—

(A) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) in 1980;

(B) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(C) the National Invasive Species Act of 1996 (110 Stat. 4073);

(D) section 415 of the Coast Guard Authorization Act of 1998 (112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note), which established interim and permanent re-

quirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(E) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (114 Stat. 2763), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(F) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings;

(G) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001; and

(H) the amendment made by section 2 of the Clean Boating Act of 2008 adding subsection (r) to section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342(r)), which exempts recreational vessels from National Pollutant Discharge Elimination System permit requirements.

(b) **PURPOSE.**—The purpose of this title is to provide for the establishment of nationally uniform and environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel.

SEC. 03. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **AQUATIC NUISANCE SPECIES.**—The term “aquatic nuisance species” means a non-indigenous species (including a pathogen) that threatens the diversity or abundance of native species or the ecological stability of navigable waters or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.

(3) **BALLAST WATER.**—

(A) **IN GENERAL.**—The term “ballast water” means any water and water-suspended matter taken aboard a vessel—

(i) to control or maintain trim, list, draught, stability, or stresses of the vessel; or

(ii) during the cleaning, maintenance, or other operation of a ballast water treatment technology of the vessel.

(B) **EXCLUSIONS.**—The term “ballast water” does not include any substance that is added to water described in subparagraph (A) that is not directly related to the operation of a properly functioning ballast water treatment technology under this title.

(4) **BALLAST WATER DISCHARGE STANDARD.**—The term “ballast water discharge standard” means the numerical ballast water discharge standard set forth in section 151.2030 of title 33, Code of Federal Regulations or section 151.1511 of title 33, Code of Federal Regulations, as applicable, or a revised numerical ballast water discharge standard established under subsection (a)(1)(B), (b), or (c) of section 05.

(5) **BALLAST WATER MANAGEMENT SYSTEM; MANAGEMENT SYSTEM.**—The terms “ballast water management system” and “management system” mean any system, including all ballast water treatment equipment and associated control and monitoring equipment, used to process ballast water to kill, remove, render harmless, or avoid the uptake or discharge of organisms.

(6) **BIOCIDE.**—The term “biocide” means a substance or organism, including a virus or fungus, that is introduced into or produced

by a ballast water management system to reduce or eliminate aquatic nuisance species as part of the process used to comply with a ballast water discharge standard under this title.

(7) **DISCHARGE INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.**—

(A) **IN GENERAL.**—The term “discharge incidental to the normal operation of a vessel” means—

(i) a discharge into navigable waters from a vessel of—

(I)(aa) ballast water, graywater, bilge water, cooling water, oil water separator effluent, anti-fouling hull coating leachate, boiler or economizer blowdown, byproducts from cathodic protection, controllable pitch propeller and thruster hydraulic fluid, distillation and reverse osmosis brine, elevator pit effluent, firemain system effluent, freshwater layup effluent, gas turbine wash water, motor gasoline and compensating effluent, refrigeration and air condensate effluent, seawater pumping biofouling prevention substances, boat engine wet exhaust, sonar dome effluent, exhaust gas scrubber washwater, or stern tube packing gland effluent; or

(bb) any other pollutant associated with the operation of a marine propulsion system, shipboard maneuvering system, habitability system, or installed major equipment, or from a protective, preservative, or absorptive application to the hull of a vessel;

(II) weather deck runoff, deck wash, aqueous film forming foam effluent, chain locker effluent, non-oily machinery wastewater, underwater ship husbandry effluent, weldeck effluent, or fish hold and fish hold cleaning effluent; or

(III) any effluent from a properly functioning marine engine; or

(ii) a discharge of a pollutant into navigable waters in connection with the testing, maintenance, or repair of a system, equipment, or engine described in subclause (I)(bb) or (III) of clause (i) whenever the vessel is waterborne.

(B) **EXCLUSIONS.**—The term “discharge incidental to the normal operation of a vessel” does not include—

(i) a discharge into navigable waters from a vessel of—

(I) rubbish, trash, garbage, incinerator ash, or other such material discharged overboard;

(II) oil or a hazardous substance as those terms are defined in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321);

(III) sewage as defined in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6)); or

(IV) graywater referred to in section 312(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1322(a)(6));

(ii) an emission of an air pollutant resulting from the operation onboard a vessel of a vessel propulsion system, motor driven equipment, or incinerator; or

(iii) a discharge into navigable waters from a vessel when the vessel is operating in a capacity other than as a means of transportation on water.

(8) **GEOGRAPHICALLY LIMITED AREA.**—The term “geographically limited area” means an area—

(A) with a physical limitation, including limitation by physical size and limitation by authorized route such as the Great Lakes and St. Lawrence River, that prevents a vessel from operating outside the area, as determined by the Secretary; or

(B) that is ecologically homogeneous, as determined by the Secretary, in consultation

with the heads of other Federal departments or agencies as the Secretary considers appropriate.

(9) **MANUFACTURER.**—The term “manufacturer” means a person engaged in the manufacture, assemblage, or importation of ballast water treatment technology.

(10) **NAVIGABLE WATERS.**—The term “navigable waters” has the meaning given the term in section 2.36 of title 33, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(12) **VESSEL.**—The term “vessel” means every description of watercraft or other artificial contrivance used, or practically or otherwise capable of being used, as a means of transportation on water.

SEC. 04. REGULATION AND ENFORCEMENT.

(a) **IN GENERAL.**—

(1) **ESTABLISHMENT.**—The Secretary, in consultation with the Administrator, shall establish, implement, and enforce uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.

(2) **BASIS.**—Except as provided under paragraph (3), the standards and requirements established under paragraph (1)—

(A) with respect to ballast water, shall be based upon the best available technology that is economically achievable;

(B) with respect to discharges incidental to the normal operation of a vessel other than ballast water, shall be based on best management practices (including practices, limitations, or concentrations); and

(C) shall supersede any permitting requirement or prohibition on discharges incidental to the normal operation of a vessel under any other provision of law.

(3) **RULE OF CONSTRUCTION.**—The standards and requirements established under paragraph (1) shall not supersede regulations, in place on the date of the enactment of this Act or established by a rulemaking proceeding after such date of enactment, which cover a discharge in a national marine sanctuary or in a marine national monument.

(b) **ADMINISTRATION AND ENFORCEMENT.**—The Secretary shall administer and enforce the uniform national standards and requirements under this title. Each State may enforce the uniform national standards and requirements under this title.

(c) **SANCTIONS.**—

(1) **CIVIL PENALTIES.**—

(A) **BALLAST WATER.**—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel of ballast water shall be liable for a civil penalty in an amount not to exceed \$25,000. Each day of a continuing violation constitutes a separate violation.

(B) **OTHER DISCHARGE.**—Any person who violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be liable for a civil penalty in an amount not to exceed \$10,000. Each day of a continuing violation constitutes a separate violation.

(C) **IN REM LIABILITY.**—A vessel operated in violation of a regulation issued under this title shall be liable in rem for any civil penalty assessed under this subsection for that violation.

(2) **CRIMINAL PENALTIES.**—

(A) **BALLAST WATER.**—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge inci-

dental to the normal operation of a vessel of ballast water shall be punished by a fine of not more than \$100,000, imprisonment for not more than 2 years, or both.

(B) **OTHER DISCHARGE.**—Any person who knowingly violates a regulation issued pursuant to this title regarding a discharge incidental to the normal operation of a vessel other than ballast water shall be punished by a fine of not more than \$50,000, imprisonment for not more than 1 year, or both.

(3) **REVOCATION OF CLEARANCE.**—The Secretary is authorized to withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of a regulation issued pursuant to this Act.

(4) **EXCEPTION TO SANCTIONS.**—It shall be an affirmative defense to any charge of a violation of this title that compliance with this title would, because of adverse weather, equipment failure, or any other relevant condition, have threatened the safety or stability of a vessel, its crew, or its passengers.

SEC. 05. UNIFORM NATIONAL STANDARDS AND REQUIREMENTS FOR THE REGULATION OF DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF A VESSEL.

(a) **REQUIREMENTS.**—

(1) **BALLAST WATER MANAGEMENT REQUIREMENTS.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, the requirements set forth in the final rule, Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters (77 Fed. Reg. 17254 (March 23, 2012), as corrected at 77 Fed. Reg. 33969 (June 8, 2012)), shall be the management requirements for a ballast water discharge incidental to the normal operation of a vessel until the Secretary revises the ballast water discharge standard under subsection (b) or adopts a more stringent standard under subparagraph (B).

(B) **ADOPTION OF MORE STRINGENT STANDARD.**—If the Secretary makes a determination in favor of a State petition under section 610, the Secretary shall adopt the more stringent ballast water discharge standard specified in the statute or regulation that is the subject of that State petition instead of the ballast water discharge standard in the final rule described under subparagraph (A).

(2) **INITIAL MANAGEMENT REQUIREMENTS FOR DISCHARGES OTHER THAN BALLAST WATER.**—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Administrator, shall issue a final rule establishing best management practices for discharges incidental to the normal operation of a vessel other than ballast water.

(b) **REVISED BALLAST WATER DISCHARGE STANDARD; 8-YEAR REVIEW.**—

(1) **IN GENERAL.**—Subject to the feasibility review under paragraph (2), not later than January 1, 2024, the Secretary, in consultation with the Administrator, shall issue a final rule revising the ballast water discharge standard under subsection (a)(1) so that a ballast water discharge incidental to the normal operation of a vessel will contain—

(A) less than 1 organism that is living or has not been rendered harmless per 10 cubic meters that is 50 or more micrometers in minimum dimension;

(B) less than 1 organism that is living or has not been rendered harmless per 10 milliliters that is less than 50 micrometers in minimum dimension and more than 10 micrometers in minimum dimension;

(C) concentrations of indicator microbes that are less than—

(i) 1 colony-forming unit of toxicogenic *Vibrio cholera* (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

(ii) 126 colony-forming units of *Escherichia coli* per 100 milliliters; and

(iii) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

(D) concentrations of such additional indicator microbes and of viruses as may be specified in regulations issued by the Secretary in consultation with the Administrator and such other Federal agencies as the Secretary and the Administrator consider appropriate.

(2) **FEASIBILITY REVIEW.**—

(A) **IN GENERAL.**—Not less than 2 years before January 1, 2024, the Secretary, in consultation with the Administrator, shall complete a review to determine the feasibility of achieving the revised ballast water discharge standard under paragraph (1).

(B) **CRITERIA FOR REVIEW OF BALLAST WATER DISCHARGE STANDARD.**—In conducting a review under subparagraph (A), the Secretary shall consider whether revising the ballast water discharge standard will result in a scientifically demonstrable and substantial reduction in the risk of introduction or establishment of aquatic nuisance species, taking into account—

(i) improvements in the scientific understanding of biological and ecological processes that lead to the introduction or establishment of aquatic nuisance species;

(ii) improvements in ballast water management systems, including—

(I) the capability of such management systems to achieve a revised ballast water discharge standard;

(II) the effectiveness and reliability of such management systems in the shipboard environment;

(III) the compatibility of such management systems with the design and operation of a vessel by class, type, and size;

(IV) the commercial availability of such management systems; and

(V) the safety of such management systems;

(iii) improvements in the capabilities to detect, quantify, and assess the viability of aquatic nuisance species at the concentrations under consideration;

(iv) the impact of ballast water management systems on water quality; and

(v) the costs, cost-effectiveness, and impacts of—

(I) a revised ballast water discharge standard, including the potential impacts on shipping, trade, and other uses of the aquatic environment; and

(II) maintaining the existing ballast water discharge standard, including the potential impacts on water-related infrastructure, recreation, propagation of native fish, shellfish, and wildlife, and other uses of navigable waters.

(C) **LOWER REVISED DISCHARGE STANDARD.**—

(i) **IN GENERAL.**—If the Secretary, in consultation with the Administrator, determines on the basis of the feasibility review and after an opportunity for a public hearing that no ballast water management system can be certified under section 06 to comply with the revised ballast water discharge standard under paragraph (1), the Secretary shall require the use of the management system that achieves the performance levels of the best available technology that is economically achievable.

(ii) **IMPLEMENTATION DEADLINE.**—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) cannot be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall extend the implementation deadline for that class of vessels for not more than 36 months.

(iii) **COMPLIANCE.**—If the implementation deadline under paragraph (3) is extended, the Secretary shall recommend action to ensure compliance with the extended implementation deadline under clause (ii).

(D) **HIGHER REVISED DISCHARGE STANDARD.**—

(i) **IN GENERAL.**—If the Secretary, in consultation with the Administrator, determines that a ballast water management system exists that exceeds the revised ballast water discharge standard under paragraph (1) with respect to a class of vessels and is the best available technology that is economically achievable, the Secretary shall revise the ballast water discharge standard for that class of vessels to incorporate the higher discharge standard.

(ii) **IMPLEMENTATION DEADLINE.**—If the Secretary, in consultation with the Administrator, determines that the management system under clause (i) can be implemented before the implementation deadline under paragraph (3) with respect to a class of vessels, the Secretary shall accelerate the implementation deadline for that class of vessels. If the implementation deadline under paragraph (3) is accelerated, the Secretary shall provide not less than 24 months notice before the accelerated deadline takes effect.

(3) **IMPLEMENTATION DEADLINE.**—The revised ballast water discharge standard under paragraph (1) shall apply to a vessel beginning on the date of the first drydocking of the vessel on or after January 1, 2024, but not later than December 31, 2026.

(4) **REVISED DISCHARGE STANDARD COMPLIANCE DEADLINES.**—

(A) **IN GENERAL.**—The Secretary may establish a compliance deadline for compliance by a vessel (or a class, type, or size of vessel) with a revised ballast water discharge standard under this subsection.

(B) **PROCESS FOR GRANTING EXTENSIONS.**—In issuing regulations under this subsection, the Secretary shall establish a process for an owner or operator to submit a petition to the Secretary for an extension of a compliance deadline with respect to the vessel of the owner or operator.

(C) **PERIOD OF EXTENSIONS.**—An extension issued under subparagraph (B) may be for a period of not to exceed 18 months from the date of the applicable deadline under subparagraph (A) and may be renewed for additional periods of not to exceed 18 months each, except that the total period of extension may not exceed 5 years.

(D) **FACTORS.**—In issuing a compliance deadline or reviewing a petition under this paragraph, the Secretary shall consider, with respect to the ability of an owner or operator to meet a compliance deadline, the following factors:

(i) Whether the management system to be installed is available in sufficient quantities to meet the compliance deadline.

(ii) Whether there is sufficient shipyard or other installation facility capacity.

(iii) Whether there is sufficient availability of engineering and design resources.

(iv) Vessel characteristics, such as engine room size, layout, or a lack of installed piping.

(v) Electric power generating capacity aboard the vessel.

(vi) Safety of the vessel and crew.

(vii) Any other factors the Secretary considers appropriate, including the availability of a ballast water reception facility or other means of managing ballast water.

(E) **CONSIDERATION OF PETITIONS.**—

(i) **DETERMINATIONS.**—The Secretary shall approve or deny a petition for an extension of a compliance deadline submitted by an owner or operator under this paragraph.

(ii) **DEADLINE.**—If the Secretary does not approve or deny a petition referred to in clause (i) on or before the last day of the 90-day period beginning on the date of submission of the petition, the petition shall be deemed approved.

(C) **FUTURE REVISIONS OF VESSEL INCIDENTAL DISCHARGE STANDARDS; DECENNIAL REVIEWS.**—

(1) **REVISED BALLAST WATER DISCHARGE STANDARDS.**—The Secretary, in consultation with the Administrator, shall complete a review, 10 years after the issuance of a final rule under subsection (b) and every 10 years thereafter, to determine whether further revision of the ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(2) **REVISED STANDARDS FOR DISCHARGES OTHER THAN BALLAST WATER.**—The Secretary, in consultation with the Administrator, may include in a decennial review under this subsection best management practices for discharges (including practices, limitations, or concentrations) covered by subsection (a)(2). The Secretary shall initiate a rulemaking to revise 1 or more best management practices for such discharges after a decennial review if the Secretary, in consultation with the Administrator, determines that revising 1 or more of such practices would substantially reduce the impacts on navigable waters of discharges incidental to the normal operation of a vessel other than ballast water.

(3) **CONSIDERATIONS.**—In conducting a review under paragraph (1), the Secretary, the Administrator, and the heads of other Federal agencies as the Secretary considers appropriate, shall consider the criteria under section 505(b)(2)(B).

(4) **REVISION AFTER DECENNIAL REVIEW.**—The Secretary shall initiate a rulemaking to revise the current ballast water discharge standard after a decennial review if the Secretary, in consultation with the Administrator, determines that revising the current ballast water discharge standard would result in a scientifically demonstrable and substantial reduction in the risk of the introduction or establishment of aquatic nuisance species.

(d) **ALTERNATIVE BALLAST WATER MANAGEMENT REQUIREMENTS.**—Nothing in this title may be construed to preclude the Secretary from authorizing the use of alternate means or methods of managing ballast water (including flow-through exchange, empty/refill exchange, and transfer to treatment facilities in place of a vessel ballast water management system required under this section) if the Secretary, in consultation with the Administrator, determines that such means or methods would not pose a greater risk of introduction of aquatic nuisance species in navigable waters than the use of a ballast water management system that achieves the applicable ballast water discharge standard.

(e) **GREAT LAKES REQUIREMENTS.**—In addition to the other standards and requirements imposed by this section, in the case of a vessel that enters the Great Lakes through the St. Lawrence River after operating outside

the exclusive economic zone of the United States the Secretary, in consultation with the Administrator, shall establish a requirement that the vessel conduct saltwater flushing of all ballast water tanks onboard prior to entry.

SEC. 06. TREATMENT TECHNOLOGY CERTIFICATION.

(a) **CERTIFICATION REQUIRED.**—No manufacturer of a ballast water management system shall sell, offer for sale, or introduce or deliver for introduction into interstate commerce, or import into the United States for sale or resale, a ballast water management system for a vessel unless it has been certified under this section.

(b) **CERTIFICATION PROCESS.**—

(1) **EVALUATION.**—Upon application of a manufacturer, the Secretary shall evaluate a ballast water management system with respect to—

(A) the effectiveness of the management system in achieving the current ballast water discharge standard when installed on a vessel (or a class, type, or size of vessel);

(B) the compatibility with vessel design and operations;

(C) the effect of the management system on vessel safety;

(D) the impact on the environment;

(E) the cost effectiveness; and

(F) any other criteria the Secretary considers appropriate.

(2) **APPROVAL.**—If after an evaluation under paragraph (1) the Secretary determines that the management system meets the criteria, the Secretary may certify the management system for use on a vessel (or a class, type, or size of vessel).

(3) **SUSPENSION AND REVOCATION.**—The Secretary shall establish, by regulation, a process to suspend or revoke a certification issued under this section.

(c) **CERTIFICATION CONDITIONS.**—

(1) **IMPOSITION OF CONDITIONS.**—In certifying a ballast water management system under this section, the Secretary, in consultation with the Administrator, may impose any condition on the subsequent installation, use, or maintenance of the management system onboard a vessel as is necessary for—

(A) the safety of the vessel, the crew of the vessel, and any passengers aboard the vessel;

(B) the protection of the environment; or

(C) the effective operation of the management system.

(2) **FAILURE TO COMPLY.**—The failure of an owner or operator to comply with a condition imposed under paragraph (1) shall be considered a violation of this section.

(d) **PERIOD FOR USE OF INSTALLED TREATMENT EQUIPMENT.**—Notwithstanding anything to the contrary in this title or any other provision of law, the Secretary shall allow a vessel on which a management system is installed and operated to meet a ballast water discharge standard under this title to continue to use that system, notwithstanding any revision of a ballast water discharge standard occurring after the management system is ordered or installed until the expiration of the service life of the management system, as determined by the Secretary, if the management system—

(1) is maintained in proper working condition, as determined by the Secretary; and

(2) continues to meet the discharge standard in effect at the time of installation.

(e) **CERTIFICATES OF TYPE APPROVAL FOR THE TREATMENT TECHNOLOGY.**—

(1) **ISSUANCE.**—If the Secretary approves a ballast water management system for certification under subsection (b), the Secretary

shall issue a certificate of type approval for the management system to the manufacturer in such form and manner as the Secretary determines appropriate.

(2) **CERTIFICATION CONDITIONS.**—A certificate of type approval issued under paragraph (1) shall specify each condition imposed by the Secretary under subsection (c).

(3) **OWNERS AND OPERATORS.**—A manufacturer that receives a certificate of type approval for the management system under this subsection shall provide a copy of the certificate to each owner and operator of a vessel on which the management system is installed.

(f) **INSPECTIONS.**—An owner or operator who receives a copy of a certificate under subsection (e)(3) shall retain a copy of the certificate onboard the vessel and make the copy of the certificate available for inspection at all times while the owner or operator is utilizing the management system.

(g) **BIOCIDES.**—The Secretary may not approve a ballast water management system under subsection (b) if—

(1) it uses a biocide or generates a biocide that is a pesticide, as defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136), unless the biocide is registered under that Act or the Secretary, in consultation with Administrator, has approved the use of the biocide in such management system; or

(2) it uses or generates a biocide the discharge of which causes or contributes to a violation of a water quality standard under section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313).

(h) **PROHIBITION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the use of a ballast water management system by an owner or operator of a vessel shall not satisfy the requirements of this title unless it has been approved by the Secretary under subsection (b).

(2) **EXCEPTIONS.**—

(A) **COAST GUARD SHIPBOARD TECHNOLOGY EVALUATION PROGRAM.**—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the technology is being evaluated under the Coast Guard Shipboard Technology Evaluation Program.

(B) **BALLAST WATER MANAGEMENT SYSTEMS CERTIFIED BY FOREIGN ENTITIES.**—An owner or operator may use a ballast water management system that has not been certified by the Secretary to comply with the requirements of this section if the management system has been certified by a foreign entity and the certification demonstrates performance and safety of the management system equivalent to the requirements of this section, as determined by the Secretary.

(i) **TESTING PROTOCOLS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall issue requirements for land-based and shipboard testing protocols or criteria for—

(1) certifying the performance of each ballast water management system under this section; and

(2) certifying laboratories to evaluate such treatment technologies.

SEC. 07. EXEMPTIONS.

(a) **IN GENERAL.**—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any standards regarding a discharge incidental to the normal operation of a vessel under this title apply to—

(1) a discharge incidental to the normal operation of a vessel if the vessel is less than

79 feet in length and engaged in commercial service (as such term is defined in section 2101 of title 46, United States Code);

(2) a discharge incidental to the normal operation of a vessel if the vessel is a fishing vessel, including a fish processing vessel and a fish tender vessel (as such term is defined in section 2101 of title 46, United States Code);

(3) a discharge incidental to the normal operation of a vessel if the vessel is a recreational vessel (as defined in section 2101 of title 46, United States Code);

(4) the placement, release, or discharge of equipment, devices, or other material from a vessel for the sole purpose of conducting research on the aquatic environment or its natural resources in accordance with generally recognized scientific methods, principles, or techniques;

(5) any discharge into navigable waters from a vessel authorized by an on-scene coordinator in accordance with part 300 of title 40, Code of Federal Regulations, or part 153 of title 33, Code of Federal Regulations;

(6) any discharge into navigable waters from a vessel that is necessary to secure the safety of the vessel or human life, or to suppress a fire onboard the vessel or at a shore-side facility; or

(7) a vessel of the armed forces of a foreign nation when engaged in noncommercial service.

(b) **BALLAST WATER DISCHARGES.**—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water discharge standard under this title apply to—

(1) a ballast water discharge incidental to the normal operation of a vessel determined by the Secretary to—

(A) operate exclusively within a geographically limited area;

(B) take up and discharge ballast water exclusively within 1 Captain of the Port Zone established by the Coast Guard unless the Secretary determines such discharge poses a substantial risk of introduction or establishment of an aquatic nuisance species;

(C) operate pursuant to a geographic restriction issued as a condition under section 3309 of title 46, United States Code, or an equivalent restriction issued by the country of registration of the vessel; or

(D) continuously take on and discharge ballast water in a flow-through system that does not introduce aquatic nuisance species into navigable waters;

(2) a ballast water discharge incidental to the normal operation of a vessel consisting entirely of water suitable for human consumption; or

(3) a ballast water discharge incidental to the normal operation of a vessel in an alternative compliance program established pursuant to section 08.

(c) **VESSELS WITH PERMANENT BALLAST WATER.**—No permit shall be required or prohibition enforced under any other provision of law for, nor shall any ballast water performance standard under this title apply to, a vessel that carries all of its permanent ballast water in sealed tanks that are not subject to discharge.

(d) **VESSELS OF THE ARMED FORCES.**—Nothing in this title may be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

SEC. 08. ALTERNATIVE COMPLIANCE PROGRAM.

(a) **IN GENERAL.**—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 05 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters; or

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary.

(b) **RULEMAKING.**—

(1) **FACILITY STANDARDS.**—Not later than 1 year after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(A) the reception of ballast water from a vessel into a reception facility; and

(B) the disposal or treatment of the ballast water under paragraph (1).

(2) **TRANSFER STANDARDS.**—The Secretary, in consultation with the Administrator, is authorized to promulgate standards for the arrangements necessary on a vessel to transfer ballast water to a facility.

SEC. 09. JUDICIAL REVIEW.

(a) **IN GENERAL.**—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) **DEADLINE.**—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) **EXCEPTION.**—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

SEC. 10. EFFECT ON STATE AUTHORITY.

(a) **IN GENERAL.**—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) **SAVINGS CLAUSE.**—Notwithstanding subsection (a), the Governor of a State may petition the Secretary to adopt a national ballast water discharge standard that is more stringent than the ballast water performance standard under section 05(a)(1)(A) upon a showing that—

(1) compliance with the proposed ballast water discharge standard can in fact be achieved and detected by a ballast water management system that is economically achievable and operationally practicable;

(2) the proposed ballast water discharge standard is consistent with obligations under relevant international treaties or agreements to which the United States is a party; and

(3) any other factors that the Secretary, in consultation with the Administrator, deems relevant.

(c) **PETITION PROCESS.**—

(1) **SUBMISSION.**—The Governor of a State shall submit a petition to the Secretary requesting the Secretary to review the statute or regulation.

(2) **CONTENTS; TIMING.**—A petition submitted under paragraph (1) shall be accompanied by the scientific and technical information on which the petition is based.

(3) **DETERMINATIONS.**—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the Secretary determines that a complete petition has been received.

SEC. 11. APPLICATION WITH OTHER STATUTES.

(a) **EXCLUSIVE STATUTORY AUTHORITY.**—Except as otherwise provided in this section and notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies.

(b) **EFFECT OF EXISTING REGULATIONS.**—Except as provided under section 5(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies—

(1) shall be deemed to be a regulation issued pursuant to the authority of this title; and

(2) shall remain in full force and effect unless or until superseded by new regulations issued under this title.

(c) **ACT TO PREVENT POLLUTION FROM SHIPS.**—The Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any discharge or emission that is covered under the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978, done at London February 17, 1978. Nothing in this title may be construed to alter or amend such Act or any regulation issued pursuant to the authority of such Act.

(d) **TITLE X OF THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2010.**—Title X of the Coast Guard and Maritime Transportation Act of 2010 (33 U.S.C. 3801 et seq.) shall be the exclusive statutory authority for the regulation by the Federal Government of any anti-fouling system that is covered under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001. Nothing in this title may be construed to alter or amend such title X or any regulation issued pursuant to the authority under such title.

SEC. 12. RELATIONSHIP TO OTHER LAWS.

Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—

(1) by striking “All actions” and inserting the following:

“(a) **IN GENERAL.**—Except as provided in subsection (b), all actions”; and

(2) by adding at the end the following:

“(b) **VESSEL INCIDENTAL DISCHARGES.**—Notwithstanding subsection (a), the Vessel Incidental Discharge Act shall be the exclusive statutory authority for the regulation by the Federal Government of discharges incidental to the normal operation of a vessel.”.

SEC. 13. SAVINGS PROVISION.

Any action taken by the Federal Government under this Act shall be in full compliance with its obligations under applicable provisions of international law.

SA 4437. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RECONSIDERATION OF CLAIMS FOR DISABILITY COMPENSATION FOR VETERANS WHO WERE THE SUBJECTS OF MUSTARD GAS OR LEWISITE EXPERIMENTS DURING WORLD WAR II.

(a) **RECONSIDERATION OF CLAIMS FOR DISABILITY COMPENSATION IN CONNECTION WITH EXPOSURE TO MUSTARD GAS OR LEWISITE.**—

(1) **IN GENERAL.**—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall reconsider all claims for compensation described in paragraph (2) and make a new determination regarding each such claim.

(2) **CLAIMS FOR COMPENSATION DESCRIBED.**—Claims for compensation described in this paragraph are claims for compensation under chapter 11 of title 38, United States Code, that the Secretary of Veterans Affairs determines are in connection with exposure to mustard gas or lewisite during active military, naval, or air service during World War II and that were denied before the date of the enactment of this Act.

(3) **PRESUMPTION OF EXPOSURE.**—In carrying out paragraph (1), if the Secretary of Veterans Affairs or the Secretary of Defense makes a determination regarding whether a veteran experienced full-body exposure to mustard gas or lewisite, such Secretary—

(A) shall presume that the veteran experienced full-body exposure to mustard gas or lewisite, as the case may be, unless proven otherwise; and

(B) may not use information contained in the DoD and VA Chemical Biological Warfare Database or any list of known testing sites for mustard gas or lewisite maintained by the Department of Veterans Affairs or the Department of Defense as the sole reason for determining that the veteran did not experience full-body exposure to mustard gas or lewisite.

(4) **REPORT.**—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report specifying any claims reconsidered under paragraph (1) that were denied during the 90-day period preceding the submittal of the report, including the rationale for each such denial.

(b) **DEVELOPMENT OF POLICY.**—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly establish a policy for processing future claims for compensation under chapter 11 of title 38, United States Code, that the Secretary of Veterans Affairs determines are in connection with exposure to mustard gas or lewisite during active military, naval, or air service during World War II.

(c) **INVESTIGATION AND REPORT BY SECRETARY OF DEFENSE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) for purposes of determining whether a site should be added to the list of the Department of Defense of sites where mustard gas or lewisite testing occurred, investigate and assess sites where—

(A) the Army Corps of Engineers has uncovered evidence of mustard gas or lewisite testing; or

(B) more than two veterans have submitted claims for compensation under chapter 11 of title 38, United States Code, in connection with exposure to mustard gas or lewisite at such site and such claims were denied; and

(2) submit to the appropriate committees of Congress a report on experiments conducted by the Department of Defense during

World War II to assess the effects of mustard gas and lewisite on people, which shall include—

(A) a list of each location where such an experiment occurred, including locations investigated and assessed under paragraph (1);

(B) the dates of each such experiment; and

(C) the number of members of the Armed Forces who were exposed to mustard gas or lewisite in each such experiment.

(d) **INVESTIGATION AND REPORT BY SECRETARY OF VETERANS AFFAIRS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) investigate and assess—

(A) the actions taken by the Secretary to reach out to individuals who had been exposed to mustard gas or lewisite in the experiments described in subsection (c)(2)(A); and

(B) the claims for disability compensation under laws administered by the Secretary that were filed with the Secretary and the percentage of such claims that were denied by the Secretary; and

(2) submit to the appropriate committees of Congress—

(A) a report on the findings of the Secretary with respect to the investigations and assessments carried out under paragraph (1); and

(B) a comprehensive list of each location where an experiment described in subsection (c)(2)(A) was conducted.

(e) **DEFINITIONS.**—In this section:

(1) The terms “active military, naval, or air service”, “veteran”, and “World War II” have the meanings given such terms in section 101 of title 38, United States Code.

(2) The term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs, the Committee on Armed Services, and the Special Committee on Aging of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Armed Services of the House of Representatives.

(3) The term “full-body exposure”, with respect to mustard gas or lewisite, has the meaning given that term by the Secretary of Defense.

SA 4438. Mr. SCHATZ (for himself, Mr. BROWN, Ms. MIKULSKI, Mr. INHOFE, Mr. HATCH, Mr. KAINE, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. TREATMENT OF CERTAIN PROVISIONS RELATED TO PUBLIC-PRIVATE COMPETITIONS FOR CONVERSIONS OF FEDERAL EMPLOYEE FUNCTIONS TO PERFORMANCE BY CONTRACTORS AND MODIFICATION OF DATA COLLECTIONS REQUIREMENTS APPLICABLE TO CONTRACTED SERVICES.

Section 806 (relating to public private competitions) and section 820 (relating to modification of data collection requirements applicable to procurement of services) shall have no force or effect.

SA 4439. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. SUNSET OF AUTHORIZATION FOR USE OF MILITARY FORCE.

The Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) shall terminate on December 31, 2017.

SA 4440. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXTENSION OF SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C)—

(i) by striking “fiscal year 2012 and each fiscal year thereafter” and inserting “each of fiscal years 2012 through 2015”; and

(ii) by striking “year.” and inserting “year; and”; and

(C) by adding at the end the following:

“(D) for each of fiscal years 2016 through 2018, the amount that is equal to the full funding amount for fiscal year 2011.”.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking “2015” each place it appears in subsections (a) and (b) and inserting “2018”.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter” and inserting “August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)”; and

(ii) by adding at the end the following:

“(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2018.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2018 if the county elects to receive a share of the State payment or the county payment in 2013.”; and

(B) in paragraph (2)(B)—

(i) by inserting “or any subsequent year” after “2013”; and

(ii) by striking “2015” and inserting “2018”.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking “not more than 7 percent of the total share for the eligible county of the State payment or the county payment” and inserting “any portion of the balance”; and

(B) by striking subparagraph (C) and inserting the following:

“(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which \$350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

“(i) Reserve any portion of the balance for projects in accordance with title II.

“(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

“(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).”.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking “purpose described in section 202(b)” and inserting “purposes described in section 202(b), section 203(c), or section 204(a)(5)”.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking “2015” and inserting “2018”.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking “subparagraph (B)” and inserting “subparagraph (B)(i)”.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking “2017” and inserting “2020”; and

(B) in subsection (b), by striking “2018” and inserting “2021”.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended—

(A) by striking paragraph (2) and inserting the following:

“(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

“(A) search and rescue and other emergency services, including firefighting and law enforcement patrols, that are performed on Federal land; and

“(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A);”;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following:

“(3) to cover training costs and equipment purchases directly related to the emergency services described in paragraph (2); and”.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking “2017” and inserting “2020”; and

(B) in subsection (b), by striking “2018” and inserting “2021”.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

“SEC. 404. NO REDUCTION IN PAYMENTS.

“Payments under this Act for fiscal years 2016 through 2018 shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).”.

(e) AVAILABILITY OF FUNDS.—

(1) TITLE II FUNDS.—Any funds that were not obligated by September 30, 2014, as required by section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) (as in effect on the day before the date of enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10; 129 Stat. 87)) shall be available for use in accordance with title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.).

(2) TITLE III FUNDS.—Any funds that were not obligated by September 30, 2014, as required by section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) (as in effect on the day before the date of enactment of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10; 129 Stat. 87)) shall be available for use in accordance with title III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7141 et seq.).

SEC. 1098. RESTORING MANDATORY FUNDING STATUS TO THE PAYMENT IN LIEU OF TAXES PROGRAM.

Section 6906 of title 31, United States Code, is amended in the matter preceding paragraph (1), by striking “of fiscal years 2008 through 2014” and inserting “fiscal year”.

SA 4441. Mr. BLUMENTHAL (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 536, insert the following:

SEC. 536A. INDEXING AND PUBLIC AVAILABILITY OF DECISIONS AND OTHER DOCUMENTS IN CONNECTION WITH ACTIONS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.

Section 1552(a) of title 10, United States Code, as amended by section 536(a)(1) of this Act, is further amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

“(4)(A) The record of the votes of each board under this section, and all other statements of findings, conclusions, and recommendations made on final determinations of applications by such board, shall be indexed and promptly made available for public inspection. Any such matters after November 1, 1996, shall also be available through an Internet website of the Department or other electronic means.

“(B) Any documents made available for public inspection pursuant to subparagraph (A) shall be indexed in a usable and concise form so as to enable the public to identify cases similar in issue together with the circumstances under or reasons for which the board concerned granted or denied relief. Each index shall be published quarterly, and shall be available for public inspection and distribution by sale through an Internet Reading Room or other Internet website of the Department.

“(C)(i) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, the following shall be deleted from documents made available for public inspection pursuant to subparagraph (A):

“(I) Identifying details of applicants and other persons.

“(II) Names, addresses, social security numbers, and military service numbers.

“(III) Subject to clause (ii), other information that is privileged or classified.

“(ii) Information that is privileged or classified may be deleted pursuant to clause (i) from documents made available for public inspection pursuant to subparagraph (A) only if a written statement of the basis for such deletion is made available for public inspection.

“(D) In a manner consistent with section 552a of title 5 (commonly referred to as the ‘Privacy Act of 1974’), a board under this section may not disclose to a third party any information in or about an application to the board under this section except pursuant to the written authorization of the applicant or as otherwise authorized by law.”

SA 4442. Mr. CRUZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. DESIGNATION OF LIU XIAOBO PLAZA.

(a) DESIGNATION OF PLAZA.—

(1) IN GENERAL.—The area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, shall be known and designated as “Liu Xiaobo Plaza”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the area referred to in paragraph (1) shall be deemed to be a reference to Liu Xiaobo Plaza.

(b) DESIGNATION OF ADDRESS.—

(1) DESIGNATION.—The address of 3505 International Place, Northwest, Washington, District of Columbia, shall be redesignated as 1 Liu Xiaobo Plaza.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the address referred to in paragraph (1) shall be deemed to be a reference to 1 Liu Xiaobo Plaza.

(c) SIGNS.—The Administrator of General Services shall construct street signs that shall—

(1) contain the phrase “Liu Xiaobo Plaza”;

(2) be similar in design to the signs used by Washington, District of Columbia, to designate the location of Metro stations; and

(3) be placed on—

(A) the parcel of Federal property that is closest to 1 Liu Xiaobo Plaza (as redesignated by subsection (b)); and

(B) the street corners of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest, Washington, District of Columbia.

SA 4443. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3121 and insert the following:

SEC. 3121. ROUGH ESTIMATE OF TOTAL LIFE CYCLE COST OF TANK WASTE CLEANUP AT HANFORD NUCLEAR RESERVATION.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees, including the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate and the Subcommittee on Energy and Water Development, and Related Agencies of the Committee on Appropriations of the House of Representatives, a rough estimate of the total life cycle cost of the cleanup of tank waste at Hanford Nuclear Reservation, Richland, Washington.

(b) ELEMENTS.—The rough estimate of the total life cycle cost required by subsection (a) shall include cost estimates for the following:

(1) The Waste Treatment and Immobilization Plant, assuming a hot start occurs in 2033 and initial plant operations commence in 2036.

(2) Operations of the Waste Treatment and Immobilization Plant, assuming operations continue through 2061.

(3) Tank waste management and treatment, assuming operations of the Waste Treatment and Immobilization Plant continue through 2061.

(4) Anticipated increases in the volume of waste in the double shell tanks resulting from tank waste management activities.

(5) High-level waste canister temporary storage and preparation for permanent disposal.

(6) Any additional facilities, including additional evaporative capacity, that may be needed to treat tank waste at Hanford Nuclear Reservation.

(c) COST ESTIMATING BEST PRACTICES.—To the maximum extent practicable, the rough estimate of the total life cycle cost required by subsection (a) shall be developed in accordance with the cost estimating best prac-

tices of the Government Accountability Office.

(d) SUBMISSION OF ADDITIONAL INDEPENDENT COST ESTIMATES.—The Secretary shall submit to the congressional defense committees described in subsection (a), as part of the rough estimate of the total life cycle cost required by that subsection, any other independent cost estimates for the Waste Treatment and Immobilization Plant or related facilities conducted before the date on which the rough estimate of the total life cycle cost is required to be submitted under that subsection.

SA 4444. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3122 and insert the following:

SEC. 3122. ANALYSIS OF APPROACHES FOR SUPPLEMENTAL TREATMENT OF LOW-ACTIVITY WASTE AT HANFORD NUCLEAR RESERVATION.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Energy shall enter into an arrangement with a federally funded research and development center to conduct an analysis of approaches for treating the portion of low-activity waste at the Hanford Nuclear Reservation, Richland, Washington, that, as of such date of enactment, is intended for supplemental treatment.

(b) ELEMENTS.—The analysis required by subsection (a) shall include the following:

(1) An analysis of, at a minimum, the following approaches for treating the low-activity waste described in subsection (a):

(A) Further processing of the low-activity waste to remove long-lived radioactive constituents, particularly technetium-99 and iodine-129, for immobilization with high-level waste.

(B) Vitrification, grouting, and steam reforming, and other alternative approaches identified by the Department of Energy for immobilizing the low-activity waste.

(2) An analysis of the following:

(A) The risks of the approaches described in paragraph (1) relating to treatment and final disposition.

(B) The benefits and costs of such approaches.

(C) Anticipated schedules for such approaches, including the time needed to complete necessary construction and to begin treatment operations.

(D) The compliance of such approaches with applicable technical standards associated with and contained in regulations prescribed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly referred to as the “Resource Conservation and Recovery Act of 1976”), the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”), and the Clean Air Act (42 U.S.C. 7401 et seq.).

(E) Any obstacles that would inhibit the ability of the Department of Energy to pursue such approaches.

(c) REVIEW OF ANALYSIS.—

(1) IN GENERAL.—Concurrent with entering into an arrangement with a federally funded research and development center under subsection (a), the Secretary of Energy shall enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine to conduct a review of the analysis conducted by the federally funded research and development center.

(2) METHOD OF REVIEW.—The review required by paragraph (1) shall be conducted concurrent with the analysis required by subsection (a), and in a manner that is parallel to that analysis, so that the results of the review may be used to improve the quality of the analysis.

(3) PUBLIC REVIEW.—The review required paragraph (1) shall include an opportunity for public comment, with sufficient notice, to inform and improve the quality of the review.

(d) CONSULTATION WITH STATE.—Prior to the submission in accordance with subsection (e)(2) of the analysis required by subsection (a) and the review of the analysis required by subsection (c), the federally funded research and development center and the National Academies of Sciences, Engineering, and Medicine shall provide to the State of Washington—

(1) the analysis and review in draft form; and

(2) an opportunity to comment on the analysis and review for a period of not fewer than 60 days.

(e) SUBMISSION TO CONGRESS.—

(1) BRIEFINGS ON PROGRESS.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of Energy shall provide to the congressional defense committees, including the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate and the Subcommittee on Energy and Water Development, and Related Agencies of the Committee on Appropriations of the House of Representatives, a briefing on the progress being made on the analysis required by subsection (a) and the review required by subsection (c).

(2) COMPLETED ANALYSIS AND REVIEW.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Energy shall submit to the congressional defense committees described in paragraph (1) the analysis required by subsection (a), the review of the analysis required by subsection (c), any comments of the State of Washington under subsection (d)(2), and any comments of the Secretary of Energy on the analysis or review of the analysis.

(f) LIMITATIONS.—

(1) SECRETARY OF ENERGY.—This section does not conflict with or impair the obligation of the Secretary of Energy to comply with any requirement of—

(A) the amended consent decree in *Washington v. Moniz*, No. 2:08-CV-5085-RMP (E.D. Wash.); or

(B) the Hanford Federal Facility Agreement and Consent Order.

(2) STATE OF WASHINGTON.—This section does not conflict with or impair the regulatory authority of the State of Washington under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) (commonly known as the “Resource Conservation and Recovery Act of 1976”) and any corresponding State law.

SA 4445. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 590. AWARD OF MEDALS OR OTHER COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS AND MILITARY WORKING DOGS.

(a) PROGRAM OF AWARD REQUIRED.—Each Secretary of a military department shall carry out a program to provide for the award of one or more medals or other commendations to handlers of military working dogs, and to military working dogs, under the jurisdiction of such Secretary to recognize valor or meritorious achievement by such handlers and dogs.

(b) MEDAL AND COMMENDATIONS.—Any medal or commendation awarded pursuant to a program under subsection (a) shall be of such design, and include such elements, as the Secretary of the military department concerned shall specify.

(c) REGULATIONS.—Medals and commendations shall be awarded under programs under subsection (a) in accordance with regulations prescribed by the Secretary of Defense for purposes of this section.

SA 4446. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565 PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

(a) DEFINITION.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(F) meets the requirements of paragraph (2).”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) REVENUE SOURCES.—

“(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution’s revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

“(B) FEDERAL FUNDS.—In this paragraph, the term ‘Federal funds’ means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution,

except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

“(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

“(i) use the cash basis of accounting;

“(ii) consider as revenue only those funds generated by the institution from—

“(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

“(II) activities conducted by the institution that are necessary for the education and training of the institution’s students, if such activities are—

“(aa) conducted on campus or at a facility under the control of the institution;

“(bb) performed under the supervision of a member of the institution’s faculty; and

“(cc) required to be performed by all students in a specific educational program at the institution; and

“(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

“(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student’s tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student’s account or pays such funds directly to the student, except to the extent that the student’s tuition, fees, or other institutional charges are satisfied by—

“(I) grant funds provided by an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(II) institutional scholarships described in clause (v);

“(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

“(v) include a scholarship provided by the institution—

“(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

“(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

“(aa) has no affiliation with the institution; and

“(bb) shares no employees with the institution; and

“(vi) exclude from revenues—

“(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student’s institutional charges;

“(II) the amount of funds the institution received under subpart 4 of part A of title IV;

“(III) the amount of funds provided by the institution as matching funds for any Federal program;

“(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

“(V) the amount charged for books, supplies, and equipment, unless the institution

includes that amount as tuition, fees, or other institutional charges.

“(D) REPORT TO CONGRESS.—Not later than July 1, 2016, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

“(i) the amount and percentage of such institution’s revenues received from Federal funds; and

“(ii) the amount and percentage of such institution’s revenues received from other sources.”.

(b) PROGRAM PARTICIPATION AGREEMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking “subsection (e)” and inserting “subsection (d)”; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking “subsection (h)” and inserting “subsection (g)”;

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”; and

(5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking “subsection (a)(27)” in the matter preceding subparagraph (A) and inserting “subsection (a)(26)”.’

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking “subsections (a)(27) and (h) of section 487” and inserting “subsections (a)(26) and (g) of section 487”; and

(B) in subsection (b)(1)(B)(i)(I), by striking “section 487(e)” and inserting “section 487(d)”;’

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking “section 487(a)(25)” each place the term appears and inserting “section 487(a)(24)”;’

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking “section 487(f)” and inserting “section 487(e)”; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking “section 487(f)” and inserting “section 487(e)”.

SA 4447. Mr. CRUZ (for himself, Mr. GRASSLEY, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CONSEQUENCES FOR SUPPORTING TERRORISM.

(a) **SHORT TITLE.**—This section may be cited as the “Expatriate Terrorist Act”.

(b) **LOSS OF NATIONALITY DUE TO SUPPORT OF TERRORISM.**—Section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481(a)) is amended to read as follows:

“(a) **IN GENERAL.**—A person who is a national of the United States whether by birth or naturalization, shall lose his or her nationality by voluntarily performing any of the following acts with the intention of relinquishing United States nationality:

“(1) Obtaining naturalization in a foreign state upon his or her own application or upon an application filed by a duly authorized agent, after having attained 18 years of age.

“(2) Taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state, a political subdivision thereof, or a foreign terrorist organization designated under section 219, after having attained 18 years of age.

“(3) Entering, or serving in, the armed forces of a foreign state or a foreign terrorist organization designated under section 219 if—

“(A) such armed forces are engaged in hostilities against the United States; or

“(B) such persons serve as a commissioned or noncommissioned officer.

“(4) Accepting, serving in, or performing the duties of any office, post, or employment under the government of a foreign state, a political subdivision thereof, or a foreign terrorist organization designated under section 219 if, after having attained 18 years of age—

“(A) the person knowingly has or acquires the nationality of such foreign state; or

“(B) an oath, affirmation, or declaration of allegiance to the foreign state, a political subdivision thereof, or a designated foreign terrorist organization is required for such office, post, or employment.

“(5) Making a formal renunciation of United States nationality before a diplomatic or consular officer of the United States in a foreign state, in such form as may be prescribed by the Secretary of State.

“(6) Making in the United States a formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by, the Attorney General, whenever the United States shall be in a state of war and the Attorney General shall approve such renunciation as not contrary to the interests of national defense.

“(7)(A) Committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States;

“(B) violating or conspiring to violate any of the provisions of section 2383 of title 18, United States Code;

“(C) willfully performing any act in violation of section 2385 of title 18, United States Code; or

“(D) violating section 2384 of such title by engaging in a conspiracy to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, if and when such person is convicted thereof by a court martial or by a court of competent jurisdiction.

“(8) Knowingly providing material support or resources (as defined in section 2339A(b) of title 18, United States Code) to any foreign terrorist organization designated under section 219 if such person knows that such organization is engaged in hostilities against the United States.”.

(c) **REVOCATION OR DENIAL OF PASSPORTS AND PASSPORT CARDS TO INDIVIDUALS WHO**

ARE MEMBERS OF FOREIGN TERRORIST ORGANIZATIONS.—The Act entitled “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a et seq.), which is commonly known as the “Passport Act of 1926”, is amended by adding at the end the following:

“SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT AND PASSPORT CARD.

“(a) **INELIGIBILITY.**—

“(1) **ISSUANCE.**—The Secretary of State shall not issue a passport or passport card to any individual whom the Secretary has determined, by a preponderance of the evidence—

“(A) is serving in, or is attempting to serve in, an organization designated by the Secretary as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

“(B) is a threat to the national security interest of the United States.

“(2) **REVOCATION.**—The Secretary of State shall revoke a passport or passport card previously issued to any individual described in paragraph (1).

“(b) **RIGHT OF REVIEW.**—Any person who, in accordance with this section, is denied issuance of a passport or passport card by the Secretary of State, or whose passport or passport card is revoked or otherwise restricted by the Secretary of State, may request a due process hearing, under regulations prescribed by the Secretary, not later than 60 days after receiving such notice of the nonissuance, revocation, or restriction.

“(c) **NATIONAL SECURITY WAIVER.**—Notwithstanding subsection (a), the Secretary may—

“(1) issue a passport or passport card to an individual described in subsection (a)(1); or

“(2) refuse to revoke a passport or passport card of an individual described in subsection (a)(1), if the Secretary finds that such issuance or refusal to revoke is in the national security interest of the United States.”.

(d) **CONFORMING AMENDMENT.**—Section 351(b) of the Immigration and Nationality Act (8 U.S.C. 1483(b)) is amended by striking “(3) and (5)” and inserting “(3), (5), and (8)”.

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Scott Fletcher, a Government Accountability Office detailee to the Senate Armed Forces Committee, have floor privileges during the consideration of S. 2943, the National Defense Authorization Act for fiscal year 2017.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I ask unanimous consent that Kimberly Knackstedt, a fellow in Senator MURRAY’s Health, Education, Labor, and Pensions Committee office, be granted the privileges of the floor for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TILLIS. Mr. President, I ask unanimous consent that Beau Diers and Lauren Fish, defense legislative fellows in the office of Senator COTTON, be granted the privilege of the floor during consideration of S. 2943, the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TILLIS. Mr. President, I ask unanimous consent that Elizabeth Joseph, a Health Policy Fellow in the office of Senator COCHRAN, be granted the privilege of the floor for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc the following nominations: Calendar Nos. 506 and 507 only, with no other executive business in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Jennifer Choe Groves, of Virginia, to be a Judge of the United States Court of International Trade; and Gary Stephen Katzmman, of Massachusetts, to be a Judge of the United States Court of International Trade.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. LEAHY. Mr. President, today the Senate is considering the nominations of Gary Katzmman of Massachusetts and Jennifer Choe Groves of Virginia to fill judicial vacancies on the U.S. Court of International Trade. It is a step in the right direction that the majority leader has agreed to take these nominations, but two other nominees to the Court of International Trade remain pending on the Senate floor. There is no good reason we cannot also confirm these nominees today.

I support the confirmation of both highly qualified nominees. Since 2004, Gary Katzmman has served as an Associate Justice of the Massachusetts Appeals Court, the State's second highest court. Before joining the bench, Justice Katzmman served for over 20 years as an Assistant U.S. Attorney for the U.S. Attorney's Office for the District of Massachusetts. In addition to his superb credentials, Justice Katzmman's family is part of our Nation's history of providing refuge to those fleeing persecution. Justice Katzmman's father and grandmother came to the U.S. as refugees from Nazi Germany.

Jennifer Choe Groves has over 20 years of legal experience working in private practice and the government, having served in the New York District Attorney's Office and in the Office of the U.S. Trade Representative. When confirmed, Ms. Groves will be the first Asian American and Pacific Islander judge to serve on the U.S. Court of International Trade.

While the Senate is taking up these nominees today, the majority leader has allowed just 18 judicial nominees to be confirmed since Republicans took over the Senate majority last year. Contrast this dismal record to the last 2 years of George W. Bush's administration, when Democrats were in control. At this same point in the Bush Presidency, Democrats confirmed 68 of President Bush's judicial nominees.

Senate Republicans have allowed only a trickle of judicial confirmations despite the fact that, under their watch, judicial vacancies have nearly doubled from 43 to 85. Of these, 29 have been designated as judicial emergencies where caseloads are unmanageably high and the administration of justice is strained.

The harm that Republican obstruction has wrought on our Federal courts extends from the trial courts across America to our Nation's highest court. Today marks 82 days since Chief Judge Merrick Garland was first nominated to fill a vacancy on the Supreme Court. Under the Senate's recent timeline for considering judicial nominees, Chief Judge Garland should have received a hearing and a vote by now. Instead, Senate Republicans have continued as their party standard bearer has said to "delay, delay, delay." This has resulted in a diminished eight-member Supreme Court that has been repeatedly unable to serve its highest function under our Constitution.

It is the Senate's duty to ensure our independent judiciary can fully function. I hope Senate Republicans understand that obligation and act on Chief Judge Garland's nomination, as well as the 22 judicial nominations that will still remain languishing on the Senate floor after today.

Mr. MCCONNELL. Mr. President, I know of no further debate on the nominations.

The PRESIDING OFFICER. Hearing no further debate, the question is, Will the Senate advise and consent to the Groves and Katzmman nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE SENATE CHAMBER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of S. Res. 484, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 484) authorizing the taking of a photograph in the Senate Chamber.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 484) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency Narendra Modi into the House Chamber for the joint meeting at 11 a.m. on Wednesday, June 8, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 7, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, June 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Tuesday, June 7, 2016, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

STATE JUSTICE INSTITUTE

DANIEL J. BECKER, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2016. (REAPPOINTMENT)

DEPARTMENT OF VETERANS AFFAIRS

CHRISTOPHER E. O'CONNOR, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (CONGRESSIONAL AND LEGISLATIVE AFFAIRS), VICE JOAN M. EVANS, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JEFFREY L. HARRIGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STAYCE D. HARRIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GWENDOLYN BINGHAM

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL M. GILDAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. COLIN J. KILRAIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVY RESERVE AND APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5143:

To be vice admiral

REAR ADM. LUKE M. MCCOLLUM

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT COMMANDANT OF THE MARINE CORPS IN THE UNITED STATES MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5044:

To be general

LT. GEN. GLENN M. WALTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARY L. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LEWIS A. CRAPAROTTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH L. OSTERMAN

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

LISA A. SELTMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ANDREW M. FOSTER
ANTHONY P. GADDI

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

RONALD D. HARDIN, JR.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 6, 2016:

THE JUDICIARY

JENNIFER CHOE GROVES, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

GARY STEPHEN KATZMANN, OF MASSACHUSETTS, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 7, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 8

Time to be announced

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 2992, to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and S. 3009, to support entrepreneurs serving in the National Guard and Reserve.

TBA

10 a.m.

Committee on Finance

Business meeting to consider the nominations of Charles P. Blahous, III, and Robert D. Reischauer, both of Maryland, both to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years, a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

SD-215

2:15 p.m.

Committee on Foreign Relations

Subcommittee on Africa and Global Health Policy

To hold hearings to examine U.S. sanctions policy in Sub-Saharan Africa; to be immediately followed by a hearing to examine the nominations of Geeta Pasi, of New York, to be Ambassador to the Republic of Chad, Anne S. Casper, of Nevada, to be Ambassador to the Re-

public of Burundi, and Mary Beth Leonard, of Massachusetts, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador.

SD-419

Committee on Indian Affairs

Business meeting to consider S. 2417, to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, and S. 2916, to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land; to be immediately followed by an oversight hearing to examine improving inter-agency forest management to strengthen tribal capabilities for responding to and preventing wildfires, including S. 3014, to improve the management of Indian forest land.

SD-628

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine implementation of the FAST Act.

SR-253

Committee on the Judiciary

Subcommittee on Immigration and the National Interest

To hold hearings to examine the H-2B Temporary Foreign Worker Program, focusing on examining the effects on Americans' job opportunities and wages.

SD-226

JUNE 9

9:30 a.m.

Committee on Environment and Public Works

To hold hearings to examine implications of the Supreme Court stay of the Clean Power Plan.

SD-406

10 a.m.

Committee on the Judiciary

Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, S. 356, to improve the provisions relating to the privacy of electronic communications, S. 2944, to require adequate reporting on the Public Safety Officers' Benefit program, and the nominations of Donald Karl Schott, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, Stephanie A. Finley, of Louisiana, to be United States District Judge for the Western District of Louisiana, Claude J. Kelly III, of Louisiana, to be United States District Judge for the Eastern

District of Louisiana, and Winfield D. Ong, of Indiana, to be United States District Judge for the Southern District of Indiana.

SD-226

10:30 a.m.

Committee on Appropriations

Business meeting to markup an original bill entitled, "Labor, Health and Human Services, Education, and Related Agencies Appropriations Act, 2017".

SD-106

10:45 a.m.

Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine the use of agency regulatory guidance.

SD-342

2 p.m.

Committee on Rules and Administration

Business meeting to consider the nomination of Carla D. Hayden, of Maryland, to be Librarian of Congress for a term of ten years.

S-219

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219

JUNE 14

3 p.m.

Committee on Environment and Public Works

Subcommittee on Superfund, Waste Management, and Regulatory Oversight

To hold an oversight hearing to examine the Environmental Protection Agency's progress in implementing Inspector General and Government Accountability Office recommendations.

SD-406

JUNE 15

10 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine America's insatiable demand for drugs, focusing on examining solutions.

SD-342

JUNE 21

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to the Congress.

SH-216

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

JULY 13
10:30 a.m.
Committee on Appropriations
Subcommittee on Military Construction
and Veterans Affairs, and Related
Agencies
To hold hearings to examine a review of
the Department of Veterans Affairs'

electronic health record (VistA),
progress toward interoperability with
the Department of Defense's electronic
health record, and plans for the future.
SD-124

POSTPONEMENTS
JUNE 9
10:30 a.m.
Committee on Small Business and Entre-
preneurship
To hold hearings to examine small busi-
ness survival amidst flood insurance
rate increases.

SR-428A

HOUSE OF REPRESENTATIVES—Tuesday, June 7, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. WOMACK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 7, 2016.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

CARBON TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, the House will vote this week on a resolution of disapproval on a carbon tax, a new tax that would greatly hurt my State of West Virginia.

West Virginia is the second largest producer of coal in the United States. The coal mined in West Virginia made this country what it is today. It made the steel that built skyscrapers and the ships that won world wars.

If a carbon tax would be imposed, all of this would change. According to the nonpartisan Congressional Budget Office, a carbon tax would hurt our economy. It would raise prices and diminish people's purchasing power. It would reduce the number of hours people worked, resulting in lost wages. It would also disproportionately hurt low-income families and raise energy prices for seniors and families.

West Virginia already has one of the highest unemployment rates in the Nation. What we need are policies that create more jobs, encourage companies

to expand and hire, diversify our economy, and reinvest in our people.

Our coal miners and our coalfields have suffered enough. They can't afford a tax on the very energy West Virginia produces.

The message is clear: West Virginia needs more jobs and reinvestment, not a carbon tax.

IMPLEMENTATION OF NEW OZONE STANDARDS

Mr. JENKINS of West Virginia. Mr. Speaker, the EPA is at it again. It is writing yet another rule that will hurt our economy and could make it harder for us to build new roads and create jobs.

In this economy, when West Virginia has one of the highest unemployment rates in the Nation, the last thing we need is more red tape. We don't need more bureaucrats getting in the way of our State's ability to develop our resources.

The new ozone standards the EPA wants to impose on States would hurt manufacturing, drilling, mining, and agricultural operations, hurting the families who depend on these jobs.

The EPA is ratcheting up its ozone standard on States. Most States and counties haven't even met the 2008 ozone standard, and now the bar is being raised again. This is unrealistic.

Counties not in compliance with the new standard could find it even harder to attract and build new developments. In southern West Virginia, that means we might not be able to redevelop our former mine sites to their full potential. It could even halt the much-needed Hobet mine redevelopment.

Noncompliant counties also might not be able to build new highways. For southern West Virginia, that could mean long planned highway projects are put on the back burner again.

This week, we will vote in the House on a bill to put the brakes on the EPA's latest actions. We will give the States time to catch up before the EPA tries to impose yet another standard. We will protect public health while ensuring implementation of new ozone standards that don't cripple our economy.

This is a commonsense bill that deserves bipartisan support.

HONORING ANITA DATAR

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. LOWEY) for 5 minutes.

Mrs. LOWEY. Mr. Speaker, I rise to honor an extraordinary public servant,

Anita Datar, who was tragically killed late last year during the despicable terrorist attack at the Radisson Blu Hotel in Bamako, Mali.

Anita, only 41 years old, was senior director for field programs for the international development firm, Palladium. She went to Mali on a USAID-supported research project focused on women's reproductive health.

Raised in New Jersey, Anita devoted her entire career to international public health and development. She started as a Peace Corps volunteer in Senegal, and then continued to travel throughout sub-Saharan Africa, Latin America, and the Caribbean, helping vulnerable communities escape poverty and disease.

Anita founded a nonprofit organization that connects low-income women in developing countries to quality health services. She was especially committed to expanding access to family planning services and treating and preventing HIV.

Anita's son, Rohan, is in the gallery today with his father, David. They will join Anita's friends and colleagues at a reception this evening at the U.S. Institute of Peace to remember Anita and celebrate the mark her work left on so many.

Rohan recently moved to my home district in New York. Rohan, we are proud and honored to have you in our community. Your mom made the world a better place through her passion, spirit, and dedication to helping others. Her selfless commitment to service is one of the many indelible legacies Anita bestowed on Rohan and all those who had the honor of knowing her.

I would also note that the Senate passed, on February 1, 2016, a bipartisan resolution, S. Res. 347, honoring the memory and legacy of Anita Ashok Datar; condemning the terrorist attack in Bamako, Mali, on November 20, 2015; and extending heartfelt condolences and prayers to the family, friends, and colleagues of Anita Ashok Datar, particularly her son, Rohan; and the individuals touched by the life of Anita Ashok Datar or affected by her death, including the dedicated development professionals and volunteers that continue to selflessly engage in critical humanitarian and development efforts.

The text of S. Res. 347 can be found on pages S134-S135 of the CONGRESSIONAL RECORD, dated Wednesday, January 20, 2016.

We will continue to be inspired by Anita's dedication to helping others.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 8 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O merciful God, for giving us another day.

In these days after Memorial Day, we thank You again for the ultimate sacrifices of so many of our citizen ancestors. Bless their families with Your consolation. Bless, as well, the men and women who serve our Nation this day in our Armed Forces.

O God, You have blessed every person with the full measure of Your Grace and given us the bounty of Your Spirit. We pray, especially today, for Your children here in the U.S. but also across the world who are lacking in the nutrition to develop and grow as human persons, fully alive. May we who have so much work to provide bread for the world, especially for those in the first 1,000 days of their lives, from conception to early childhood.

As the Members of this people's House return from the Memorial Day adjournment, bless them with the wisdom and perseverance to attend to the pressing needs of all who hunger and thirst, for sustenance, and for justice.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. EMMER) come forward and lead the House in the Pledge of Allegiance.

Mr. EMMER of Minnesota led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REMEMBERING A TRUE MINNESOTAN

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise to remember the life of St. Cloud native Wheelock Whitney. Mr. Whitney devoted his life to the State of Minnesota and to our community.

Wheelock Whitney was born in St. Cloud, Minnesota, and joined the Navy following high school. After serving his country, he attended Yale University and went on to become the successful CEO of J.M. Dain & Company until he retired in 1972.

Wheelock's passions, however, expanded far past business. He served as the mayor of Wayzata, Minnesota, and ran for the U.S. Senate in 1964. He also ran for Governor of the State of Minnesota in 1982. Wheelock was active in politics throughout his long life. He was also a baseball enthusiast and was instrumental in bringing our beloved Twins to Minnesota.

While Wheelock will, undoubtedly, be remembered for his successful career and many endeavors, many of us will remember him for his charity. Among his many charitable efforts, Wheelock served as the chairman of the National Council on Alcoholism and Drug Dependence, and he cofounded the Johnson Institute, which helps fight addiction.

Wheelock Whitney was a man with a great heart. He lived to help others and strived to make Minnesota a wonderful place to live, and we will all miss him.

THE FAILURE OF HOUSE REPUBLICANS IN CONGRESS

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, Republicans in Congress have failed to pass a budget or to adequately address the health crises that we have brewing in this country, including one in my own hometown of Flint, Michigan.

Now, this week, Speaker RYAN is trying to distract the focus from Republican Party leader and presumptive nominee Donald Trump's racist and bigoted remarks toward Mexican Americans and Muslim Americans.

Releasing white papers is not enough to offset what the leader of your party is saying every day about American citizens.

Last week, for example, Donald Trump questioned the ability of an American Federal judge to do his job—this is a direct quote—because “he’s a Mexican.” He even doubled down on this extreme position, questioning whether a Muslim American judge could also properly do his job based on his religion, based on his beliefs. These are deeply troubling, racist, un-Amer-

ican comments that cannot be tolerated, that cannot be accepted.

Honestly, if I felt as if the leadership in the House were doing its job to overcome that so as to do its own job and not align with those sorts of statements by allowing its own legislation to fail because of the willingness to fly the Confederate flag, it would be far more acceptable.

The SPEAKER pro tempore (Mr. JENKINS of West Virginia). The Chair will remind Members to refrain from engaging in personalities towards presumptive nominees for the Office of the President.

SPEAKER RYAN'S “A BETTER WAY” AGENDA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this week, Speaker of the House PAUL DAVIS RYAN presented a positive program on what Republicans support—A Better Way—which is our vision for a confident America.

Speaker RYAN has outlined a bold Republican agenda that advances meaningful reforms to address poverty, to protect national security, to grow our economy and create jobs, to defend the Constitution, to improve health care, and to reform the Tax Code. The A Better Way program will provide positive opportunities for American families and will chart the course that challenges all Americans to reach their full potential.

The American Dream should be true for everyone. All should have a chance to make the most of their lives no matter how they start. The optimistic agenda of creating jobs will get America back on track while addressing some of the most serious challenges of our time. I appreciate Speaker RYAN's work to make this a positive and inclusive process by collecting feedback from citizens across the country for A Better Way.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

REMEMBERING COY LUTZ

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise in recognition of the tragic loss and in memory of 19-year-old Coy Lutz, a young man from my hometown of Howard, Pennsylvania, who was killed in a New Jersey rodeo accident.

Coy was a four-time national qualifier and a two-time Pennsylvania State champion in High School Rodeo Associations. He was also a 2015 graduate of

the Central Pennsylvania Institute of Science and Technology. He continued his education at the University of Tennessee at Martin, where he was majoring in criminal justice.

At the University of Tennessee, Coy was also pursuing his passion for rodeo. Following his death, the university's rodeo coach, John Luthi, said, "Even though he was only here for 1 year, his impact will always be felt here at UT Martin. He was a super human being who always took care of his business. It's hard to imagine why something like this had to happen, but we have faith that God is in control."

My thoughts and prayers remain with the Lutz family, including Coy's parents, Doug and Sabine, along with his sisters, Melanie and Laura.

PFEIFER KIWANIS CAMP AND EXECUTIVE DIRECTOR SANFORD TOLLETTE

(Mr. HILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL. Mr. Speaker, I rise to recognize the dedicated and exceptional work of Mr. Sanford Tollette, the executive director of the Joseph Pfeifer Kiwanis Camp in Arkansas.

The camp provides at-risk and underprivileged children throughout Arkansas with the opportunity to enhance their education while experiencing nature and the great outdoors. Originally a summer camp, Mr. Tollette has transformed it into a year-round residential academic intervention program.

A grateful mother from Arkansas recently shared with me the powerful impact that the camp has had on her daughter's development, allowing her to better interact with her friends and her classmates. Further, the camp has provided critical guidance and information to the mother to help her with her child's development.

Under his leadership, the camp has provided thousands of young Arkansans with the opportunity to grow, learn, and build lasting friendships. I commend Mr. Tollette for his fruitful efforts, and I look forward to his continued success.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:45 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1545

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. FARENTHOLD) at 3 o'clock and 45 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CHECKPOINT OPTIMIZATION AND EFFICIENCY ACT OF 2016

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5338) to reduce passenger wait times at airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5338

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Checkpoint Optimization and Efficiency Act of 2016".

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that airport checkpoint wait times should not take priority over the security of the Nation's aviation system.

SEC. 3. ENHANCED STAFFING ALLOCATION MODEL.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall complete an assessment of the Administration's staffing allocation model to determine the necessary staffing positions at all airports in the United States at which the Administration operates passenger checkpoints.

(b) APPROPRIATE STAFFING.—The staffing allocation model described in subsection (a) shall be based on necessary staffing levels to maintain minimal passenger wait times and maximum security effectiveness.

(c) ADDITIONAL RESOURCES.—In assessing necessary staffing for minimal passenger wait times and maximum security effectiveness referred to in subsection (b), the Administrator of the Transportation Security Administration shall include the use of canine explosives detection teams and technology to assist screeners conducting security checks.

(d) TRANSPARENCY.—The Administrator of the Transportation Security Administration shall share with aviation security stakeholders the staffing allocation model described in subsection (a), as appropriate.

(e) EXCHANGE OF INFORMATION.—The Administrator of the Transportation Security Administration shall require each Federal Security Director to engage on a regular basis with the appropriate aviation security stakeholders to exchange information regarding airport operations, including security operations.

(f) GAO REVIEW.—Not later than 180 days after the date of the enactment of this Act,

the Comptroller General of the United States shall review the staffing allocation model described in subsection (a) and report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the results of such review.

SEC. 4. EFFECTIVE UTILIZATION OF STAFFING RESOURCES.

(a) IN GENERAL.—To the greatest extent practicable, the Administrator of the Transportation Security Administration shall direct that Transportation Security Officers with appropriate certifications and training are assigned to passenger and baggage security screening functions and that other Administration personnel who may not have certification and training to screen passengers or baggage are utilized for tasks not directly related to security screening, including restocking bins and providing instructions and support to passengers in security lines.

(b) ASSESSMENT AND REASSIGNMENT.—The Administrator of the Transportation Security Administration shall conduct an assessment of headquarters personnel and reassign appropriate personnel to assist with airport security screening activities on a permanent or temporary basis, as appropriate.

SEC. 5. TSA STAFFING AND RESOURCE ALLOCATION.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall take the following actions:

(1) Utilize the Administration's Behavior Detection Officers for passenger and baggage security screening, including the verification of traveler documents, particularly at designated PreCheck lanes to ensure that such lanes are operational for use and maximum efficiency.

(2) Make every practicable effort to grant additional flexibility and authority to Federal Security Directors in matters related to checkpoint and checked baggage staffing allocation and employee overtime in furtherance of maintaining minimal passenger wait times and maximum security effectiveness.

(3) Disseminate to aviation security stakeholders and appropriate Administration personnel a list of checkpoint optimization best practices.

(4) Expand efforts to increase the public's participation in the Administration's PreCheck program, including deploying Administration-approved ready-to-market private sector solutions and offering secure online and mobile enrollment opportunities.

(5) Request the Aviation Security Advisory Committee (established pursuant to section 44946 of title 49, United States Code) provide recommendations on best practices for checkpoint security operations optimization.

(b) STAFFING ADVISORY COORDINATION.—Not later than 30 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall—

(1) direct each Federal Security Director to coordinate local representatives of aviation security stakeholders to establish a staffing advisory working group at each airport at which the Administration oversees or performs passenger security screening to provide recommendations to the Administrator on Transportation Security Officer staffing numbers, for such airport; and

(2) certify to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and

Transportation of the Senate that such staffing advisory working groups have been established.

(c) REPORTING.—Not later than 60 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall—

(1) report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding how the Administration's Passenger Screening Canine assets may be deployed and utilized for maximum efficiency to mitigate risk and optimize checkpoint operations; and

(2) report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the status of the Administration's Credential Authentication Technology Assessment program and how deployment of such program might optimize checkpoint operations.

SEC. 6. AVIATION SECURITY STAKEHOLDERS DEFINED.

For purposes of this Act, the term "aviation security stakeholders" shall mean, at a minimum, air carriers, airport operators, and labor organizations representing Transportation Security Officers or, where applicable, contract screeners.

SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act may be construed as authorizing or directing the Administrator of the Transportation Security Administration to prioritize reducing wait times over security effectiveness.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

We have all seen, heard about, or even experienced for ourselves the recent crisis of wait times at TSA checkpoints at airports across this great Nation. With record passenger volumes, inefficient staffing models, and collaboration challenges with airports and airlines, the TSA has found itself stretched way too thin. The fact of the matter is that security effectiveness and efficiency are not mutually exclusive.

Now that the summer holiday season is upon us, it is imperative that we move to alleviate the nightmarish scenarios that have been playing out at airports across the United States in recent months. Passengers should not be missing flights due to long security lines when they are arriving to the airport 2 hours prior to their flights.

Similarly, airports should not be approaching an operational ground stop related to TSA checkpoint lines. Also, they should not be having to sleep overnight on cots, in airports, because of TSA snafus.

The House has already passed important legislation to expand TSA PreCheck, which is still awaiting passage in the Senate. Getting more passengers enrolled in PreCheck is essential to security and efficiency by identifying low-risk travelers and expediting them through screening. Today, we have the opportunity to act again and swiftly. When I came to Congress, I made a commitment to my constituents to tackle problems head-on and get things done.

A few weeks ago, my colleagues and I had convened representatives from airports and airlines from across this country to discuss this wait time crisis and to hear directly from them what they think needs to be done to help. The message was consistent, and it was loud: the TSA needs to collaborate with individual airlines and airport authorities to coordinate sufficient staffing levels on a local basis.

We heard their message. This bill will require the TSA to maximize all of its available resources and give airports, airlines, and labor organizations a seat at the table to ensure those resources are being utilized and allocated in the most effective and efficient manner.

The Checkpoint Optimization and Efficiency Act will make a meaningful impact in shortening the burdensome security wait times being experienced by Americans who travel through airports across this country. It is critical that Congress act to swiftly get this bill to the President's desk.

Specifically, this legislation redeploys TSA assets, such as behavior detection officers, of which there are 3,000, and K-9 teams so that more personnel are made available to perform screening functions. Further, the bill grants additional flexibility to local TSA supervisors in order to empower them to make decisions on an airport-by-airport basis, rather than a top-down approach from TSA headquarters.

This bill will also direct the TSA to undergo a comprehensive workforce assessment and report to Congress to ensure that the agency is deploying personnel in the most risk-based manner. The TSA must also share its staffing practices with airport operators, airlines, and labor organizations in order to enhance the coordination between peak travel times, flight schedules, and TSA checkpoint staffing.

Mr. Speaker, this wait time crisis is an issue that touches airports across this great country, and a swift response to problems like this is what the American people sent us here to accomplish. This legislation implements commonsense practices while preventing a one-size-fits-all approach to

aviation security. Above all, the bill explicitly states that security is paramount and that wait times should not be prioritized at the expense of effective security screening.

I thank the chairman of the full committee, Mr. MCCAUL, for his strong support of this legislation and for ensuring that it was a top priority for the committee. Additionally, I thank Ranking Member RICE and Representative KEATING for their bipartisan support on this bill. I also thank the ranking minority member on the Homeland Security Committee, my colleague who works with us hand in hand again and again on these matters, Mr. THOMPSON. We are here, before Congress, passing yet another bill in a bipartisan manner. This is what Congress is supposed to do, and I thank Mr. THOMPSON for his support. I also express thanks to each of the bill's cosponsors for recognizing the importance of this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5338, the Checkpoint Optimization and Efficiency Act of 2016.

Over the past few months, the Transportation Security Administration has been scrutinized and criticized regarding wait times. As the peak travel season began, there were several reports of wait times that exceeded 2 hours. Those lengthy waits caused anxiety and disappointment among travelers. At times, the prolonged wait times caused many passengers to miss their flights.

In response to this crisis, the Department of Homeland Security and the Transportation Security Administration took a series of actions. The TSA deployed additional K-9 teams to screen passengers at checkpoints; it intensified its efforts to promote participation in the PreCheck program; it partnered more closely with airlines and airports; and it increased research and development efforts for technologies that will improve screening. This bill codifies many of those actions. However, it does not encompass the entirety of the Department's efforts to address the wait times crisis.

DHS Secretary Johnson also requested that \$34 million in appropriations be reprogrammed from other TSA accounts to help cover the costs for overtime, converting part-time workers to full-time, and expediting the hiring of new transportation security officers. DHS' request was approved. Just 2 weeks after the reprogramming, Secretary Johnson requested an additional infusion of cash to TSA operations of \$28 million. That reprogramming request is pending. The infusion of \$34 million in additional resources into TSA security operations has had a tremendous impact on wait times at the

Nation's airports. In fact, during the Memorial Day weekend, most airports reported wait times of less than 30 minutes during peak time.

If the TSA is to maintain the operational gains that have been realized in recent weeks and keep wait times down, it will require Congress' stepping up and providing resources. Even though the measures within this bill will codify much of what the TSA and the DHS are already doing to address the issue, the only way to achieve long-term, measurable success is by giving the TSA the resources it needs on an ongoing basis.

The TSA's current staffing is out of step with its own projection for volumes in fiscal year 2016. As you can see from the poster, the TSA's staffing in fiscal year 2016 was 42,525 TSOs, which is nearly 2,500 fewer frontline staff than in fiscal year 2011. The TSA is expected to screen nearly 100 million more passengers in FY 2016, with about 2,500 fewer staff.

That is why I joined with Representative DEFazio and Representative DOLD in introducing H.R. 5340, the FASTER Act, which is bipartisan legislation that directs the money that is collected from the flying public through the September 11 Security Fee to actually be used to secure the Nation's commercial aviation system. Unfortunately, a significant portion of the funds collected, which has totaled \$12.6 billion over 10 years, is being diverted to offset the Federal budget. I urge Members to support H.R. 5340, the FASTER Act.

Mr. Speaker, I reserve the balance of my time.

Mr. KATKO. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE. Mr. Speaker, I rise in support of H.R. 5338, the Checkpoint Optimization and Efficiency Act of 2016.

Every week, when I come and go from the Cleveland airport, I worry about the chaotic lines and the long wait times in security. I am glad for the opportunity to speak in support of legislation that intends to alleviate this ever-growing problem. I am increasingly hearing from constituents about the frustration of subjecting oneself to air travel. Traveling with children is even more stressful, as my wife and I can empathize with. Missing a flight because of ridiculously long lines at security is unacceptable. At the same time, we need a system that guarantees passenger safety.

It is all of our jobs here in Congress to ensure that our constituents are safe, and it is the responsibility of TSA officers to ensure travelers are thoroughly screened. This legislation will boost their efficiency in doing so. Reviewing the TSA's staffing model is necessary to determine best practices and implement them as soon as pos-

sible. This legislation increases transparency and accountability. Examining big-picture problems with the current system and tackling the issues at the source will help to reduce passenger wait times and will ensure the safety of all of our constituents.

This legislation presents a common-sense approach in addressing the airport wait times issue, and I urge my colleagues to support H.R. 5338.

Mr. THOMPSON of Mississippi. Mr. Speaker, I reserve the balance of my time.

Mr. KATKO. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I, certainly, thank my good friend from New York for yielding the time.

I thank my friend from Mississippi, who talked a little bit before about the bill that we are working on together, that being the FASTER Act, which I do believe is a step in the right direction.

Mr. Speaker, I represent a district just north of Chicago, so the airport that I go in and out of right now is Chicago's O'Hare—the busiest airport in the country. In fact, we believe about 77 million passengers are going to go through O'Hare this year—77 million. It is not uncommon, obviously, for me to go there and have extremely long wait times at the TSA. Unfortunately, what we have seen more recently is these wait times continuing to build—to build so much that, actually, the wait time is longer than the flight, itself, which, to me, is completely unacceptable. Frankly, the American public deserves a little bit more accountability.

Over the past few weeks, these long wait times, obviously, have been exacerbated, so we have put on a Band-Aid—a patch—to try to make sure that we have a little bit more staffing at some of these busiest of airports around the country, and we have seen those wait times come down. Yet what we do know is that people are missing their flights. People who have missed their flights, at least in the last couple of weeks, have been able to be put on flights without too much inconvenience. If this were to happen this summer, the chances are, at least from the airlines, they wouldn't be able to get on their flights for a week or more, which could completely disrupt family vacations and the like.

The current screening procedures need to be updated to ensure that we protect passengers from terrorist threats and to make sure that passengers are screened in the most efficient manner possible. This is, really, a two-pronged approach. In one, my friend from Mississippi talked about the FASTER Act, which is, again, trying to make sure that the resources that passengers pay are actually going toward the TSA to make sure that it has the manpower necessary to do the screening.

Today's bill, the Checkpoint Optimization and Efficiency Act, will go a long way towards ensuring that the TSA updates the screening procedures to improve customer service at the Nation's busiest airports. This bill will ensure that TSA position screeners are where they are needed most, which, I think, is absolutely critical. The bill will allow the TSA to reallocate K-9 teams to the Nation's busiest airports or where they are needed. K-9 detecting teams are a vital tool in ensuring the quick and effective screening of passengers.

Mr. Speaker, just this last week, I was at O'Hare. I went down and had an opportunity to talk with some of the K-9 screeners in Chicago. One actually came from Fairbanks, Alaska, and the other one came in from Cincinnati.

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There is no question that there was a huge issue at O'Hare that needed to be rectified, and what this legislation does—and the gentleman from New York proposes—will allow that flexibility to happen.

Finally, I want to just talk about the TSA's Federal Security Directors and making sure that they are placed at the busiest airports and have some of the flexibility that they need to make the staffing decisions that are best for the people.

The bill today, I believe, will go a long way toward alleviating the crisis at our busiest airports around the country and will help make sure that our hours-long wait times will be reduced and diminished.

I certainly hope my colleagues on both sides of the aisle will support this legislation.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself the balance of my time to close.

Mr. Speaker, the measure under consideration will codify much of what the Department and TSA have been doing to address wait times at our Nation's airports. Thankfully, through bipartisan negotiations on this measure, we were able to ensure that when local airport working groups are stood up, the voices of the airport operators, air carriers, and those who represent the men and women on the front lines of aviation security would be heard.

Also, I am pleased that the bill, as amended, takes a broader view on how behavior detection officers could be used at our airports. I have long been skeptical of TSA's investment in the Behavior Detection Officer program, given the risks of racial or ethnic profiling and the lack of science to back TSA's claim of this security effectiveness.

I am pleased that Chairman KATKO was receptive to repurposing this position, at the Federal Security Director's discretion, to any alternate position within TSA's checkpoint screening functions.

I, once again, urge Members to support H.R. 5340, the FASTER Act, as it will ensure that TSA receives funding it needs to acquire and maintain staff and resources to efficiently carry out its mission without compromising security effectiveness.

I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself the balance of my time to close.

The threats facing our Nation's aviation system are constantly changing and adapting. For this reason, TSA's mission is not only difficult, but critical to the national security of the United States and the safety of traveling Americans.

I, again, wish to thank all of the bipartisan cosponsors of this legislation, and I urge my colleagues to support this bill.

I yield back the balance of my time.

Mr. MCCAUL. Mr. Speaker, the traveling public is suffering from staggeringly long airport wait times. As the busy summer travel season has begun, I am consistently hearing reports of missed flights, delays, and two-hour plus wait times at TSA security checkpoints. This bipartisan legislation includes meaningful reforms that the Homeland Security Committee has identified to address wait times, while making sure that the traveling public remains safe. I also want to encourage the Senate to act on other House-passed bills that would help alleviate checkpoint wait times.

TSA's Admiral Neffenger testified before my committee that the provisions outlined in H.R. 5338 would help optimize checkpoints and reduce the burden on TSA and passengers. Our bill has also received overwhelming support from transportation stakeholders, such as the airport and airline community.

The Checkpoint Optimization and Efficiency Act redeploys TSA personnel to enhance staffing and increase operational capability, allowing more screening lanes to be open. The bill ushers in a new era of transparency and accountability between TSA and its airport and airline stakeholders, while pushing continued expansion of TSA's PreCheck program, which the House has already sought to expand with the passage of the TSA PreCheck Expansion Act.

Mr. Speaker, the President's recent budget requests have failed to predict the resources that were needed to mitigate this problem before it started. In fact, last year, TSA gave \$100 million back to the U.S. Treasury. Now, Secretary Johnson has had to ask Congress for reprogramming requests to alleviate the burden placed on TSA operations. While these reprogramming requests were necessary, I am pleased that this legislation will go a step further by reallocating existing assets in a much more effective manner.

I wish to thank Chairman KATKO for his leadership on this important issue, as well as each of the cosponsors of the bill. In particular, I wish to thank Ranking Member RICE and Representative KEATING for lending their support to the bill and for their engagement and work on enhancing transportation security. I urge my colleagues to support this critical legislation.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 5338, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HELPING HOSPITALS IMPROVE PATIENT CARE ACT OF 2016

Mr. TIBERI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5273) to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5273

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Helping Hospitals Improve Patient Care Act of 2016".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROVISIONS RELATING TO MEDICARE PART A

Sec. 101. Development of Medicare study for HCPCS version of MS-DRG codes for similar hospital services.

Sec. 102. Establishing beneficiary equity in the Medicare hospital readmission program.

Sec. 103. Five-year extension of the rural community hospital demonstration program.

Sec. 104. Regulatory relief for LTCHs.

Sec. 105. Savings from IPPS MACRA pay-for-through not applying documentation and coding adjustments.

TITLE II—PROVISIONS RELATING TO MEDICARE PART B

Sec. 201. Continuing Medicare payment under HOPD prospective payment system for services furnished by mid-build off-campus outpatient departments of providers.

Sec. 202. Treatment of cancer hospitals in off-campus outpatient department of a provider policy.

Sec. 203. Treatment of eligible professionals in ambulatory surgical centers for meaningful use and MIPS.

TITLE III—OTHER MEDICARE PROVISIONS

Sec. 301. Delay in authority to terminate contracts for Medicare Advantage plans failing to achieve minimum quality ratings.

Sec. 302. Requirement for enrollment data reporting for Medicare.

Sec. 303. Updating the Welcome to Medicare package.

TITLE I—PROVISIONS RELATING TO MEDICARE PART A

SEC. 101. DEVELOPMENT OF MEDICARE STUDY FOR HCPCS VERSION OF MS-DRG CODES FOR SIMILAR HOSPITAL SERVICES.

Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended by adding at the end the following new subsection:

“(t) RELATING SIMILAR INPATIENT AND OUTPATIENT HOSPITAL SERVICES.—

“(1) DEVELOPMENT OF HCPCS VERSION OF MS-DRG CODES.—

“(A) IN GENERAL.—Not later than January 1, 2018, the Secretary shall develop HCPCS versions for MS-DRGs that is similar to the ICD-10-PCS for such MS-DRGs such that, to the extent possible, the MS-DRG assignment shall be similar for a claim coded with the HCPCS version as an identical claim coded with a ICD-10-PCS code.

“(B) COVERAGE OF SURGICAL MS-DRGS.—In carrying out subparagraph (A), the Secretary shall develop HCPCS versions of MS-DRG codes for not fewer than 10 surgical MS-DRGs.

“(C) PUBLICATION AND DISSEMINATION OF THE HCPCS VERSIONS OF MS-DRGS.—

“(i) IN GENERAL.—The Secretary shall develop a HCPCS MS-DRG definitions manual and software that is similar to the definitions manual and software for ICD-10-PCS codes for such MS-DRGs. The Secretary shall post the HCPCS MS-DRG definitions manual and software on the Internet website of the Centers for Medicare & Medicaid Services. The HCPCS MS-DRG definitions manual and software shall be in the public domain and available for use and redistribution without charge.

“(ii) USE OF PREVIOUS ANALYSIS DONE BY MEDPAC.—In developing the HCPCS MS-DRG definitions manual and software under clause (i), the Secretary shall consult with the Medicare Payment Advisory Commission and shall consider the analysis done by such Commission in translating outpatient surgical claims into inpatient surgical MS-DRGs in preparing chapter 7 (relating to hospital short-stay policy issues) of its ‘Medicare and the Health Care Delivery System’ report submitted to Congress in June 2015.

“(D) DEFINITION AND REFERENCE.—In this paragraph:

“(i) HCPCS.—The term ‘HCPCS’ means, with respect to hospital items and services, the code under the Healthcare Common Procedure Coding System (HCPCS) (or a successor code) for such items and services.

“(ii) ICD-10-PCS.—The term ‘ICD-10-PCS’ means the International Classification of Diseases, 10th Revision, Procedure Coding System, and includes a subsequent revision of such International Classification of Diseases, Procedure Coding System.”

SEC. 102. ESTABLISHING BENEFICIARY EQUITY IN THE MEDICARE HOSPITAL READMISSION PROGRAM.

(a) TRANSITIONAL ADJUSTMENT FOR DUAL ELIGIBLE POPULATION.—Section 1886(q)(3) of the Social Security Act (42 U.S.C. 1395ww(q)(3)) is amended—

(1) in subparagraph (A), by inserting “subject to subparagraph (D),” after “purposes of paragraph (1),”; and

(2) by adding at the end the following new subparagraph:

“(D) TRANSITIONAL ADJUSTMENT FOR DUAL ELIGIBLES.—

“(i) IN GENERAL.—In determining a hospital's adjustment factor under this paragraph for purposes of making payments for discharges occurring during and after fiscal year 2019, and before the application of

clause (i) of subparagraph (E), the Secretary shall assign hospitals to groups (as defined by the Secretary under clause (ii)) and apply the applicable provisions of this subsection using a methodology in a manner that allows for separate comparison of hospitals within each such group, as determined by the Secretary.

“(ii) DEFINING GROUPS.—For purposes of this subparagraph, the Secretary shall define groups of hospitals based on their overall proportion, of the inpatients who are entitled to, or enrolled for, benefits under part A, who are full-benefit dual eligible individuals (as defined in section 1935(c)(6)). In defining groups, the Secretary shall consult the Medicare Payment Advisory Commission and may consider the analysis done by such Commission in preparing the portion of its report submitted to Congress in June 2013 relating to readmissions.

“(iii) MINIMIZING REPORTING BURDEN ON HOSPITALS.—In carrying out this subparagraph, the Secretary shall not impose any additional reporting requirements on hospitals.

“(iv) BUDGET NEUTRAL DESIGN METHODOLOGY.—The Secretary shall design the methodology to implement this subparagraph so that the estimated total amount of reductions in payments under this subsection equals the estimated total amount of reductions in payments that would otherwise occur under this subsection if this subparagraph did not apply.”.

(b) SUBSEQUENT ADJUSTMENTS BASED ON IMPACT REPORTS.—Section 1886(q)(3) of the Social Security Act (42 U.S.C. 1395ww(q)(3)), as amended by subsection (a), is further amended by adding at the end the following new subparagraph:

“(E) CHANGES IN RISK ADJUSTMENT.—

“(i) CONSIDERATION OF RECOMMENDATIONS IN IMPACT REPORTS.—The Secretary may take into account the studies conducted and the recommendations made by the Secretary under section 2(d)(1) of the IMPACT Act of 2014 (Public Law 113-185; 42 U.S.C. 1395lll note) with respect to the application under this subsection of risk adjustment methodologies. Nothing in this clause shall be construed as precluding consideration of the use of groupings of hospitals.”.

(c) MEDPAC STUDY ON READMISSIONS PROGRAM.—The Medicare Payment Advisory Commission shall conduct a study to review overall hospital readmissions described in section 1886(q)(5)(E) of the Social Security Act (42 U.S.C. 1395ww(q)(5)(E)) and whether such readmissions are related to any changes in outpatient and emergency services furnished. The Commission shall submit to Congress a report on such study in its report to Congress in June 2017.

(d) ADDRESSING ISSUE OF CERTAIN PATIENTS.—Subparagraph (E) of section 1886(q)(3) of the Social Security Act (42 U.S.C. 1395ww(q)(3)), as added by subsection (b), is further amended by adding at the end the following new clause:

“(ii) CONSIDERATION OF EXCLUSION OF PATIENT CASES BASED ON V OR OTHER APPROPRIATE CODES.—In promulgating regulations to carry out this subsection with respect to discharges occurring after fiscal year 2018, the Secretary may consider the use of V or other ICD-related codes for removal of a readmission. The Secretary may consider modifying measures under this subsection to incorporate V or other ICD-related codes at the same time as other changes are being made under this subparagraph.”.

(e) REMOVAL OF CERTAIN READMISSIONS.—Subparagraph (E) of section 1886(q)(3) of the

Social Security Act (42 U.S.C. 1395ww(q)(3)), as added by subsection (b) and amended by subsection (d), is further amended by adding at the end the following new clause:

“(iii) REMOVAL OF CERTAIN READMISSIONS.—In promulgating regulations to carry out this subsection, with respect to discharges occurring after fiscal year 2018, the Secretary may consider removal as a readmission of an admission that is classified within one or more of the following: transplants, end-stage renal disease, burns, trauma, psychosis, or substance abuse. The Secretary may consider modifying measures under this subsection to remove readmissions at the same time as other changes are being made under this subparagraph.”.

SEC. 103. FIVE-YEAR EXTENSION OF THE RURAL COMMUNITY HOSPITAL DEMONSTRATION PROGRAM.

(a) EXTENSION.—Section 410A of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173; 42 U.S.C. 1395ww note), as amended by sections 3123 and 10313 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended—

(1) in subsection (a)(5), by striking “5-year extension period” and inserting “10-year extension period”; and

(2) in subsection (g)—

(A) in the subsection heading, by striking “FIVE-YEAR” and inserting “TEN-YEAR”;

(B) in paragraph (1), by striking “additional 5-year” and inserting “additional 10-year”;

(C) by striking “5-year extension period” and inserting “10-year extension period” each place it appears;

(D) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by inserting “each 5-year period in” after “hospital during”; and

(ii) in clause (i), by inserting “each applicable 5-year period in” after “the first day of”; and

(E) by adding at the end the following new paragraphs:

“(5) OTHER HOSPITALS IN DEMONSTRATION PROGRAM.—During the second 5 years of the 10-year extension period, the Secretary shall apply the provisions of paragraph (4) to rural community hospitals that are not described in paragraph (4) but are participating in the demonstration program under this section as of December 30, 2014, in a similar manner as such provisions apply to rural community hospitals described in paragraph (4).

“(6) EXPANSION OF DEMONSTRATION PROGRAM TO RURAL AREAS IN ANY STATE.—

“(A) IN GENERAL.—The Secretary shall, notwithstanding subsection (a)(2) or paragraph (2) of this subsection, not later than 120 days after the date of the enactment of this paragraph, issue a solicitation for applications to select up to the maximum number of additional rural community hospitals located in any State to participate in the demonstration program under this section for the second 5 years of the 10-year extension period without exceeding the limitation under paragraph (3) of this subsection.

“(B) PRIORITY.—In determining which rural community hospitals that submitted an application pursuant to the solicitation under subparagraph (A) to select for participation in the demonstration program, the Secretary—

“(i) shall give priority to rural community hospitals located in one of the 20 States with the lowest population densities (as determined by the Secretary using the 2015 Statistical Abstract of the United States); and

“(ii) may consider—

“(I) closures of hospitals located in rural areas in the State in which the rural community hospital is located during the 5-year period immediately preceding the date of the enactment of this paragraph; and

“(II) the population density of the State in which the rural community hospital is located.”.

(b) CHANGE IN TIMING FOR REPORT.—Subsection (e) of such section 410A is amended—

(1) by striking “Not later than 6 months after the completion of the demonstration program under this section” and inserting “Not later than August 1, 2018”; and

(2) by striking “such program” and inserting “the demonstration program under this section”.

SEC. 104. REGULATORY RELIEF FOR LTCHS.

(a) TECHNICAL CHANGE TO THE MEDICARE LONG-TERM CARE HOSPITAL MORATORIUM EXCEPTION.—

(1) IN GENERAL.—Section 114(d)(7) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (42 U.S.C. 1395ww note), as amended by sections 3106(b) and 10312(b) of Public Law 111-148, section 1206(b)(2) of the Pathway for SGR Reform Act of 2013 (division B of Public Law 113-67), and section 112 of the Protecting Access to Medicare Act of 2014, is amended by striking “The moratorium under paragraph (1)(A)” and inserting “Any moratorium under paragraph (1)”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of section 112 of the Protecting Access to Medicare Act of 2014.

(b) MODIFICATION TO MEDICARE LONG-TERM CARE HOSPITAL HIGH COST OUTLIER PAYMENTS.—Section 1886(m) of the Social Security Act (42 U.S.C. 1395ww(m)) is amended by adding at the end the following new paragraph:

“(7) TREATMENT OF HIGH COST OUTLIER PAYMENTS.—

“(A) ADJUSTMENT TO THE STANDARD FEDERAL PAYMENT RATE FOR ESTIMATED HIGH COST OUTLIER PAYMENTS.—Under the system described in paragraph (1), for fiscal years beginning on or after October 1, 2017, the Secretary shall reduce the standard Federal payment rate as if the estimated aggregate amount of high cost outlier payments for standard Federal payment rate discharges for each such fiscal year would be equal to 8 percent of estimated aggregate payments for standard Federal payment rate discharges for each such fiscal year.

“(B) LIMITATION ON HIGH COST OUTLIER PAYMENT AMOUNTS.—Notwithstanding subparagraph (A), the Secretary shall set the fixed loss amount for high cost outlier payments such that the estimated aggregate amount of high cost outlier payments made for standard Federal payment rate discharges for fiscal years beginning on or after October 1, 2017, shall be equal to 99.6875 percent of 8 percent of estimated aggregate payments for standard Federal payment rate discharges for each such fiscal year.

“(C) WAIVER OF BUDGET NEUTRALITY.—Any reduction in payments resulting from the application of subparagraph (B) shall not be taken into account in applying any budget neutrality provision under such system.

“(D) NO EFFECT ON SITE NEUTRAL HIGH COST OUTLIER PAYMENT RATE.—This paragraph shall not apply with respect to the computation of the applicable site neutral payment rate under paragraph (6).”.

SEC. 105. SAVINGS FROM IPPS MACRA PAY-FOR-THROUGH NOT APPLYING DOCUMENTATION AND CODING ADJUSTMENTS.

Section 7(b)(1)(B)(iii) of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110-90), as amended by section 631(b) of the American Taxpayer Relief Act of 2012 (Public Law 122-240) and section 414(1)(B)(iii) of the Medicare Access and CHIP Reauthorization Act of 2015 (Public Law 114-10), is amended by striking “an increase of 0.5 percentage points for discharges occurring during each of fiscal years 2018 through 2023” and inserting “an increase of 0.4590 percentage points for discharges occurring during fiscal year 2018 and 0.5 percentage points for discharges occurring during each of fiscal years 2019 through 2023”.

TITLE II—PROVISIONS RELATING TO MEDICARE PART B

SEC. 201. CONTINUING MEDICARE PAYMENT UNDER HOPD PROSPECTIVE PAYMENT SYSTEM FOR SERVICES FURNISHED BY MID-BUILD OFF-CAMPUS OUTPATIENT DEPARTMENTS OF PROVIDERS.

(a) IN GENERAL.—Section 1833(t)(21) of the Social Security Act (42 U.S.C. 1395l(t)(21)) is amended—

(1) in subparagraph (B)—

(A) in clause (i), by striking “clause (ii)” and inserting “the subsequent provisions of this subparagraph”; and

(B) by adding at the end the following new clauses:

“(iii) DEEMED TREATMENT FOR 2017.—For purposes of applying clause (ii) with respect to applicable items and services furnished during 2017, a department of a provider (as so defined) not described in such clause is deemed to be billing under this subsection with respect to covered OPD services furnished prior to November 2, 2015, if the Secretary received from the provider prior to December 2, 2015, an attestation (pursuant to section 413.65(b)(3) of title 42 of the Code of Federal Regulations) that such department was a department of a provider (as so defined).

“(iv) ALTERNATIVE EXCEPTION BEGINNING WITH 2018.—For purposes of paragraph (1)(B)(v) and this paragraph with respect to applicable items and services furnished during 2018 or a subsequent year, the term ‘off-campus outpatient department of a provider’ also shall not include a department of a provider (as so defined) that is not described in clause (ii) if—

“(I) the Secretary receives from the provider an attestation (pursuant to such section 413.65(b)(3)) not later than December 31, 2016 (or, if later, 60 days after the date of the enactment of this clause), that such department met the requirements of a department of a provider specified in section 413.65 of title 42 of the Code of Federal Regulations;

“(II) the provider includes such department as part of the provider on its enrollment form in accordance with the enrollment process under section 1866(j); and

“(III) the department met the mid-build requirement of clause (v) and the Secretary receives, not later than 60 days after the date of the enactment of this clause, from the chief executive officer or chief operating officer of the provider a written certification that the department met such requirement.

“(v) MID-BUILD REQUIREMENT DESCRIBED.—The mid-build requirement of this clause is, with respect to a department of a provider, that before November 2, 2015, the provider had a binding written agreement with an outside unrelated party for the actual construction of such department.

“(vii) AUDIT.—Not later than December 31, 2018, the Secretary shall audit the compliance with requirements of clause (iv) with respect to each department of a provider to which such clause applies. If the Secretary finds as a result of an audit under this clause that the applicable requirements were not met with respect to such department, the department shall not be excluded from the term ‘off-campus outpatient department of a provider’ under such clause.

“(viii) IMPLEMENTATION.—For purposes of implementing clauses (iii) through (vii):

“(I) Notwithstanding any other provision of law, the Secretary may implement such clauses by program instruction or otherwise.

“(II) Subchapter I of chapter 35 of title 44, United States Code, shall not apply.

“(III) For purposes of carrying out this subparagraph with respect to clauses (iii) and (iv) (and clause (vii) insofar as it relates to clause (iv)), \$10,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841, to remain available until December 31, 2018.”; and

(2) in subparagraph (E), by adding at the end the following new clause:

“(iv) The determination of an audit under subparagraph (B)(vii).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective as if included in the enactment of section 603 of the Bipartisan Budget Act of 2015 (Public Law 114-74).

SEC. 202. TREATMENT OF CANCER HOSPITALS IN OFF-CAMPUS OUTPATIENT DEPARTMENT OF A PROVIDER POLICY.

(a) IN GENERAL.—Section 1833(t)(21)(B) of the Social Security Act (42 U.S.C. 1395l(t)(21)(B)), as amended by section 201(a), is amended—

(1) by inserting after clause (v) the following new clause:

“(vi) EXCLUSION FOR CERTAIN CANCER HOSPITALS.—For purposes of paragraph (1)(B)(v) and this paragraph with respect to applicable items and services furnished during 2017 or a subsequent year, the term ‘off-campus outpatient department of a provider’ also shall not include a department of a provider (as so defined) that is not described in clause (ii) if the provider is a hospital described in section 1866(d)(1)(B)(v) and—

“(I) in the case of a department that met the requirements of section 413.65 of title 42 of the Code of Federal Regulations after November 1, 2015, and before the date of the enactment of this clause, the Secretary receives from the provider an attestation that such department met such requirements not later than 60 days after such date of enactment; or

“(II) in the case of a department that meets such requirements after such date of enactment, the Secretary receives from the provider an attestation that such department meets such requirements not later than 60 days after the date such requirements are first met with respect to such department.”;

(2) in clause (vii), by inserting after the first sentence the following: “Not later than 2 years after the date the Secretary receives an attestation under clause (vi) relating to compliance of a department of a provider with requirements referred to in such clause, the Secretary shall audit the compliance with such requirements with respect to the department.”; and

(3) in clause (viii)(III), by adding at the end the following: “For purposes of carrying out this subparagraph with respect to clause (vi) (and clause (vii) insofar as it relates to such clause), \$2,000,000 shall be available from the

Federal Supplementary Medical Insurance Trust Fund under section 1841, to remain available until expended.”.

(b) OFFSETTING SAVINGS.—Section 1833(t)(18) of the Social Security Act (42 U.S.C. 1395l(t)(18)) is amended—

(1) in subparagraph (B), by inserting “, subject to subparagraph (C),” after “shall”; and

(2) by adding at the end the following new subparagraph:

“(C) TARGET PCR ADJUSTMENT.—In applying section 419.43(i) of title 42 of the Code of Federal Regulations to implement the appropriate adjustment under this paragraph for services furnished on or after January 1, 2018, the Secretary shall use a target PCR that is 1.0 percentage points less than the target PCR that would otherwise apply. In addition to the percentage point reduction under the previous sentence, the Secretary may consider making an additional percentage point reduction to such target PCR that takes into account payment rates for applicable items and services described in paragraph (21)(C) other than for services furnished by hospitals described in section 1866(d)(1)(B)(v). In making any budget neutrality adjustments under this subsection for 2018 or a subsequent year, the Secretary shall not take into account the reduced expenditures that result from the application of this subparagraph.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as if included in the enactment of section 603 of the Bipartisan Budget Act of 2015 (Public Law 114-74).

SEC. 203. TREATMENT OF ELIGIBLE PROFESSIONALS IN AMBULATORY SURGICAL CENTERS FOR MEANINGFUL USE AND MIPS.

(a) IN GENERAL.—Section 1848(a)(7)(D) of the Social Security Act (42 U.S.C. 1395w-4(a)(7)(D)) is amended—

(1) by striking “HOSPITAL-BASED ELIGIBLE PROFESSIONALS” and all that follows through “No payment” and inserting the following: “HOSPITAL-BASED AND AMBULATORY SURGICAL CENTER-BASED ELIGIBLE PROFESSIONALS.—

“(i) HOSPITAL-BASED.—No payment”; and

(2) by adding at the end the following new clauses:

“(ii) AMBULATORY SURGICAL CENTER-BASED.—Subject to clause (iv), no payment adjustment may be made under subparagraph (A) for 2017 and 2018 in the case of an eligible professional with respect to whom substantially all of the covered professional services furnished by such professional are furnished in an ambulatory surgical center.

“(iii) DETERMINATION.—The determination of whether an eligible professional is an eligible professional described in clause (ii) may be made on the basis of—

“(I) the site of service (as defined by the Secretary); or

“(II) an attestation submitted by the eligible professional.

Determinations made under subclauses (I) and (II) shall be made without regard to any employment or billing arrangement between the eligible professional and any other supplier or provider of services.

“(iv) SUNSET.—Clause (ii) shall no longer apply as of the first year that begins more than 3 years after the date on which the Secretary determines, through notice and comment rulemaking, that certified EHR technology applicable to the ambulatory surgical center setting is available.”.

(b) CONTINUED APPLICATION OF CERTAIN PROVISIONS UNDER MIPS.—Section 1848(o)(2)(D) of the Social Security Act (42 U.S.C. 1395w-4(o)(2)(D)) is amended by adding at the end the following new sentence: “The provisions of subparagraphs (B) and (D) of

subsection (a)(7), including the application of clause (iv) of such subparagraph (D), shall apply to assessments of MIPS eligible professionals under subsection (q) with respect to the performance category described in subsection (q)(2)(A)(iv) in a manner similar to the manner in which such provisions apply with respect to payment adjustments made under subsection (a)(7)(A).”

TITLE III—OTHER MEDICARE PROVISIONS

SEC. 301. DELAY IN AUTHORITY TO TERMINATE CONTRACTS FOR MEDICARE ADVANTAGE PLANS FAILING TO ACHIEVE MINIMUM QUALITY RATINGS.

(a) FINDINGS.—Consistent with the studies provided under the IMPACT Act of 2014 (Public Law 113-185), it is the intent of Congress—

(1) to continue to study and request input on the effects of socioeconomic status and dual-eligible populations on the Medicare Advantage STARS rating system before reforming such system with the input of stakeholders; and

(2) pending the results of such studies and input, to provide for a temporary delay in authority of the Centers for Medicare & Medicaid Services (CMS) to terminate Medicare Advantage plan contracts solely on the basis of performance of plans under the STARS rating system.

(b) DELAY IN MA CONTRACT TERMINATION AUTHORITY FOR PLANS FAILING TO ACHIEVE MINIMUM QUALITY RATINGS.—Section 1857(h) of the Social Security Act (42 U.S.C. 1395w-27(h)) is amended by adding at the end the following new paragraph:

“(3) DELAY IN CONTRACT TERMINATION AUTHORITY FOR PLANS FAILING TO ACHIEVE MINIMUM QUALITY RATING.—During the period beginning on the date of the enactment of this paragraph and through the end of plan year 2018, the Secretary may not terminate a contract under this section with respect to the offering of an MA plan by a Medicare Advantage organization solely because the MA plan has failed to achieve a minimum quality rating under the 5-star rating system under section 1853(o)(4).”

SEC. 302. REQUIREMENT FOR ENROLLMENT DATA REPORTING FOR MEDICARE.

Section 1874 of the Social Security Act (42 U.S.C. 1395kk) is amended by adding at the end the following new subsection:

“(g) REQUIREMENT FOR ENROLLMENT DATA REPORTING.—

“(1) IN GENERAL.—Each year (beginning with 2016), the Secretary shall submit to the Committees on Ways and Means and Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on Medicare enrollment data (and, in the case of part A, on data on individuals receiving benefits under such part) as of a date in such year specified by the Secretary. Such data shall be presented—

“(A) by Congressional district and State; and

“(B) in a manner that provides for such data based on—

“(i) fee-for-service enrollment (as defined in paragraph (2));

“(ii) enrollment under part C (including separate for aggregate enrollment in MA-PD plans and aggregate enrollment in MA plans that are not MA-PD plans); and

“(iii) enrollment under part D.

“(2) FEE-FOR-SERVICE ENROLLMENT DEFINED.—For purpose of paragraph (1)(B)(i), the term ‘fee-for-service enrollment’ means aggregate enrollment (including receipt of benefits other than through enrollment) under—

“(A) part A only;

“(B) part B only; and

“(C) both part A and part B.”

SEC. 303. UPDATING THE WELCOME TO MEDICARE PACKAGE.

(a) IN GENERAL.—Not later than 12 months after the last day of the period for the request of information described in subsection (b), the Secretary of Health and Human Services shall, taking into consideration information collected pursuant to subsection (b), update the information included in the Welcome to Medicare package to include information, presented in a clear and simple manner, about options for receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including through the original Medicare fee-for-service program under parts A and B of such title (42 U.S.C. 1395c et seq., 42 U.S.C. 1395j et seq.), Medicare Advantage plans under part C of such title (42 U.S.C. 1395w-21 et seq.), and prescription drug plans under part D of such title (42 U.S.C. 1395w-101 et seq.). The Secretary shall make subsequent updates to the information included in the Welcome to Medicare package as appropriate.

(b) REQUEST FOR INFORMATION.—Not later than six months after the date of the enactment of this Act, the Secretary of Health and Human Services shall request information, including recommendations, from stakeholders (including patient advocates, issuers, and employers) on information included in the Welcome to Medicare package, including pertinent data and information regarding enrollment and coverage for Medicare eligible individuals.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. TIBERI) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. TIBERI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5273.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in support of H.R. 5273, the Helping Hospitals Improve Patient Care Act, or “HIP-C” Act. This bill truly represents a bipartisan effort, and I want to thank the distinguished gentleman from Washington State (Mr. McDERMOTT) for working with me on this bill. The bill also fully represents what the Speaker has often called true regular order.

Prior to introducing H.R. 5273, the Ways and Means Committee held three hearings on topics included in the bill during the 114th Congress, and the committee recently marked up the bill in a unanimous way.

H.R. 5273 strikes the right balance of preserving site-neutral payment policy, which I support, and providing essential relief for hospitals that were caught up in this policy change from last year’s budget deal. Specifically,

this bill helps many hospitals around the country and in my State of Ohio, including a facility by OhioHealth and Nationwide Children’s Hospital that was started a year ago, last summer, and will benefit from full outpatient payments under the bill, as they had planned to when they dug the hole for their facility.

Further, the James Cancer Hospital, part of my alma mater at Ohio State University, will have their cancer designation protected under the bill, along with other designated cancer centers.

The bill also touches on three very important themes in the Medicare program: One, giving providers regulatory relief; two, ensuring access in rural areas; and three, protecting Medicare beneficiaries’ access to that important service that people like my mom and dad count on.

Under the topic of regulatory relief, we have included three Ways and Means member priorities:

Representative DIANE BLACK’s bill that provides physicians who primarily practice medicine in ambulatory surgical centers relief in the electronic health records program; Representative VERN BUCHANAN’s bill, ensuring full access to Medicare advantage plans; and finally, Representative MIKE KELLY’s bill requiring fair and transparent reporting by congressional district on the enrollment of beneficiaries in both the traditional fee-for-service Medicare and Medicare Advantage programs. All of these priorities have previously passed the House during the 114th Session.

Under the topic of access in rural areas, the bill allows for continuation and expansion of participation in the Rural Community Hospital Demonstration Program. Championed by my colleagues, Senator GRASSLEY in the Senate and Chairman DON YOUNG in the House, this policy is a continuation from the Medicare Modernization Act of 2003.

Under the topic of beneficiary access in Medicare, the bill requires the Secretary to revise the pre-Medicare eligibility notification, adding greater transparency for beneficiaries, which was led by my colleagues, Dr. McDERMOTT and Representative PAT MEEHAN.

Finally, the bill includes two important Member priorities that advance important Medicare hospital issues. The first requires the Secretary to ensure there is proper adjustment for socioeconomic factors. The gentleman from Ohio (Mr. RENACCI) has championed this issue for some time. Representative JIM RENACCI’s policy ensures that the hospital readmissions program provides an apples-to-apples comparison based on the specific patient population a hospital treats.

The second priority, led by our Speaker, PAUL RYAN, is the establishment of a crosswalk of hospital codes.

Back when Speaker RYAN was the chairman of the Ways and Means Committee, he actively pursued Medicare hospital issues. His crosswalk is an important building block of a future system that promises to streamline the operation of hospital services.

I encourage my colleagues to pass this legislation, send it to the Senate, and let's get this to the President's desk.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of the Helping Hospitals Improve Patient Care Act. This bill makes important changes that will help hospitals continue to provide high-quality care to patients as they implement the recent payment reforms. This is bipartisan legislation unique in itself that I am happy to have introduced with the gentleman from Ohio (Mr. TIBERI).

I thank the chairman for his willingness to collaborate on this bill. I also thank the staff of the Ways and Means Committee for their hard work in helping us come to an agreement on language that Members of both parties can fully support. This final bill isn't perfect, but it is truly a bipartisan product that reflects the spirit of compromise.

Whenever we head back to our districts, we all hear from our hospitals about the effects that our policies are having back home. Although we made a smart change to hospital payments when we passed the Bipartisan Budget Act last year, we are beginning to recognize the unintended consequences of the legislation. We did not really expect everything that is happening.

Many hospitals that were in the process of constructing outpatient departments will be hit with unexpected payment cuts due to the BBA. In addition, many cancer hospitals would be harmed by the new payment rules. This bill fixes these problems in a narrowly tailored way that doesn't undermine the goals of the BBA.

Moving forward, hospitals will no longer be encouraged to consolidate by buying up physician practices for the purpose of billing Medicare at an inflated rate. This is a good policy that is consistent with the recommendations of a GAO report that was released last year. But facilities that were under development when we passed the BBA, as well as cancer hospitals, will be protected from these changes. This isn't a giveaway to hospitals. The industry will pay the full cost.

In addition, this bill makes refinements to the readmissions reduction program. To ensure that hospitals that serve a large number of low-income patients are not unfairly penalized, the bill will require CMS to make apples-to-apples comparisons between similar

facilities. As we await additional data that will soon be available thanks to the IMPACT Act, this will ensure that the hospitals are not hit with undeserved penalties due to a flawed methodology.

Finally, I am happy that we are also able to come to an agreement on a bipartisan improvement to the beneficiary enrollment process. Each year, thousands of people enroll in Medicare; and thanks to this bill, seniors will have more information about their benefit options when they become eligible for Medicare. Providing complete and easy-to-understand information is critical. The decisions that beneficiaries make when they enroll in Medicare have serious, long-term implications, including a potential lifetime penalty if they fail to sign up for part B. This bill will also help beneficiaries make informed decisions by improving the Welcome to Medicare package.

I, again, thank my colleagues on both sides of the aisle for working together on this bill. I am pleased we were able to craft a bipartisan compromise, and I look forward to continuing to work together on these and other important issues in the weeks ahead.

I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, first I want to thank Chairman TIBERI for his kind work. We will miss the gentleman from Washington (Mr. McDERMOTT), and I thank him for this bipartisan effort because this is a good bill and I strongly support it.

This measure includes many important provisions as you have spoken about. But especially important to Alaska is section 103 language from legislation, H.R. 672, a 5-year extension of the Rural Community Hospital Demonstration Program. This demonstration program has worked well and has come to the aid of seniors in Alaska and healthcare providers across rural America.

Congress created the program to provide increased Medicare reimbursements for hospitals across the Nation that are too large to be considered Critical Access Hospitals, but too small to be supported by traditional low Medicare margins on inpatient services.

□ 1615

This program has helped three hospitals in Alaska: Central Peninsula of Soldotna, the Bartlett Regional Hospital in Juneau, and Mt. Edgecumbe in Sitka. These hospitals serve a wide variety of patients all across those vast areas.

I do believe this is one of the better bipartisan efforts. Go back to the old days when we accomplished things to-

gether by talking with one another. It is vital we pass this bipartisan legislation and that the Senate act on it. I would suggest, respectfully, to both my chairman and ranking member, let's talk to the Senate and see if we can't get something done. Four hundred bills over there is wrong. This is one that shouldn't be hung up.

I urge all my colleagues to support the passage of this legislation.

Mr. McDERMOTT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I want to commend and congratulate Chairman TIBERI and Ranking Member McDERMOTT for having put together an outstanding piece of legislation. While we applaud it for being bipartisan, I applaud it because it is good. It actually helps to meet needs that exist. It protects hospitals and gives them the opportunity to provide a better level of patient care.

I attended, just last week, the opening of an outpatient center that St. Bernard Hospital in the Englewood community of Chicago had put together. Of course, everybody in the community was there because everybody recognized that inner-city hospitals, disproportionate share hospitals, and medical centers that are complex need all of the protection that they can get, and we need to have a better understanding of readmission policies and practices and why some are different than others.

These gentlemen have put together a piece of legislation that all of us can be proud of. I strongly support it and thank them for their diligence, for their cooperation, and for their tremendous efforts to do a good bill.

Mr. TIBERI. Mr. Speaker, I yield 3 minutes to the gentleman from northeastern Ohio (Mr. RENACCI), a good friend, an important member of the Committee on Ways and Means, and a leader on the readmission policy dealing with hospitalization.

Mr. RENACCI. Mr. Speaker, I rise in support of H.R. 5273, the Helping Hospitals Improve Patient Care Act of 2016. I want to thank Chairman BRADY and my good friend and colleague, Subcommittee Chairman TIBERI, for all their great work to advance this bill, which addresses many concerns in payments to hospitals, and especially outpatient departments.

I heard from many of the hospitals in northeast Ohio, including MetroHealth, about the impact this payment policy had on their new facility. I am happy we are able to correct these issues for those facilities already under construction.

I also want to thank my colleague from Ohio for including my bill, H.R. 1343—the Establishing Beneficiary Equity in Hospital Readmission Program—in the underlying legislation. The Hospital Readmission Program

was created due to concerns that too few resources were being spent on reducing acute care hospital readmissions.

While we do want to make sure hospitals are reducing acute care readmissions, we also want to make sure we are not disproportionately penalizing those who see a large number of our most vulnerable patient populations, especially those teaching hospitals who see a large number of dual-eligible beneficiaries, low-income seniors, or young people with disabilities who are eligible for both Medicare and Medicaid who would have been unintentionally hurt under the current program.

Again, I want to thank the chairman for working with me on this readmission component of this bill, but also all of the other important provisions included in this legislation. These are commonsense, bipartisan reforms to improve our healthcare system.

I urge all Members to support the Helping Hospitals Improve Patient Care Act of 2016.

Mr. McDERMOTT. Mr. Speaker, I reserve the balance of my time.

Mr. TIBERI. Mr. Speaker, I yield myself such time as I may consume to tell you a little bit about some of the hospital networks in my State of Ohio. Mr. RENACCI talked about some in northeastern Ohio that support this legislation. Let me just name a few hospitals in my State of Ohio that are supportive of this legislation: Aultman, headquartered in his district in Canton; the Cleveland Clinic, Kettering Health Network in the Dayton area; Mercy Canton Sisters of Charity; MetroHealth System in Cleveland; OhioHealth, headquartered in Columbus; Ohio State University Wexner Medical Center in Columbus; the University of Cincinnati Health System in Cincinnati; and University Hospitals, headquartered in Cleveland. As was mentioned, this legislation passed the Committee on Ways and Means in a bipartisan manner.

Mr. Speaker, I reserve the balance of my time.

Mr. McDERMOTT. Mr. Speaker, occasionally we have an extra minute on the floor, and it makes sense to acknowledge some people that we trust and rely upon and we don't ever mention, so I would like to just say thank you to the Democratic staff: Sarah Levin, Melanie Egorin, Daniel Foster, JC Cannon, and Daniel Jackson; on the Republican side: Emily Murry, Lisa Grabert, Nick Uehlecke, Taylor Trott; to the staff at the CMS who helped put this bill together: Ira Burney, Anne Scott, Lisa Yen. And to the staff at legislative counsel: Ed Grossman—Ed has been there for as long as I have been here, so any bill that gets out of here without Ed looking at it is a pretty rare bill—and Jessica Shapiro is his assistant.

The Congressional Budget Office gets in on these deals as well: Tom Bradley,

Lori Housman, Kevin McNellis, and Jamease Kowalczyk. I am from Chicago. I should be able to pronounce a Polish name. We appreciate their hard work.

Mr. Speaker, I yield back the balance of my time.

Mr. TIBERI. Mr. Speaker, let me just close by saying thank you to Dr. McDERMOTT. It has been enjoyable to work with his team, led by Amy, and we appreciate the bipartisanship. You mentioned all those names—stole my thunder—Emily and her team, and my staff, Whitney Koch Daffner and Abigail Finn, too, for yeoman's work.

Mr. Speaker, I urge a unanimous vote.

I yield back the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I rise today in support of H.R. 5273, the Helping Hospitals Improve Patient Care Act of 2016.

First, I'd like to thank Chairman TIBERI and Ranking Member McDERMOTT for their leadership on this important legislation.

At the Ways and Means Committee, we are working to deliver health care solutions that will expand access, increase choices, and improve the quality of care for the American people.

The Helping Hospitals Improve Patient Care Act helps advance all three of those goals. And the bill does so in a fiscally responsible manner that helps strengthen and preserve Medicare for the long-term.

At its core, our bipartisan legislation is about supporting the delivery of high-quality, affordable care to families and seniors throughout the country. It will especially help people who live in low-income and rural communities.

Our bill includes straightforward solutions to help hospitals and health care providers transition to—and preserve—the new site-neutral payment policies. This will give providers the certainty they need to best serve their patients, now and into the future.

This bill is an excellent illustration of what we can accomplish through regular order. It's the product of many innovative solutions, proposed by many members on both sides of the aisle.

The solutions in this bill will make a real difference when it comes to the delivery of high-quality care for the people of our districts.

In fact, the University of Texas' MD Anderson Cancer Center located in Houston has already embraced this bill. MD Anderson officials said, "This ensures our ability to continue providing the highest quality and level of cancer care to patients in the communities we serve."

And MD Anderson is just one of many hospitals and cancer treatment centers throughout the country that we help with H.R. 5273.

This bill is particularly personal for me because it builds from the hospital discussion draft I released as Health Subcommittee Chairman back in November 2014.

In the Helping Hospitals Improve Patient Care Act, we push forward two critical building blocks of that discussion draft.

First, Speaker RYAN's crosswalk bill that better coordinates care between inpatient and outpatient settings.

Second, Congressman JIM RENACCI's readmission policy, which helps hospitals in low-income communities serve their patients.

There are still many policies from our hospital discussion draft that are worthy of debate. We'll continue to work with Members and stakeholders to pursue additional reforms that make our health care system work better for patients and providers in our communities.

I'm grateful to all the members—on and off our committee—who worked hard to craft and advance the Helping Hospitals Improve Patient Care Act.

Mr. McDERMOTT. Mr. Speaker, I would like to acknowledge the staff who helped make the Helping Hospitals Improve Patient Care Act possible.

First, I would like to thank the Democratic staff: Amy Hall, Sarah Levin, Melanie Egorin, Daniel Foster, JC Cannon, and Daniel Jackson. And on the Republican side: Emily Murry, Lisa Grabert, Nick Uehlecke, and Taylor Trott.

I would also like to thank the staff at CMS: Ira Burney, Anne Scott, and Lisa Yen.

And the staff at the House Office of Legislative Counsel: Ed Grossman—Ed has been there for as long as I have been here, so any bill that gets out of here without Ed looking at it is a pretty rare bill—and Jessica Shapiro, who was instrumental in drafting this legislation and for years has taken a leading role in drafting countless other Medicare bills in the House.

Finally, I would like to thank the staff of the Congressional Budget Office who worked on this bill: Tom Bradley, Lori Housman, Kevin McNellis, and Jamease Kowalczyk.

We appreciate their hard work.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. TIBERI) that the House suspend the rules and pass the bill, H.R. 5273, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUPPORTING GOAL OF ENSURING ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 129) expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 129

Whereas the annihilation of 6,000,000 Jews during the Holocaust and the murder of millions of others by the Nazi German state

constitutes one of the most tragic and heinous crimes in human history;

Whereas hundreds of thousands of Jews survived persecution by the Nazi regime despite being imprisoned, subjected to slave labor, moved into ghettos, forced to live in hiding or under false identity, forced to live under curfew, or required to wear the “yellow star”;

Whereas in fear of the oncoming Nazi Einsatzgruppen (“Nazi Killing Squads”) and the likelihood of extermination, hundreds of thousands of Jewish Nazi victims fled for their lives;

Whereas whatever type of persecution suffered by Jews during the Holocaust, the common thread that binds these Holocaust victims is that they were targeted for extermination and that they lived with a constant fear for their lives and the lives of their loved ones;

Whereas Holocaust victims immigrated to the United States from Europe, the Middle East and North Africa, and the former Soviet Union from 1933 to today;

Whereas it is estimated that there are at least 100,000 Holocaust victims living in the United States and approximately 500,000 living around the world today, including child survivors;

Whereas tens of thousands of Holocaust victims are in their 80s or 90s or are more than 100 years in age, and the number of Holocaust victims is diminishing;

Whereas at least 50 percent of Holocaust victims alive today will pass away within the next decade, and those alive are becoming frailer and have increasing health and welfare needs;

Whereas Holocaust victims throughout the world continue to suffer from permanent physical and psychological injuries and disabilities and live with the emotional scars of this systematic genocide against the Jewish people;

Whereas many of the emotional and psychological scars of Holocaust victims are exacerbated in their old age, the past haunts and overwhelms many aspects of their lives when their health fails them;

Whereas Holocaust victims suffer particular trauma when their emotional and physical circumstances force them to leave the security of their own home and enter institutional or other group living residential facilities;

Whereas tens of thousands of Holocaust victims live in poverty, cannot afford and do not receive sufficient medical care, home care, mental health care, medicine, food, transportation, and other vital life-sustaining services that allow them to live their final years with comfort and dignity;

Whereas Holocaust victims often lack family support networks and require social worker-supported case management in order to manage their daily lives and access government funded services;

Whereas in response to a letter sent by Members of Congress to Germany’s Minister of Finance in December 2015 regarding increased funding for Holocaust victims, German officials acknowledged that “recent experience has shown that the care financed by the German Government to date is insufficient” and that “it is imperative to expand these assistance measures quickly given the advanced age of many of the affected persons”;

Whereas German Chancellor Konrad Adenauer acknowledged in 1951 Germany’s responsibility to provide moral and financial compensation to Holocaust victims worldwide;

Whereas every successive German Chancellor has reaffirmed this position, including Chancellor Angela Merkel, who in 2007 reaffirmed that “only by fully accepting its enduring responsibility for this most appalling period and for the cruelest crimes in its history, can Germany shape the future”;

Whereas in 2015 Chancellor Merkel’s spokesperson again confirmed “all Germans know the history of the murderous race mania of the Nazis that led to the break with civilization that was the Holocaust . . . we know that responsibility for this crime against humanity is German and very much our own”; and

Whereas Congress believes it is Germany’s moral and historical responsibility to comprehensively, permanently, and urgently provide the resources for all Holocaust victims’ medical, mental health, and long-term care needs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) acknowledges the financial and moral commitment of the Federal Republic of Germany over the past seven decades to provide a measure of justice for Holocaust victims;

(2) supports the goal of ensuring that all Holocaust victims in the United States and around the world are able to live with dignity, comfort, and security in their remaining years;

(3) applauds the nonprofit organizations and agencies that work tirelessly to honor and assist Holocaust victims in their communities;

(4) acknowledges the ongoing process of negotiations between the Federal Republic of Germany and the Conference on Jewish Material Claims Against Germany (Claims Conference) in order to secure funding for Holocaust victims and for vital social services provided through nonprofit organizations and agencies around the world;

(5) acknowledges that the Federal Republic of Germany and the Claims Conference have established a new high-level working group that will develop proposals for extensive assistance for home care and other social welfare needs of Holocaust victims;

(6) urges the working group to recognize the imperative of immediately and fully funding victims’ medical, mental health, and long-term care needs and to do so with full transparency and accountability to ensure all funds for Holocaust victims from the Federal Republic of Germany are administered efficiently, fairly, and without delay; and

(7) urges the Federal Republic of Germany to continue to reaffirm its commitment and fulfill its moral responsibility to Holocaust victims by ensuring that every Holocaust victim receives all of the prescribed medical care, home care, mental health care, and other vital services necessary to live in dignity and by providing, without delay, additional financial resources to address the unique needs of Holocaust victims.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I would like to thank my good friend and south Florida colleague, Mr. TED DEUTCH, for his work on this resolution and for co-introducing it together. It is an important resolution, Mr. Speaker. I also want to thank our chairman, Chairman ROYCE, and the ranking member, Mr. ENGEL, for always working in a bipartisan manner, for recognizing the importance of this resolution, and for moving this bill out of our Committee on Foreign Affairs in an expeditious manner.

This resolution, simply put, Mr. Speaker, urges Germany to honor its moral and historical obligations to Holocaust survivors and to provide for their unmet needs immediately and comprehensively. I know that for Mr. DEUTCH and for me, this is an issue that deeply impacts many of our constituents in south Florida.

There are just over 500,000 Holocaust survivors worldwide. About a quarter of that number live right here in the United States, with over 15,000 living in our south Florida communities, Mr. Speaker. I have had the honor and privilege to work closely with survivors from south Florida, many of whom I have come to call dear friends: my friends David Mermelstein, David Schacter, Herbie Karliner, Joe Sachs, and Alex Gross; and Jack Rubin, who has testified before Congress on issues related to Holocaust survivors, including a hearing that I chaired alongside Mr. DEUTCH in the year 2014.

There are also many more to thank, those who have made justice for Holocaust survivors their life’s work, individuals like Sam Dubbin, Mark Talisman, and the list goes on and on, Mr. Speaker.

It has been my close relationship with these individuals that has really helped me to understand the realities that survivors have endured during humanity’s darkest period and, unfortunately, the sad reality that they face today—today—Mr. Speaker, especially when it comes to their home healthcare needs, to their mental health needs, to their medical care needs.

Do you know, Mr. Speaker, that nearly half of all survivors worldwide live at or below the poverty level? After going through what is almost indescribable horror, these survivors are living at or below the poverty level. Many survivors are unable to maintain even a modest and dignified standard of living; they lack funds for home care; they don’t have the money for medicine; they don’t have the funds for food; they can’t pay the utilities; and

they can't pay their rent. As Jack Rubin said before our subcommittee in the year 2014: the existing system has fallen tragically short of what survivors need and deserve.

The current funding and care delivery systems are difficult for survivors to access, and they are severely underfunded. That is why it is so important that we pass this resolution and urge our friends in Germany, our good partners in Germany, to honor the obligations and the commitments that they have made to provide for the needs of Holocaust survivors.

German Governments have provided some support through income assistance programs and have doubled funding for home care services in the past 5 years, so they are trying. They want to do better. In fact, even by Germany's own admission, the care financed by the German Government to date has been insufficient for those in need of intensive long-term care.

Mr. Speaker, because of the horrors that these survivors have endured and the emotional and physical scars they continue to carry with them, their medical, mental, and home care needs are far more complex, far more extensive than those of other elderly individuals.

□ 1630

These survivors have endured the torture; they have endured the labor camps, experiments, the loss of loved ones, and even the loss of entire families. We owe these survivors the opportunity to live out the remainder of their days in the dignity and comfort they deserve.

Germany owes it to the survivors to alleviate and end the continuing injuries inflicted by the Nazi regime by finding a way to provide for all of their medical, mental health, and home care needs, directly and without delay.

I urge my colleagues to join Mr. DEUTCH and to join me in urging Germany to do the right thing, because time is of the essence.

Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this resolution. And I thank Chairman ROYCE and Ranking Member ENGEL for moving so quickly to pass this resolution through committee and bring it to the floor, because time is, sadly, very much of the essence.

Today we will vote on H. Con. Res. 129, which calls upon Germany to fully fund the needs of aging Holocaust survivors. I want to thank my friend, Chairman Emeritus ROS-LEHTINEN, for her steadfast leadership and for her longstanding commitment to championing the needs of Holocaust survivors.

More than anything else, I want to thank the survivors in south Florida

and throughout the Nation. You are my constituents, my friends, and my heroes. This includes Jack Rubin, whose tireless advocacy through trips to Washington to educate and testify in Congress shaped this very effort; and Norman Frajman, whose dedication to educating students in our own community helped ensure that they will never forget.

My friend, Congresswoman ROS-LEHTINEN, mentioned so many of the people that she is so close to. I want to thank her for giving me the opportunity and the blessing of getting to know and spend time with David Schaefer, David Mermelstein, and others.

It breaks my heart that today in the United States there are tens of thousands of survivors who live in poverty and cannot afford, and thus do not receive, sufficient medical care, home care, and other vital life-sustaining services.

Today we have an opportunity to send a clear message that these survivors, who made it through the darkest time in history, deserve to live out their lives with the dignity that they are so worthy of and have long been promised.

Some of my colleagues might wonder: Why is this resolution needed?

It is simple: Holocaust survivors are not receiving the care that they need.

For decades, the German Government has remained committed to funding survivor needs. This is something I know Chancellor Merkel cares a great deal about, as she has reaffirmed that commitment. But the survivor population is aging into their eighties, their nineties, and hundreds. Their needs are greater.

Unfortunately, despite the payments of the German Government over decades, significant gaps in survivor care remain. And German officials have acknowledged that shortfall. Right now there are special negotiations going on with the German Government. In the coming days, decisions will be made in Berlin that will determine whether or not survivors will receive the funding and the care that they so desperately need.

But I am worried. I am worried that time is running out. I am worried that this is our last chance to ensure that, once and for all, survivors have what they need. Every survivor deserves to receive the care needed to live in comfort.

So many survivors are struggling. And, again, while we appreciate the decades-long commitment of the German Government, I am not certain that our ally, Germany, understands the scope of the true need—the needs that Chairman ROS-LEHTINEN and I see in our communities in south Florida every day. That is why passing this resolution here will send a message that is unmistakable; and that is that Congress is fully united.

We stand at a decisive moment in the lives of our aging survivor population. Each month it seems that there is another funeral in my community and another survivor passes. So it is with a heavy heart that we must acknowledge that these current negotiations are likely the last opportunity for Germany to comprehensively address the unique health and welfare needs of survivors before it is too late.

Mr. Speaker, the resolution before us today urges our German partners to fulfill the moral and financial commitment to the victims of the Holocaust. The shortfall is the most dramatic when it comes to home care. For survivors, the need to stay in their homes as they age is critical. The thought of institutionalized care or being removed from their home is a devastatingly painful reminder of the past. As they age, they rely more on home care services.

Under the current system, home care is capped so that even the most infirmed, isolated, and poor Nazi victims can only receive a maximum of 25 hours of home care per week. That is 5 hours a day for 5 days a week. There is no funding for additional hours.

In committee I spoke about my 91-year-old constituent who survived Bergen-Belsen. He fell and suffered a fracture. He requires assistance with all of the activities of daily living. He now needs round-the-clock care, but the current funding system does not provide it.

Many of those who survived also lack family support to help with transportation to doctors' appointments or help preparing meals. They deserve to have these most basic needs met. They deserve to be able to access care for all of their mental and medical health needs. And they deserve our support.

Today I urge my colleagues to join me in supporting the passage of this resolution and for Germany to seize upon this opportunity to alleviate the suffering of survivors. While no amount of money can ever erase the horrors faced by Nazi victims, there is a moral responsibility to ensure that they can receive all of the vital services and medical care necessary to live out the remainder of their days with dignity.

No more limitations on home care hours. Complete the negotiations. And fund the needs now, once and for all.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I reserve the balance of my time.

Mr. DEUTCH. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY), my friend.

Mr. CONNOLLY. Mr. Speaker, I thank my friend, TED DEUTCH, for his leadership, and also my good friend, ILEANA ROS-LEHTINEN, the Florida twins who have so steadfastly brought this matter of conscience and history to the floor of the House of Representatives.

It was said about the Holocaust that “we should never forget” and “never again.” What a legacy it would be that those who survived the darkest chapter of human history should live out the remainder of their years in want—in want of basic medical care, in want of home health care and caregiving so that they can have dignity in their twilight years.

How can we ignore that plight? How can we say to that generation, You should go without?

They are living reminders of the dark side of human nature and of how history can go so terribly wrong. Honoring them with this resolution and engaging our partner, our ally, Germany, in this one last endeavor is a noble cause.

I am pleased to support H. Con. Res. 129, and I applaud the leadership of my colleagues from Florida in reminding this House of the duty still in front of us.

Mr. DEUTCH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are talking about the frailest people in our community who have endured the worst, most unimaginable horrors. They are people whose entire families were destroyed.

Mr. Speaker, Hitler tried to destroy them. He succeeded in killing millions, but his goal was genocide. His goal was to wipe the Jewish people from the face of the Earth.

We can't imagine the magnitude of that evil, but we have just a few years left with those who managed to survive, to escape death—sometimes multiple times—to endure concentration camps when everyone around them was sent to the gas chambers, and to flee death squads that roamed the European countryside killing—and mass killings—again and again and again.

For them to live through all of that, to survive all of that, should we tell them that we are sorry, we must cap the amount of care you can receive in your home? Or that the social service agencies and their employees and their volunteers who know what their clients need should tell them to need less?

Mr. Speaker, let's pass this resolution and tell every person sitting at the negotiating table in Berlin that we will not accept half measures. The German Government has reiterated its moral obligation to act. This resolution calls for action. The time to act is now. Survivors of the Holocaust deserve dignity.

I would like to again thank my dear friend and fierce advocate for survivors, Congresswoman ILEANA ROS-LEHTINEN. We have stood together on their behalf for years. She is remarkably committed to justice.

Mr. Speaker, in closing, there are Holocaust survivors who are watching us now. When we pass this resolution, many will cry. They told me that. I

cannot and I will not go back to south Florida on Friday and look into the eyes of these sweet people whom we are so fortunate to know, so privileged to have in our community, and tell them that Congress passed a resolution to make them feel better. They don't need symbolism.

What I will tell them is that the United States House of Representatives overwhelmingly spoke on their behalf—a group that 80 years ago had no one speaking for them. And we expect the German Government to hear what we are saying.

Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Mr. DEUTCH and Mr. CONNOLLY. What a joy it has been for me to have worked with them, especially with my twin. The poor guy. That was a low blow by Mr. CONNOLLY. Mr. DEUTCH might not forgive him for that. But what heartfelt words from Mr. DEUTCH. I thank him for that.

We are indeed fortunate, Mr. Speaker, that we have so many constituents in our districts for whom this issue is so important. We are blessed that we have so many Holocaust survivors in our districts. But, sadly, as Mr. DEUTCH, Mr. CONNOLLY, and I have pointed out, time is of the essence. These survivors are passing away without the urgent care that they have been promised and without the comforts that they need.

So I want to close by saying, Mr. Speaker, just how important this measure is. Mr. DEUTCH talked about how our constituents are watching in south Florida. And it is so true. How important it is that we send a clear message to the German Government that time is of the essence.

For over 70 years, Holocaust survivors have had to live with the painful memories and the toll that their experiences have had on their minds and their bodies.

□ 1645

Successive German Governments have acknowledged Germany's responsibility for the Nazi regime's atrocities. Most recently, Chancellor Merkel's office stated: “We know the responsibility for this crime against humanity is German and very much our own.”

I agree with Chancellor Merkel's office. We don't have time for negotiations, Mr. Speaker. How long will those negotiations take while, every day, yet another Holocaust survivor passes away.

We don't need Germany to engage with the bureaucratic nightmare that is the Claims Conference. This was a process that was set up to deal with these issues, but it has not worked out that way. Why add another layer to the

process when Germany can and should provide this assistance directly?

The proof that this Claims Conference process has been nothing short of an abject failure is that nearly half of the survivors today, Mr. Speaker, are living at or below the poverty level. Under this current system, many have died well before their time as a result of this current broken system, to say nothing about the fraud, the corruption, and the embezzlement that has been documented.

Mr. Speaker, the Claims Conference has failed to live up to its mandate to advocate and work on behalf of survivors. The Claims Conference provides artificial caps on survivors' needs. When those caps are reached, good luck.

Just recently, a survivor from our own area right here in D.C. was told by a local service agency that the Claims Conference would no longer fund her Lifeline button. This woman lives alone, Mr. Speaker. She needs this service, but she was cut off.

The Conference stops assistance for many, and many others receive no assistance at all, while their pleas fall on deaf ears.

With the Claims Conference, there is no transparency, little accountability, and a shocking disregard for the actual survivors, themselves; but I believe Chancellor Merkel's heartfelt expression of concern about Germany's responsibility to survivors and her leadership on moral issues, and this will finally resolve this longstanding tragedy for survivors.

That is why our resolution, Mr. Speaker, to fund, directly, survivors' needs is so important. We have seen what happens when the Claims Conference gets involved. Survivors are just not afforded the assistance they desperately need.

So I urge my colleagues to join Mr. DEUTCH and me in urging Germany to fund, directly and comprehensively, all of the needs of survivors like it has pledged. There is no time to waste.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I want to thank Chairman ROS-LEHTINEN and Ranking Member DEUTCH for their work on this resolution, and their continued work on Holocaust issues.

The horrors wrought by the Nazi regime did not end when prisoners finally walked out from behind the barbed wire fences in 1945. Today, the after-effects of Hitler's death camps still haunt the lives of those who survived.

Tens of thousands of Holocaust survivors throughout the world live in poverty, forced to choose between feeding themselves and purchasing necessary medication.

The problem is staggering. Five hundred thousand survivors remain—most of them in their 80s. Today, more than one in four lack sufficient access to the care they need to live their final years in comfort and in dignity.

For decades, Germany has instituted and funded a number of aid programs in recognition of its obligation to these survivors. However, Germany's own evaluations made clear that more needs to be done.

We urge the German government to immediately and fully fund programming for victims' medical, mental health, and long-term care needs.

Time is of the essence. Every day that decisions are stalled, we lose another survivor, another story, another chance to show our respect for these individuals who have already endured what no one should.

Today's resolution recognizes the moral imperative for us—all of us—to work to ensure a life of dignity, security, and comfort for Holocaust survivors.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of H. Con. Res. 129, urging the Federal Republic of Germany to further fulfill its commitment to support the welfare of Holocaust survivors by ensuring that they receive the medical, mental health, and long-term care they require.

In 1952, the West German government concluded an agreement with representatives from major Jewish national and international organizations and the State of Israel to provide indemnification and restitution directly to survivors of the Holocaust. This agreement reflected an overdue but basic recognition at the time by many, including then-German Chancellor Konrad Adenauer who saw such restitution as, quote, "easing the way to the spiritual settlement of infinite suffering."

Mr. Speaker, that infinite suffering inflicted by the genocidal Nazi regime continues to this day. It is a daily reality for the aging survivors of that infamous crime who live with the mental and sometimes physical consequences of being tortured and abused.

There are over 500,000 Holocaust survivors living around the world today, and over 100,000 live here in the United States—witnesses to both the stunning evil and miraculous resilience of which humanity is capable. Their quiet presence in our midst is a treasure seldom sufficiently cherished. Today, as they age, they are increasingly in need of support and assistance that will allow them to live their remaining days with access to quality care and the peace that comes with it.

Mr. Speaker, I support H. Con. Res. 129 because I think it is right that the Federal Republic of Germany deliver direct support to Holocaust survivors to guarantee that they live the rest of their lives with the dignity, comfort, and security that was deprived them decades ago.

The resolution calls on the German government to make every effort—whether through direct assistance or negotiated arrangements—to support the medical, mental health, and long-term care needs of Holocaust victims. This support would be fully consistent with the German government's longstanding commitment to Holocaust survivors and it cannot wait.

It is important, Mr. Speaker, to also note the important steps already taken by the Federal Republic of Germany and the tremendous efforts and achievements it has made in making amends for the genocide committed under the Nazi dictatorship. H. Con. Res. 129 urges Germany to continue on this path and as such deserves our support in the House.

Finally, I would like to thank my friend and colleague Rep. ILEANA ROS-LEHTINEN, for introducing this laudable resolution.

Ms. FRANKEL of Florida. Mr. Speaker, I rise today in support of this resolution, which urges the German government to ensure that Holocaust victims live with dignity, comfort, and security in their remaining years. Today there are approximately 500,000 Holocaust survivors living around the world. Within the next decade, it is estimated at least 50 percent of them will pass away. The 300 welfare agencies serving Holocaust victims worldwide desperately need support to help the most isolated, disabled, and vulnerable survivors receive critical services.

A Holocaust survivor in South Florida, who is 95 and a widower, sadly illustrates this need. He survived a Hungarian forced labor battalion and two concentration camps, Mauthausen and Günskirchen. He now requires assistance with everyday activities including bathing, dressing, and meal preparation. He receives a total of 32 hours a week of home care funded by the Claims Conference and the U.S. Government. He has unmet needs of 50 hours per week and would greatly benefit from increased funding from the German Government.

I urge support for this critical resolution to allow Holocaust survivors to live their remaining years with dignity.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 129, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CLARIFYING ELIGIBILITY OF LAND MANAGEMENT AGENCY TIME-LIMITED EMPLOYEES FOR PERMANENT APPOINTMENTS

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4906) to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED APPOINTMENT TO COMPETE FOR A PERMANENT APPOINTMENT AT ANY FEDERAL AGENCY.

Section 9602 of title 5, United States Code, is amended—

(1) in subsection (a) by striking "any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency" and inserting "such land management agency when such agency is accepting applications from individuals within the agency's workforce under merit promotion procedures, or any agency, including a land management agency, when the agency is accepting applications from individuals outside its own workforce under the merit promotion procedures of the applicable agency"; and

(2) in subsection (d) by inserting "of the agency from which the former employee was most recently separated" after "deemed a time-limited employee".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Land Management Workforce Flexibility Act enacted last year removed a barrier to the career advancement opportunities of long-serving temporary and seasonal employees of land management agencies across the Federal Government.

I want to thank my friend from Virginia (Mr. CONNOLLY) for his companion work in the Committee on Oversight and Government Reform. I am proud to not only support it, but I authored a similar measure in the national defense authorization.

The bill we are considering today makes a technical correction that is necessary due to recent guidance of the Office of Personnel Management, or OPM. H.R. 4906 clarifies that Congress intended to remove restrictions on temporary seasonal employees that would otherwise hinder their ability to compete for merit promotion vacancies open to other Federal employees.

Seasonal work of land management agencies is accomplished by a mix of both permanent and temporary employees. Before the Land Management Workforce Flexibility Act, regardless of how many seasons served, temporary employees could not compete for permanent jobs under the merit promotion procedures available to other Federal employees. Under the bill enacted last year, long-serving temporary employees were given this opportunity, and their employing agencies are provided with better applicant pools as a result.

For instance, experienced seasonal wildland firefighters are well qualified for permanent leadership roles within agencies that work to combat wildfires. Mr. Speaker, the Land Management Workforce Flexibility Act recognized their service as employees and afforded them opportunities for promotion.

However, recent guidance from the Office of Personnel Management severely limits temporary employees' ability to compete for permanent jobs. OPM's guidance declares temporary employees eligible to compete for permanent jobs only in situations where the hiring agency plans to prepare a list of candidates under merit promotion procedures and accepts applications only from individuals inside its own workforce.

This bill today makes a technical correction to clarify the temporary seasonal employees of land management agencies are eligible for the same opportunities for consideration under merit promotion procedures that apply to other Federal employees.

The bill also makes clear that eligible former employees are deemed to be employees of the agency from which they were most recently separated for instances where the position is limited to employees of the hiring agency.

Mr. Speaker, this straightforward bill will help to establish a more effective, efficient, and qualified Federal workforce.

I thank the ranking member of the Subcommittee on Government Operations, my friend, the gentleman from Virginia (Mr. CONNOLLY), for authoring this key legislation.

I would also like to highlight the great work of the chairman of the Subcommittee on Government Operations, the gentleman from North Carolina (Mr. MEADOWS), who is an original cosponsor of H.R. 4906 and cares deeply about remedying this situation.

I support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend and colleague from Oklahoma for his leadership and his support on this important bill.

Mr. Speaker, I rise in strong support of a bipartisan bill, H.R. 4906, which I am pleased to cosponsor with Chairman MEADOWS of the Government Operations Subcommittee.

This simple bill makes, as my friend indicated, a technical correction to bipartisan legislation known as the Land Management Workforce Flexibility Act, on which I was pleased to work with the committee in passing into law just last year. That bill originally passed the House by a voice vote and then went on to pass the Senate by unanimous consent. As my colleagues will recall, that bill was intended to give temporary seasonal employees an

opportunity to compete for permanent full-time employment within all agencies across the entire Federal Government.

Merit promotion procedures provide an important career advancement path for Federal employees, and many nonentry-level jobs are filled using this process. Yet, no matter how long an individual has served, temporary seasonal employees never get access to merit promotion procedures.

Now, who are those people? Those are men and women on the front line of wildfires in the West, who put their lives on the line to contain forest fires during the fire season out west—dangerous work, arduous work. We are simply trying to give them a fair shake, a fair shake that is available to all other Federal employees. This was intended to put them on an equal footing for vacant jobs in the civil service, including permanent seasonal jobs.

God knoweth why, but the Office of Personnel Management recently issued guidance to the agency, based on a narrow reading never intended by our committee or by this Congress, of the legislative language that would actually limit the positions to which these temporary employees may apply to just those within the current agency. That was never the intent of this Congress, and I, frankly, feel, if you looked at the legislative history both in committee and on the floor, that would have been clear.

Our bill, which reflects a collaborative effort with the majority and minority, as well as with OPM and employee groups such as the National Federation of Federal Employees, clarifies the intent, I hope, once and for all.

The barrier to merit promotion faced by our temporary seasonal employees demoralizes the dedicated and courageous corps that serves in land management agencies, contributes to increased attrition, and ultimately leads to higher training costs and a less-experienced, capable workforce.

Last year, Mr. Speaker, a record 10 million acres burned across these United States, about 4 million more than average. In Arizona alone, 294 fires burned in the first quarter of this year, double that of the same period last year. Our country cannot afford to degrade its wildland firefighting and emergency response capabilities.

An individual that successfully competes for a vacant permanent position—we are not creating new ones—under the clarified intent of this bill would, upon appointment, become a career-conditional employee—unless the employee had otherwise completed service requirements for career tenure—and acquire competitive status upon appointment.

H.R. 4906 defines land management agencies to include the Forest Service, Bureau of Land Management, National

Park Service, Fish and Wildlife Service, Bureau of Reclamation, and Bureau of Indian Affairs.

The legislative fix will finally give temporary seasonal firefighters and other land management temporary seasonal employees the chance to compete for vacant permanent positions, seasonal or full-time, under the same merit promotion procedures available to other Federal employees.

Last year, I stated that our bipartisan bill was consistent with OPM's support for the concept that "long-term temporaries who have demonstrated their abilities on the job should not have to compete with the public for permanent vacancies."

Despite their misinterpretation of H.R. 1531, the original land management bill, I remain confident OPM still supports that sentiment.

In closing, I strongly urge my colleagues to support the bipartisan Land Management Workforce Flexibility Act, ensuring that our Nation's hardworking, temporary, seasonal employees may compete to serve the American people on a permanent basis, if they so choose. That will improve government efficiency and effectiveness and, I believe, provide a safety valve when it comes to the fire season out west. But it is simply the right thing to do, in the final analysis, on behalf of this dedicated workforce.

Mr. Speaker, I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4906.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RUSSELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1700

MAKING ELECTRONIC GOVERNMENT ACCOUNTABLE BY YIELDING TANGIBLE EFFICIENCIES ACT OF 2016

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4904) to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4904

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016” or the “MEGABYTE Act of 2016”.

SEC. 2. OMB DIRECTIVE ON MANAGEMENT OF SOFTWARE LICENSES.

(a) **DEFINITION.**—In this section—

(1) the term “Director” means the Director of the Office of Management and Budget; and

(2) the term “executive agency” has the meaning given that term in section 105 of title 5, United States Code.

(b) **OMB DIRECTIVE.**—The Director shall issue a directive to require the Chief Information Officer of each executive agency to develop a comprehensive software licensing policy, which shall—

(1) identify clear roles, responsibilities, and central oversight authority within the executive agency for managing enterprise software license agreements and commercial software licenses; and

(2) require the Chief Information Officer of each executive agency to—

(A) establish a comprehensive inventory, including 80 percent of software license spending and enterprise licenses in the executive agency, by identifying and collecting information about software license agreements using automated discovery and inventory tools;

(B) regularly track and maintain software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;

(C) analyze software usage and other data to make cost-effective decisions;

(D) provide training relevant to software license management;

(E) establish goals and objectives of the software license management program of the executive agency; and

(F) consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases, to implement effective decisionmaking and incorporate existing standards, processes, and metrics.

(c) **REPORT ON SOFTWARE LICENSE MANAGEMENT.**—

(1) **IN GENERAL.**—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each of the following 5 fiscal years, the Chief Information Officer of each executive agency shall submit to the Director a report on the financial savings or avoidance of spending that resulted from improved software license management.

(2) **AVAILABILITY.**—The Director shall make each report submitted under paragraph (1) publically available.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from Pennsylvania (Mr. CARTWRIGHT) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Pennsylvania (Mr. CARTWRIGHT) on the Oversight and Government Reform Committee for introducing H.R. 4904, the Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016, or the MEGABYTE Act of 2016, to improve the Federal Government's management of software licenses. I am a proud cosponsor of this straightforward legislation.

Importantly, this bill is the House companion to Senator CASSIDY's own MEGABYTE Act, S. 2340, and I am glad to see this proposal has found bipartisan support in both Chambers and has moved forward.

H.R. 4904 requires the Chief Information Officer for each Federal agency to maintain a software license inventory as well as analyze the use of software to inform decisionmaking.

Mr. Speaker, the Government Accountability Office has expressed repeated concerns on software license management and its costs. In fact, the Government Accountability Office, or GAO, listed IT software license management as a potential cost savings area on its 2015 duplication report. In our never-ending effort to cut waste, I agree with the GAO that it believes implementing sound, comprehensive software management policies has already achieved at least \$250 million in savings to the Federal Government. But there is more work to be done. There are other savings that the government could and should be capturing.

A 2014 GAO report found that only 2 of 24 major agencies had comprehensive software licensing policies in place. In fact, only 2 of the 24 agencies had comprehensive license inventories. Agencies cannot effectively manage the software licenses they have if they don't know what they have in the first place.

Maintaining a thorough inventory is vital to ensure that agencies make cost-effective decisions with respect to software licensing and avoid duplication measures.

The MEGABYTE Act will force agencies to focus on their software license policies and their inventories, leading to savings to the American taxpayer. These are straightforward steps that should already be happening, and this bill ensures that they will.

This legislation is about responsible stewardship of the tax dollars of hard-working Americans. I thank my friend, Mr. CARTWRIGHT, and also Senator CASSIDY for their collective work on the MEGABYTE Act.

Mr. Speaker, I urge my colleagues to not only support this legislation, but all legislation in our continued quest to cut waste in government.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I rise in support of H.R. 4904, and I yield myself such time as I may consume.

Mr. Speaker, let me first begin by thanking our chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for bringing this bill forward for a vote. I also want to thank the gentleman from Maryland, ELIJAH CUMMINGS, my friend and the ranking member; as well as the other two lead cosponsors who are here, Congressman WILL HURD of Texas and Congressman STEVE RUSSELL of Oklahoma who just spoke for their support.

Additionally, I also want to join him in thanking Senator BILL CASSIDY—lately our colleague here in the House, but now over in the minor leagues—for his support and his authorship of this bill.

Mr. Speaker, we are always looking for ways to curb waste in the Federal Government, and sometimes it is surprising the places you find it. It is a changing world. Fifty years ago, nobody used the acronym IT, but now they do, and there is waste to be found in the IT procurement mechanism.

Mr. Speaker, the Federal Government spends \$82 billion a year on information technology. Right now, for the second year in a row, our GAO has identified IT software license management as a top priority in its annual duplication report. A duplication report is something that is really good at identifying waste because duplication means what it says: you are duplicating purchases in the Federal Government.

Of the 24 major Federal agencies, as you just heard, only two have implemented policies of comprehensive and clear management of software licenses. It is like this: anybody in the private sector knows that when you go to buy a suite of software from a major vendor, they sell it in blocks with a price point. So you might buy a block of 25 copies of a particular brand of software even though your office only needs 19 copies. That means you have six extra licenses left over.

The Federal Government buys software the same way. What we found is they are not doing a good enough job of keeping track of the unused licenses. This bill codifies current administration efforts to do things like that to save the Federal taxpayers their tax dollars.

Right now none of the 24 agencies have fully implemented all of these industry best practices recommended by the GAO, and that ends now with this legislation.

The Making Electronic Government Accountable By Yielding Tangible Efficiencies Act, the MEGABYTE Act, is comprised of necessary reforms to the Federal Government's management of IT software licenses. In particular, the MEGABYTE Act achieves cost savings by seven action items:

Number one, it requires the Office of Management and Budget to issue directives requiring agencies to identify

clear roles, responsibilities, and central oversight authority for managing IT software licenses;

Number two, it requires having agencies establish comprehensive records of software license spending and inventories of enterprise licenses in the agency, as I just mentioned;

Number three, regularly track and efficiently and effectively utilize software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;

Number four, analyze software usage and other data to make cost-effective decisions in the purchase of software;

Number five, provide relevant training for software license management;

Number six, establish broad objectives and targeted implementation strategies of the software license management program of the agency;

And, finally, number seven, consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases in order to implement effective decisionmaking, again, in the purchase and handling of software.

The GAO found that when implementing these oversight and management practices reflected in the MEGABYTE Act, a Federal agency—one Federal agency—saved 181 million tax dollars in a single year. Enacting MEGABYTE across the entire executive branch promises potentially yielding billions of savings to the American taxpayer footing the bill for all of this.

Mr. Speaker, improving the management of agency contracts and licensing for commercial software is critical to ensuring the procurement process works effectively for both the Federal Government and industry that provides the software.

An obvious example of how effective software management could save not only dollars and cents, but improve the lives of Americans is in the health records of our servicemembers.

Mr. Speaker, the Oversight and Government Reform Committee has held hearings on the failure by the Department of Defense and the Department of Veterans Affairs to implement a fully integrated electronic health record system for our Active Duty soldiers and our veterans. As early as 1998, DOD and VA began an effort to create health records that could work together, with an initiative to create a joint system—an integrated electronic health record system. But after nearly two decades and spending over \$560 million toward that effort, DOD and VA ditched the plan and continued on with their separate systems.

Now, our soldiers, sailors, airmen, and marines who are making their transition from DOD to VA health care are told to print out hard copies of their medical records and bring them

to the VA. That is an enormous sum of money to have spent with absolutely nothing to show for it.

Mr. Speaker, it is my hope that the MEGABYTE Act is the first in a series of steps we can take to minimize wasteful software spending and to promote efficient procurement of technology. Our software and technology must promote interoperability across multiple platforms—and this starts with effective decisionmaking. By encouraging the use of open standards that are technology neutral, we can encourage innovation when we create connected, interoperable components and systems, driving down costs and avoiding unnecessary lock-in to any one particular technology platform.

Mr. Speaker, I am proud of the bipartisan and bicameral effort behind this bill. I thank, again, our chairman, JASON CHAFFETZ, for advancing the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. HURD), my friend and colleague.

Mr. HURD of Texas. Mr. Speaker, the Federal Government spends more than \$80 billion a year on IT procurement, and 80 percent of that is on legacy systems, old and outdated systems that all of us would think should be gone. Every time I hear this stat, I get upset because it is outrageous. This is a waste of Americans' hard-earned tax dollars.

In 2015, the Office of Management and Budget noted that Federal agencies spent about \$9 billion on software licenses alone. But guess what? Many agencies are not managing these software licenses properly. I know—nobody is surprised.

The Government Accountability Office did a report last year that explained agencies could achieve hundreds of millions of dollars in governmentwide savings if they managed their software licenses better. Agencies should already have a comprehensive inventory of what software they use. Agencies should already be utilizing their spending power to get good deals on software licenses. Agencies should already be getting rid of old software they don't use. But this isn't happening, so Congress is acting.

In 2015, Congress passed landmark IT reform legislation called FITARA, which gave agency CIOs greater authority over IT decisions and changed the way that the Federal Government procures technology.

The MEGABYTE Act, H.R. 4904, builds upon the important work that FITARA started. When enacted, this bill would require CIOs to develop comprehensive inventories on their software license agreements. Additionally, this measure would require agency CIOs to provide OMB with annual re-

ports on any realized savings, which OMB must make publicly available.

It is simple, it is straightforward, and it makes sense. IT procurement is not a sexy topic. Nobody goes to a rally for IT procurement. But getting this right will save money, and when we cut waste, we allow hardworking Americans to keep more of their money in their own pockets.

Mr. Speaker, I thank the gentleman from Pennsylvania for his leadership on this issue, and I look forward to continuing our work together. I urge my colleagues to support H.R. 4904.

Mr. CARTWRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY.)

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from Pennsylvania (Mr. CARTWRIGHT) especially for his leadership on this bill, the MEGABYTE Act.

Mr. Speaker, as has been indicated, we spend over \$80 billion a year on IT procurement across the Federal Government, 80 percent of which maybe is used to maintain old and legacy systems, some of those systems going back to the 1960s. We are still funding COBOL, DOS, and many multiple systems that aren't integrated and aren't interoperable.

□ 1715

My friend, Mr. CARTWRIGHT, gave what I think is one of the most glaring examples of how, even when we move to update, because of the stovepipe nature of decisionmaking all too often in the Federal Government, bad decisions get made.

The Pentagon has one system for medical recordkeeping and the Veterans Administration has another. When one individual moves from Active Duty to retired status, they have to take their records with them, physically, because the two systems, upgraded recently, are not compatible. A third procurement contract had to be issued for the private sector to try to see if they could bridge these two systems, and the taxpayer had to pay a third time. Why couldn't we get that right the first time?

Making sure these investments serve the purpose for which they are intended is really critical. This act helps codify that.

My friend, Mr. HURD from Texas, was gracious in bringing up the FITARA, the Federal Information Technology Acquisition Reform Act, which I think sets the construct, the structure, for every Federal agency to modernize itself to improve efficiency, to streamline management, and to make sure that these investments are efficacious.

The MEGABYTE Act is a wonderful complement to that when it comes to software. I think it will help transform how the Federal Government procures and manages its information technology portfolio. I urge its passage, and I am proud to be an original cosponsor.

Mr. RUSSELL. Mr. Speaker, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I yield myself such time as I may consume.

I urge my fellow Members of the United States House of Representatives to vote "yes" on H.R. 4904, a common-sense, bipartisan, bicameral effort to save the American taxpayers money in the purchase of software. It is our chance to nip this problem in the bud before it gets bigger and bigger and bigger. It is an opportunity to save a whopping amount of money for the American taxpayer.

I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

I also urge not only support and adoption of this bill, but I think it is crucial, as we continue to fight and combat waste in government, that we look at measures that are so ripe and so effective, if we pass them, that they will have an immediate impact on tax dollars that are wasted. Here we have a measure that literally will save billions of dollars in the very short term. It is very, very important that we pass it. I urge adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4904.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. RUSSELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EASTERN NEVADA LAND IMPLEMENTATION IMPROVEMENT ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1815) to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1815

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eastern Nevada Land Implementation Improvement Act".

SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED PROJECTS IN LINCOLN COUNTY, NEVADA.

(a) FACILITATION OF PINYON-JUNIPER RELATED PROJECTS.—

(1) AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY LAND ACT OF 2000.—Section 5(b) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1048) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting "and implementation" after "development"; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking "and" at the end and inserting a semicolon; and

(II) by adding at the end the following:

"(iii) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction projects and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan; and"

(B) by adding at the end the following:

"(3) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

"(A) wilderness in the County designated by the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

"(B) cultural resources identified, protected, and managed pursuant to that Act;

"(C) planning, management, and law enforcement associated with the Silver State OHV Trail designated by that Act; and

"(D) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to that Act (other than rights-of-way granted pursuant to that Act) and this Act."

(2) AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.—Section 103 of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2406) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (E), by striking "and" at the end and inserting a semicolon;

(ii) in subparagraph (F), by striking the period at the end and inserting "and"; and

(iii) by adding at the end the following:

"(G) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan;" and

(B) by adding at the end the following:

"(d) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

"(1) wilderness in the County designated by this Act;

"(2) cultural resources identified, protected, and managed pursuant to this Act;

"(3) planning, management, and law enforcement associated with the Silver State OHV Trail designated by this Act; and

"(4) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to this Act (other than rights-of-way granted pursuant to this Act) and the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1046)."

(b) DISPOSITION OF PROCEEDS.—

(1) DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY LAND ACT OF 2000.—Section 5(a)(2) of the Lincoln County Land Act of 2000 (Public Law 106–298; 114 Stat. 1047) is amended by inserting "and the Lincoln County Regional Development Authority" after "schools".

(2) DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.—Section 103(b)(2) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2405) is amended by striking "and transportation" and inserting "transportation, and the Lincoln County Regional Development Authority or any other County economic development organization".

(c) REALIGN A PORTION OF THE LCCRDA UTILITY CORRIDOR.—Section 301(a) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2413) establishes a 2,640-foot wide utility corridor as depicted on a map dated October 1, 2004. The Secretary of the Interior shall realign a portion of the corridor by removing the designation in sections 5, 6, 7, 8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E. and realigning the corridor to sections 31, 32, and 33, T. 8 N., R. 68 E.; sections 4, 5, and 6, T. 7 N., R. 68 E.; and sections 1 and 12, T. 7 N., 67 E. as shown on the October 1, 2004, map.

(d) FINAL CORRECTIVE PATENT IN CLARK COUNTY, NEVADA.—

(1) VALIDATION OF PATENT.—Patent number 27-2005-0081 issued by the Bureau of Land Management on February 18, 2005, is affirmed and validated as having been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100–275; 102 Stat. 52), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for the benefit of the desert tortoise, other species, and the habitat of the desert tortoise and other species to increase the likelihood of the recovery of the desert tortoise and other species.

(2) RATIFICATION OF RECONFIGURATION.—The process used by the United States Fish and Wildlife Service and the Bureau of Land Management in reconfiguring the land described in paragraph (1), as depicted on Exhibit 1-4 of the Final Environmental Impact Statement for the Planned Development Project MSHCP, Lincoln County, NV (FWS-R8-ES-2008-N0136) and the reconfiguration provided for in Special Condition 10 of the Army Corps of Engineers Permit No. 000005042 are ratified.

(e) FINAL LAND RECONFIGURATION IN LINCOLN COUNTY, NEVADA.—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term "Map" means the map prepared by the Bureau of Land Management entitled "Proposed Lincoln County Land Reconfiguration" and dated January 28, 2016.

(B) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(2) ISSUANCE OF LINCOLN COUNTY CORRECTIVE PATENT.—

(A) IN GENERAL.—The Secretary may issue a corrective patent for 7,548 acres of land in Lincoln County, Nevada, that is depicted on the Map.

(B) APPLICABLE LAW.—A corrective patent issued under subparagraph (A) shall be considered to have been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100–275; 102 Stat. 52).

SEC. 3. MT. MORIAH WILDERNESS, HIGH SCHELLS WILDERNESS, AND ARC DOME WILDERNESS BOUNDARY ADJUSTMENTS.

(a) **AMENDMENTS TO THE PAM WHITE WILDERNESS ACT.**—Section 323 of the Pam White Wilderness Act of 2006 (16 U.S.C. 1132 note; Public Law 109-432; 120 Stat. 3031) is amended by striking subsection (e) and inserting the following:

“(e) **MT. MORIAH WILDERNESS ADJUSTMENT.**—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195) is adjusted to include—

“(1) the land identified as the ‘Mount Moriah Wilderness Area’ and ‘Mount Moriah Additions’ on the map entitled ‘Eastern White Pine County’ and dated November 29, 2006; and

“(2) the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment Mt. Moriah Wilderness Area’ and dated June 18, 2014.

“(f) **HIGH SCHELLS WILDERNESS ADJUSTMENT.**—The boundary of the High Schells Wilderness established under subsection (a)(11) is adjusted to include the land identified as ‘Include as Wilderness’ on the map entitled ‘McCoy Creek Adjustment’ and dated November 3, 2014, and to exclude the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment High Schells Wilderness Area’ and dated June 17, 2014.”

(b) **AMENDMENTS TO THE NEVADA WILDERNESS PROTECTION ACT OF 1989.**—The Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note; Public Law 101-195; 103 Stat. 1784) is amended by adding at the end the following:

“SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.

“The boundary of the Arc Dome Wilderness established under section 2(2) is adjusted to exclude the land identified as ‘Exclude from Wilderness’ on the map entitled ‘Arc Dome Adjustment’ and dated November 3, 2014.”

SEC. 4. IMPLEMENTATION OF CONSERVATION PLAN, VIRGIN RIVER, NEVADA.

Section 3(d)(3)(B) of Public Law 99-548 (100 Stat. 3061; 116 Stat. 2018) is amended by striking “development of a multispecies habitat conservation plan for” and inserting “development and implementation of a conservation plan to benefit fish and wildlife species of”.

SEC. 5. TECHNICAL AMENDMENT.

Section 3(f)(2)(B) of Public Law 99-548 (100 Stat. 3061) is amended by striking “(v) Sec. 7.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1815, the Eastern Nevada Land Implementation Improvement Act, which I introduced last year, makes several changes to the existing Federal land laws. The bill authorizes hazardous fuels reduction projects and

wildfire planning for rangeland and woodland restoration projects in Lincoln County, Nevada. These projects will help reduce the risk of catastrophic wildfire and improve and protect habitat for the greater sage-grouse.

The bill also authorizes the implementation of a conservation plan in Nevada’s Virgin River region. In 2002, the U.S. Fish and Wildlife Service required the city of Mesquite to create a conservation plan to protect several species in the Lower Virgin River Basin before moving ahead with two land acquisitions. The city planned to use these funds from the Mesquite Lands Act, a law passed by Congress in 1986 that allowed the city to acquire and develop lands from the Federal Government, to complete the plan. FWS signed a memorandum of agreement with the city of Mesquite to carry out the law.

This agreement expired in 2014. The Fish and Wildlife Service refused to sign a new memorandum of agreement or to allow the city to access the necessary funding because it didn’t feel that the current legislation enabled them to implement the conservation plan. As a result, all efforts to advance the conservation plan and expand the city are at a standstill.

This bill remedies the problem by making a technical correction to the Mesquite Lands Act of 1988 that will provide the necessary authority to the Fish and Wildlife Service to implement the conservation plan, after signing the new agreement with the city of Mesquite.

Lastly, the bill makes several boundary adjustments that collectively reduce three wilderness areas to improve public access to the Big Canyon Trailhead, provide land to the existing Girl Scouts camp, and release a small dam owned and operated by the Yamba Tribe.

It is important to know that all of the money that would be spent to execute these programs in this bill would come from special accounts that already exist. Not a single taxpayer dollar would go to pay for this bill. These special accounts are funded by the proceeds of the Federal land sales in Nevada and, in total, have a balance of \$270 million in unobligated funds. The \$2 million predicted to be used for the purposes in H.R. 1815—protecting communities from catastrophic wildfires by reducing hazardous fuels and implementing a habitat conservation plan—would come directly from those accounts at no cost to the taxpayer.

This is a well-balanced, bipartisan piece of legislation that will reduce wildland fire threat and greatly benefit local communities, wildlife and its habitat, and the future management of public lands in Nevada.

I urge my colleagues to support H.R. 1815.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1815 clarifies and updates several laws related to the management of Federal land in eastern Nevada. This bill is cosponsored by the entire Nevada delegation, and I recognize its passage is important to the people of eastern Nevada.

I want to thank the majority and the sponsor for working with the Bureau of Land Management to address many of their concerns. Resolving those concerns and working with the BLM turn this bill into a proposal we can support.

Mr. Speaker, I urge my colleagues to vote in support of this legislation.

I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I urge my colleagues to vote in support of this legislation also.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 1815, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. HARDY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT AND PARKER’S CROSSROADS BATTLEFIELD DESIGNATION ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 87) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker’s Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 87

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Shiloh National Military Park Boundary Adjustment and Parker’s Crossroads Battlefield Designation Act”.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) **AFFILIATED AREA.**—The term “affiliated area” means the Parker’s Crossroads Battlefield established as an affiliated area of the National Park System under section 4.

(2) **PARK.**—The term “Park” means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) **ADDITIONAL AREAS.**—The boundary of Shiloh National Military Park is modified to include the areas that are generally depicted on the map entitled “Shiloh National Military Park, Proposed Boundary Adjustment”, numbered 304/80,011, and dated July 2014, as follows:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) **ACQUISITION AUTHORITY.**—The Secretary may acquire lands described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) **ADMINISTRATION.**—Any lands acquired under this section shall be administered as part of the Park.

SEC. 4. ESTABLISHMENT OF AFFILIATED AREA.

(a) **IN GENERAL.**—Parker’s Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(b) **DESCRIPTION.**—The affiliated area shall consist of the area generally depicted within the “Proposed Boundary” on the map entitled “Parker’s Crossroads Battlefield, Proposed Boundary”, numbered 903/80,073, and dated July 2014.

(c) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with this Act and all laws generally applicable to units of the National Park System.

(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(2) **TRANSMITTAL.**—Not later than 3 years after the date that funds are made available for this Act, the Secretary shall provide a copy of the completed general management to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 87, introduced by Representative MARSHA BLACKBURN of Tennessee, expands the boundaries of the Shiloh National Military Park and designates the Parker’s Crossroads Battlefield as an affiliated area of the National Park System. Located in Corinth, Mississippi, the Battle of Shiloh was a flash point in the Western theater during the Civil War.

This bill would preserve three critical battlefields, covering approximately 2,126 acres, associated with the Siege of Corinth, including the Fallen Timbers, Russell House, and Davis Bridge Battlefields. The National Park Service determined that each of these sites provides extensive opportunities for visitor use and interpretation or the potential for archeological research.

This bill passed out of committee by unanimous consent. I urge my colleagues to vote in favor of its passage. I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

By expanding the boundaries of the Shiloh National Military Park in the State of Tennessee, H.R. 87 will assist the National Park Service in its efforts to preserve and interpret resources associated with the Civil War.

The bill adjusts the boundary of the park to include several sites identified in the 2004 boundary expansion study conducted by the National Park Service. This bill also establishes the Parker’s Crossroads Battlefield as an associated area of the National Park System, providing even broader opportunities to interpret the Civil War story.

Associated sites, such as Parker’s Crossroads Battlefield, continue to highlight the value of State and local partnerships in the preservation of our national heritage. By incorporating three additional sites related to the Siege of Corinth into the park and under the management of the National Park Service, this bill guarantees the lasting conservation of these places of knowledge and remembrance.

The emphasis that we all need to place on preserving our country’s history cannot be overstated, and the Civil War is a chapter in our national story that continues to shape the thoughts and actions of this country over 150 years after its conclusion.

□ 1730

The struggles and personal conflicts that were faced by millions of soldiers and the impact on families throughout and after the war have provided us with many lessons—lessons that continue to remain relevant today. We can only ensure that we continue to learn from past struggles, triumphs, and mistakes if we make the effort to set aside special places for future generations.

Parks, such as Shiloh National Military Park, offer countless opportuni-

ties for us to explore the rich history and lessons of the past. These opportunities are most effective when visitors to these sites can immerse themselves in the full setting of the area and gain a true understanding of the historical context, which is something that this expansion of the Shiloh National Military Park will achieve.

I thank Representative BLACKBURN for her hard work and commitment to protecting the historical resources in her State, and I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HARDY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I thank my colleagues for the work that they have done on this issue.

Mr. Speaker, they have each mentioned the public-private partnership that has taken place in Tennessee and Mississippi and at the Shiloh National Military Park. I think it is so significant that we have seen our local elected officials work with our State and Federal officials.

I do have to commend the employees of the National Park Service who have done a phenomenal job as they have worked toward the preservation of these entities, as Mr. CLAY said so very well, and who have looked at how we adjust the boundaries, expand the boundaries, and then preserve these areas. It is a part of the historical legacy, as has been said, not only of Tennessee’s and Mississippi’s, but of the United States’.

Indeed, over a half million visitors a year come to the Shiloh National Military Park. This will give the National Park Service the flexibility that it needs to look at adding in the additional 2,100 acres into this park. It would encompass the Fallen Timbers, the Russell House, and the Davis Bridge battlefields, and would provide that consideration for Parker’s Crossroads. As I said, it is an important part of the National Park Service.

This legislation is the product of work from our local, State, and Federal officials and from the community groups and organizations that support this.

I thank my colleagues for their support.

Mr. CLAY. Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 87, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEVADA NATIVE NATIONS LAND ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2733) to require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Nevada Native Nations Land Act”.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF LAND TO BE HELD IN TRUST FOR CERTAIN INDIAN TRIBES.

(a) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE FORT MCDERMITT PAIUTE AND SHOSHONE TRIBE.—

(1) DEFINITION OF MAP.—In this subsection, the term “map” means the map entitled “Fort McDermitt Indian Reservation Expansion Act”, dated February 21, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Fort McDermitt Paiute and Shoshone Tribe; and

(B) shall be part of the reservation of the Fort McDermitt Paiute and Shoshone Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 19,094 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands”.

(b) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE SHOSHONE PAIUTE TRIBES.—

(1) DEFINITION OF MAP.—In this subsection, the term “map” means the map entitled “Mountain City Administrative Site Proposed Acquisition”, dated July 29, 2013, and on file and available for public inspection in the appropriate offices of the Forest Service.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights and paragraph (4), all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation; and

(B) shall be part of the reservation of the Shoshone Paiute Tribes of the Duck Valley Indian Reservation.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 82 acres of land administered by the Forest Service as generally depicted on the map as “Proposed Acquisition Site”.

(4) CONDITION ON CONVEYANCE.—The conveyance under paragraph (2) shall be subject to the reservation of an easement on the conveyed land for a road to provide access to adjacent National Forest System land for use by the Forest Service for administrative purposes.

(5) FACILITIES AND IMPROVEMENTS.—The Secretary of Agriculture (acting through the Chief

of the Forest Service) shall convey to the Shoshone Paiute Tribes of the Duck Valley Indian Reservation any existing facilities or improvements to the land described in paragraph (3).

(c) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE SUMMIT LAKE PAIUTE TRIBE.—

(1) DEFINITION OF MAP.—In this section, the term “map” means the map entitled “Summit Lake Indian Reservation Conveyance”, dated February 28, 2013, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Summit Lake Paiute Tribe; and

(B) shall be part of the reservation of the Summit Lake Paiute Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 941 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Conveyance Lands”.

(d) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE RENO-SPARKS INDIAN COLONY.—

(1) DEFINITION OF MAP.—In this subsection, the term “map” means the map entitled “Reno-Sparks Indian Colony Expansion”, dated June 11, 2014, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Reno-Sparks Indian Colony; and

(B) shall be part of the reservation of the Reno-Sparks Indian Colony.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 13,434 acres of land administered by the Bureau of Land Management as generally depicted on the map as “RSIC Amended Boundary”.

(e) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE PYRAMID LAKE PAIUTE TRIBE.—

(1) MAP.—In this subsection, the term “map” means the map entitled “Pyramid Lake Indian Reservation Expansion”, dated April 13, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Pyramid Lake Paiute Tribe; and

(B) shall be part of the reservation of the Pyramid Lake Paiute Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 6,357 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands”.

(f) CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE DUCKWATER SHOSHONE TRIBE.—

(1) MAP.—In this subsection, the term “map” means the map entitled “Duckwater Reservation Expansion”, dated October 15, 2015, and on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(2) CONVEYANCE OF LAND.—Subject to valid existing rights, all right, title, and interest of the United States in and to the land described in paragraph (3)—

(A) is held in trust by the United States for the benefit of the Duckwater Shoshone Tribe; and

(B) shall be part of the reservation of the Duckwater Shoshone Tribe.

(3) DESCRIPTION OF LAND.—The land referred to in paragraph (2) is the approximately 31,229 acres of land administered by the Bureau of Land Management as generally depicted on the map as “Reservation Expansion Lands”.

(g) REVOCATION OF PUBLIC LAND ORDERS.—Any public land order that withdraws any portion of land conveyed to an Indian tribe under this section shall be revoked to the extent necessary to permit the conveyance of the land.

SEC. 4. ADMINISTRATION.

(a) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust for each Indian tribe under section 3.

(b) USE OF TRUST LAND.—

(1) GAMING.—Land taken into trust under section 3 shall not be eligible, or considered to have been taken into trust, for class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(2) THINNING; LANDSCAPE RESTORATION.—With respect to the land taken into trust under section 3, the Secretary, in consultation and coordination with the applicable Indian tribe, may carry out any fuel reduction and other landscape restoration activities, including restoration of sage grouse habitat, on the land that is beneficial to the Indian tribe and the Bureau of Land Management.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2733, the Nevada Native Nations Land Act.

I commend my colleague from Nevada (Mr. AMODEI), the sponsor of this bill, for his tireless work on this important piece of legislation. Because he will speak further on the details that affect his district, I will provide a brief summary of the bill.

H.R. 2733, as amended, would require the Secretary of the Interior to place, approximately, 71,000 acres of Federal land into trust for six tribes in the State of Nevada. Gaming would be prohibited on these lands.

Located in my district, the Duckwater Shoshone Tribe would have, approximately, 31,000 acres of land placed into trust by the Secretary of the Interior. The tribe intends to utilize these lands for economic development and community growth. Specifically, the additional lands will allow the tribe to expand agricultural operations, additional housing and facilities development, and to protect cultural sites and wildlife.

Over 85 percent of the land that is located in Nevada is federally controlled, and tribes continue to have a small land base. This bill is an important step in promoting economic activity that will generate jobs in the tribal communities, benefitting both reservation economies.

I thank Mr. AMODEI for his efforts in getting this legislation to the floor.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

The six Nevada tribes that are affected by this legislation want to expand their reservations for a variety of purposes, including for recreational use, residential construction, and energy and mineral development. H.R. 2733 will allow the tribes to pursue these goals. By passing this bill, they will be able to preserve their cultural heritage and traditions, expand housing for their members, and realize new economic development opportunities.

The final legislation is the result of years of negotiations between the tribes, the Federal Government, the State of Nevada, and local stakeholders.

I commend my colleague from Nevada (Mr. AMODEI) for his work on behalf of the Nevada tribes and on this legislation. I urge its quick adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. HARDY. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. I thank my colleague from the Silver State and my colleague from the Show Me State. I appreciate the background.

Mr. Speaker, this is the return of a bill that was passed in the 114th Congress by a voice vote in the House of Representatives. It went to the Senate. I can't tell you what happened there, but the good news is that the 114th Congress, the Senate, has moved on a companion bill; so we might actually get some resolution of this.

I note that my colleague from the Show Me State mentioned patience and hard work. I want to point out that, for the folks of the Fort McDermitt Paiute and Shoshone Tribe, the 19,000-acre transfer that is proposed in this piece of legislation was first before the United States Congress in a bill that was introduced in 1972 by then-Nevada Senators Alan Bible and Howard Cannon. Certainly, that tribe gets the "patience" award in terms of waiting to fill in what is largely checkerboard-type holdings to consolidate their holdings in the whole thing.

As a whole, about 31,000 acres are in my colleague's CD4 district, and 40,000 acres are in the rest of CD2. There is a variety of things to provide housing to attract healthcare facility givers and cultural resource preservation buffer zones. It has been through the planning process in those counties in which it is. Many off-road vehicle organizations support this. It can hardly be said to have been sprung on anybody.

I urge my colleagues' support.

Mr. CLAY. Mr. Speaker, I urge my colleagues to vote in favor of the legislation.

I yield back the balance of my time. Mr. HARDY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 2733, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EEZ TRANSIT ZONE CLARIFICATION AND ACCESS ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3070) to clarify that for purposes of all Federal laws governing marine fisheries management, the landward boundary of the exclusive economic zone between areas south of Montauk, New York, and Point Judith, Rhode Island, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3070

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "EEZ Transit Zone Clarification and Access Act".

SEC. 2. RECREATIONAL FISHING IN BLOCK ISLAND SOUND TRANSIT ZONE.

(a) *IN GENERAL.*—The Secretary of Commerce, in consultation with the Atlantic States Marine Fisheries Commission, may issue regulations to permit and regulate recreational Atlantic striped bass fishing in the Block Island Sound Transit Zone.

(b) *BLOCK ISLAND SOUND TRANSIT ZONE DEFINED.*—In this section the term "Block Island Sound transit zone" means the area of the exclusive economic zone north of a line connecting Montauk Light, Montauk Point, New York, and Block Island Southeast Light, Block Island, Rhode Island; and west of a line connecting Point Judith Light, Point Judith, Rhode Island, and Block Island Southeast Light, Block Island, Rhode Island.

(c) *SAVINGS CLAUSE.*—Nothing in this section or the regulations issued under this section shall affect—

(1) any permit that—

(A) is issued under any other provision of law by the National Oceanic and Atmospheric Administration, including a permit issued before the date of the enactment of this Act; and

(B) authorizes fishing in the Block Island Sound Transit Zone; or

(2) any activity authorized by such a permit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and ex-

tend their remarks and to include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3070, which was introduced by my colleague, Congressman LEE ZELDIN of New York, aims to eliminate Federal regulatory confusion around the Block Island Sound. His bill authorizes the Secretary of Commerce to permit striped bass fishing in the Block Island Transit Zone between Montauk, New York, and Point Judith, Rhode Island.

The bill before us today is the result of extensive input from area stakeholders and congressional deliberation. Following a Natural Resources Committee's oversight field hearing and a subsequent legislative hearing, the bill has been amended to resolve any concerns about the unintended impacts of other federally permitted activities. As such, the Natural Resources Committee passed this bill earlier this year by unanimous consent.

I urge my colleagues to support this bill, and I commend Mr. ZELDIN for his leadership on this bill.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

As introduced, H.R. 3070 would have had sweeping negative impacts. It would have redrawn the boundary of the exclusive economic zone in an area between Montauk Point, New York, and Block Island, Rhode Island, allowing for the State management of fishery resources that are currently managed by the Federal Government. It would have barred Connecticut fishermen from using the area at all, and it would have eliminated a key sanctuary for striped bass at the very time the species needs stronger conservation measures.

Fortunately, the Natural Resources Committee was able to address those flaws at markup and is able to bring forward a bill today that does not have any unintended consequences. The current version of H.R. 3070 simply clarifies that the Secretary of Commerce has the authority to issue regulations that govern recreational fishing for striped bass in the Block Island Transit Zone. This area is currently closed to striped bass fishing, and I join the vast majority of recreational anglers in the region in urging fisheries' managers to keep it that way.

That said, we do support the bill before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. HARDY. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. I thank Mr. HARDY and Mr. CLAY for their comments and for their support of this legislation.

Mr. Speaker, I rise in support of my bill, H.R. 3070, the EEZ Transit Zone Clarification and Access Act, which would clarify the Federal laws that govern the management of the striped bass fishery in the exclusive economic zone, or the EEZ, between Montauk, New York, and Block Island, Rhode Island.

One of the most pressing issues that is faced by Long Island fishermen is the urgent need to clarify the Federal regulations regarding striped bass fishing in the small area of federally controlled waters between Montauk Point and Block Island.

Between New York State waters, which end 3 miles off of Montauk Point, and the Rhode Island boundary, which begins 3 miles off of Block Island, there is a small area of federally controlled water that is considered part of the EEZ. The EEZ, which extends up to 200 miles from the coast, are waters that are patrolled by the Coast Guard, where the United States has exclusive jurisdiction over fisheries and other natural resources. Since 1990, striped bass fishing has been banned in the EEZ even though fishermen can currently fish for striped bass in adjacent State waters.

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Fishing is an industry in and around my district. It is getting more and more difficult to survive in this industry if you are a businessowner. Fishermen are desperately pleading for commonsense relief, and this is one way Congress can help.

To my colleagues in this Chamber, I ask you to vote in favor of this bill, passing this legislation on behalf of the amazing fishermen on the east end of Long Island.

Long Island striped bass fisherman have lost 60 percent of their traditional fishing grounds due to Federal restrictions that my bill intends to reform. Additionally, the geography of our region means that making the 15-mile journey by boat from Montauk Point to Block Island requires passing through a small strip of waters considered to be part of the EEZ. The shift in jurisdiction can mean the difference between a nice day on the water and committing a Federal offense.

My bill, H.R. 3070, clarifies the Federal laws currently governing the management of the striped bass fishery between Montauk and Block Island, permitting striped bass fishing in these waters and allowing for local regulations to manage this important fishery.

This legislation is a commonsense reform that offers a simple solution to a unique local issue, providing regulatory relief and more certainty to our region's fishermen, while restoring local control to a critical fishery that must be properly managed and preserved for future generations.

Late last year, on December 7, 2015, I cohosted a House Natural Resources Committee field hearing within my district in Riverhead, New York, with Chairman ROB BISHOP of Utah. The hearing was held to discuss important local fishing issues, including this legislation. Chairman BISHOP and members of the committee were able to hear firsthand the concerns of those on Long Island who rely upon fishing as an occupation and way of life. A few months later, on March 17, 2016, working closely with the committee, my bill passed this committee with unanimous bipartisan support.

I thank House Majority Leader KEVIN MCCARTHY for having the bill placed on today's agenda on the House floor. A big thank you to House Natural Resources Committee Chairman ROB BISHOP; Subcommittee on Water, Power and Oceans Chairman JOHN FLEMING; and Subcommittee on Water, Power and Oceans Vice Chairman PAUL GOSAR for recognizing the urgency in passing this bill. I also thank Congressman JOE COURTNEY, my colleague across Long Island Sound, who worked with us to make this a bipartisan bill.

I also commend the steadfast commitment and activism of Long Island's fishing community, which championed this issue for nearly two decades and is standing up for Long Island's coastal way of life. The dedicated men and women who fish in these local waters and the tens of thousands of Long Islanders who depend upon the coastal economy of the east end deserve no less than this commonsense reform promoted by this proposal.

I encourage all of my colleagues to vote in support of this critical bill.

Mr. CLAY. Mr. Speaker, I have no further speakers, and I urge the body to adopt H.R. 3070.

I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 3070, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to authorize the Secretary of Commerce to permit striped bass fishing in the Exclusive Economic Zone transit zone between Montauk, New York, and Point Judith, Rhode Island, and for other purposes."

A motion to reconsider was laid on the table.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 3826) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mount Hood Cooper Spur Land Exchange Clarification Act".

SEC. 2. COOPER SPUR LAND EXCHANGE CLARIFICATION AMENDMENTS.

Section 1206(a) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1018) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking "120 acres" and inserting "107 acres"; and

(B) in subparagraph (E)(ii), by inserting "improvements," after "buildings,"; and

(2) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking "As soon as practicable after the date of enactment of this Act, the Secretary and Mt. Hood Meadows shall select" and inserting "Not later than 120 days after the date of the enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act, the Secretary and Mt. Hood Meadows shall jointly select";

(ii) in clause (ii), in the matter preceding subclause (I), by striking "An appraisal under clause (i) shall" and inserting "Except as provided under clause (iii), an appraisal under clause (i) shall assign a separate value to each tax lot to allow for the equalization of values and"; and

(iii) by adding at the end the following:

"(iii) FINAL APPRAISED VALUE.—

"(I) IN GENERAL.—Subject to subclause (II), after the final appraised value of the Federal land and the non-Federal land are determined and approved by the Secretary, the Secretary shall not be required to reappraise or update the final appraised value for a period of up to 3 years, beginning on the date of the approval by the Secretary of the final appraised value.

"(II) EXCEPTION.—Subclause (I) shall not apply if the condition of either the Federal land or the non-Federal land referred to in subclause (I) is significantly and substantially altered by fire, windstorm, or other events.

"(iv) PUBLIC REVIEW.—Before completing the land exchange under this Act, the Secretary shall make available for public review the complete appraisals of the land to be exchanged."; and

(B) by striking subparagraph (G) and inserting the following:

"(G) REQUIRED CONVEYANCE CONDITIONS.—Prior to the exchange of the Federal and non-Federal land—

"(i) the Secretary and Mt. Hood Meadows may mutually agree for the Secretary to reserve a conservation easement to protect the identified wetland in accordance with applicable law, subject to the requirements that—

"(I) the conservation easement shall be consistent with the terms of the September 30, 2015, mediation between the Secretary and Mt. Hood Meadows; and

"(II) in order to take effect, the conservation easement shall be finalized not later than 120 days after the date of enactment of the Mount Hood Cooper Spur Land Exchange Clarification Act; and

"(ii) the Secretary shall reserve a 24-foot-wide nonexclusive trail easement at the existing trail

locations on the Federal land that retains for the United States existing rights to construct, reconstruct, maintain, and permit nonmotorized use by the public of existing trails subject to the right of the owner of the Federal land—

“(I) to cross the trails with roads, utilities, and infrastructure facilities; and

“(II) to improve or relocate the trails to accommodate development of the Federal land.

“(H) EQUALIZATION OF VALUES.—

“(i) IN GENERAL.—Notwithstanding subparagraph (A), in addition to or in lieu of monetary compensation, a lesser area of Federal land or non-Federal land may be conveyed if necessary to equalize appraised values of the exchange properties, without limitation, consistent with the requirements of this Act and subject to the approval of the Secretary and Mt. Hood Meadows.

“(ii) TREATMENT OF CERTAIN COMPENSATION OR CONVEYANCES AS DONATION.—If, after payment of compensation or adjustment of land area subject to exchange under this Act, the amount by which the appraised value of the land and other property conveyed by Mt. Hood Meadows under subparagraph (A) exceeds the appraised value of the land conveyed by the Secretary under subparagraph (A) shall be considered a donation by Mt. Hood Meadows to the United States.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3826, the Mount Hood Cooper Spur Land Exchange Clarification Act, was introduced by Congressmen GREG WALDEN and EARL BLUMENAUER to address the ongoing land exchange issues.

In 2009, the Omnibus Public Land Management Act authorized a land exchange in Government Camp, Oregon. This land exchange was supposed to be completed within 16 months; however, this still has not occurred more than 7 years later. The long delay, primarily due to disagreements surrounding easement terms, has frustrated local communities such as Mount Hood Meadows and other local groups.

H.R. 3826 comes as a result of a successful mediation session held by the Forest Service to resolve the long-standing issues between the agency and the local community. As a result of this exercise, H.R. 3826 updates the details and process for the land exchange to clarify issues relating to land appraisals and the parameters of a wetland conservation easement on the Federal land in the conveyance.

The bill was amended in committee to address concerns raised by the For-

est Service, including clarifying language for the easement allowed in the bill and the length of time allowed for the Forest Service to implement this legislation. It is frustrating that the Forest Service has not already carried out the provisions of the 2009 act. I appreciate Congressman WALDEN's work to see this issue is addressed once and for all.

I hope my colleagues will join in supporting this bill.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3826 clarifies the terms of a land exchange between the Forest Service and Mount Hood Meadows, a privately held ski resort. Last year, the Forest Service and Mount Hood Meadows engaged in mediation to resolve the issues that have held up the exchange. This bill is the result of that mediation, and its passage will ensure that, after 6 long years, the exchange will finally move forward.

I want to thank the sponsors from Oregon, Representative WALDEN and Representative BLUMENAUER, for their hard work and commitment to resolving this issue.

I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. HARDY. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, I thank Mr. CLAY and Mr. HARDY for their work and support of this very important legislation. I thank Mr. GRIJALVA and Chairman BISHOP for bringing this bill to the floor, yet another Mount Hood bill.

My colleague and friend from Oregon, EARL BLUMENAUER, and I actually backpacked 3 nights, 4 days around Mount Hood, 9,000 feet up and down, elevation gain and loss. We hiked with environmentalists, foresters, ornithologists, biologists, and geologists.

We put together a big bipartisan legislative effort. It took 3½ years. Part of this effort was making sure that a very sensitive part around Mount Hood in the Crystal Springs watershed was exchanged out so that the development didn't occur there and it occurred in an area that already has development, a more appropriate setting. That is what this is really all about.

The legislation that ultimately passed the Congress was a little different than what Representative BLUMENAUER and I started with because we feared this very result could happen, that it would be delayed for years and years and years because we have seen it happen before. Be that as it may, we are here today, 7 years later, after the Congress had told the agency to get this done in 16 months, which should be all the time that is necessary. Seven years later, we are back with a second piece of legislation, confirming the me-

diation, working this through so that we can get this exchange done thoughtfully, completely, and finally get this done.

I see I am joined by the gentleman from Oregon (Mr. BLUMENAUER), who has been a real partner in this.

The legislation directs the Forest Service to move ahead on implementing the underlying exchange. This is critical as it protects the Crystal Springs area, the water source for much of Hood River and the rest of the upper Hood River Valley as well. So it really does provide a much more thoughtful place where Mount Hood Meadows does their development and protects this very sensitive watershed from development.

I urge my colleagues to support this legislation when it comes up for a vote. Let's get this done once and for all.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I want to pick up where my friend, the gentleman from Oregon (Mr. WALDEN), left off.

Congressman WALDEN and I worked for several years to try and deal with the preservation of a precious resource. Mount Hood is the dividing line between our two districts. We have a lot of personal history involved there, and it was really one of my most positive experiences in two decades of congressional service, zeroing in with the stakeholders—Native Americans, environmentalists, local government—trying to figure out the best protections for a very complicated area that is within easy driving distance of 4 million people. There were many strains and stresses and multiple stakeholders on the mountain itself.

As he said, part of the delicate balance that was achieved was an opportunity for us to deal with this land exchange. It was a win-win situation for a variety of the stakeholders. It obviously is better for the environment. It settled long-simmering disputes that served nobody's interest but had actual potential for negative outcomes.

This land exchange was part of what was envisioned. This was not just a bipartisan effort with my friend, the gentleman from Oregon (Mr. WALDEN), and myself. It was then Senator Smith and Senator WYDEN, and now Senator MERKLEY and Senator WYDEN have been partners in this. It is frustrating that we get to the point where it requires legislation to do something that was an integral part of this agreement.

I am proud to join my friend in urging support for it. We want to get this passed and be able to capitalize on the vision that we worked so hard on to protect the mountain and all of the attendant interests. This land exchange is critical to it, and I am pleased that this legislation is finally on the floor, although I am frustrated that we have

to have legislation on the floor. Hopefully, this will enable us to finish this task.

Mr. CLAY. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 3826, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HARDY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PASCUA YAQUI TRIBE LAND CONVEYANCE ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2009) to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pascua Yaqui Tribe Land Conveyance Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the following definitions apply:

(1) **DISTRICT.**—The term “District” means the Tucson Unified School District No. 1, a school district recognized as such under the laws of the State of Arizona.

(2) **MAP.**—The term “Map” means the map titled “Pascua Yaqui Tribe Land Conveyance Act”, dated March 14, 2016, and on file and available for public inspection in the local office of the Bureau of Land Management.

(3) **RECREATION AND PUBLIC PURPOSES ACT.**—The term “Recreation and Public Purposes Act” means the Act of June 14, 1926 (43 U.S.C. 869 et seq.).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(5) **TRIBE.**—The term “Tribe” means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

SEC. 3. LAND TO BE HELD IN TRUST.

(a) **PARCEL A.**—Subject to subsection (b) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal lands generally depicted on the map as “Parcel A” are declared to be held in trust by the United States for the benefit of the Tribe.

(b) **EFFECTIVE DATE.**—Subsection (a) shall take effect on the day after the date on

which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in subsection (a).

SEC. 4. LANDS TO BE CONVEYED TO THE DISTRICT.

(a) **PARCEL B.**—

(1) **IN GENERAL.**—Subject to valid existing rights and payment to the United States of the fair market value, the United States shall convey to the District all right, title, and interest of the United States in and to the approximately 13.24 acres of Federal lands generally depicted on the map as “Parcel B”.

(2) **DETERMINATION OF FAIR MARKET VALUE.**—The fair market value of the property to be conveyed under paragraph (1) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(3) **COSTS OF CONVEYANCE.**—As a condition of the conveyance under this subsection, all costs associated with the conveyance shall be paid by the District.

(b) **PARCEL C.**—

(1) **IN GENERAL.**—If, not later than one year after the completion of the appraisal required by paragraph (3), the District submits to the Secretary an offer to acquire the Federal reversionary interest in all of the approximately 27.5 acres of land conveyed to the District under Recreation and Public Purposes Act and generally depicted on the map as “Parcel C”, the Secretary shall convey to the District such reversionary interest in the lands covered by the offer. The Secretary shall complete the conveyance not later than 30 days after the date of the offer.

(2) **SURVEY.**—Not later than 90 days after the date of the enactment of this Act, the Secretary shall complete a survey of the lands described in this subsection to determine the precise boundaries and acreage of the lands subject to the Federal reversionary interest.

(3) **APPRAISAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands identified by the survey required by paragraph (2). The appraisal shall be completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(4) **CONSIDERATION.**—As consideration for the conveyance of the Federal reversionary interest under this subsection, the District shall pay to the Secretary an amount equal to the appraised value of the Federal interest, as determined under paragraph (3). The consideration shall be paid not later than 30 days after the date of the conveyance.

(5) **COSTS OF CONVEYANCE.**—As a condition of the conveyance under this subsection, all costs associated with the conveyance, including the cost of the survey required by paragraph (2) and the appraisal required by paragraph (3), shall be paid by the District.

SEC. 5. GAMING PROHIBITION.

The Tribe may not conduct gaming activities on lands taken into trust pursuant to this Act, either as a matter of claimed inherent authority, under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), or under regulations promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 6. WATER RIGHTS.

(a) **IN GENERAL.**—There shall be no Federal reserved right to surface water or ground-

water for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(b) **STATE WATER RIGHTS.**—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this Act.

(c) **FORFEITURE OR ABANDONMENT.**—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this Act may not be forfeited or abandoned.

(d) **ADMINISTRATION.**—Nothing in this Act affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95-375 (25 U.S.C. 1300f et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. HARDY) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. HARDY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. HARDY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2009, which would authorize a land exchange involving the Pacific Yaqui Tribe, the Tucson Unified School District, and the Department of the Interior. Specifically, the bill would require the Secretary of the Interior to place 40 acres of adjacent public land into trust for the tribe upon conveyance to the United States from the Tucson Unified School District.

According to the tribe, acquiring these lands will help with reservation access and prevent or control flooding during significant rain events. According to the tribe, heavy rain events occur frequently during Tucson’s monsoon season.

□ 1800

The bill would also require the conveyance of a 13-acre parcel of public land to the Tucson Unified School District and eliminate a reversionary interest held by the United States in a 27-acre parcel previously patented to the Tucson Unified School District under the Recreation and Public Purposes Act. The bill would also require the Tucson Unified School District to pay fair market value for the land and the reversionary interest received.

I want to thank the ranking member from the Committee on Natural Resources for his efforts on the legislation and urge an “aye” vote.

Mr. Speaker, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), the sponsor and my good friend, and commend him for bringing this legislation to the floor.

Mr. GRIJALVA. Mr. Speaker, let me thank the gentleman from Missouri for his support of the legislation.

As we heard, H.R. 2009 is the culmination of a longstanding land agreement between Tucson Unified School District, TUSD, and the Pascua Yaqui Tribe.

Last Congress we finalized the first part of the agreement with the passage and signing of H.R. 507, which conveyed two 10-acre parcels to the tribe. Passage of this bill will complete the second part of the agreement to the mutual benefit of both parties involved as well as the surrounding communities.

The 40-acre parcel of land referenced in the bill is currently deeded to TUSD under the Recreation and Public Purposes Act, but TUSD has no intention of using the land for the stated purpose. Instead, the tribe will be able to utilize the parcel to construct flood control measures to protect the reservation and surrounding communities from flash flooding during Arizona monsoon season.

Additionally, the land conveyed to TUSD will allow the district to better plan for future expansion and best use scenarios without the encumbrances encountered under the Recreation and Public Purposes Act.

I would like to note that the tribe and TUSD have had, and continue to have, a great working relationship, especially when it comes to the land use decisions around the Pascua Yaqui reservation. This bill is a direct result of that relationship and was negotiated with input from all parties involved and with an eye to the most effective use of the parcels.

In closing, let me take the time to thank Chairman YOUNG and Ranking Member RUIZ for their work on the legislation in the subcommittee; and, of course, a special thanks to Chairman BISHOP for working with me to bring it to the floor today. I urge adoption of the legislation.

Mr. HARDY. Mr. Speaker, I would like to inform my colleague I have no further speakers.

I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I want to again thank Ranking Member GRIJALVA for bringing forward this legislation. I urge its quick adoption.

I yield back the balance of my time.

Mr. HARDY. Mr. Speaker, I yield back the balance of my time also.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, H.R. 2009, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 3 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DONOVAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 129, by the yeas and nays;

H.R. 4906, by the yeas and nays;

H.R. 4904, by the yeas and nays;

H.R. 1815, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

SUPPORTING GOAL OF ENSURING ALL HOLOCAUST VICTIMS LIVE WITH DIGNITY, COMFORT, AND SECURITY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 129) expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, as amended.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 269]

YEAS—363

Abraham	Dold	LaMalfa
Aderholt	Donovan	Lamborn
Allen	Doyle, Michael	Lance
Amash	F.	Langevin
Amodei	Duncan (SC)	Larsen (WA)
Ashford	Duncan (TN)	Larson (CT)
Babin	Edwards	Latta
Barletta	Ellison	Lawrence
Barr	Emmer (MN)	Levin
Barton	Engel	Lipinski
Becerra	Eshoo	LoBiondo
Benishek	Esty	Loeb
Bera	Farenthold	Loftgren
Beyer	Fitzpatrick	Long
Bilirakis	Fleischmann	Loudermilk
Bishop (GA)	Fleming	Love
Bishop (MI)	Flores	Lowenthal
Bishop (UT)	Forbes	Lowey
Blackburn	Fortenberry	Lucas
Blum	Foster	Luetkemeyer
Blumenauer	Frankel (FL)	Lujan Grisham
Bonamici	Franks (AZ)	(NM)
Bost	Frelinghuysen	Lujan, Ben Ray
Boustany	Fudge	(NM)
Boyle, Brendan	Gabbard	Lummis
F.	Gallagher	Lynch
Brady (PA)	Garamendi	MacArthur
Brady (TX)	Garrett	Marchant
Brat	Gibbs	Marino
Bridenstine	Gohmert	Masie
Brooks (AL)	Goodlatte	Matsui
Brooks (IN)	Gosar	McCauley
Brownley (CA)	Gowdy	McClintock
Buchanan	Graham	McCollum
Buck	Granger	McDermott
Bucshon	Graves (GA)	McGovern
Burgess	Graves (LA)	McHenry
Bustos	Graves (MO)	McKinley
Butterfield	Grayson	McMorris
Byrne	Green, Al	Rodgers
Calvert	Green, Gene	McNerney
Capps	Griffith	McSally
Capuano	Grothman	Meadows
Carney	Guinta	Meehan
Carson (IN)	Guthrie	Meng
Carter (GA)	Hanna	Messer
Carter (TX)	Hardy	Mica
Cartwright	Harper	Miller (FL)
Castor (FL)	Harris	Miller (MI)
Castro (TX)	Hartzler	Moolenaar
Chabot	Hastings	Mooney (WV)
Chaffetz	Heck (NV)	Moore
Chu, Judy	Heck (WA)	Moulton
Cicilline	Hensarling	Mullin
Clark (MA)	Hice, Jody B.	Mulvaney
Cleaver	Higgins	Murphy (FL)
Clyburn	Hill	Murphy (PA)
Coffman	Himes	Napolitano
Cohen	Hudson	Neal
Cole	Huelskamp	Neugebauer
Collins (GA)	Huizenga (MI)	Newhouse
Collins (NY)	Hultgren	Noem
Comstock	Hurd (TX)	Nolan
Conaway	Hurt (VA)	Nugent
Connolly	Israel	Nunes
Conyers	Issa	O'Rourke
Cook	Jenkins (KS)	Olson
Cooper	Jenkins (WV)	Pallazzo
Costa	Johnson (GA)	Pallone
Costello (PA)	Johnson (OH)	Palmer
Courtney	Johnson, E. B.	Paulsen
Cramer	Johnson, Sam	Pearce
Crawford	Jolly	Pelosi
Crenshaw	Jordan	Perlmutter
Cuellar	Joyce	Perry
Culberson	Kaptur	Peters
Cummings	Keating	Peterson
Davis (CA)	Kelly (IL)	Pingree
Davis, Danny	Kelly (MS)	Pitts
Davis, Rodney	Kelly (PA)	Pocan
DeFazio	Kennedy	Poe (TX)
DeGette	Kildee	Poliquin
Delaney	Kilmer	Polis
DeLauro	Kind	Pompeo
DelBene	King (IA)	Posey
Dent	King (NY)	Price (NC)
DeSantis	Kinzie (IL)	Price, Tom
DeSaulnier	Kirkpatrick	Quigley
DesJarlais	Kline	Rangel
Deutch	Knight	Ratcliffe
Diaz-Balart	Kuster	Reed
Dingell	Labrador	Reichert
Doggett	LaHood	Renacci

Ribble	Scott, David	Valadao
Rice (NY)	Sensenbrenner	Van Hollen
Rice (SC)	Serrano	Veasey
Richmond	Sessions	Vela
Rigell	Sewell (AL)	Visclosky
Roby	Shimkus	Wagner
Roe (TN)	Shuster	Walberg
Rogers (AL)	Simpson	Walden
Rogers (KY)	Sinema	Walorski
Rokita	Slaughter	Walz
Rooney (FL)	Smith (MO)	Weber (TX)
Ros-Lehtinen	Smith (NE)	Webster (FL)
Roskam	Smith (NJ)	Welch
Ross	Smith (TX)	Wenstrup
Rothfus	Smith (WA)	Westerman
Rouzer	Speier	Westmoreland
Roybal-Allard	Stefanik	Whitfield
Royce	Stewart	Williams
Ruiz	Stutzman	Wilson (SC)
Ruppersberger	Thompson (CA)	Wittman
Russell	Thompson (MS)	Womack
Salmon	Thompson (PA)	Woodall
Sanford	Thornberry	Yarmuth
Scalise	Tipton	Yoder
Schakowsky	Titus	Yoho
Schiff	Tonko	Young (AK)
Schrader	Torres	Young (IA)
Schweikert	Trott	Young (IN)
Scott (VA)	Tsongas	Zeldin
Scott, Austin	Upton	

NOT VOTING—70

Adams	Hinojosa	Ryan (OH)
Aguilar	Holding	Sánchez, Linda T.
Bass	Honda	
Beatty	Hoyer	Sanchez, Loretta
Black	Huffman	Sarbanes
Brown (FL)	Hunter	Sherman
Cárdenas	Jackson Lee	Sires
Clarke (NY)	Jeffries	Stivers
Clawson (FL)	Jones	Swalwell (CA)
Clay	Katko	Takai
Crowley	Lee	Takano
Curbelo (FL)	Lewis	Tiberi
Denham	Lieu, Ted	Turner
Duckworth	Maloney,	Vargas
Duffy	Carolyn	Velázquez
Ellmers (NC)	Maloney, Sean	Walker
Farr	McCarthy	Walters, Mimi
Fattah	Meeks	Wasserman
Fincher	Nadler	Schultz
Foxx	Norcross	Waters, Maxine
Gibson	Pascrell	Watson Coleman
Grijalva	Payne	Wilson (FL)
Gutiérrez	Pittenger	Zinke
Hahn	Rohrabacher	
Herrera Beutler	Rush	

□ 1852

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: “A concurrent resolution expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs”.

A motion to reconsider was laid on the table.

Stated for:

Mr. GIBSON. Mr. Speaker, on rollcall No. 269, I did events with Hoover National Security Affairs Fellows and with students at American University. I did my best to get back for all votes. Unfortunately I got caught in traffic

and missed the first vote. Had I been present, I would have voted “yes.”

Mr. KATKO. Mr. Speaker, on rollcall No. 269, I was unavoidably detained. Had I been present, I would have voted “yes.”

CLARIFYING ELIGIBILITY OF LAND MANAGEMENT AGENCY TIME-LIMITED EMPLOYEES FOR PERMANENT APPOINTMENTS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4906) to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 270]

YEAS—363

Abraham	Chu, Judy	Eshoo
Aderholt	Cicilline	Esty
Allen	Clark (MA)	Farenthold
Amash	Clay	Fitzpatrick
Amodei	Cleaver	Fleischmann
Ashford	Coffman	Fleming
Babin	Cohen	Flores
Cole	Forbes	Lucas
Collins (GA)	Fortenberry	Luetkemeyer
Collins (NY)	Foster	Lujan Grisham
Comstock	Frankel (FL)	(NM)
Conaway	Franks (AZ)	Luján, Ben Ray
Connolly	Frelinghuysen	(NM)
Conyers	Fudge	Lummis
Cook	Gabbard	Lynch
Cooper	Gallego	MacArthur
Costa	Garamendi	Marchant
Costello (PA)	Garrett	Marino
Courtney	Gibbs	Massie
Cramer	Gibson	Matsui
Crawford	Gohmert	McCaul
Crenshaw	Goodlatte	McClintock
Cuellar	Gosar	McCollum
Culberson	Gowdy	McDermott
Cummings	Graham	McGovern
Davis (CA)	Granger	McHenry
Davis, Danny	Graves (GA)	McKinley
Davis, Rodney	Graves (LA)	
DeFazio	Graves (MO)	
DeGette	Grayson	
Delaney	Green, Al	
DeLauro	Green, Gene	
DelBene	Griffith	
Dent	Grijalva	
DeSantis	Grothman	
DeSaulnier	Guinta	
DesJarlais	Guthrie	
Deutch	Hanna	
Diaz-Balart	Hardy	
Dingell	Harper	
Doggett	Harris	
Dold	Hartzler	
Donovan	Hastings	
Doyle, Michael	Heck (NV)	
F.	Heck (WA)	
Duncan (SC)	Hensarling	
Duncan (TN)	Hice, Jody B.	
Edwards	Higgins	
Ellison	Hill	
Emmer (MN)	Himes	
Engel	Huelskamp	

Huizenga (MI)	McMorris	Russell
Hultgren	Rodgers	Ryan (OH)
Hurd (TX)	McNerney	Salmon
Hurt (VA)	McSally	Sanford
Israel	Meadows	Sarbanes
Issa	Meehan	Scalise
Jenkins (KS)	Meng	Schakowsky
Jenkins (WV)	Messer	Schiff
Johnson (GA)	Mica	Schrader
Johnson (OH)	Miller (FL)	Schweikert
Johnson, E. B.	Miller (MI)	Scott (VA)
Johnson, Sam	Moolenaar	Scott, Austin
Jolly	Mooney (WV)	Scott, David
Jordan	Moore	Sensenbrenner
Joyce	Moulton	Serrano
Kaptur	Mullin	Sessions
Katko	Mulvaney	Sewell (AL)
Keating	Murphy (FL)	Shimkus
Kelly (IL)	Murphy (PA)	Shuster
Kelly (MS)	Neal	Simpson
Kelly (PA)	Neugebauer	Sinema
Kennedy	Newhouse	Slaughter
Kildee	Noem	Smith (MO)
Kilmer	Nolan	Smith (NE)
Kind	Nugent	Smith (NJ)
Nunes	Nunes	Smith (TX)
O'Rourke	O'Rourke	Smith (WA)
Olson	Palazzo	Speier
Kirkpatrick	Pallone	Stefanik
Kline	Palmer	Stewart
Knight	Paulsen	Stutzman
Kuster	Pearce	Thompson (CA)
Labrador	Pelosi	Thompson (MS)
LaHood	Perry	Thompson (PA)
LaMalfa	Peters	Thornberry
Lamborn	Peterson	Tiberi
Lance	Pingree	Tipton
Langevin	Pitts	Titus
Larsen (WA)	Pocan	Tonko
Larson (CT)	Poe (TX)	Torres
Latta	Poliquin	Trott
Lawrence	Pollis	Tsongas
Levin	Pompeo	Upton
Lipinski	Posey	Valadao
LoBiondo	Price (NC)	Van Hollen
Loeb sack	Price, Tom	Veasey
Long	Quigley	Vela
Loudermilk	Rangel	Visclosky
Love	Ratcliffe	Wagner
Lowenthal	Reed	Walberg
Lowey	Reichert	Walden
Lucas	Renacci	Walorski
Luetkemeyer	Ribble	Walz
Lujan Grisham	Rice (NY)	Weber (TX)
(NM)	Rice (SC)	Webster (FL)
Luján, Ben Ray	Richmond	Welch
(NM)	Rigell	Wenstrup
Lummis	Roby	Westerman
Lynch	Roe (TN)	Westmoreland
MacArthur	Rogers (AL)	Whitfield
Marchant	Rogers (KY)	Williams
Marino	Rooney (FL)	Wilson (SC)
Massie	Ros-Lehtinen	Wittman
Matsui	Roskam	Womack
McCaul	Ross	Woodall
McClintock	Rothfus	Yarmuth
McCollum	Rouzer	Yoder
McDermott	Roybal-Allard	Yoho
McGovern	Royce	Young (AK)
McHenry	Ruiz	Young (IA)
McKinley	Ruppersberger	Young (IN)
		Zeldin

NOT VOTING—70

Adams	Gutiérrez	Meeks
Aguilar	Hahn	Nadler
Bass	Herrera Beutler	Napolitano
Beatty	Hinojosa	Norcross
Black	Holding	Pascrell
Brown (FL)	Honda	Payne
Cárdenas	Hoyer	Perlmutter
Carter (TX)	Hudson	Pittenger
Clarke (NY)	Huffman	Rohrabacher
Clawson (FL)	Hunter	Rokita
Clyburn	Jackson Lee	Rush
Crowley	Jeffries	Sánchez, Linda T.
Curbelo (FL)	Jones	
Denham	Lee	Sanchez, Loretta
Duckworth	Lewis	Sherman
Duffy	Lieu, Ted	Sires
Ellmers (NC)	Loftgren	Stivers
Farr	Maloney,	Swalwell (CA)
Fattah	Carolyn	Takai
Fincher	Maloney, Sean	Takano
Foxx	McCarthy	Turner

Vargas
Velázquez
Walker
Walters, Mimi

Wasserman
Schultz
Waters, Maxine
Watson Coleman

Wilson (FL)
Zinke

Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster

Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego

Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger

Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene

Griffith
Grijalva
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris

Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes

Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa

Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jordan

Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy

Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline

Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance

Langevin
Larsen (WA)
Larsen (CT)
Latta
Lawrence

Adams
Aguilar
Bass
Beatty

Levin
Lipinski
LoBiondo
Loebbeck
Lofgren
Long

Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer

Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch

MacArthur
Marchant
Marino
Massie
Matsui
McCaul
McClintock

McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney

McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)

Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)

Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Nugent

Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Paulsen

Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree

Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey

Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert

Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond

Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita

Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer

Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)

Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader

Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions

Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)

Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart

Stutzman
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi

Tipton
Titus
Tonko
Torres
Trott
Tsongas
Upton

Valadao
Van Hollen
Veasey
Vela
Visclosky
Wagner
Walberg

Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup

Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack

Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

Zeldin

Crowley
Curbelo (FL)
Denham
Duckworth
Duffy
Ellmers (NC)

Farr
Fattah
Fincher
Fox
Gutiérrez
Hahn

Herrera Beutler
Hinojosa
Holding
Honda
Hoyer
Huffman
Hunter

Jackson Lee
Jeffries
Johnson, E. B.
Jones
Lee
Lewis
Lieu, Ted

Maloney, Carolyn
Maloney, Sean
McCarthy
Meeks
Nadler
Norcross
Pascarell

Payne
Pittenger
Rohrabacher
Rush
Sánchez, Linda
T.

Sanchez, Loretta
Sherman
Sires
Stivers
Swalwell (CA)
Takai

Takano
Turner
Vargas
Velázquez
Walker
Walters, Mimi
Wasserman

Schultz
Waters, Maxine
Watson Coleman
Wilson (FL)
Zinke

□ 1907

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EASTERN NEVADA LAND IMPLEMENTATION IMPROVEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1815) to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 360, nays 7, not voting 66, as follows:

[Roll No. 272]

YEAS—360

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barton
Becerra
Benishek
Bera
Beyer

Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany

Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)

Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clay

Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clay

Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

MAKING ELECTRONIC GOVERNMENT ACCOUNTABLE BY YIELDING TANGIBLE EFFICIENCIES ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4904) to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 366, nays 0, not voting 67, as follows:

[Roll No. 271]

YEAS—366

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Becerra
Benishek
Bera
Beyer

Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany

Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)

Brownley (CA)
Buchanan
Buck
Bucshon

Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)

Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer

Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSantis
DeSaulnier
DesJarlais
Deutsch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fitzpatrick

Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney

NOT VOTING—67

Bishop (GA)
Black
Brown (FL)
Cárdenas

Carter (TX)
Clarke (NY)
Clawson (FL)
Clyburn

DeLauro
DelBene
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Hudson
Huelskamp
Hultgren
Hurd (TX)
Hurt (VA)
Israel
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)

King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
Matsui
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel

Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Rohy
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stutzman
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Upton
Valadao
Van Hollen
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NAYS—7

Amash
Duncan (SC)
Griffith

NOT VOTING—66

Adams
Aguilar
Hinojosa
Black
Bass
Beatty
Black
Hoyer
Brown (FL)
Capps
Cardenas
Clarke (NY)
Clawson (FL)
Clyburn
Crowley
Curbelo (FL)
Denham
Duckworth
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Fox
Gutiérrez
Hahn

Herrera Beutler
Rohrabacher
Rush
Sanchez, Linda T.
Sanchez, Loretta
Sherman
Sires
Stivers
Swalwell (CA)
Takai
Takano
Turner
Vargas
Velázquez
Walker
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Whitfield
Wilson (FL)
Zinke

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HURD of Texas) (during the vote). There are 2 minutes remaining.

□ 1913

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON H.R. 5393, COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. CULBERSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-605) on the bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON H.R. 5394, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

Mr. DIAZ-BALART, from the Committee on Appropriations, submitted a privileged report (Rept. No. 114-606) on the bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4775, OZONE STANDARDS IMPLEMENTATION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H. CON. RES. 89, EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY; AND PROVIDING FOR CONSIDERATION OF H. CON. RES. 112, EXPRESSING THE SENSE OF CONGRESS OPPOSING THE PRESIDENT'S PROPOSED \$10 TAX ON EVERY BARREL OF OIL

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114-607) on the resolution (H. Res. 767) providing for consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; providing for consideration of the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for consideration of the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

LAUREN MORRIS SCHULMAN'S RETIREMENT

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to congratulate a very dear friend, Lauren Morris Schulman, on her retirement. For the past 13 years, I have had the pleasure of working closely with Lauren on some of the most pressing issues regarding the U.S.-Israel relationship.

Serving as AIPAC's Florida political director, Lauren has played a key role in building a stronger U.S. alliance with our closest ally, the democratic Jewish State of Israel. Lauren has been a lifelong public servant in having previously worked as a staffer in Congress for the late E. Clay Shaw, Jr., and she also served at the county and State levels in Florida.

Lauren has a wealth of knowledge and experience that will surely be

missed by all who have had the pleasure to work with her; but I am certain that Lauren is looking forward to this exciting next chapter in her life and will enjoy spending more time with her husband, Cliff, and their children, Jake and Samantha.

I wish my good friend Lauren Schulman the best of luck, and I congratulate her on her retirement.

THE FORT HOOD, TEXAS, NINE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, Texas has been hammered by historic torrential rain and flooding.

As the Texas floodwaters rose, 12 soldiers from Fort Hood, Texas, were crossing Owl Creek in a 2½-ton Light Medium Tactical Vehicle when it became stuck in the Owl Creek low water crossing. Suddenly, the vehicle was swept over and sent downstream by fast-moving water. Nine American soldiers drowned in the massive flood waters. Today, we remember them, and here they are:

Staff Sergeant Miguel Colon Vazquez, 38, from New York. He had just spent four tours of duty in Iraq and Afghanistan;

Specialist Christine Armstrong, 27, of California;

PFC Brandon Banner, 22, of Florida;

PFC Zachery Fuller, 23, of Florida;

Private Isaac Deleon, 19, of Texas. He was the youngest of all of them. He had only been in the Army for 17 months;

Private Eddy Rae'Laurin Gates, 20, of North Carolina—a former homecoming queen;

Private Tysheena James, 21, of New Jersey;

West Point cadet Mitchell Winey, 21, of Indiana;

Specialist Yingming Sun, 25, of California.

These are the nine who drowned recently in the Texas floods. The soldiers were members of the 3rd Battalion, 16th Field Artillery Regiment, 2nd Armored Brigade Combat Team of the 1st Cavalry Division. These American soldiers were volunteers who swore to protect the United States. They were a cut above the rest and were ready to defend freedom at home and abroad. Their lives were ripped from this world and their families all too soon.

We are grateful for them and their families for their service and their sacrifices. These soldiers are the best of America. Our thoughts and prayers are with the soldiers and their families, who have been devastated by the floods of Texas this spring.

And that is just the way it is.

ARIEL GRACE'S LAW

(Mr. FITZPATRICK asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, 1 year ago tomorrow, Ariel Grace's life ended before it had a chance to begin—killed by the failure of the unsafe medical device, Essure. Despite her tragic passing, there remains no legal recourse to seek justice. That is why, on the 1-year anniversary of her death, I will introduce Ariel Grace's Law in order to resolve the broken law that prevents the families of Ariel Grace and thousands of others to have their voices heard in court.

At the same time, I will offer legislation to reform the flawed FDA process that allowed another dangerous device—a laparoscopic power morcellator—to spread deadly cancer throughout the bodies of women like shrapnel. Despite case after case, no one reported the harm to the FDA—not even their own doctors. The Medical Device Guardians Act will add doctors into the list of entities that must report unsafe devices so that lifesaving action can be taken quickly when it is needed to protect others.

The institutions and regulations that are designed to protect our constituents from unsafe devices in these cases and others have failed. It is time we take action to address them.

LACASA CENTER

(Mr. BISHOP of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of Michigan. Mr. Speaker, I rise to pay tribute to a charitable organization in my district, the LACASA Center. Located in Howell, Michigan, LACASA is celebrating its 35th year of empowering and supporting victims of abuse, assault, and violence.

LACASA's goal is to advocate for and to provide services to victims of violent crimes. It also works to educate the community on issues of domestic abuse, child abuse, and sexual assault. The services LACASA provides are instrumental in assisting members of our community, whether that comes in the form of shelter, meals, counseling, or education.

I have seen the amazing work that LACASA does firsthand, and I had the opportunity to tour the facility earlier this year. LACASA's President and CEO is Bobette Schrandt. She is a tireless advocate for those whom she serves and is an incredible asset to our community.

Mr. Speaker, I am honored to have the opportunity to pay tribute to such a charitable organization in my district.

Congratulations, LACASA, on your 35th anniversary, and thank you for your dedication to our great community.

SOLDIERS CLIMB TO SUMMIT OF MOUNT EVEREST

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise to recognize Second Lieutenant Harold Earls, Captain Elyse Ping Medvigy, and Staff Sergeant Chad Jukes, who successfully climbed to the 29,000-foot summit of Mount Everest on Tuesday, May 24, 2016.

Staff Sergeant Jukes is a veteran who lost his leg while fighting in Iraq in 2006, making the feat even more amazing; and Lieutenant Earls is a Third ID soldier who is currently stationed at Fort Benning in west Georgia.

The soldiers' goal in reaching Mount Everest is overshadowed by their ultimate goal of gaining support for veterans' and soldiers' mental health. With the trip to the summit, they raised \$109,000 to support the mental health groups Give an Hour and Stop Soldier Suicide. The climb was the debut of U.S. Expeditions and Explorations, which is a nonprofit organization founded by Lieutenant Earls. The entire trip, including a long preparation period, lasted over a year.

I congratulate these men for reaching the summit of Mount Everest, and I thank them for their service to our Nation and to servicemen's and -women's mental health.

WATER WASTING BUREAUCRACIES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, despite our first wet winter in California in years, misguided Federal agencies threaten to cut off the water supplies of millions of Californians.

On one hand, the National Marine Fisheries Service demands that Shasta Dam releases be drastically cut, allegedly to protect winter run salmon later on in the season. On the other hand, the Fish and Wildlife Service plans to spend as much as \$150 million in buying water to drastically increase Shasta releases to the delta, allegedly to protect delta smelt—dumping water in the middle of this year.

That is right, Mr. Speaker. Federal agencies are simultaneously demanding that more water be released from reservoirs, not for human use, and that more water be kept in the reservoirs but not for human use. Neither demand is backed by science but, rather, by whim or by hunch. The only common theme of these contradictory Federal policies is that both plans give Californians the short end of the stick.

Mr. Speaker, it is time this lunacy ends and Federal agencies start making decisions based on facts, not on the

contradictory whims of unelected bureaucrats, and to protect water users, especially in the North State.

APPOINTMENT OF INDIVIDUALS TO THE COMMISSION ON EVIDENCE-BASED POLICYMAKING

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 3(a) of the Evidence-Based Policymaking Commission Act of 2016 (Public Law 114-140), and the order of the House of January 6, 2015, of the following individuals on the part of the House to the Commission on Evidence-Based Policymaking:

Mr. Ron Haskins, Rockville, Maryland, Co-Chairman

Mr. Bruce Meyer, Chicago, Illinois

Mr. Robert Hahn, Hillsboro Beach, Florida

TRANSGENDER SURGERY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, as you know, we have had some interesting discussions here on the floor in recent days about transgender as a topic and as individuals of interest. In having talked a couple of times with one man who had been through a sex change operation, what he told me was—really, the best expert in the world on the issue of transgender is the former head of psychiatry at Johns Hopkins, now a retired diplomat, but he speaks for himself.

Anyway, there was an article published back in 2014 that Dr. Paul McHugh had updated and that has been republished in the Wall Street Journal on May 13, 2016. It is entitled "Transgender Surgery Isn't the Solution: A drastic physical change doesn't address underlying psychosocial troubles."

Since there are so many people who have opined on this subject who have not dealt seriously with the issue, it seemed like it would be helpful to read from this article that was written by what one transgender explained was a great article by whom he thought was the world's leading expert on transgender issues.

□ 1930

But Dr. Paul McHugh, who obviously is a brilliant man and obviously a man who cares very deeply about individuals, especially those who have transgender as an issue, says:

"The government and media alliance advancing the transgender cause has gone into overdrive in recent weeks. On May 30, a U.S. Department of Health and Human Services review board ruled that Medicare can pay for the 'reas-

signment' surgery sought by the transgendered—those who say that they don't identify with their biological sex. Earlier last month Defense Secretary Chuck Hagel said that he was 'open' to lifting a ban on transgender individuals serving in the military. Time magazine, seeing the trend, ran a cover story for its June 9 issue called 'The Transgender Tipping Point: America's next civil rights frontier.'

"Yet policymakers and the media are doing no favors either to the public or the transgendered by treating their confusions as a right in need of defending rather than as a mental disorder that deserves understanding, treatment, and prevention. This intensely felt sense of being transgendered constitutes a mental disorder in two respects. The first is that the idea of sex misalignment is simply mistaken—it does not correspond with physical reality. The second is that it can lead to grim psychological outcomes."

Let me insert parenthetically here into Dr. McHugh's article, having talked to him twice in the last couple of weeks. He was aware—and he pointed out that the DSM-V, the latest Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, evolves over time in line with the new scientific training and information available. It renames, as required, as they believe is appropriate, different conditions that may be diagnosed in accepted diagnoses. In the fifth edition of the DSM, it has gone from calling transgender a mental disorder to calling it a dysphoria, a gender dysphoria.

Dysphoria basically is the opposite—it is an antonym of euphoria, and it basically means that someone is generally dissatisfied with their biological sex. And Dr. McHugh said that he thinks that "dysphoria" probably is a better word than "disorder" because it makes clearer what the situation is. It is someone who is generally not satisfied with their biological sex.

His article goes on, though, and says: "The transgendered suffer a disorder of 'assumption' like those in other disorders familiar to psychiatrists. With the transgendered, the disordered assumption is that the individual differs from what seems given in nature—namely one's maleness or femaleness. Other kinds of disordered assumptions are held by those who suffer from anorexia and bulimia nervosa, where the assumption that departs from physical reality is the belief by the dangerously thin that they are overweight."

Dr. McHugh goes on and says:

"With body dysmorphic disorder, an often socially crippling condition, the individual is consumed by the assumption 'I'm ugly.' These disorders occur in subjects who have come to believe that some of their psycho-social conflicts or problems will be resolved if they can change the way that they ap-

pear to others. Such ideas work like ruling passions in their subjects' mind and tend to be accompanied by a solipsistic argument."

Dr. McHugh goes on:

"For the transgendered, this argument holds that one's feeling of 'gender' is a conscious, subjective sense that, being in one's mind, cannot be questioned by others. The individual often seeks not just society's tolerance of this 'personal truth' but affirmation of it. Here rests the support for 'transgender equality,' the demands for government payment for medical and surgical treatments, and for access to all sex-based public roles and privileges."

Dr. McHugh makes really important points as he goes forward:

"With this argument, advocates for the transgendered have persuaded several states—including California, New Jersey, and Massachusetts—to pass laws barring psychiatrists, even with parental permission, from striving to restore natural gender feelings to a transgender minor. That government can intrude into parents' rights to seek help in guiding their children indicates how powerful these advocates have become."

He goes on:

"How to respond? Psychiatrists obviously must challenge the solipsistic concept that what is in the mind cannot be questioned. Disorders of consciousness, after all, represent psychiatry's domain; declaring them off-limits would eliminate the field."

We are talking about psychiatry.

Dr. McHugh says:

"Many will recall how, in the 1990s, an accusation of parental sex abuse of children was deemed unquestionable by the solipsists of the 'recovered memory' craze."

Dr. McHugh goes on and says:

"You won't hear it from those championing transgender equality, but controlled and follow-up studies reveal fundamental problems with this movement. When children who reported transgender feelings were tracked without medical or surgical treatment at both Vanderbilt University and London's Portman Clinic, 70%–80% of them spontaneously lost those feelings. Some 25% did have persisting feelings; what differentiates those individuals remains to be discerned."

As he pointed out on the air about 10 days ago, we all can recall girls we grew up with that were considered tomboys, who later grew up to be quite beautiful and quite feminine. They didn't need any liberals rushing in and forcing them to go in the boy's restroom because they identified more with what boys were doing.

But Dr. McHugh goes on in his article, and he says:

"We at Johns Hopkins University—which in the 1960s was the first American medical center to venture into

'sex-reassignment surgery'—launched a study in the 1970s comparing the outcomes of transgendered people who had the surgery with the outcomes of those who did not."

I will insert parenthetically that I remember reading that Johns Hopkins medical center had been the first hospital in the United States to begin doing sex change operations back in the '60s. I remembered reading that. I never remembered reading that they ever stopped.

But Dr. McHugh's article points out—and I am going back and reading from the article:

"Most of the surgically treated patients described themselves as 'satisfied' by the results, but their subsequent psycho-social adjustments were no better than those who didn't have the surgery. And so at Hopkins we stopped doing sex-reassignment surgery, since producing a 'satisfied' but still troubled patient seemed an inadequate reason for surgically amputating normal organs.

"It now appears that our long-ago decision was a wise one."

Well, Mr. Speaker, I never remembered reading anywhere and I don't recall articles talking about how Johns Hopkins said, look, we are having no better mental, emotional results from those who have had the surgery, so we are going to stop doing the surgery. This was Johns Hopkins; they were on the cutting edge of trying to advance gender change or sex change operations. They were doing those originally.

This forward-looking, people-caring institution at Johns Hopkins medical center decided years ago that we may be doing more harm than good and we are going to stop doing sex change surgery. So no one can accuse them of trying to make more money—because obviously they would make money from the sex change operations—and not make money from stopping the sex change operations. But apparently those in charge at Johns Hopkins took rather serious the idea that doctors should first do no harm.

He goes on and points out in his article:

"A 2011 study at the Karolinska Institute in Sweden produced the most illuminating results yet regarding the transgendered, evidence that should give advocates pause. The long-term study—up to 30 years—followed 324 people"—so they have got hundreds in their database here and are following for 30 years—"who had sex-reassignment surgery. The study revealed that beginning about 10 years after having the surgery, the transgendered began to experience increasing mental difficulties. Most shockingly, their suicide mortality rose almost 20-fold above the comparable nontransgender population. This disturbing result has as yet no explanation but probably re-

flects the growing sense of isolation reported by the aging transgendered after surgery. The high suicide rate certainly challenges the surgery prescription."

Now, Mr. Speaker, I know there are people on the floor that are pushing for civil rights equality for the transgender and to let them go into whatever restrooms they feel like represents the gender they are at that particular time, but the studies have shown that when someone has a general dissatisfaction with their biological sex, that doing the surgery to make them that sex gives them 20 times more likelihood of committing suicide.

□ 1945

I know there is nobody on the other side of the aisle who has been pushing this issue that wants people to commit suicide at 20 times the rate of nontransgendered people, but this is where this ultimately goes.

I don't believe our President wants people to commit suicide at 20 times the rate of nontransgendered people, yet what he is urging right now, the best studies in the world indicate will be the outcome. What this President is doing in pushing people who at one point in their lives have a general dissatisfaction, or dysphoria, with their biological sex is causing more damage for these individuals down the road than he will be around to do anything about. It is not enough to say, "I care more than you do for those who want men to go in girls dressing rooms and bathrooms" when you are doing the kind of harm that the best studies in the world are showing has been done.

Back to Dr. McHugh's article, he says: "There are subgroups of the transgendered, and for none does 'reassignment' seem apt. One group includes male prisoners like Pvt. Bradley Manning, the convicted national-security leaker who now wishes to be called Chelsea. Facing long sentences and the rigors of a men's prison, they have an obvious motive for wanting to change their sex and hence their prison. Given that they committed their crimes as males, they should be punished as such; after serving their time, they will then be free to reconsider their gender.

"Another subgroup consists of young men and women susceptible to suggestion from 'everything is normal' sex education, amplified by Internet chat groups. These are the transgender subjects most like anorexia nervosa patients: they become persuaded that seeking a drastic physical change will banish their psycho-social problems. 'Diversity' counselors in their schools, rather like cult leaders, may encourage these young people to distance themselves from their families and offer advice on rebutting arguments against having transgender surgery. Treatments here must begin with removing the young person from the suggestive

environment and offering a counter-message in family therapy."

That is not me. That is what one transgendered gentleman who has had the sex change operation and knows more about transgender than any M.D. in the world, Dr. Paul McHugh. Now, Dr. McHugh, when I talked to him, said he thinks there are some others who know more, but they support his positions on what he is saying, which helped him come to these positions.

But Dr. McHugh goes on: "Then there is the subgroup of very young, often prepubescent children who notice distinct sex roles in the culture and, exploring how they fit in, begin imitating the opposite sex. Misguided doctors at medical centers including Boston's Children's Hospital have begun trying to treat this behavior by administering puberty-delaying hormones to render later sex change surgeries less onerous—even though the drugs stunt the children's growth and risk causing sterility. Given that close to 80 percent of such children would abandon their confusion and grow naturally into an adult life if untreated, these medical interventions come close to child abuse. A better way to help these children: with devoted parenting."

This psychiatrist says: "At the heart of the problem is confusion over the nature of the transgendered. 'Sex change' is biologically impossible. People who undergo sex reassignment surgery do not change from men to women or vice versa. Rather, they become feminized men or masculinized women. Claiming that this is a civil rights matter and encouraging surgical intervention is in reality to collaborate with and promote a mental disorder"—or mental dysphoria, if you would rather.

Then I have this article from Walt Heyer. Having visited with Walt, I have eminent respect for this man who underwent a sex change operation from man to woman years ago. He is now in his seventies. This is his article published in *The Daily Signal* May 16 of this year.

He says: "President Barack Obama, the titular head of the LGBT movement, has added to the firestorm of confusion, misunderstanding, and fury surrounding the transgender bathroom debate by threatening schools with loss of Federal funding unless they allow students to join the sex-segregated restroom, locker room, and sports teams of their chosen gender, without regard to biological reality:

"I know firsthand what it is like to be a transgender person—and how misguided it is to think one can change gender through hormones and surgery."

Walt Heyer says: "His action," talking about President Obama, "comes after weeks of protest against the State of North Carolina for its so-called anti-LGBT bathroom bill.

"As someone who underwent surgery from male to female and lived as a female for 8 years before returning to living as a man, I know firsthand what it is like to be a transgender person—and how misguided it is to think one can change gender through hormones and surgery.

"And I know that the North Carolina bill and others like it are not anti-LGBT."

He says: "L is for lesbian. The bill is not anti-lesbian because lesbians have no desire to enter a stinky men's restroom. Lesbians will use the women's room without a second thought. So the law is not anti-L.

"G is for gay. Gay men have no interest in using women's bathrooms. So the law is not anti-G.

"B is for bisexual. The B in the LGBT have never been confused about their gender. Theirs is also a sexual preference only that doesn't affect choice of restroom or locker."

But he says: "The North Carolina law is not anti-T because the law clearly states that the appropriate restroom is the one that corresponds to the gender stated on the birth certificate. Therefore, a transgender person with a birth certificate that reads 'female' uses the female restroom, even if the gender noted at birth was male.

"So, you see, the law is not anti-LGBT. What then is all the uproar about?"

Walt Heyer goes on, he says: "What has arisen is a new breed emerging among young people that falls outside the purview of the LGBT: the gender nonconformists.

"Gender nonconformists, who constitute a minuscule fraction of society, want to be allowed to designate a gender on a fluid basis, based on their feelings at the moment."

Walt Heyer says: "I call this group 'gender defiant' because they protest against the definition of fixed gender identities of male and female. The gender defiant individuals are not like traditional transgender or transsexual persons who struggle with gender dysphoria and want hormone therapy, hormone blockers, and eventually, reassignment surgery. The gender defiant group doesn't want to conform, comply, or identify with traditional gender norms of male and female. They want to have gender fluidity, flowing freely from one gender to another, by the hour or day, as they feel like it."

Mr. Speaker, coming from a transgender individual who had sex change surgery, this is quite an article.

He goes on to say: "Under the cover of the LGBT, the anti-gender faction and its supporters are using the North Carolina bathroom bill to light a fuse to blow up factual gender definitions.

"He does not grasp the biological fact that genders are not fluid, but fixed: male and female.

"Obama is championing the insanity of eliminating the traditional defini-

tion of gender. He does not grasp the biological fact that genders are not fluid, but fixed: male and female."

Here I would also like to insert parenthetically. This is not from Walt Heyer. But in talking with Dr. McHugh, who had headed up psychiatry for so many years at Johns Hopkins, who cares deeply about people who are confused over gender, he was pointing out—he brought up the MMPI and asked if I knew what that was. Well, I knew. It is the Minnesota Multiphasic Personality Index, as I recall. But it is a personality test, and as far as I know, it is the most complete testing anybody has done on personality. It has different scales in there, and as Dr. McHugh pointed out, scale 5 is masculine at one end, feminine at another end.

Based on the questions that are asked, the MMPI score gives an indication on the male-female scale as to where someone is in that scale. It has nothing to do with biological sex. Apparently, most of us may have different places on that scale at different ages, and there is nothing abnormal about that.

People are to be comforted and counseled, not have laws passed that they can't get help from their parents, they can't get help from loving counselors, they can't get help from psychiatrists.

As Dr. McHugh pointed out, when these States like California and New Jersey pass laws that some confused minor with no biological indications of a problem, so the problem is all in the mind, when you pass laws saying you can't get counseling for what is all in the mind, as Dr. McHugh says sarcastically, you might as well outlaw all of psychiatry because what they deal with are things that have not presented normally. They have not presented a biological scientific issue.

Going back to Walt Heyer's article, he says: "Gender nonconformists, who constitute a minuscule fraction of society, want to be allowed to designate gender on a fluid basis, based on their feelings at the moment."

He said: "I call this group 'gender defiant' because they protest against the definition of fixed gender identities of male and female. The gender defiant individuals are not like traditional transgender or transsexual persons who struggle with gender dysphoria and want hormone therapy, hormone blockers, and eventually, reassignment. The gender defiant group doesn't want to conform, comply, or identify with traditional gender norms of male and female."

And I know I have read this, but this is so critical. He says: "Under the cover of LGBT, the anti-gender faction and its supporters are using the North Carolina bathroom bill to light a fuse to blow up factual gender definitions."

Now, going on: "Using the power of his position," talking about our Presi-

dent, "to influence the elimination of gender, overruling science, genetics, and biblical beliefs, is Obama's display of political power."

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"One fact will remain, no matter how deep in the tank Obama goes for the gender nonconformists, genetics and God's design of male and female, no matter how repugnant that is to some, cannot be changed. Biological gender remains fixed no matter how many cross-gender hormones are taken or cosmetic surgeries are performed. No law can change the genetic and biblical truth of God's design. Using financial blackmail to achieve the elimination of gender will become Obama's ugly legacy."

Now that is from a guy who has had the surgery, who has had the hormones. He has been through it all. Walt Heyer has a blog. He has overcome his alcohol addiction. I asked him—I don't think he would mind me repeating—I said that we learned from the Swedish study over 30 years, people that have had these sex change operations are 20 times more likely to commit suicide.

I said: Did those thoughts enter your mind—suicidal ideations? And he indicated that he had tried to commit suicide. I didn't elaborate. This is a man that knows. And so is Dr. Paul McHugh.

To try to make this a new civil rights issue holds these people up for political football. Everybody knows footballs get changed out from game to game. Some political football will be the new football in another game.

I doubt that the people in this room that have been using transgender as a football will go back like the Swedish study or the Johns Hopkins study did and see the damage that has been done. Eighty percent, if left untreated, have very, very normal lives and normal mental affect down the road—if they are left untreated. But my friends who support this want to make them a political football.

We have this article, then, from June 3. Melody Wood wrote the headline: 6 Men Who Disguised Themselves as Women to Access Bathrooms.

She reports:

"The Obama administration has unlawfully rewritten law, meddling in State and local matters, and imposing bad policy on the entire Nation.

"Americans agree that while we should be sensitive to transgender individuals, others also have rights of privacy, safety, and their own beliefs that deserve respect and should not simply be pushed aside, especially when transgender persons can be accommodated in other ways.

"The risk to the privacy and safety of women and girls is real. There have been numerous cases in recent years of men either cross-dressing or claiming to be transgender in order to access

women's bathrooms and locker rooms for inappropriate purposes.

"Here are six examples:

"In 2009, a sex offender named Richard Rendler was arrested for wearing fake breasts and a wig while loitering in a woman's restroom in Campbell, California, shopping center. Rendler had previously been arrested on charges of child molestation and indecent exposure.

"In 2010, Berkeley police arrested Gregorio Hernandez. Hernandez had disguised himself as a woman on two separate occasions to get inside a UC Berkeley locker room. Once in the locker room, Hernandez allegedly used his cell phone to photograph women.

"In 2013, Jason Pomare was arrested for cross-dressing in order to gain access to the women's restroom at a Macy's department store in Palmdale, California. Pomare snuck a video camera in to secretly videotape women while they used the restroom.

"In 2014, Christopher Hambrook—who faked being a transgender person named Jessica—was jailed in Toronto, Canada. Hambrook preyed on women at two Toronto shelters, and had previously preyed on other women and girls as young as five years old to as old as 53. Hambrook's case in particular shows the importance of protecting the privacy and safety of some of our most vulnerable citizens: the homeless and others who seek emergency shelter. And yet, the Obama administration recently proposed a rule that would impose a 'gender identity' mandate here as well.

"In 2015, two spying instances were recorded in Virginia—one at a mall and one at a Walmart. Both instances involved a man in women's clothing who used a mirror and camera to take pictures of a mother and her 5-year-old daughter and a 53-year-old woman while they were in neighboring restroom stalls. The suspect wore a pink shirt and a long wig to present himself as a woman.

"In 2016, a man used a women's locker room at a public swimming pool in Washington State to undress in front of young girls who were changing for swim practice. When Seattle Parks and Recreation staff asked him to leave, the man claimed that 'the law has changed and I have a right to be here.' The man was apparently referring to a Washington State rule that allows individuals to use the bathroom that corresponds with their gender identity. However, the man made no attempt to present as a woman.

"As these examples illustrate, there are people who will abuse transgender policies. Although the Obama administration wants to keep its focus on bathrooms, its transgender directive goes much farther and actually requires biological male students who identify as female to be granted unfettered access to women's and girls' showers at school gyms.

"So what are women and girls to do when a biological male wearing a wig and makeup walks into an open shower next to them and they are shocked by the intrusion? According to the administration's directive, 'the desire to accommodate others' discomfort' is no reason at all to prevent transgender people from accessing the intimate facilities of their choice.

"Moreover, the directive prevents schools from requiring transgender people to have surgery, take hormones, have a medical diagnosis, or even act or dress in any particular way before having the 'right' to be treated exactly like a person of the opposite sex.

"The logical effect would be to silence women and girls who might otherwise speak out to prevent serious crimes from happening for fear that they would be accused of bigotry if they make the wrong call.

"The interests and desires of transgender persons, especially adults, shouldn't be placed over the privacy and safety of women and girls. There are ways of accommodating transgender people with private facilities without endangering and silencing women who could be hurt by policies allowing anyone unfettered access to their lockers, showers, and bathrooms."

That is from Melody Wood.

It also reminds me of back years ago when the issue of hate crimes was arising and we were going to punish people more severely based on what was in their minds, such as did they choose a person, a victim, based on their being a member of an identifiable group?

That created a problem for me as one who has sentenced felons up to and including the death penalty, because from the testimony we heard over and over, those who used to be called sociopaths under the old DSM-II became antisocial personality disorder. But they knew right from wrong. They just chose to do wrong. And they would pick victims at random. They didn't really care.

The people that testified in my court repeatedly made clear that if someone has this antisocial personality disorder, formerly sociopath, psychopath, they had less chance of being reformed and coming out of prison and shying away from wrongdoing. A lesser chance of reforming them.

Whereas the testimony indicated in different cases that if someone committed an act in the heat of passion—often it was a one-time crime that had to be punished for its own crime's sake, but that they were not likely to ever commit that crime again. There were some who committed crimes. They were not antisocial personality, but they had been brought up to hate a specific group or people, and they committed some act or crime against them.

I always made sure—it didn't matter whether they picked their victim be-

cause of sexual orientation—if they committed an assault of any kind, up to and including murder, I made sure they were punished severely for the crime they committed, because every person deserves to be protected from an assault.

So hate crimes comes in. And those who chose a person based on a hatred they were taught, there are indications there have been some great successes with confrontations between them after they were sentenced with victims or victims' families in which the person who was not an antisocial personality would weep and recant and apologize and beg for forgiveness and never have that kind of hatred again and would begin associating with people, whether they were of a different race, creed, color, or gender. They had a better chance of being rehabilitated.

Yet, the hate crime law came in. In fact, under the Federal law, if you convince a jury—just raise a reasonable doubt as a defendant—no, I didn't pick that victim because they were this, that, or the other; I just wanted to shoot somebody that day—if you raise a reasonable doubt that you may have randomly picked the victim, it is a complete defense to the Federal hate crime law. That is a messed up law.

I also gave the example that, based on so many of the hate crime laws, you could someday—and I was called crazy and all kind of names for giving this example—but the example I thought many years ago that was appropriate, based on the hate crimes legislation, is that you could have a situation where a mother and her young daughter are standing on a street corner, somebody opens their trench coat and flashes the daughter, and the mother, out of that protective instinct they have to protect the child, hits the flasher with her purse.

The flasher—in a lot of jurisdictions, that is a minimal misdemeanor—probably would never do any jail time. He might have to pay a fine or spend 1 day in jail. But because the woman hit him because of his sexual orientation toward flashing, then she is now guilty under many hate crime laws of committing a felony and can get prison time under these misguided hate crime laws. And I warned that we would get to this point.

And then when I hear on the news some woman got mad when a guy came in dressed as a woman, scared her, and she hit him, then she gets arrested. This is what happens. This is the kind of miscarriage of justice you get when we don't base laws on facts.

And then we have this article from Rebecca Kheel. Of course, most of us have heard the headlines. We know the Department of Veterans Affairs, or the VA, has had problems. People have been dying while waiting to get the treatment they needed.

And now the VA proposes covering surgeries for transgender vets. They

are not even taking care of the vets when they need help, and now they are going to take up a procedure that Johns Hopkins says does more harm than good, that the best study in the world from Sweden says they are going to be 20 times more likely to kill themselves.

Have we not lost enough veterans already? The VA wants to make them 20 times more vulnerable to suicide than they already are?

It is time to stop the nonsense. And I would submit, Mr. Speaker, having reviewed the information that Dr. Paul McHugh from Johns Hopkins provided and Walt Heyer provided and that I looked into based on their direction, one thing is imminently clear: the issue of transgender is not based on biological science, it is not based on medical science, it is not based on physical science, it is not based on chemical science. There is only one science that this whole transgender issue before the Congress is based on, and that is political science.

Mr. Speaker, I yield back the balance of my time.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agree to the amendment of the House to the amendment of the Senate to the bill (H.R. 2576) "An Act to modernize the Toxic Substances Control Act, and for other purposes."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CURBELO of Florida (at the request of Mr. MCCARTHY) for today on account of his flight being delayed from Miami to Washington, D.C.

Mr. DUFFY (at the request of Mr. MCCARTHY) for today and June 8 on account of the birth of his child.

Mrs. MIMI WALTERS of California (at the request of Mr. MCCARTHY) for today and June 8 on account of business in the district.

Ms. BROWN of Florida (at the request of Ms. PELOSI) for today on account of flight delayed.

Mr. FARR (at the request of Ms. PELOSI) for today through June 10 on account of family and health issues.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for today on account of official business.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of official business.

Mr. SWALWELL of California (at the request of Ms. PELOSI) for today on account of primary election day in California.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 3, 2016, she presented to the President of the United States, for his approval, the following bills:

H.R. 3601. To designate the facility of the United States Postal Service located at 7715 Post Road, North Kingstown, Rhode Island, as the "Melvoid J. Benson Post Office Building."

H.R. 3735. To designate the facility of the United States Postal Service located at 200 Town Run Lane in Winston Salem, North Carolina, as the "Maya Angelou Memorial Post Office."

H.R. 3866. To designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the "First Lieutenant Salvatore S. Corma II Post Office Building."

H.R. 4046. To designate the facility of the United States Postal Service located at 220 East Oak Street, Glenwood City, Wisconsin, as the Second Lt. Ellen Ainsworth Memorial Post Office.

H.R. 4605. To designate the facility of the United States Postal Service located at 615 6th Avenue SE in Cedar Rapids, Iowa as the "Sgt. 1st Class Terryl L. Pasker Post Office Building."

H.R. 136. To designate the facility of the United States Postal Service located at 1103 USPS Building 1103 in Camp Pendleton, California, as the "Camp Pendleton Medal of Honor Post Office."

H.R. 433. To designate the facility of the United States Postal Service located at 523 East Railroad Street in Knox, Pennsylvania, as the "Specialist Ross A. McGinnis Memorial Post Office."

H.R. 1132. To designate the facility of the United States Postal Service located at 1048 West Robinhood Drive in Stockton, California, as the "W. Ronald Coale Memorial Post Office Building."

H.R. 2458. To designate the facility of the United States Postal Service located at 5351 Lapalco Boulevard in Marrero, Louisiana, as the "Lionel R. Collins, Sr. Post Office Building."

H.R. 2928. To designate the facility of the United States Postal Service located at 201 B Street in Perryville, Arkansas, as the "Harold George Bennett Post Office."

H.R. 3082. To designate the facility of the United States Postal Service located at 5919 Chef Menteur Highway in New Orleans, Louisiana, as the "Daryle Holloway Post Office Building."

H.R. 3274. To designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the "Francis Manuel Ortega Post Office."

Karen L. Haas, Clerk of the House, further reported that on June 7, 2016, she presented to the President of the United States, for his approval, the following joint resolution:

H.J. Res. 88. Disapproving the rule submitted by the Department of Labor relating to the definition of the term "Fiduciary."

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 15 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Wednesday, June 8, 2016, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5577. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's 102nd Annual Report for calendar year 2015; to the Committee on Financial Services.

5578. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Portable Air Conditioners [Docket No.: EERE-2014-BT-TP-0014] (RIN: 1904-AD22) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5579. A letter from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting the Department's final rule — Administration for Community Living — Regulatory Consolidation received June 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5580. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements to Address Interstate Transport for the 2008 Ozone NAAQS; Correction [EPA-R09-OAR-2015-0793; FRL-9947-27-Region 9] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5581. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Nevada: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R09-RCRA-2015-0822; FRL-9947-28-Region 9] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5582. A letter from the Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communication Commission, transmitting the Commission's final rule — Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band [GN Docket No.: 12-354] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5583. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Gray Television License, LLC and New Rushmore Radio, Inc., Amendment of Section 73.622(i) Digital Television Table of Allotments (Scottsbluff, Nebraska and Sidney, Nebraska) [MB Docket No.: 16-29] [RM-11758] received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5584. A letter from the Secretary, Department of the Treasury, transmitting a six-

month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5585. A letter from the Secretary, Department of the Treasury, transmitting six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001 and Executive Order 13313 of July 31, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5586. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(d)(1); Public Law 92-403, Sec. 1; (86 Stat. 619); to the Committee on Foreign Affairs.

5587. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's Inspector General Semiannual Report to Congress and Response and Report on Final Action for the six-month period from October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5588. A letter from the Inspector General, Department of Agriculture, transmitting the Department's Inspector General Semiannual Report to Congress for the period from October 1, 2015 to March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5589. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's Inspector General Semiannual Report to the Congress for the reporting period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5590. A letter from the Board Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's final rule — Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation (RIN: 3055-AA11) received June 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5591. A letter from the Administrator, General Service Administration, transmitting the Administration's Inspector General Semiannual Report to the Congress for the period of October 1, 2015, through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5592. A letter from the Chairman, National Endowment for the Arts, transmitting the National Endowment's Inspector General Semiannual Report to the Congress and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period of October 1, 2015 through March 31,

2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5593. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled "The Impact of 'Ban the Box' in the District of Columbia"; to the Committee on Oversight and Government Reform.

5594. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Fiscal Year 2015 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Oversight and Government Reform.

5595. A letter from the Chairman, U.S. Election Assistance Commission, transmitting the Commission's Inspector General Semiannual Report to Congress for the period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5596. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE623) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5597. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE611) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5598. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 150818742-6210-02] (RIN: 0648-XE556) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5599. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XE579) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5600. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program [Docket No.: 150818742-6210-02 and 150916863-6211-02] (RIN: 0648-XE507) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-

121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5601. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE557) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5602. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 150916863-6211-02] (RIN: 0648-XE563) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5603. A letter from the Attorney General, Department of Justice, transmitting a determination in the case of Helman v. Department of Veterans Affairs, No. 15-3086 (Fed. Cir.), pursuant to 28 U.S.C. 530D(a); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

5604. A letter from the Acting Deputy Chief Financial Officer and Director for Financial Management, Department of Commerce, transmitting the Department's final rule — Commerce Debt Collection [Docket No.: 150902806-5806-01] (RIN: 0605-AA40) received June 2, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5605. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations, Recurring Marine Events in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2015-0100] (RIN: 1625-AA08) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5606. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: San Francisco State Graduation Fireworks Display, San Francisco, CA [Docket No.: USCG-2016-0177] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5607. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; Delaware River, Philadelphia, PA [Docket No.: USCG-2015-0825] (RIN: 1625-AA01) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5608. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Drawbridge Operation Regulation; Youngs Bay, Astoria, OR [Docket No.: USCG-2016-0090] (RIN: 1625-AA09) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5609. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Block Island Wind Farm; Rhode Island Sound, RI [Docket No.: USCG-2016-0026] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5610. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River, Minneapolis, MN [Docket No.: USCG-2016-0337] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5611. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; National Grid — Beck Lockport 104 & Beck Harper 106 Removal Project; Niagara River, Lewiston, NY [Docket No.: USCG-2016-0265] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5612. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Navy UNDET, Apra Outer Harbor and Piti, GU [Docket No.: USCG-2016-0274] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5613. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Cape Fear River; Southport, NC [Docket No.: USCG-2016-0306] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5614. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual events requiring safety zones in the Captain of the Port Lake Michigan zone [Docket No.: USCG-2015-1081] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5615. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hudson River, Jersey City, NJ, Manhattan, NY [Docket No.: USCG-2016-0109] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5616. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Newport Beach Harbor Grand Canal Bridge Construction; Newport Beach, CA [Docket No.: USCG-2016-0227] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5617. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Pacific Ocean, North Shore Oahu, HI — Recovery Operations [Docket No.: USCG-2016-0272] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5618. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Port of New York, moving Security Zone; Canadian Naval Vessels [Docket No.: USCG-2016-0215] (RIN: 1625-AA87) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5619. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Tall-Ship CUAUHEMOC; Thames River, New London Harbor, New London, CT [Docket No.: USCG-2016-0250] (RIN: 1625-AA87) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5620. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations, Recurring Marine Events in Captain of the Port Long Island Sound Zone [Docket No.: USCG-2015-0100] (RIN: 1625-AA08) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5621. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Upper Mississippi River between mile 179.2 and 180.5, St. Louis, MO and between mile 839.5 and 840.0, St. Paul, MN [Docket No.: USCG-2016-0354] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5622. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Sabine River, Orange, Texas [Docket No.: USCG-2016-0321] (RIN: 1625-AA00) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5623. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Lake of the Ozarks, Lakeside, MO [Docket No.: USCG-2016-0276] (RIN: 1625-AA08) received June 1, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5624. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to the Congress concerning the extension of waiver authority for Turkmenistan, pursuant to 19 U.S.C. 2432(d)(1); Public Law 93-618, Sec. 402(d)(1); (88 Stat. 2056); to the Committee on Ways and Means.

5625. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting a report to the Congress concerning the extension of waiver authority for Belarus, pursuant to 19 U.S.C. 2432(d)(1); Public Law 93-618, Sec. 402(d)(1); (88 Stat. 2056); to the Committee on Ways and Means.

5626. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Presidential Determination No. 2016-07, Suspension of Limitations under the Jerusalem Embassy Act, pursuant to Public Law 104-45, Sec. 7(a); (109 Stat. 400); jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. Supplemental report on H.R. 4775. A bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes (Rept. 114-598, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5273. A bill to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes; with an amendment (Rept. 114-604, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CULBERSON: Committee on Appropriations. H.R. 5393. A bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-605). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIAZ-BALART: Committee on Appropriations. H.R. 5394. A bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-606). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 767. Resolution providing for consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; providing for consideration of the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for the consideration of the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil (Rept. 114-607). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 5273 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mrs. WATSON COLEMAN:

H.R. 5385. A bill to amend the Homeland Security Act of 2002 to make technical corrections to the requirement that the Secretary of Homeland Security submit quadrennial homeland security reviews, and for other purposes; to the Committee on Homeland Security.

By Ms. ESHOO (for herself, Mr. GUTIÉRREZ, Mr. COHEN, Mrs. NAPOLITANO, Mr. CÁRDENAS, Mr. TED LIEU of California, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HASTINGS, Ms. TSONGAS, Mr. BLUMENAUER, Ms. SCHAKOWSKY, Mr. MURPHY of Florida, Ms. TITUS, Mr. MCGOVERN, Mr. COSTA, and Mr. POCAN):

H.R. 5386. A bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. CROWLEY):

H.R. 5387. A bill to authorize actions to advance the United States-India relationship, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself and Mr. MCCAUL):

H.R. 5388. A bill to amend the Homeland Security Act of 2002 to provide for innovative research and development, and for other purposes; to the Committee on Homeland Security.

By Mr. RATCLIFFE (for himself, Mr. MCCAUL, and Mr. THOMPSON of Mississippi):

H.R. 5389. A bill to encourage engagement between the Department of Homeland Security and technology innovators, and for other purposes; to the Committee on Homeland Security.

By Mr. MCCAUL (for himself, Mr. RATCLIFFE, and Ms. JACKSON LEE):

H.R. 5390. A bill to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Protection Agency of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Energy and Commerce, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND:

H.R. 5391. A bill to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security.

By Mr. YOUNG of Iowa:

H.R. 5392. A bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line; to the Committee on Veterans' Affairs.

By Mr. BURGESS (for himself and Ms. MATSUI):

H.R. 5395. A bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. McDERMOTT (for himself, Mr. CONYERS, Mr. CUMMINGS, Mrs. DINGELL, Mr. GRAYSON, and Ms. SCHAKOWSKY):

H.R. 5396. A bill to amend title XVIII of the Social Security Act to provide for coverage of dental, vision, and hearing care under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. KILMER, Mr. NEWHOUSE, Ms. DELBENE, Mrs. McMORRIS RODGERS, Mr. SMITH of Washington, Ms. HERRERA BEUTLER, Mr. LARSEN of Washington, Mr. McDERMOTT, and Mr. HECK of Washington):

H.R. 5397. A bill to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness; to the Committee on Natural Resources.

By Mr. RICE of South Carolina:

H.R. 5398. A bill to amend the Immigration and Nationality Act to reform the United States immigration system to provide for a competitive America, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Homeland Security, Foreign Affairs, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee:

H.R. 5399. A bill to amend title 38, United States Code, to ensure that physicians of the Department of Veterans Affairs fulfill the ethical duty to report to State licensing authorities impaired, incompetent, and unethical health care activities; to the Committee on Veterans' Affairs.

By Mr. TOM PRICE of Georgia (for himself and Mr. PIERLUISI):

H.R. 5400. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for income attributable to domestic production activities in Puerto Rico; to the Committee on Ways and Means.

By Ms. VELAZQUEZ:

H.R. 5401. A bill to amend the Fair Housing Act, to prohibit discrimination based on use of section 8 vouchers, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 5402. A bill to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska; to the Committee on Natural Resources.

By Mr. BUTTERFIELD (for himself, Mr. YARMUTH, Mr. CARSON of Indiana, Mr. SCOTT of Virginia, Ms. FUDGE, Mr. HASTINGS, Ms. LOFGREN, Mr. BISHOP of Georgia, Ms. MOORE, Mr. THOMPSON of Mississippi, Mr. CLY-

BURN, Mr. CLEAVER, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOVE, Mr. CUMMINGS, Mr. CLAY, Ms. SEWELL of Alabama, Mr. RANGEL, Mr. LYNCH, Mr. JOHNSON of Georgia, Mr. VEASEY, Mr. DAVID SCOTT of Georgia, Ms. EDWARDS, Ms. MCCOLLUM, Ms. PINGREE, Ms. MENG, Mr. SERRANO, Mr. GARAMENDI, Mr. ELLISON, Mr. WELCH, Ms. SLAUGHTER, Mr. VELA, Mr. O'ROURKE, Ms. GABBARD, Mrs. NAPOLITANO, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Ms. ESHOO, and Ms. PLASKETT):

H. Res. 766. A resolution honoring in praise and remembrance the extraordinary life, accomplishments, and countless contributions of Mr. Muhammad Ali; to the Committee on Oversight and Government Reform.

By Mr. LAMBORN:

H. Res. 768. A resolution recognizing the sense of the House of Representatives that it is in the United States national security interest for Israel to maintain control of the Golan Heights; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

250. The SPEAKER presented a memorial of the Legislature of the State of Oklahoma, relative to Senate Joint Resolution No. 4, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

251. Also, a memorial of the Legislature of the State of Oklahoma, relative to Senate Joint Resolution No. 4, requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. WATSON COLEMAN:

H.R. 5385.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. ESHOO:

H.R. 5386.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, clause 1 of the Constitution.

By Mr. ENGEL:

H.R. 5387.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. RATCLIFFE:

H.R. 5388.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for

carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RATCLIFFE:

H.R. 5389.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCCAUL:

H.R. 5390.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RICHMOND:

H.R. 5391.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. YOUNG of Iowa:

H.R. 5392.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Mr. CULBERSON:

H.R. 5393.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. DIAZ-BALART:

H.R. 5394.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law" In addition, clause 1 of section 8 of article I of the Constitution

(the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States" Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BURGESS:

H.R. 5395.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, of the United States Constitution, which grants Congress the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

Article 1, Section 8, Clause 18, of the United States Constitution, which grants Congress the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. McDERMOTT:

H.R. 5396.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. REICHERT:

H.R. 5397.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. RICE of South Carolina:

H.R. 5398.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the United States Constitution

By Mr. ROE of Tennessee:

H.R. 5399.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. TOM PRICE of Georgia:

H.R. 5400.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: "All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills."

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Ms. VELÁZQUEZ:

H.R. 5401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . ."

By Mr. YOUNG of Alaska:

H.R. 5402.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 140: Mr. GOODLATTE.
H.R. 241: Mr. BRAT.
H.R. 266: Mr. GOHMERT and Mr. ROKITA.
H.R. 335: Ms. LORETTA SANCHEZ of California.
H.R. 391: Mr. HASTINGS, Mr. LEWIS, Mr. THOMPSON of California, Ms. JACKSON LEE, Mr. McDERMOTT, Ms. WILSON of Florida, and Ms. LEE.
H.R. 402: Mr. GENE GREEN of Texas.
H.R. 448: Mr. THOMPSON of California.
H.R. 546: Mr. BARR.
H.R. 605: Mr. PERRY and Mr. PITTINGER.
H.R. 662: Mr. BABIN.
H.R. 663: Mrs. BUSTOS.
H.R. 664: Mr. SCHWEIKERT.
H.R. 711: Mr. NADLER.
H.R. 802: Miss RICE of New York and Mr. YOUNG of Iowa.
H.R. 835: Ms. JUDY CHU of California.
H.R. 842: Mr. GRAVES of Missouri.
H.R. 845: Mr. TOM PRICE of Georgia.
H.R. 855: Mr. LARSEN of Washington.
H.R. 864: Ms. DUCKWORTH and Mr. NADLER.
H.R. 885: Mr. TED LIEU of California.
H.R. 923: Mr. LOUDERMILK, Mr. STEWART, Mr. HUIZENGA of Michigan, Mr. ABRAHAM, Mr. KELLY of Mississippi, Mr. POSEY, and Mr. LUCAS.
H.R. 954: Mr. RENACCI.
H.R. 973: Mr. NADLER.
H.R. 997: Mr. CRAMER and Mr. NEUGEBAUER.
H.R. 1089: Mrs. NAPOLITANO.
H.R. 1095: Ms. MOORE.
H.R. 1151: Ms. HERRERA BEUTLER.
H.R. 1170: Miss RICE of New York.
H.R. 1188: Mr. HASTINGS.
H.R. 1192: Mr. ASHFORD, Mr. GARRETT, and Mrs. COMSTOCK.
H.R. 1197: Mr. GUTIÉRREZ and Mr. GARRETT.
H.R. 1283: Mrs. WATSON COLEMAN.
H.R. 1312: Mr. SMITH of New Jersey.
H.R. 1427: Mrs. CAROLYN B. MALONEY of New York and Mr. LUCAS.
H.R. 1453: Mr. BUCSHON.
H.R. 1459: Mrs. DAVIS of California.
H.R. 1460: Ms. CLARKE of New York, Mr. CONYERS, and Miss RICE of New York.
H.R. 1559: Mr. MOONEY of West Virginia and Mr. LAMBORN.
H.R. 1714: Mrs. WATSON COLEMAN and Mr. BRAT.
H.R. 1728: Ms. SLAUGHTER.
H.R. 1763: Mr. BEN RAY LUJÁN of New Mexico, Mr. LOEBSACK, and Mr. BRADY of Pennsylvania.
H.R. 1859: Mrs. MIMI WALTERS of California and Mr. RUSH.
H.R. 1904: Mr. McDERMOTT and Mr. RUSH.
H.R. 1905: Mr. McDERMOTT and Mr. RUSH.
H.R. 1925: Mr. GARAMENDI.
H.R. 1935: Mr. SMITH of Missouri.
H.R. 1943: Mr. SMITH of Washington.
H.R. 2058: Mr. DUNCAN of South Carolina and Mr. LANCE.
H.R. 2087: Mr. HINOJOSA and Mr. BRADY of Pennsylvania.
H.R. 2096: Ms. GRANGER.
H.R. 2170: Ms. GABBARD.
H.R. 2189: Ms. MCCOLLUM.
H.R. 2215: Mr. COOK.

- H.R. 2257: Ms. ESHOO and Mr. COLE.
H.R. 2285: Mr. MCGOVERN.
H.R. 2313: Mr. KIND.
H.R. 2315: Mr. RUPPERSBERGER, Mr. KIND, Mr. PAYNE, Mrs. WATSON COLEMAN, and Mr. ISSA.
H.R. 2404: Mr. ASHFORD and Ms. HERRERA BEUTLER.
H.R. 2411: Mrs. DAVIS of California and Mr. FOSTER.
H.R. 2515: Mr. VAN HOLLEN.
H.R. 2715: Mr. LOEBSACK.
H.R. 2732: Mr. CUMMINGS.
H.R. 2799: Mr. MCHENRY, Ms. LEE, Mr. EMMER of Minnesota, Mr. COSTELLO of Pennsylvania, Mr. COFFMAN, Mr. CROWLEY, Mr. VAN HOLLEN, Mrs. NAPOLITANO, and Ms. BROWN of Florida.
H.R. 2804: Mr. TONKO and Ms. SLAUGHTER.
H.R. 2874: Mr. GALLEGO.
H.R. 2903: Mr. RICHMOND, Mr. KELLY of Pennsylvania, Mr. SESSIONS, Mr. PITTENGER, Mr. RIBBLE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. CARTER of Georgia, and Ms. DELBENE.
H.R. 2920: Mr. HIMES.
H.R. 2980: Mr. TONKO.
H.R. 2992: Mr. BARLETTA.
H.R. 3011: Mrs. BLACK.
H.R. 3119: Mr. CICILLINE.
H.R. 3222: Mr. SMITH of Missouri.
H.R. 3226: Ms. MOORE and Mr. LOEBSACK.
H.R. 3229: Ms. HERRERA BEUTLER and Mr. BRADY of Pennsylvania.
H.R. 3299: Mrs. MCMORRIS RODGERS.
H.R. 3308: Mr. HECK of Washington.
H.R. 3323: Mr. HARDY.
H.R. 3346: Mr. CURBELO of Florida.
H.R. 3355: Mr. LARSON of Connecticut.
H.R. 3381: Mr. YOUNG of Indiana, Mr. HURD of Texas, Mr. BOUSTANY, and Ms. HERRERA BEUTLER.
H.R. 3397: Mr. MARCHANT.
H.R. 3406: Mr. BISHOP of Georgia.
H.R. 3463: Mr. LAHOOD.
H.R. 3471: Mr. COFFMAN, Mrs. HARTZLER, and Mr. DUFFY.
H.R. 3514: Mr. DOGGETT and Mr. ISRAEL.
H.R. 3516: Mr. MULLIN and Mrs. HARTZLER.
H.R. 3520: Mr. GARRETT and Mr. RIGELL.
H.R. 3533: Ms. STEFANIK.
H.R. 3687: Mr. POLIS.
H.R. 3706: Mr. WEBER of Texas, Mr. TAKANO, and Mr. BRADY of Pennsylvania.
H.R. 3742: Mr. NUGENT and Mr. SHUSTER.
H.R. 3765: Mr. MCCLINTOCK.
H.R. 3799: Mr. BOUSTANY and Mr. FLEMING.
H.R. 3815: Ms. DELAURO, Mr. GARRETT, and Ms. STEFANIK.
H.R. 3822: Mr. CUELLAR.
H.R. 3843: Mr. YOUNG of Alaska.
H.R. 3846: Mr. TONKO.
H.R. 3852: Mr. ENGEL.
H.R. 3880: Mr. CHABOT.
H.R. 3886: Mr. HECK of Washington.
H.R. 3892: Mr. DOLD and Mr. CURBELO of Florida.
H.R. 3929: Mr. SMITH of Missouri, Ms. MAXINE WATERS of California, Mr. ROSS, Mr. MARCHANT, Mr. CROWLEY, Mr. PIERLUISI, Ms. SEWELL of Alabama, Mr. RUPPERSBERGER, Mr. CÁRDENAS, Mr. MURPHY of Florida, Mr. LOBIONDO, Mr. LANGEVIN, and Ms. SPEIER.
H.R. 3965: Mr. DAVID SCOTT of Georgia.
H.R. 4073: Mr. POE of Texas.
H.R. 4116: Mr. AMODEI.
H.R. 4144: Ms. KUSTER.
H.R. 4184: Ms. DELAURO, Ms. MATSUI, and Ms. KUSTER.
H.R. 4212: Mr. DEFazio.
H.R. 4247: Mrs. WALORSKI and Mr. LONG.
H.R. 4352: Mr. THOMPSON of California, Mr. CARTER of Georgia, and Mr. POCAN.
H.R. 4365: Ms. HERRERA BEUTLER and Mr. RENACCI.
H.R. 4381: Mr. SESSIONS, Mr. BISHOP of Utah, Mr. CURBELO of Florida, Mr. LOBIONDO, Mr. MCCAUL, Mr. ASHFORD, Mr. MICA, Mr. BYRNE, and Mr. CARTER of Georgia.
H.R. 4456: Mr. ROE of Tennessee and Mr. POLLS.
H.R. 4462: Mr. DESAULNIER.
H.R. 4490: Mr. THOMPSON of California.
H.R. 4514: Mr. MARINO, Mr. FORBES, Mr. PERRY, Mr. BARR, Mr. TOM PRICE of Georgia, Mr. WALDEN, Mr. NUNES, Mr. HIGGINS, Mrs. CAROLYN B. MALONEY of New York, and Mr. LONG.
H.R. 4538: Mr. PEARCE.
H.R. 4556: Mr. AL GREEN of Texas.
H.R. 4559: Mr. CUELLAR.
H.R. 4592: Mr. CARSON of Indiana, Mr. GALLEGO, Ms. GRAHAM, Mr. GENE GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PETERS, Mr. PRICE of North Carolina, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, Ms. SINEMA, Mr. SMITH of Washington, Mr. TAKANO, Ms. VELÁZQUEZ, Mr. DAVID SCOTT of Georgia, Miss RICE of New York, Mr. ROSS, Mr. MESSER, Mr. HANNA, Mr. TAKAI, and Mrs. RADEWAGEN.
H.R. 4612: Mr. MULLIN.
H.R. 4614: Mr. CICILLINE.
H.R. 4626: Mr. RYAN of Ohio, Mr. CICILLINE, Mr. CARTER of Georgia, Mr. ABRAHAM, Ms. GRANGER, and Mr. HARPER.
H.R. 4640: Mr. AL GREEN of Texas, Mr. CÁRDENAS, Mr. FRANKS of Arizona, Mr. TAKANO, and Mr. CRAMER.
H.R. 4681: Ms. ESHOO and Ms. JUDY CHU of California.
H.R. 4683: Mr. BLUMENAUER.
H.R. 4684: Mr. SWALWELL of California.
H.R. 4695: Ms. CLARKE of New York, Mr. SCHRADER, Ms. NORTON, and Ms. WASSERMAN SCHULTZ.
H.R. 4701: Mr. GRIJALVA.
H.R. 4708: Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. COFFMAN.
H.R. 4715: Mr. MASSIE.
H.R. 4764: Mr. O'ROURKE, Mr. POLIS, Mr. LOEBSACK, Mr. GRAVES of Missouri, and Mr. FITZPATRICK.
H.R. 4768: Mr. EMMER of Minnesota, Mr. PEARCE, Mr. LAHOOD, Mr. HUIZENGA of Michigan, Mr. HUELSKAMP, and Mr. PITTENGER.
H.R. 4770: Mr. MCDERMOTT.
H.R. 4796: Mr. CONNOLLY and Mr. ASHFORD.
H.R. 4798: Mr. FATTAH.
H.R. 4816: Mr. COOPER and Mrs. BLACK.
H.R. 4819: Ms. JENKINS of Kansas.
H.R. 4828: Mr. WILSON of South Carolina, Mr. DESANTIS, Mr. POE of Texas, and Mr. YOUNG of Iowa.
H.R. 4830: Mr. POE of Texas.
H.R. 4892: Mr. BRADY of Pennsylvania.
H.R. 4907: Mr. KIND and Mr. BRADY of Pennsylvania.
H.R. 4928: Mr. MASSIE and Mr. MESSER.
H.R. 4938: Mr. COSTA, Mr. HANNA, Mr. GRAVES of Georgia, Mr. NEWHOUSE, Ms. BROWNLEY of California, Mr. BUCSHON, Ms. LOPGREN, Mr. RODNEY DAVIS of Illinois, and Mr. LUCAS.
H.R. 4955: Mr. CROWLEY and Mr. RIBBLE.
H.R. 4966: Mr. SCHIFF.
H.R. 4979: Mr. MCKINLEY.
H.R. 4989: Mr. LEWIS and Mr. CONNOLLY.
H.R. 4994: Mr. CURBELO of Florida, Mr. AL GREEN of Texas, and Mr. SWALWELL of California.
H.R. 5008: Ms. DELAURO.
H.R. 5010: Mr. TAKANO.
H.R. 5044: Mr. CASTRO of Texas and Mr. KENNEDY.
H.R. 5053: Mr. TIPTON.
H.R. 5073: Mr. SCHIFF.
H.R. 5090: Mr. KILMER, Mr. DOLD, and Ms. DELBENE.
H.R. 5113: Mr. LEVIN.
H.R. 5114: Ms. MATSUI and Mr. POLIS.
H.R. 5119: Mr. ROSS, Mr. KINZINGER of Illinois, and Mr. COFFMAN.
H.R. 5149: Ms. JENKINS of Kansas.
H.R. 5170: Mr. MACARTHUR and Mrs. BROOKS of Indiana.
H.R. 5180: Mr. ADERHOLT, Mr. LAMBORN, Mr. CRAWFORD, Mr. MULVANEY, Mr. FRANKS of Arizona, Mr. CARTER of Georgia, and Mr. WESTERMAN.
H.R. 5183: Mr. BRADY of Pennsylvania, Mr. PETERS, Mr. CARTWRIGHT, and Mr. COSTELLO of Pennsylvania.
H.R. 5187: Mr. SESSIONS.
H.R. 5204: Mr. LAMALFA, Mr. RENACCI, and Mr. PASCRELL.
H.R. 5208: Mr. WOODALL.
H.R. 5210: Mr. PAULSEN, Mr. COOK, Mr. ROGERS of Alabama, Mr. GUINTA, Mr. MARCHANT, Mr. WESTERMAN, Mr. YOUNG of Iowa, Mr. HECK of Nevada, Mr. PITTENGER, Mr. PETERS, Mr. LANGEVIN, Mr. HUELSKAMP, Mr. CHAFFETZ, Mr. STEWART, Mr. MOONEY of West Virginia, Mr. CARTWRIGHT, Mr. DUFFY, and Mr. JENKINS of West Virginia.
H.R. 5224: Mr. DESANTIS, Mrs. BLACK, and Mr. NEUGEBAUER.
H.R. 5235: Mrs. NAPOLITANO, Mr. LOWENTHAL, Mr. SWALWELL of California, and Ms. BROWNLEY of California.
H.R. 5258: Mr. COSTELLO of Pennsylvania.
H.R. 5275: Mr. GROTHMAN, Mr. BISHOP of Utah, Mr. PITTENGER, Mr. ADERHOLT, and Mr. CARTER of Georgia.
H.R. 5291: Mr. COHEN and Mr. LIPINSKI.
H.R. 5292: Mr. ENGEL, Mr. ROKITA, Mr. SIMPSON, Mr. BLUMENAUER, Mr. LOWENTHAL, Mr. DONOVAN, Ms. HERRERA BEUTLER, Mr. HIGGINS, Mr. PERLMUTTER, Mr. COLE, and Mr. ISRAEL.
H.R. 5294: Mr. SAM JOHNSON of Texas and Mrs. HARTZLER.
H.R. 5296: Mr. RENACCI.
H.R. 5299: Mr. SMITH of Texas.
H.R. 5307: Mr. SANFORD and Mr. KING of Iowa.
H.R. 5310: Mr. FOSTER, Mr. QUIGLEY, Ms. TITUS, Mr. YARMUTH, Mr. KILDEE, Ms. CLARK of Massachusetts, and Ms. KUSTER.
H.R. 5333: Mr. PITTENGER.
H.R. 5338: Mr. RATCLIFFE and Mr. PAYNE.
H.R. 5340: Mrs. WATSON COLEMAN.
H.R. 5344: Mr. KELLY of Pennsylvania.
H.R. 5351: Mr. COFFMAN and Mr. FORBES.
H.R. 5356: Mr. CASTRO of Texas.
H.R. 5369: Ms. BROWN of Florida and Mr. CICILLINE.
H.R. 5373: Mrs. KIRKPATRICK, Ms. SLAUGHTER, Mrs. CAPPS, Mr. ISRAEL, Mr. LARSEN of Washington, Mr. COHEN, Mr. BECERRA, and Mr. HOYER.
H.J. Res. 9: Mr. WEBSTER of Florida.
H.J. Res. 87: Mr. GOHMERT.
H. Con. Res. 17: Mr. CUMMINGS and Ms. HERRERA BEUTLER.
H. Con. Res. 19: Mr. DUNCAN of Tennessee and Mr. FORBES.
H. Con. Res. 56: Mr. ABRAHAM, Mrs. COMSTOCK, and Mr. BRIDENSTINE.
H. Con. Res. 112: Mr. SESSIONS, Mrs. BLACK, Mr. BRIDENSTINE, Mr. GRAVES of Louisiana, and Mr. SCALISE.
H. Con. Res. 128: Mr. MACARTHUR.
H. Con. Res. 129: Mrs. CAROLYN B. MALONEY of New York and Ms. DUCKWORTH.
H. Res. 210: Mr. BRIDENSTINE, Mr. HULTGREN, Mr. LARSON of Connecticut, and Mr. BARR.
H. Res. 220: Ms. SLAUGHTER, Mr. HONDA, Mr. JOHNSON of Georgia, and Mr. ROSS.
H. Res. 289: Ms. NORTON and Mr. GALLEGO.
H. Res. 393: Ms. WASSERMAN SCHULTZ.
H. Res. 501: Ms. BONAMICI.

H. Res. 591: Mr. KATKO, Mr. LOEBSACK, Ms. FOXX, and Mr. AMODEI.

H. Res. 647: Mr. RODNEY DAVIS of Illinois and Mrs. MCMORRIS RODGERS.

H. Res. 650: Ms. LORETTA SANCHEZ of California and Mr. TIPTON.

H. Res. 660: Mr. SCHWEIKERT and Ms. FRANKEL of Florida.

H. Res. 686: Mr. CONYERS, Mr. HIMES, and Mr. PERLMUTTER.

H. Res. 729: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COHEN, Ms. KELLY of Illinois, Mr. ROE of Tennessee, Mr. FINCHER, Mr. POLIQUIN, Mr. HANNA, Mr. MULLIN, Mr. CALVERT, Mrs. WATSON COLEMAN, Mr. CHAFFETZ, Mr. FORBES, Mrs. HARTZLER, Mrs. CAROLYN B. MALONEY of New York, Mrs. MCMORRIS RODGERS, Mr. O'ROURKE, Mr. THOMPSON of

Pennsylvania, Mr. TONKO, Mr. LOBIONDO, Mr. PERRY, Mr. RIGELL, Mr. MURPHY of Florida, Mr. MARINO, Mr. STIVERS, Ms. GRAHAM, Mr. COOPER, Mr. LAMBORN, Mr. ROONEY of Florida, Mr. CRAMER, Mr. PASCRELL, Mr. ZELDIN, Mr. WALDEN, Mr. HARPER, Mr. KING of Iowa, Mr. QUIGLEY, Mr. RUPPERSBERGER, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H. Res. 740: Mr. STIVERS, Mr. RYAN of Ohio, and Mr. JORDAN.

H. Res. 750: Mr. LAMBORN, Ms. MENG, Mrs. WAGNER, and Mr. KILMER.

H. Res. 752: Ms. DELBENE, Mr. LANCE, Mr. VISCLOSKY, and Ms. TITUS.

H. Res. 759: Mr. MCGOVERN, Mr. KILMER, and Mr. RICHMOND.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The Manager's amendment to be offered to H.R. 4775, Ozone Standards Implementation Act of 2016, by Representative Whitfield, or a designee, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Tuesday, June 7, 2016

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who knows what is best for us, we submit today to Your loving providence. Continue to be our refuge and strength, a very present help in the time of trouble. May we never forget that nothing in all creation can separate us from Your love.

Bless our lawmakers. Fill their hearts with such love for You that no difficulty or hardship will prevent them from obeying Your precepts. Help them to remember that those who walk in integrity travel securely.

Lord, strengthen their resolve to serve You as they should and in doing so may they become more aware of Your continuous presence.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The Democratic leader is recognized.

DONALD TRUMP AND THE JUDICIARY COMMITTEE CHAIRMAN

Mr. REID. Mr. President, the Republican nominee of our great country continues to attack a Federal judge because of his Mexican heritage. This is not only wrong, it is racist and un-American. It is also a fundamental attack on the American judiciary system.

When issues like these arise, the Nation has historically looked to the Senate for leadership. In particular, throughout our history, the Senate Judiciary Committee has been a bastion of independence and bipartisanship. When Federal judges are under assault, we should expect the chairman of the Judiciary Committee to rise above politics and condemn racism—but not this Judiciary chairman who is now the chairman of the committee in the

United States Senate, not the senior United States Senator from Iowa.

Instead of a bold feat of bipartisanship, we are left with yet another example of how he has become the most partisan Judiciary chairman in the history of America. Instead of rising above partisanship and condemning Trump's racist attacks on a highly qualified judge—by the way, who was born in Indiana—Senator GRASSLEY kisses Trump's ring and toes the party line. Instead of condemning Trump, GRASSLEY defended him.

His rationale is mind-boggling. Listen to this: Senator GRASSLEY says that Trump must respect the Judiciary because over the course of hundreds of lawsuits and years of litigation, Trump has actually won some cases. I can't make up something like this.

For example, a quote from a newspaper article:

Grassley also suggested Trump's propensity for filing lawsuits showed some level of respect for the judicial branch.

"He must respect the Judiciary," Grassley said. "I've seen statistics that he's won over 400 cases, only lost 30."

How about that. I find it curious that the chairman doesn't have time to read Merrick Garland's questionnaire or give him a hearing, but he has time to study Donald Trump's success rate in the courtroom. This says a lot, and one of the things it says is what Senator GRASSLEY's priorities are.

In spite of everything coming out of Donald Trump's mouth, Senator GRASSLEY remains loyal to Donald Trump. According to an Iowa newspaper, the Ames Tribune, Senator GRASSLEY told his constituents on Friday: "He isn't concerned by any of the controversial or inflammatory rhetoric coming from the Trump campaign."

I am a little disappointed, but—with what has happened the last couple of months—not surprised. I believe no Member of the Senate has done more for Donald Trump than the chairman of the Senate Judiciary Committee.

In January, when many Republicans were still trying to distance themselves from Donald Trump, Senator GRASSLEY introduced Trump at an Iowa campaign event. Since then, despite dozens of editorials against Senator GRASSLEY and pressure from his constituents, Senator GRASSLEY has done everything in his power to hold open a Supreme Court seat for Donald Trump to fill. I am surprised Senator GRASSLEY has yet to acknowledge these racist attacks on Judge Curiel because these attacks are beyond the pale. Instead, Senator GRASSLEY chose to further establish himself as a Trump

cheerleader, just like the Republican leader has done.

Last week Senator GRASSLEY told his constituents:

He's building confidence with me.

Talking about Trump.

I've already said I'm going to vote for him.

... I'd campaign with him.

But this is not the beginning of Senator GRASSLEY's campaign for Donald Trump. Senator GRASSLEY's entire chairmanship the past 6 months has been one big campaign push for Trump. His committee has become an extension of the Trump campaign. The Republican Judiciary Committee has done everything to focus on boosting Trump but has neglected to do its job in the process.

Under Chairman GRASSLEY, the committee is reporting out almost no bills, fewer judicial nominations than any time in recent history, and because of this inaction by the chairman of the Judiciary Committee, the Senate has confirmed fewer judges than in decades. We heard the report yesterday of how the Federal system of courts in our country is in disrepair. Why? Because the Judiciary Committee is processing none of the appointments President Obama has made.

What has the Judiciary Committee done instead? It has spent its time carrying out a political hit job on Secretary Clinton. Senator GRASSLEY has wasted countless dollars and staff time developing partisan opposition research that he hoped could be used to help Trump's candidacy against Secretary Clinton. It hasn't helped, but it has shortened the pocketbook of the American people. Senator GRASSLEY has been so desperate to drag Secretary Clinton's name through the mud that he even encouraged the FBI to leak an independent review of Secretary Clinton's use of email.

At every turn, the senior Senator from Iowa has used his committee for partisan purposes that benefit only one person: Donald Trump. There is no better example than the current vacancy on the Supreme Court. Rather than doing his constitutional duty and processing Merrick Garland's nomination, Chairman GRASSLEY took his marching orders from Trump, and Trump said: Delay, delay, delay. And that is exactly what the Senator from Iowa has done—delay, delay, delay.

Chairman GRASSLEY is hoping to run out the clock. He is hoping President Trump gets to nominate the next Supreme Court Justice. That is why last month Senator GRASSLEY said of Trump: "I think I would expect the right type of people to be nominated by [Trump] to the Supreme Court."

After Donald Trump's latest attack on the Judiciary, does Senator GRASSLEY really believe that Trump is the right man to pick nominees to the Supreme Court or any court? Donald Trump said that a Federal judge should be disqualified from presiding over a case because of his Mexican heritage, even though he was born in Indiana. He said the same would apply if the judge were Muslim. Does Senator GRASSLEY believe Trump's comments were racist? This is a place for the senior Senator from Iowa to start his quest for fairness.

The Republican junior Senator from Nebraska agrees it was racist. This is what he tweeted yesterday: "Public Service Announcement: Saying someone can't do a specific job because of his or her race is the literal definition of 'racism.'" The junior Senator from South Carolina, also a Republican, called Trump's remarks "racially toxic," but what does the senior Senator from Iowa say? Zero, nothing.

Does the chairman of the Judiciary Committee agree with Donald Trump? Does Senator GRASSLEY also believe judges should face a religious test? The senior Senator from Iowa said he trusts Donald Trump's judgment. He said, and I repeat: "He's building confidence with me."

After everything we have heard from Donald Trump—all of his vile, unhinged rants—does Senator GRASSLEY honestly have confidence that Donald Trump should pick the next Supreme Court Justice? I don't trust Trump to make that decision, the people of Iowa don't, and America doesn't. Senator GRASSLEY must stop using his committee to do Trump's bidding. He must stop using the once-proud Judiciary Committee as an extension of the Trump political campaign.

Instead of continuous delay, delay, delay, Chairman GRASSLEY should give Merrick Garland a hearing and a vote, but do it now. Waiting for Donald Trump to choose the ninth member of the Supreme Court is not the answer.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

The PRESIDING OFFICER. The Senator from Maine.

CYBER SECURITY AND OUR ELECTRIC GRID

Mr. KING. Mr. President, at 3:30 in the afternoon on December 23 of last year, about a half hour before sunset, the lights started to go out in western Ukraine. The power started to go out. The operator in one of the Ukrainian powerplants noticed, to his horror, that he no longer controlled the cursor on his computer screen. The cursor moved of its own accord and started opening dialogue boxes and opening breakers.

The operator tried frantically to get back into the computer, only to find he was locked out and the password had been changed. At the same time, the call center of this utility in Ukraine was blocked by thousands of fake calls, so the utility itself could not know what was happening in the countryside. The backup generators around western Ukraine also went down. Malware was installed on the operating computers and a system called KillDisk was installed, which wiped the disks and rendered the computers useless.

As a final insult, the power in the power control system itself went off and the operators were literally left in the dark. This was the first major cyber attack of a public utility anywhere in the world. It was sophisticated, it was well planned, and it was devastating. Within a few minutes, 230,000 people in the country of Ukraine were without power.

That attack could have occurred in Kansas City, in San Jose, in New York, or here in Washington. Ever since I have served in this body as a member of the Armed Services and Intelligence Committees, I have heard repeated warnings from every public official involved with intelligence and national security that an attack on our critical infrastructure is not possible, it is likely.

How many shots across our bow, how many warning shots do we have to endure? Sony, the OPM, insurance companies, and now the nightmare scenario of an electric grid attack.

We can learn something from what happened in the Ukraine, and there is a piece of good news and a lesson for us. The attack, which left 230,000 people without power, only persisted for about 6 hours. The interesting part of the scenario of this development was that one of the reasons they were able to get the power back on so fast was because the Ukrainian grid was not up to modern—I hesitate to say "standards"—practices in terms of its interconnectedness and its digitization. There were old-fashioned analog switches, and the

most old-fashioned analog switch of all, a human being, who could actually throw breakers and get the system back online.

However, in this country we are not so lucky, and I use that in a very sort of backward way because we have the most advanced grid structure in the world. We are more digital, we are more automated, we are more interconnected, but that makes us more vulnerable. That makes us more vulnerable. We are asymmetrically vulnerable because we are asymmetrically interconnected. We keep getting these warning shots. A lot is being done by our utilities and by our government agencies to work on protecting this country from a devastating cyber attack. But I know of no one who would assert that enough is being done and that we are ahead of this threat.

I introduced a bill yesterday, along with three cosponsors: Senator RISCH from Idaho, Senator COLLINS from Maine, and Senator HEINRICH from New Mexico—all of whom, along with myself, are members of the Intelligence Committee, where we hear about these threats practically weekly. The bill is pretty straightforward. It tasks our great National Labs with working with the utilities over a 2-year period to determine, not new software patches and new complexity, but if we can protect our grid by returning to, at least at critical points in the grid, the old-fashioned analog switches or good-old Fred, who has to go and throw a breaker with his dog. It may be that going back to the future, if you will—going back to the past and simplifying some of these critical connection points may be the best protection we can have. The idea is for the Labs to put their best people on this and for the utilities to do the same on a voluntary basis.

I might add that there is nothing mandatory about this bill. We are trying to work on finding some solutions that are implementable in the short run to protect us from this grave threat. Once we get a report back, hopefully we will be able to implement this legislation across the country.

I am tired of hearing warnings. It is really time for us to act, and this is a straightforward bill that I hope can move through this body at the speed of a cyber attack so that we can then have the defense we have to have.

An attack on our critical infrastructure—particularly the electric infrastructure across this country—would, in fact, be devastating and would undoubtedly involve a loss of lives. I do not want to be here on a darkening winter afternoon and see the lights going off across America—the power to hospitals, the power to our transportation system, the power that makes our lives what they are today. This is not an abstract threat. We know from the Ukraine that the capability exists to do exactly that and take down the

grid. We must act expeditiously and directly to counteract that threat. If we do not do so, we are failing our responsibility to the people of America, our constituents, and the United States.

I urge rapid consideration of this bill, and I look forward to its consideration at the Energy Committee. Three of the four sponsors are also members of the Energy Committee as well as the Intelligence Committee, and I am hoping we can move this rapidly so we can begin the process of countering what is not an abstract threat but a direct, clear, and present danger to the future of this country.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here this morning to urge my colleagues to support an amendment that I have offered to the National Defense Authorization Act to extend the Afghan Special Immigrant Visa Program, also known as the SIV Program.

The SIV Program gives Afghans who supported the U.S. mission in Afghanistan and now face grave threats because of their willingness to help our service men and women on the ground in Afghanistan the ability to come to the United States. To be eligible, new applicants must demonstrate at least 2 years of faithful and valuable service. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency security review.

People may ask: Who are these Afghans? Let me give a few examples of the extraordinary service they have provided.

The first person I will talk about—and I can't use his name for privacy and security reasons—worked as an interpreter for U.S. Special Operations Command, SOCOM, from 2005 to 2016—11 years. He originally applied for a special immigrant visa in 2012 and continued to work for SOCOM during the interim. One of the applicant's direct supervisors, the commander of 1st Battalion, Third Special Forces Group, stated that the applicant's brother was murdered by extremists—probably Taliban—due to the applicant's work for the U.S. Government, and the applicant himself has been wounded several times while serving.

A second individual worked as the head interpreter for a provincial reconstruction team, or PRT team, for years. Because of his service, his children can't go to school and the lives of his family members are in danger. The applicant's PRT commander was one of multiple direct Defense Department supervisors to submit letters of recommendations on his behalf testifying to his loyal and valued service.

A third interpreter served the Defense Department from 2008 to 2015. He

left work in December following an IED attack which robbed him of one eye and his vision in the other. He applied for his special immigrant visa after being wounded and is in the beginning stages of the extensive interagency vetting process.

Clearly, the service of these individuals has been critical to our successes in Afghanistan, and in at least a handful of other cases, SIV recipients' commitment to the U.S. mission was so strong that they found ways to contribute even after they arrived in the United States. One promptly enlisted in the Armed Forces and later worked as a cultural adviser to the U.S. military. Another graduated from Indiana University and Georgetown and has worked as an instructor at the Defense Language Institute. A third, who worked as a senior adviser at the U.S. Embassy, now serves on the board of a nonprofit, working to promote a safe and stable Afghanistan.

These contributions in Afghanistan and beyond help explain why senior U.S. military officers and diplomats are so supportive of the Afghan SIV Program.

Here is what the current commander of U.S. forces in Afghanistan, General Nicholson, wrote recently about the need to reauthorize the SIV Program:

These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies. . . . Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and the long-standing tradition of honoring our allies.

Last year, General Nicholson's predecessor, General Campbell, wrote a similar letter affirming his strongest support for the SIV Program and urging Congress to "ensure that the continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan," adding that the program "is crucial to our ability to protect those who have helped us so much."

Their view is shared by senior diplomats as well. Ambassador Ryan Crocker, who served in Afghanistan from 2011 to 2012, recently wrote that "taking care of those who took care of us is not just an act of basic decency, it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

I see that my colleague Senator MCCAIN is on the floor. I know my colleague remembers, as I do, watching all of those Vietnamese holding on to

those helicopters that were leaving when America pulled out of Vietnam because they knew what their fate was going to be once America left that country. That is not something we can allow to happen in future conflicts. When we make a promise to those people who helped us on the ground, we need to abide by that promise. We need to make sure those people who helped our service men and women are able to get to this country and are not killed by the Taliban and other enemies of the United States and Afghanistan.

Yet, despite these compelling cases and despite the persuasive arguments of our senior military and civilian leaders, the Senate NDAA does not currently reauthorize and extend the SIV Program or allow for additional visas because of the objections of some few in this body. This is particularly problematic because we are going to issue all of those unallocated SIVs by the end of this year even while there are thousands of Afghans at some stage in the application process and new applicants still beginning. In effect, this means that without congressional action, the SIV Program will sunset around December and thousands of Afghans who have stood alongside our military and other government personnel are at severe risk. I hope this body will decide that this is unacceptable and that we have to make sure we support those people who have supported our men and women on the ground and who have, in fact, died to support our men and women on the ground.

I am happy to join Senator MCCAIN and Senator JACK REED, the chair and ranking member of the Armed Services Committee, in trying to pass this amendment and make sure we support those people who supported us.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will be brief.

I thank the Senator from New Hampshire for her continued advocacy for these individuals who literally placed their lives on the line to assist us in combating the forces we have been struggling against for now these many years. These individuals deserve our thanks, but more importantly, they deserve the ability to come to the United States of America. According to our military leaders, their lives are in danger. They are the first target of the enemy because the enemy wants revenge against those who helped Americans, and there is no doubt in the minds of our military leaders that these individuals literally saved the lives of the men and women who are fighting in Afghanistan and Iraq on our behalf.

I believe we should actually have a voice vote, and if necessary, have a

vote if there is any controversy associated with this legislation.

If America is going to seek the assistance of individuals who are willing to help us and then abandon them, then we have a very serious moral problem.

I thank the Senator from New Hampshire for her continued advocacy. I hope we can get this issue resolved as soon as possible.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, the National Defense Authorization Act before us is important for our troops, wounded warriors and veterans, and national security.

One way it will help keep Americans safe is by renewing clear prohibitions on President Obama's ability to move dangerous Guantanamo terrorists into our country or release them to unstable regions like Libya, Yemen, and Somalia.

Our country faces the most "diverse and complex array of crises" since World War II, as Henry Kissinger observed last year, but President Obama nonetheless seems focused on pursuing a stale campaign pledge from 2008. The President should spend his remaining months in office working to defeat ISIS. He should work with us to prepare the next administration for the threats that he is going to leave behind. He should not waste another minute on his myopic Guantanamo crusade.

Just about every detainee that could feasibly be released from the secure detention facility has already been released. Some have already returned to the fight, just as we feared. Some have even taken more innocent American life, according to the Obama administration. But the bottom line is this. The hard core terrorists who do remain are among the worst of the worst—the worst of the worst.

Here is how President Obama's own Secretary of Defense put it:

[T]here are people in Gitmo who are so dangerous that we cannot transfer them to the custody of another government no matter how much we trust that government. I can't assure the President that it would be safe to do that.

There is Khalid Shaikh Mohammed, the mastermind behind 9/11. He has declared himself the enemy of the United States. There is the 9/11 coordinator who was planning even more strikes when he was captured. There is Bin Laden's former bodyguard, the terrorist who helped with the bombing of the USS *Cole* and trained to be a suicide hijacker for what was to be the Southeast Asia portion of the 9/11 attacks. These terrorists are among the worst of the worst. They belong at a secure detention facility, not in facilities here in our own communities, not in unstable countries where they are lia-

ble to rejoin the fight and to take even more innocent life.

Have no doubt, there are detainees who would almost certainly rejoin terrorist organizations if given that opportunity. Here is what the Office of the Director of National Intelligence found in a report just this year: "Based on trends identified during the past 11 years, we assess that some detainees currently at [Gitmo] will seek to re-engage in terrorist or insurgent activities after they are transferred."

So, look, the next Commander in Chief, whether Democrat or Republican, will assume office confronting a complex and varied array of threats. That is why we must use the remaining months of the Obama administration as a year of transition to better posture the incoming administration and our country. What we should not be doing is making it even more challenging for the next President to meet these threats.

Releasing hard core terrorists was a bad idea when Obama was campaigning in 2008, and it is even a worse idea today. We live in a complex world of complex threats. The NDAA before us will renew clear prohibitions against administration attempts to transfer these terrorists to the United States on its way out the door. We don't need to close a secure detention center. We need to ensure the American people are protected. Passing the legislation before us represents an important step in that direction. It will help position our military to confront the challenges of tomorrow. It will help support the men and women serving in harm's way today.

I want to thank Chairman MCCAIN of the Armed Services Committee for his extraordinary work on this very important bill, and I thank Senator REED, the ranking member, as well.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, do the math. A Federal prisoner held in a Federal prison in America today costs us about \$30,000 a year. The most serious and dangerous criminal prisoners held in the Federal prison system are put in supermax facilities for \$86,000 a year. That is the cost. Not a single prisoner has ever escaped from a supermax facility in the United States—ever. It costs \$30,000 for routine prisoners and \$86,000 for the most dangerous.

What does it cost us to incarcerate one detainee each year at Guantanamo? It costs \$5 million apiece—\$5 million for each detainee. The budget to keep Guantanamo open is about \$500 million a year, and we have fewer than 100 detainees there, and there is a request for another \$200 million in construction at Guantanamo. So when Senators come to the floor and say we have got to keep Guantanamo open for fewer than 100 detainees, one obviously has to ask the question: Is there an-

other place they can be held just as safely, just as securely, at considerably less cost? The answer is obvious. The answer is clear. The supermax Federal prisons can hold anyone convicted of terrorism, serial murder, or heinous crimes, and can hold them securely without any fear of escape.

The argument was made by the Senator from Kentucky: Well, if we are going to put terrorists in prisons across America instead of Guantanamo, that is a danger to the community. Really?

I represent the State of Illinois. We have the Marion Federal Prison in southern Illinois. We have a lot of good men and women who work there. What are we doing? For \$30,000 a year, we are holding convicted terrorists in the Marion Federal prison. I have been a Senator for Illinois for 20 years. How many times have I received complaints that terrorists were being incarcerated at the Marion Federal penitentiary? None—not one, not one time.

So for the symbol of maintaining Guantanamo, we are going to continue to spend \$5 million a year per detainee. This bill before us, the Defense authorization bill, will continue that.

If we are looking to save some money that taxpayers are giving to our government and perhaps should be spent in better ways, let's start with Guantanamo. The President is right that if they are a danger to America and the world, they could be safely held in other prisons across the United States at a fraction of the cost of what we are spending at Guantanamo. Those who call themselves fiscal conservatives cannot ignore that obvious argument.

Let me say a word. I support Senator SHAHEEN's provision when it comes to the Afghans who helped us. It is a good provision. These men and women risked their lives for us and for the men and women in uniform. We need to allow them to come safely to the United States and be in a position where they can have peace of mind that they are not going to be killed because they are friends of America. I think her provision is a good one. I am anxious to support it.

Let me just say on the state of play on amendments that I have an amendment that I consider to be very important. I offered it over a week ago, so Members have had more than enough time to take a look at it. I will describe it in very simple terms, instead of going into a long explanation, although I certainly have one ready.

Basically, within this bill—and S. 2943, the National Defense Authorization Act, is a big bill—there is about \$524 billion in spending for our Department of Defense. I want America to always be safe, always have the best, and I want us to invest in the men and women of our military because we believe in them, their families, and our veterans.

There is a provision in this bill, though, that troubles me greatly. It is an effort to eliminate a program known as the Congressionally Directed Medical Research Programs. How big is this medical research program? It is \$1.3 billion. It is less than two-tenths of 1 percent of the total expenditure for the Department of Defense.

Is it important? I think it is very important. For 25 years, the Department of Defense medical research has come through with breakthrough financing to eliminate concerns, and it gives hope to members of the military, their families, and to everybody living across America.

I remember when it started. I was a Member of the House of Representatives. It was 1992. One group came forward—the Breast Cancer Coalition. They said: We need a reliable place to turn for a steady investment in breast cancer research. That is what started the program.

It is true that breast cancer is not limited to the military. But it is also true that there is a higher incidence of breast cancer among women in our military than in the general population for reasons we still don't understand. So is this an important issue to the military and the rest of America? Of course, it is. Over the last 25 years, we have invested more than \$3 billion in breast cancer research through this program. Has it been worth it? I can tell you it has. Through their research, they developed a drug called Herceptin. The Department of Defense medical research developed this drug Herceptin to fight breast cancer.

One of my colleagues here in the Senate told me this morning that the life of his wife was saved by this drug, Herceptin. I was downstairs for a press conference just a few minutes ago. Another woman came up to me and said that her life was saved. She was diagnosed with breast cancer, and Herceptin saved her life. That was a part of the investment in the Department of Defense medical research program that paid off. I can go on—and I will later—about other investments that have paid off, not just for the members of the military and their families but for all of America.

What is proposed in this bill is the largest cut in medical research since sequestration in Congress. We asked the Department of Defense: If the provisions of this bill that are being asked for are put in place, what impact will it have on medical research programs in the Department of Defense? They said it would effectively eliminate them.

This proposal in this bill will swamp medical research programs in the Department of Defense with more redtape than they have ever seen. An example of this is that this Department of Defense authorization bill calls for an annual audit of every entity applying for medical research grants from the De-

partment of Defense. The audit requirements are the same as for the largest defense contractors in the United States. We have never held other entities other than the largest defense contractors to these standards. It will require an additional 2,400 audits a year by the Department of Defense.

Well, does the agency that does the auditing have the extra personnel? Do they have work that needs to be done? It turns out that they have \$43 billion in existing contracts that have not been audited, and this bill will pile on 2,400 more audits. It will slow down any effort to promote medical research, and it will dramatically increase the overhead costs for that medical research.

Surely, there must be some scandal in this program that led to the conclusion that we need all this redtape. But the answer is no. The close scrutiny and investigation of the Institute of Medicine and other entities have found that this program over the years has been a good program. It has had some mistakes, but only a handful when you look at the thousands of medical research grants that have been given.

I am going to ask for an opportunity to offer this amendment to strike the provisions which basically kill the Department of Defense medical research program that is directed by Congress.

We don't earmark what entities are going to get the grants. It is a competitive, peer-reviewed process. I want to make sure this amendment gets a vote, and, after that vote, I will be more than happy to move forward on all the amendments on this bill. It is an important bill, and I hope we can pass it at the end of the day.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, let me assure the Senator from Illinois that we were trying to get the language of a companion amendment to his amendment approved by that side of the aisle so that we can move forward with the amendment of the Senator from Illinois. Hopefully, we can get that language as soon as possible so that we can take up the formal debate on his amendment.

In the meantime, in response to the comments of the Senator from Illinois, I have seen the latest polling data, and the approval of Congress is at about 14 percent—something like that. I have not met anyone lately from the 14 percent that approve of Congress.

One of the major reasons is, of course, that they believe we have wasted their defense dollars by the billions and have wasted their taxpayer dollars by the billions. There is no greater example of that than what has happened with the so-called medical research.

Every single one of these dollars probably goes to a worthy cause. Unfortunately, about 90 to 95 percent of

that money has nothing to do with defense.

Why would the Senator from Illinois and so many, overwhelmingly, take the money that is earmarked for the men and women who are serving when the effects of sequestration are causing our leadership in the military to say that we are on the ragged edge of our capability to defend the Nation and when the Commandant of the Marine Corps and the Chief of Staff of the Army have said that we are putting the lives of Americans at greater risk because we don't have sufficient funding. Instead, we are taking \$2 billion out of defense money and putting it into programs that have nothing to do with defense. Why is that?

One would ask why would Congress take money from defense and put those monies into programs that have nothing to do with defense? It is called the Willie Sutton syndrome. That is when the famous bank robber was asked why he robbed banks. He said, "That is where the money is." That is exactly what we are seeing here.

We saw the Willie Sutton syndrome begin in 1992. In 1992, there was \$25 million that was designated for medical research. That was \$25 million in 1992. Today, we now are going to have almost—last year, the funding increased by 4,000 percent, from \$25 million in 1992 to \$1 billion last year. So if you ever have seen a graphic example of the Willie Sutton syndrome, it has to be this. Is there anyone who is opposed to breast cancer research? Is there anyone who is opposed to medical research for so many important challenges to the health of our Nation? Of course not. Of course not.

But what the Senator from Illinois and the appropriators have done, year after year after year, is exactly this: OK. Here we go. There is \$200 million. Here we are—reconstructive transplants, genetic studies of food allergies, cooperative epilepsy, chiropractic clinical trials, muscular dystrophy, peer-reviewed vision, peer-reviewed Alzheimer's, bone marrow failure, multiple sclerosis, and on and on.

All of these are worthy causes. They have nothing to do with the defense of this Nation. That is the problem with this. I will probably lose this vote. The Senator from Illinois will probably succeed because there are so many special interests that are involved. But don't say this is for the defense of this Nation. What it is all about is finding money from the largest single appropriations bill to put into causes that, by all objective observers, should be taken out of the Health and Human Services account.

Unfortunately, there is not enough money in the Health and Human Services account. So guess what. Take it out of defense. Meanwhile, we don't have enough troops trained, and we don't have enough to pay for their deployments. In case you missed it, there

are stories about the squadron down in South Carolina—marines—where they are robbing parts from planes, where an Air Force squadron comes back with most of their aircraft not capable of flying, with only two of our brigade combat teams able to be in the first category of readiness—only two—because they don't have enough money for training and operations and maintenance.

But we are going to take billions out, and we are going to give it to autism, lung cancer, ovarian cancer. All of those are worthy causes. Now we have lobbyists from all over the Nation coming up: Oh, they are going to take away money from "fill in the blank." They are all angry. I am not trying to take the money from them. I am saying that the money should not come out of defense. I am saying that to defend this Nation, every single dollar is important to the men and women who are defending this Nation and fighting and dying as we speak.

So I congratulate the Senator from Illinois as every year, just about, the money for medical research has gone up from an initial \$25 million in 1992 to \$1 billion this year, a 4,000-percent increase. Let me repeat. Spending on medical research at DOD—nearly 75 percent—has nothing to do with the military, and it has grown 4,000 percent since 1992.

Now we can talk to all the lobbyists who come in for these various and very important medical research projects and say: We took care of you. I say to the Senator from Illinois: Take care of them from where it should come, which is not out of defending this Nation. In 2006, the late Senator from the State of Alaska, Ted Stevens, under whose leadership the original funding for breast cancer was added, said that the money would be "going to medical research instead of the needs of the military." During the floor debate on the annual Defense appropriations bill, Senator Stevens had this to say:

We could not have any more money going out of the Defense bill to take care of medical research when medical research is basically a function of the NIH. It is not our business. I confess. I am the one—

I am quoting Senator Stevens now.

I confess, I am the one who made the first mistake years ago. I am the one who suggested we include some money for breast cancer research. It was languishing at the time. Since that time, it has grown to \$750 million. In the last bill we had dealing with medical research, that had nothing to do with the Department of Defense.

I want to emphasize again that I will support funding for every single one of these projects. I will support it when it comes out of the right account and not from the backs of the men and women who are serving in the U.S. military. It has to stop. It has to stop. So this year, the NDAA prohibits the Secretary of Defense and the service Secretaries from funding or conducting a medical

research and development project unless they certify that the project would protect, enhance, or restore the health and safety of members of the Armed Forces. It requires the medical research projects be open to competition and comply with DOD cost accounting standards.

It does not seem to me that that is an outrageous demand. I know my colleagues are going to come and say: Oh, we need this money because of "fill in the blank," and this is vital to the health of America. I am all for that. But don't take it out of the ability of the young men and women to serve this Nation in uniform. That is what the amendment of the Senator from Illinois does.

If this amendment passes, nearly \$900 million in the defense budget will be used for medical research that is unrelated to defense and was not requested by the administration. One would think that if this is so vital, the administration would request it. They have not. They have not.

If this amendment passes—and it will, I am confident—\$900 million will be taken away from military servicemembers and their families. If this amendment passes, \$900 million will not be used to provide a full 2.1-percent pay raise for our troops. It will not be used to halt dangerous reductions in the size of our Army and Marine Corps. It will not be used to buy equipment so that our airmen don't have to steal parts from airplanes in the boneyard in Arizona to keep the oldest, smallest, and least ready Air Force in our history in the air.

As I said, many of the supporters of this amendment have opposed lifting arbitrary spending caps on defense unless more money is made available for nondefense needs. So, the Senator from Illinois—if I get this straight—wants to add nearly \$1 billion in spending for medical research but is also opposed to increasing spending to a level of last year for defense spending. That is interesting.

With these caps still in place, which we are going to try to fix later on in this bill, the Senator wants to take nearly \$1 billion of limited defense funding to spend on nondefense needs. So I say to my colleague, the Senator from Illinois: It is not that he is wrong to support medical research. No one is attacking that. I can guarantee you, the first thing the Senator from Illinois is going to say: Well, we are going to take this money away from medical research. I am not. I am saying that it shouldn't come from the backs of the men and women who are serving this Nation.

I would ask him not to say that because it is not the case. If he wants to add that money into the Health and Human Services account, I will support the amendment. I will support it. I will speak in favor of it. He has proposed

the wrong amendment to support medical research. Instead of proposing to take away \$900 million from our military servicemembers, he should be proposing a way to begin the long-overdue process of shifting the hundreds of millions of dollars of nonmilitary medical research spending out of the Department of Defense and into the appropriate civilian departments and agencies of our government.

Let me be clear again. This debate is not about the value of this medical research or whether Congress should support it. Any person who has reached my age likely has some firsthand experience with the miracles of modern medicine and the gratitude for all who support it. I am sure every Senator understands the value of medical research to Americans suffering from these diseases, to the families and friends who care for them, and all those who know the pain and grief of losing a loved one.

But this research does not belong in the Department of Defense. It belongs in civilian departments and agencies of our government. So I say to my colleagues, the NDAA focuses the Department's research efforts on medical research that will lead to lifesaving advancements in battlefield medicine and new therapies for recovery and rehabilitation of servicemembers wounded on the battlefield, both physically and mentally.

This amendment would harm our national security by reducing the funding available for military-relevant medical research that helps protect service men and women on the battlefield and for military capabilities they desperately need to perform their missions. It would continue to put decisionmaking about medical research in the hands of lobbyists and politicians instead of medical experts where it belongs.

So what is happening right now as we speak? Phones are ringing off the hook: We need this money for "fill in the blank." We have to have this money. It is the end of Western civilization unless we get it. I support every single one of these programs. There is not a single one that I would not support funding for. But when you take it away from the men and women who are serving in the military for nonmilitary purposes, I say it is wrong.

I will be glad to have the vote as soon as the other side clears our amendment process. But, again, I ask my colleagues: Don't distort this debate by saying we are trying to take away this medical research. What we are trying to say with the bill is that we are trying to do everything we can to take every defense dollar and make sure that we help the men and women who are serving in conflicts that are taking place throughout the world.

We are not against the reason it was adopted by the Armed Services Committee—against this funding. We are against where it is coming from. So

let's do something a little courageous for a change around here. Let's say: No, we will not take this money out of defense, but we will take it out of other accounts which are under the responsibility of the Senate and the Congress of the United States. That is all I am asking for. That is all.

Obviously it probably will not happen. Every advocate for every one of those programs has now been fired up because they have been told that we are going to take away their money. We are not going to take away their money; we want their money coming from the right place. I would even support increases in some of this spending, but it is coming from the wrong place.

As I said at the beginning of my remarks, it is the Willy Sutton syndrome, from \$25 million in 1992 all the way up to here—all the way here—now \$1 billion, a 4,000-percent increase. So I am sure that Senator after Senator will come to the floor: Oh, no. We can't take away this money from "fill in the blank." This is terrible for us to do this. It is not terrible for us to do this.

The right thing to do is not to deprive the men and women who are serving in the military of \$1 billion that is badly needed for readiness and for operations to keep them safe. That is what this debate is all about. I expect to lose it.

I congratulate the lobbyists ahead of time. I congratulate the Senator from Illinois ahead of time. But don't be surprised when the American people someday rise up against this process where we appropriate \$1 billion for something under the name of national defense that has nothing to do with national defense.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, this Senator will never apologize for medical research—never. I certainly understand the National Institutes of Health have the primary responsibility for medical research. I am pleased to report that at this moment in the subcommittee, we are marking up an increase of more than 5 percent in the funding for that important agency.

I thank Senator BLUNT from the other side of the aisle and Senator MURRAY from our side of the aisle for finding the resources for that. But to argue that because we are putting money into the National Institutes of Health we can take money away from the Department of Defense ignores the obvious. We take money away from the Department of Defense medical research program at the expense of men and women in the military, their families, and veterans.

Look at the example the Senator from Arizona used. He stood and he pointed to his chart and he said: Well, there is even spending here for epilepsy and seizures. Now, why would that be?

We have to spend money on our military and their issues.

Well, let's take a look. Since the year 2000, over 300,000 Active-Duty servicemembers have experienced a traumatic brain injury. Currently, the prevalence of post-traumatic epilepsy among those members who have suffered a brain injury is unknown. There are few risk factors that are known to guide decisionmaking in diagnosing the treatment of the disease. According to the American Epilepsy Society, over 50 percent of TBI victims—these are military members who have been exposed to traumatic brain injury with penetrating head injury from the Korean and Vietnam wars—have developed post-traumatic epilepsy. For the Senator from Arizona to point to this as one of the wasteful areas of medical research is to ignore the obvious: that 300,000 of our men and women in uniform have suffered from traumatic brain injury. And we know from past experience that many of them end up with post-traumatic epilepsy. To argue, then, that this medical research into epilepsy and seizures has no application or value to members of the military is basically to ignore the obvious.

What we have tried to do in establishing this program is, first, we cannot earmark that any grant be given to any institution. All we can do is suggest to the Department of Defense areas that we think have relevance to our military. They then have to make the decision. Each and every grant has to pass a threshold requirement that it have relevance to the military and their health.

Well, it turns out there are many things that are concerning. Would you guess that prostate cancer is a major concern in the military as opposed to the rest of our population? You should because the incidence of prostate cancer among those who serve in the military is higher than it is in the general population. Why is that? Is it an exposure to something while they served? Is there something we can do to spare military families from this cancer by doing basic research? I am not going to apologize for that, nor am I going to apologize for the breast cancer commitment that has been made by this Department of Defense medical research program.

The Senator from Arizona is correct. Groups are coming to us and saying: This Department of Defense medical research is absolutely essential.

I just had a press conference with the Breast Cancer Coalition. There has been \$3 billion invested in breast cancer research through the Department of Defense over the last 24 years. As I said earlier, it led to the development of a new drug that saved the lives of breast cancer victims—Herceptin. The drug has saved lives. To argue that this money was not well spent, should have been in another category, didn't apply

here and there—let's look beyond that. Let's consider the lives saved, not just of men and women across America but of members of families of those who have served our country.

The list goes on and on. I could spend the next hour or more going through every single one of them. The provision of the Senator from Arizona in his own bill is designed to eliminate the medical research programs at the Department of Defense. That is not my conclusion; that is the conclusion of the Department of Defense. He has put in so much redtape and so many obstacles and added so much overhead and so much delay that he will accomplish his goal of killing off medical research at the Department of Defense directed by Congress. That would be a terrible outcome—a terrible outcome for people who are counting on this research.

No apologies. I am for increasing the money at the National Institutes of Health. I have said that already. And I am for increasing money at the Department of Defense. It has been money well spent and well invested for the men and women of our military.

I might add and let me first acknowledge that my colleague from Arizona has a distinguished record serving the United States in our U.S. Navy. We all know his heroic story and what he went through. So I am not questioning his commitment to the military in any way whatsoever. But I will tell you that veterans organizations and others stand by my position on this issue. When we had the press conference earlier, it wasn't just the Breast Cancer Coalition; the Disabled American Veterans was also there asking us to defeat this provision in the bill that would put an end to the Department of Defense medical research programs.

For the good of these families, all of the members of these families in the military, as well as our veterans, let's not walk away from this fundamental research.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I think the Senator from Illinois and I have pretty well ventilated this issue, and once we get an agreement on votes, we could schedule a vote on it. I think we are very well aware of each other's positions. I have been talking about this issue for quite a period of time, as I watch our defense spending go down and our "medical research" go up.

The argument of the Senator from Illinois is that men and women in the military are subject to all of these various health challenges, ranging from arthritis to vascular malfunctions, et cetera, because they are Americans, because they are human beings? Yes, we agree that members of the military are subject to all of these needs and earmarks for various illnesses that affect Americans.

And by the way, traumatic brain injury causes a whole lot of things. So to

say that epilepsy is the result of traumatic brain injury, there are all kinds of things that are the result of traumatic brain injury, and I strongly support funding—and so have many others—for research on traumatic brain injury. We know the terrible effects of that on our veterans. But there are, at least on this list, 50 different diseases and medical challenges, and connecting that all to defense takes a leap of the imagination and is, obviously, ridiculous. It is ridiculous. Here we have pancreatic cancer, Parkinson's, and all of these. Veterans are subject to those, yes, but it should not be in the Defense bill and it should not be taken out of defense money, particularly in this period of need.

So if the Disabled American Veterans and every veteran organization is told they will not have funding for these programs, of course they are going to object to this provision in the bill. But if they are told the truth—and the truth is that they should get this money but it shouldn't be taken out of defense—most of these veterans would like to see it not taken out of defense; they would like to see it taken out of where it belongs.

So, as I say, I am sure there is press conference after press conference rallying all of these people because they are being told they won't get the funding, and I can understand that, but that is not what this Senator wants and what America should have, which is the funding taken out of the accounts of which there is the responsibility of the various committees and subcommittees in Congress and in the Committee on Appropriations. That is what this is all about.

So all I can say is that, as I predicted, the Senator from Illinois raises the issue of all of these things that will lose money. It is not that they will lose money. They will get the money if you do the right thing in the Committee on Appropriations, which is taking it out of the right accounts. To stretch the imagination to say that all of these are because of the men and women in the military is, at best, disingenuous.

Mr. DURBIN. Mr. President, I ask for 2 minutes.

The PRESIDING OFFICER. The assistant minority leader.

Mr. DURBIN. Mr. President, the total for the Department of Defense medical research programs we are discussing amounts to less than 0.2 percent of this total budget—less than two-tenths of 1 percent—and the Senator from Arizona is arguing that we are wasting money that could otherwise be spent in more valuable ways for our military. We are not wasting money; we are investing in medical research programs that serve our military, their families, and our veterans, and I will never apologize for that.

Yes, these groups are upset because they have seen the progress that has

been made with these investments, coordinating with the NIH and the Institute of Medicine. They have done the right thing. They have found cures, they have relieved the problems and challenges facing our military, their families, and the veterans who have served.

In terms of whether the amendment the Senator has already put into the bill is going to have any negative impact on Department of Defense medical research, let me quote the Department of Defense and what they said about the language from Chairman McCain: These changes would drastically delay the awards, risking the timely obligation of funds, significantly increase the effort and cost for both the recipients and the Federal Government. With the additional audit services needed, documentation that recipients would be required to provide, changes to recipients' accounting systems, the scientific programs would be severely impacted. Massive confusion would follow. Most likely, recipients would not want to do business with the Department of Defense. These issues would lead to the failure of the Congressionally Directed Medical Research Program.

If the Senator wanted to come and just say "Put an end to it," that would be bold, that would be breathtaking, but it would be direct and it would be honest. What he has done is cover it in redtape. I am in favor of research, not redtape. There is no need to kill off these critical medical research programs for our military and our veterans.

I yield the floor.

Mr. MANCHIN addressed the Chair.

Mr. McCain. Mr. President, I think I have precedence.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCain. Mr. President, I just want to say again that there are various accounts in the appropriations process that are directly related to the issues that have now been inserted in the Department of Defense authorization bill. That is what this is all about, and that is all it is all about.

We can talk about all of the compelling needs and the terrible stories of people who have been afflicted by these various injuries and challenges to their health, but the fact is, it is coming from the wrong place, and that is what this is all about.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. Manchin. Mr. President, I just want to say that after listening to both my colleagues, who are passionate about this issue, they are both right. They are both right. If we had a tax plan—a competitive tax plan—that took care of our priorities based on our values, they would both be funded properly. That is what we have to get to. We have to get past picking and

choosing and basically take care of the values we have as Americans, so I hope we can come together on that.

OPIOID EPIDEMIC

Mr. President, I am rising today because we have reached another crisis point in our country. In 2014 we had almost 19,000 people die due to opioid prescription drug overdose. These are legal prescriptions. These are by companies that basically developed products legally. We have the FDA that basically said that we should use it, that it is good for us, and our doctors were saying this is what we should do. So basically we have an epidemic on our hands from products we all believed were going to help us. We had 16 percent more people die in 2014 than in 2013. We have lost 200,000 Americans since 1999—200,000. If that is not an epidemic, I don't know what is. I really don't know.

Unfortunately, a major barrier to those suffering opioid addiction—these are legal prescription drugs—is insufficient access to substance abuse treatment centers. Between 2009 and 2013, only 22 percent of those who were suffering from addiction could find treatment—only 22 percent.

For so long, we kind of put our heads in the sand and basically thought that this was a crime, that it wasn't basically an illness—an illness that we now have come to understand needs treatment. We are way behind the scale on this.

In my State of West Virginia, 42,000 West Virginians, including 4,000 youth—these are kids younger than 16 years of age—sought treatment for legal abuse but failed to find it. Think about this: If you are a parent or a grandparent and your kids are begging for help, the only way they can find any help today is to get them arrested, get a felony on them, and then the judge will send them to drug court. That is it. That is the alternative. That is not a solution we as Americans should be settling for.

The largest long-term facility in West Virginia with more than 100 beds is Recovery Point. It is run by all former addicts. These were people whose lives were basically destroyed. They got together and said: We can help people. We can save them. There is mentoring. They bring them in, and it is a yearlong program. It has the greatest success rate of anything else we have in our State.

In 2014 about 15,000 West Virginians got some sort of treatment for drug or alcohol abuse, but nearly 60,000 people went untreated because they couldn't find it or couldn't afford it. Based on conversations with our State police and all law enforcement in the State of West Virginia, 8 out of every 10 calls they are summoned to for some kind of criminal activity is due to drugs, some form of drugs.

All of our young students here will be able to identify with this and the people who have problems.

These people recognize they need help and they have been turned away.

I have introduced a piece of legislation with quite a few of my colleagues. I would hope all of my colleagues in this body would look at it very seriously. It is called LifeBOAT. LifeBOAT basically simply says this: We need to have a fee on all opiates. The reason for this was that in the 1980s, we were told this was a wonder drug. It will relieve us of pain 24 hours—not addictive at all. Well, we know what happened there. That wasn't effective and it wasn't accurate.

What we are asking for is one penny, one penny per milligram on all opiate prescriptions, just one penny. That one penny will give continuous funding for treatment centers around the country. That will bring in about \$1.5 billion to \$2 billion a year. I would hope it wouldn't bring in anything. That would mean we wouldn't have rampant addictions as we have throughout the country.

This is the LifeBOAT. We would hope people would get on board. I have asked my colleagues on the other side of the aisle. This is not a tax. It is basically a treatment plan. We have fees we charge for alcohol. We have a fee for cigarettes—nothing for opiates. This is destroying as many, if not more, lives. All of this is a commonsense approach forward.

I say to all of my colleagues, there will not be a Democratic or a Republican family who will hold it against you for trying to find a treatment program for their child or a loved one or someone in their family.

I have come to the floor every week to read letters from people who have been affected and their lives have been changed. I have one from my State of West Virginia, and she writes:

In Elementary school (I believe 4th grade) my daughter became a cheerleader for Pop Warner Football.

Then 6th through 8th she cheered for the Middle School. Her Senior year she cheered for High School as well. She also played Volleyball for the High School and with an adult league, and Basketball for a Jerry West league.

She had excellent grades in school, many friends and a great personality. To say she was well rounded is pretty accurate.

I am not quite sure where things went wrong. How we have ended up where we are today.

Today, and for several years now, my daughter is a drug addict. At one time she was prescribed antidepressants, then nerve pills, then she broadened to her own choices. She has tried many drugs but her choice is opiates.

Legal prescription opiates.

She is the mother of our first 2 grandbabies that are now in the custody of family members due to her drug use.

The home is unfit for the children to be raised in. Continuing:

She is also a sister, aunt, granddaughter, cousin, niece and friend to many. And the wife of an addict. She has been in and out of jail, court and community corrections several times.

I have lost many nights of sleep waiting for a knock at our door or a phone call to tell me I need to identify my daughter. Thankfully, I am a lucky one so far that has not had to do that. Others have not been as fortunate.

She has been homeless and sleeping in her car for almost a year except for the nights I could beg for her to come stay with us.

Her husband has stole from my family and is not allowed on any of our properties. She feels obligated into staying by his side.

I don't know why.

She has had several seizure episodes that were drug related. One time she was at a local grocery store with our granddaughter. She was transported by an ambulance after her 4 year old daughter screamed for help.

A 4-year-old daughter screaming for help for a mother who has had an overdose and addiction. Continuing:

She went to a 10-day detox. Which ended up being a waste—

We know that 10 days or a month doesn't do a thing—

because there was not a place for her to go for rehab after that.

One time she got out of jail and thought she could kick this habit on her own. She couldn't, and back to jail she went.

Right now she is in a grant funded long term facility.

If you talk to any people in addiction treatment, it takes a minimum of 1 year to get them through.

She has been there almost a month. My heart and hopes are high.

I pray for her and those like her on a daily basis. Addiction is such a cruel and punishing way of life. It leaves scars inside and out.

All I am asking for is this LifeBOAT piece of legislation that will give us a lifeboat to help families who are desperately in need. I would hope everyone would consider this. It is not a burden on anybody. It is not a burden on people taking normal prescriptions. It is only 1 penny per milligram on opiates produced, used, and consumed in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, for the benefit of my colleagues, we are working on trying to set up a series of a few amendments, including the Durbin amendment and others. Hopefully, we will have that resolved within half an hour or so, so we can then schedule votes for today.

I know my colleagues are aware that tomorrow the first part of the day is for the joint meeting, with an address by the Prime Minister of India, so that even shortens our time. We want to try to get as many amendments done as we can today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I speak on amendment No. 4260 to the National Defense Authorization Act, which would elevate U.S. Cyber Command to a combatant command.

In 1986, Congress passed a law elevating and establishing U.S. Special Operations Command to address the rapidly growing need for special operators and to unify our forces. Think about that. Today they are now leading the effort against ISIS. There is another force quietly leading a battle against ISIS, and it is on a completely new battlefield. U.S. Cyber Command is one of our most important elements in the fight against terrorism today and tomorrow.

I stand today with eight bipartisan cosponsors to my amendment, including the chairman of the Armed Services Committee. I thank them for their support. This includes Senators WARNER, BENNET, MURKOWSKI, CARDIN, and BLUMENTHAL, as well as Senators GARDNER and ERNST.

The Commander of Cyber Command recently testified before the Armed Services Committee, stating that an elevation to a combatant command “would allow them to be faster, generating better mission outcomes.”

At a time when ISIS is rapidly recruiting online and developing technology like self-driving cars packed full of explosives, the United States needs to ensure that cyber and technology warfare is at the top of our priorities. U.S. Cyber Command needs to be able to react quickly and to engage the enemy effectively. Our troops need to be as effective online as they are in the air, in the land or at sea. To do all of that, we need to elevate them to a combatant command, where they will be reporting directly to the President of the United States through the Secretary of Defense.

I have provided for a plan in this year's Defense appropriations bill to fund this in the future, and I am committed to ensuring the elevation of Cyber Command is successful. In the long run, we need to ensure that they have increased access to training, to top equipment, and to ensure their other commands are able to integrate the forces successfully.

Right now as we debate the National Defense Authorization Act, we need to ensure that we give them the authority to defeat our adversaries, and that means elevation to a combatant command. The threat of a cyber attack is one of the fastest growing threats facing our Nation, and we cannot stand by as the Department of Defense delays to act on this urgent need.

I urge my colleagues to support my amendment No. 4260, which will elevate U.S. Cyber Command to a combatant command.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, with regard to the previous discussion, I want

to point out to my colleagues, on this whole issue of a billion dollars that is being taken out of defense, the appropriate subcommittee on the Appropriations Committee and the authorizing committee is Labor, Health and Human Services, Education, and Related Agencies. Certainly, as I mentioned before—and taken out of the National Institutes of Health account, for which a lot of money was already being appropriated. So there is an appropriate vehicle for these expenditures of funds of nearly \$1 billion, and it is not the Department of Defense.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TEXAS FLOODING

Mr. CRUZ. Mr. President, my home State of Texas is strong and resilient. Texans aren't people who tire easily, and we certainly don't give up when the going gets tough, but that doesn't mean the State of Texas hasn't faced its share of adversity.

Over the last few weeks, the resolve of our great State has been tested with historic flooding that has taken at least 16 lives across Texas. Among those 16 are 9 young soldiers at Fort Hood, 9 soldiers whose truck was overturned while crossing a flooded creek.

Their lives were ended in that flooding. Their families have been torn asunder, not by combat losses far away. When brave young men and women sign up to defend this country, they expect—they understand the threat that enemies abroad might endanger them, but they shouldn't be losing their lives here at home in a sudden and unexpected accident that took the lives of nine soldiers in an instant. Those nine soldiers should be remembered: SPC Yingming Sun, SSG Miguel Angel Colonvazquez, SPC Christine Faith Armstrong, PFC Brandon Austin Banner, PFC Zachery Nathaniel Fuller, Private Isaac Lee Deleon, Private Eddy Raelaurin Gates, Private Tysheena Lynette James, and Cadet Mitchell Alexander Winey.

All of us should remember those soldiers and every one of the soldiers, sailors, airmen, and marines who risk their lives for us daily.

Just yesterday on a plane flight from Texas, I had the pleasure of again meeting a young lieutenant whom I had met in the hospital at Fort Hood in 2014. He had been shot in the chest with a .45 in that tragic shooting that occurred. I must say it was so inspirational to see this young lieutenant healed, mobile, proudly serving our country, and energized. That is the

spirit of our Armed Forces, and we should never forget their commitment to freedom.

Heidi and I right now, along with millions of Americans, are lifting up in prayer those Texans who have lost their lives, who have lost their homes, and the families who are suffering due to this flooding. We are also lifting up the first responders who so bravely risk everything to keep us safe.

In particular, I want to take a moment of praise for the Red Cross. I had the privilege yesterday of speaking with the CEO of the Red Cross to thank them directly for their efforts on the ground, helping people who are suffering, helping people who have lost their homes and who are struggling.

She and I shared what we have seen in tragedy after tragedy after tragedy, which is that, in the face of disaster and in the face of adversity, Texans and Americans come together. There is a spirit of solidarity, a spirit of unity that the worse the tragedy, the more we come together and help our friend and neighbor, help our sister and brother. During these difficult times, Texans demonstrate that sharing spirit, and we are thankful to Americans across the country who are lifting us up in prayer.

As the waters continue to recede and the wreckage is being cleared, my office will continue to work very closely with the local and State government officials, along with the entire Texas delegation, to help ensure a smooth recovery process, including offering—as I already have—my full support and assistance when Governor Abbott requests Federal aid for those afflicted by this disaster.

While Texas continues to rebound from these torrential floods, our Nation is also flooded with circumstances that require the very same strength and resolve that we face in the face of tragedy. This week, the Senate continues debating the National Defense Authorization Act. This legislation reflects our Nation's military and national security priorities. The decisions we make today will affect not only our lives but those of future generations.

We face serious times as a Nation. Our constitutional rights are under assault. We have economic stagnation, young people yearning for employment opportunities only to find none, and government regulations that crush innovations. Abroad and at home, the threat is growing each and every day of radical Islamic terrorists. In order to best ensure the future of our Nation, we must make sure America is secure.

The most important constitutionally mandated responsibility of the Federal Government, the one authority that it must—not merely can—exercise is to provide for the common defense. There is no better example of how egregiously we have strayed from our core function than the way in which our spending on

defense has been held hostage year after year to the ever-increasing appetite for domestic spending by President Obama and his political allies. The programs they are forcing on the American people aren't necessary to protect our lives and safety. But funding our Nation's security is necessary, and it is in this spirit that I have approached my work on the National Defense Authorization Act. I look forward to continuing this debate with colleagues on both sides of the aisle.

My goal for the NDAA is simple. We need to make sure our military is strong, our homeland is secure, and our interests abroad are protected. The NDAA shouldn't be a vehicle to further an agenda that has nothing to do with actually defending America.

On the Senate Armed Services Committee, I was proud to work with my colleagues, both Republicans and Democrats, in introducing and getting adopted 12 amendments—12 amendments that were included in this legislation that cover the range of policy issues from strengthening our ability to protect ourselves through missile defense, to improving our ability to stand with allies such as the nation of Taiwan, to improving our ability to deal with the growing threats from nations like Russia and China, to prohibiting joint military exercises with Cuba, to preventing the transfer of terrorists from Guantanamo to nations that are on the State Department's watch list. All of those were done working closely with colleagues, Republicans and often many Democrats. Yet there are still many issues I believe should be addressed in this legislation, and I want to highlight three of those issues—three amendments that I hope this full body will take up.

The first is an amendment to increase spending on Israeli missile defense. This is an amendment on which I have been working very, very closely with the senior Senator from South Carolina, Mr. GRAHAM.

The second is an amendment to stop the Obama administration's plan to give away the Internet, to empower our enemies over the Internet. On this, I have been working closely with Senator LEE from Utah and Senator LANKFORD from Oklahoma.

The third amendment I want to address is an amendment to strip the citizenship from any Americans who take up arms and join ISIS or other terrorist organizations waging jihad against the United States of America. In this, I have worked with a number of Senators, including Chairman GRASSLEY of the Judiciary Committee.

Each of these amendments addresses different policy components of our Nation's security. But they all share the ultimate objective of ensuring that America remains the strongest nation the world has ever known.

The first amendment I have submitted and that I would urge this body

to take up would increase funding for our cooperative missile defense program with Israel to ensure that our ally—our close friend—can procure the necessary vital assets and conduct further mutually beneficial research and development efforts. This has been an ongoing partnership between Israel and the United States of America and yet, unfortunately, the Obama administration, in its request submitted to Congress, zeroed out procurement for David's Sling, Arrow 2, and Arrow 3, vital elements of Israeli missile defense. This is at a time when the threats are growing, and the administration decided that zero was the appropriate level. Respectfully, I disagree. This amendment would fully fund procurement for Israeli missile defense.

Now, much of this missile defense is done in partnership working closely with American corporations producing jobs here at home. But it is also vital to our national security, as we see a proliferation of threats across the world. The technology of intersecting incoming threats and intersecting incoming missiles before they can take the lives of innocents is all the more important. Yet we are at a time when the administration has funneled hundreds of millions—and headed to billions—of dollars to Iran and their despot regime.

The administration knows and they acknowledge that substantial portions of those funds will be used to fund radical Islamic terrorists, will be used to fund efforts to murder Israelis and to murder Americans. Yet, nonetheless, it is U.S. taxpayer dollars and dollars under the control of our government—billions—that are going to the Ayatollah Khamenei, who chants and pledges “Death to America” and “Death to Israel,” as a result of the fecklessness of our foreign policy.

Our closest ally in the Middle East remains in a deeply troubling and precarious position. Israel must be prepared to defend against Hamas and Hezbollah rocket stockpiles that are being rebuilt and improved, while also being forced to counter an increasingly capable adversary in the nation of Iran, which is intent on the destruction of Israel. We must not fail in our obligation to stand with Israel. It is my hope that, if and when this body takes up this amendment, we will stand in bipartisan unity, standing with Israel against the radical Islamic terrorists who seek to destroy both them and us. In doing so, we will further both Israeli national security and the safety and security of the United States of America.

In addition to working to provide for our common defense and protect our sovereignty, I have also introduced an amendment that would safeguard our country in a very different way. I have submitted an amendment that would prohibit the Obama administration

from giving away the Internet. This issue doesn't just simply threaten our personal liberties. It also has significant national security ramifications. The Obama administration is months away from deciding whether the U.S. Government will continue to provide oversight over the core functions of the Internet and continue to protect it from authoritarian regimes who view the Internet as a way to increase their influence and suppress the freedom of speech.

Just weeks ago, the Washington Post—hardly a bastion of conservative thought—published an article entitled: “China's scary lesson to the world: Censuring the Internet works.” We shouldn't take our online freedom for granted. If Congress sits idly by and allows the administration to terminate U.S. oversight of the Internet, we can be certain authoritarian regimes will work to undermine the new system of Internet governance and strengthen the position of their governments at the expense of those who stand for liberty and freedom of speech.

This prospect is truly concerning, given the proposal submitted by the Internet Corporation for Assigned Names and Numbers, known as ICANN. ICANN is a global organization, and its latest proposal unquestionably decreases the position of the United States while it increases the influence of over 160 foreign governments within ICANN in critical ways—foreign governments like China, foreign governments like Russia. Additionally, this proposal has the potential to expand ICANN's historical core mission by creating a potential gateway to content regulation, and it would only further embolden ICANN's leadership, which has a poor track record of acting in an unaccountable manner and a proven unwillingness to respond to specific questions posed by the Senate.

Relinquishing our control over the Internet would be an irreversible decision. We must act affirmatively to protect the Internet, as well as the operation and security of the dot-gov and dot-mil top-level domains, which are vital to our national security.

For whatever reason, the Obama administration is pursuing the giveaway of the Internet in a dogged and ideological manner. It is the same naive foolishness that decades ago led Jimmy Carter to give away the Panama Canal. It is this utopian view that, even though we built it, we should give it to others whose interests are not our own. We should not have given away the Panama Canal, and we should not be giving away the Internet. If the Obama administration succeeds in giving away the Internet—which is, No. 1, prohibited by the Constitution of the United States, which specifies that property of the United States Government cannot be transferred without the authority of Congress—this administration is ignor-

ing that constitutional limitation and is ignoring the law. But if the Obama administration gives away the Internet, it will impact freedom, it will impact speech for you, for your children, and your children's children.

I would note that one of the things this body is good at is inertia—doing nothing. Right now, that is what this body is doing to stop it. My amendment would say that control of the Internet cannot be transferred to anyone else without the affirmative approval of the United States Congress. If it is a good idea to give away the Internet that we built, that we preserve, that we keep free, that we protect with the First Amendment—and I can't imagine anyone reasonably objective believing it is, but if it is—we ought to debate it on this floor. A decision of that consequence should be decided by Congress and not by unaccountable bureaucrats in the Obama administration. So it is my hope that colleagues in this body will come together, at the very minimum, to say not whether or not the Internet should be given away but simply that Congress should decide that. There was a time when this body was vigorous in protecting its constitutional prerogatives. It is my hope that this body will rediscover the imperative of doing so.

The third amendment I have submitted on the NDAA that I want to address is the Expatriate Terrorist Act, a bill I introduced over a year ago and that I have now filed as an amendment to the NDAA.

As we all know, radical Islamic terrorists have been waging war against the United States since—and, indeed, well before—9/11, and yet the President cannot bring himself to identify the enemy, preferring instead to use meaningless bureaucratic terms like violent extremists. The President naively believes that refraining from calling the threat what it is—radical Islamic terrorism—will somehow assuage the terrorists and discourage them from making war against us and our allies. But that hasn't stopped ISIS from promising to strike America over and over and over, nor did it dissuade the radical Islamic terrorists here in the United States who have committed attacks against Americans since this President first took office—the terrorist attack in Fort Hood, which the administration inexplicably tried to characterize as “workplace violence,” the Boston Marathon bombing, the terrorist attack on military recruiters in Little Rock and Chattanooga, and, most recently, the horrific attack in San Bernardino.

The question for us in Congress is whether we have given the government every possible tool, consistent with the Constitution, to defeat this threat. I do not believe we have, which is why I have introduced the Expatriate Terrorist Act.

Over the years, numerous Americans, like Jose Padilla, Anwar al-Awlaki and Faisal Shahzad, just to name a few, have abandoned their country and their fellow citizens to go abroad and join radical Islamic terrorist groups. Intelligence officials estimate that more than 250 Americans have tried or succeeded in traveling to Syria and Iraq to join ISIS or other terrorist groups in the region. This amendment updates the expatriation statute so that Americans who travel abroad to fight with radical Islamic terrorists can relinquish their citizenship. This will allow us to preempt any attempt to reenter the country and launch attacks on Americans or to otherwise hide behind the privileges of citizenship. In this more and more dangerous world, it would be the height of foolishness for the administration to allow known terrorists—radical Islamic terrorists affiliated with ISIS, Al Qaeda, or other Islamist groups—to travel back to the United States of America using a passport to carry out jihad and murder innocent Americans.

This legislation should be bipartisan legislation. This legislation should be legislation that brings all of us together. We might disagree on the questions of marginal tax rates as Democrats and Republicans. We might disagree on a host of policy issues. But when it comes to the simple question of whether an Islamic terrorist intent on killing Americans should be allowed to use a U.S. passport to travel freely and come into America, that answer should be no, and that ought to be an issue of great agreement.

Today I call upon my colleagues to join me in supporting these amendments and coming together. Together these amendments strengthen our Nation both at home and abroad. We are stronger than the obstacles we face. And by the grace of God, we will succeed. The stakes are too high to quit, and we will stand together and continue to strengthen this exceptional Nation, this shining city on a hill that each and every one of us loves.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I hope the Senator from Texas, who just made a moving commentary, would consider in the future standing together and voting for the Defense authorization bill rather than voting against it.

We stood together on the committee with only three votes against the Defense authorization bill, and he voted against it last year as well. So I would look forward to working with the Senator from Texas and maybe getting him—instead of being one or two in the bipartisan effort of the committee—to vote for the Defense authorization bill.

I might tell him also that with his agenda, as he described it, I would be much more agreeable to considering

that agenda if he would consider voting for the defense of this Nation—which is that thick—which we worked for months and months with hearings, meetings, and gatherings, and he decided to vote against the authorization bill. So I look forward to working with him, and perhaps next time he might consider voting for it rather than being 1 of 3 out of some 27 in the committee who voted for it in a bipartisan fashion, of which I am very proud.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CRUZ. Mr. President, I would briefly respond to my friend from Arizona. As he is aware, this NDAA contains one provision that in the history of our country is a radical departure. For the first time ever, this NDAA would subject women to Selective Service and potentially the draft.

Was this change done through open debate? Was this change done in front of the American people? Was this change done reflecting their views? No. It was inserted by committee staff in the committee draft. It is a radical change that is attempting to be foisted on the American people.

I am the father of two daughters. Women can do anything they set their mind to, and I see that each and every day. But the idea that we should forcibly conscript young girls into combat, in my mind, makes little to no sense. It is, at a minimum, a radical proposition. I could not vote for a bill that did so, particularly that did so without public debate.

In addition to that, I would note that in previous years, I have joined with Senator LEE and others in pressing for an amendment that would protect the constitutional rights of all Americans against unlimited detention of American citizens on American soil. The chairman is well aware, because I have told him this now 4 years in a row, that if the Senate would take up and pass the amendment protecting the constitutional due process rights of American citizens—the Bill of Rights actually matters—then I would happily vote for the bill. Yet the Senate has not taken up that amendment, so I have had no choice but to vote no at the end of the day.

I can tell you right now that if this bill continues to extend the draft to women—a radical change, much to the astonishment of the voters, being foisted on the American people not just by Democrats but by a lot of Republicans—then I will have no choice but to vote no again this year. But I can

say this: I would be thrilled to vote yes if we focused on the vital responsibilities of protecting this country rather than focusing on extraneous issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the Senator from Texas has the unique capability of finding a provision in a bill that thick to base his opposition on with a strong moral stand. The fact is that every single military leader in this country—both men and women, members of the military uniformed leadership of this country—believes it is simply fair, since we have opened up all aspects of the military to women in the military, that they would also be registering for Selective Service.

I would also point out that every single member of the committee—people such as Senator AYOTTE, Senator SHAHEEN, Senator MCCASKILL, all of the female members of the committee—also finds it a matter of equality. Women I have spoken to in the military overwhelmingly believe that women are not only qualified but are on the same basis as their male counterparts.

Every uniformed leader of the U.S. military seems to have a different opinion from the Senator from Texas, whose military background is not extensive. I believe it was indefinite detention last time, which obviously is an issue but, in my view, not a sufficient reason because it was not included. The bill last year did not address that issue, but because we didn't address the issue to the satisfaction of the Senator from Texas, then he voted against the bill. This year it is Selective Service.

The vote within the committee was overwhelming. The opinion of men and women in the military—every one of our military leaders believes that.

The Senator from Texas is entitled to his views, but to think that somehow that is sufficient reason for him to continue to vote against the bill—even though he does not respect the will of the majority—in my view, that is not sufficient reason to continue to oppose what is a bipartisan bill that was overwhelmingly voted for in committee and at the end of the day, in previous years, was voted for overwhelmingly in the Senate.

I respect the view of the Senator from Texas. Too bad that view is not shared by our military leadership—the ones who have had the experience in combat with women in the military.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STANDING TOGETHER AS ONE NATION

Mr. MENENDEZ. Mr. President, I thought long and hard about giving this speech, and I don't come to the floor lightly, but as the senior Latino in this Chamber, I felt I had to speak, for those who do not recall the past are destined to repeat it, and I don't want to let this opportunity pass without speaking out.

The remarks of the presumptive Republican nominee for President about Judge Gonzalo Curiel are taking this Nation and the Republican Party down a dark and slippery slope. The road to some of the darkest moments of history have been paved with the rants of petty demagogues against ethnic minorities for centuries. And now, again in this century, Donald Trump is echoing those same racist rants and by doing so threatening to take this Nation to a dangerous place.

While Donald Trump's racist themes throughout his campaign are a new low for one of America's major political parties, they are not unique in history. This is page one on the dark chapters of history: Separate us from them. Tyrants and dictators have incited hatred against ethnic and religious minorities for centuries in order to consolidate power for themselves. Increasingly radical-thinking Republicans are not blameless in creating the environment that has led to this disaster, that has led to a new McCarthyism that calls out people not for their beliefs but for their ethnicity.

We have governed from crisis to crisis over the past 8 years, not because we cannot find solutions to our problems but because of political decisions to delegitimize the process and the President. They have fed into the ranks of a petty demagogue and now struggle to find safe ground. They have given quarter to snake oil salesmen and conspiracy theorists.

Now we have the head of a major U.S. political party attacking a Federal judge because of his parentage. This isn't a reality TV show or real estate deal; this is an attack on our independent judiciary. We are talking about a Presidential candidate tearing the fabric with which we enforce our laws and help citizens protect themselves from injustice.

In every aspect of her life, my mother believed in being treated fairly. What she did not believe is that being treated fairly meant she would always get what she wanted and that if she did not get it, it would be proof that the process of the system was corrupt, unfair, and out to get her.

To my mother and to me, lashing out when we don't get what we want—as Donald Trump seems to do so often—

can be described only as remarkably childish, thin-skinned, surprisingly egocentric, and frankly, for someone who aspires to lead this Nation, dangerously undemocratic, if not outright demagogic, threatening the very safeguards our Founders put in place to protect us from those, like Mr. Trump, whose only view of the world seems to be in a mirror. His only response to adversity is to blame someone else and turn people against each other. The fact is, leaders don't turn people against each other; they bring them together in common cause. Mr. Trump needs to learn that there is not always someone else to blame for defeat. The fact that you lost doesn't imply unfairness, it only indicates that you lost, and he should get used to it, although it is a difficult concept for someone raised to believe there would be no losing and if there were, it must be a mistake that can be rectified with power, money, or a lawsuit. Apparently, in Mr. Trump's mind, if he loses, it must be someone else's fault: It is he. It is they. It is those people. He isn't American. He doesn't have a birth certificate. He is a Muslim. It is all of them. He is a Mexican judge, and I want to build a wall, so he is being unfair to me.

That attitude may be childish and pathetic in a schoolyard bully, but in an American President and Commander in Chief, it is downright dangerous.

I have traveled my State and this Nation and listened to people who wonder, as many of us do, how our political dialogue has become so dangerously coarse and brash and blatantly racist and how we seem to have reduced the greatness of this country to its lowest common denominator. We are talking about electing a President—a man or woman who will hold the nuclear code and will decide matters of war and peace and whether to send our sons and daughters into harm's way. The stakes are too high to allow a megalomaniac to pound his chest over a legitimate decision ordered by a judge who was confirmed unanimously by this Senate.

Many of my colleagues have tried to distance themselves from the comments of the nominee, but in many cases they have not gone far enough. They have not called him out as they should, politics aside, for the threat he poses to this Nation if he is elected.

Many of my colleagues must recognize, as I do, that a Federal judge born in Indiana, which is part of these great United States, with a Mexican family background whose parents became U.S. citizens is not a Mexican judge but is an American judge, just as a U.S. Senator like this one—born in New York, raised in New Jersey, from a Cuban family background—is a U.S. Senator. To imply otherwise and ask Judge Curiel to recuse himself from a case because of where his parents were born is on its face racist.

They need to come to the floor and denounce the comments of their nominee. In fact, all Americans should denounce this kind of blatant racism. The tone of the Trump campaign and his statements, actions, and demeanor threaten to send us down a slippery slope. He doesn't seem to be able to stop himself. He has doubled down and said that it is impossible, for example—that a judge of Muslim descent might not be able to render a favorable decision in a Trump v. Whomever case because of the candidate's policy to ban Muslims from entering this country. Anyone who won't stand up and call this blatant racism has decided to put partisan politics ahead of our country. This is how a new McCarthyism comes to America, sold by a reality TV show host, aided and abetted by a political party without the courage to stand up to racism in its most cynical form.

I have watched this campaign, like most of my colleagues, incredulous at what I heard, shocked, in disbelief, and with a deep concern at the level of discourse that has degenerated into name calling and out-and-out racism. Many of my Republican colleagues and friends are pulling their punches, not going far enough to denounce the racist rants of their nominee.

This is not the American political system that I know or grew up with, it is not how we run campaigns, and it should make us all feel uncomfortable. But it is not good enough to simply be uncomfortable with what the presumptive Republican nominee says. We can't just turn a deaf ear and a blind eye to someone like Donald Trump and where he threatens to take this Nation should he be elected. We cannot wait until it is too late, and I believe my colleagues know it but have not yet found a way to articulate it.

We as a nation have to face the ugliness of what he has said and what he has no doubt yet to say. We as a people must immediately and unconditionally condemn and reject the type of blatant racism we heard over the last few days. Those who do not stand up to intolerance and hatred only encourage it and sow the seeds of bigotry that will ultimately divide us as a nation and a people.

I urge all of my Republican colleagues and all Americans to reject the politics of settling scores and grudges and work toward changing the hateful rhetoric we continue to hear.

We are a nation of immigrants—all of us. We all know the reality of what it means to work hard, get an education, build a career, and find our way to this Chamber or the Federal bench. Many of us grew up in immigrant neighborhoods, like Judge Curiel, having to navigate many obstacles, the veiled or not-so-veiled insults, the derogatory comments, the finger-pointing and racial stereotypes, while always remaining rational and logical enough to take

the long view and see beyond the mirror and beyond ourselves so we can make the best decisions we can and take what comes and in doing so become part of the larger whole, no longer a stranger but members of something larger than ourselves.

When Donald Trump says “There’s my African American” at a political rally, we see only a fellow American, a citizen, one of us, not one of them.

Today we are all Judge Gonzalo Curiel, and today we stand together as one Nation, indivisible, no matter how hard someone tries to divide us.

I repeat: The road to some of the darkest moments in history have been paved with the rants of petty demagogues against ethnic minorities for centuries, and Donald Trump is echoing those same racist rants, threatening to take this Nation to a dangerous place. Let’s all of us speak out before it is too late.

With that, I yield the floor.

THE PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

THE PRESIDENT’S FOREIGN POLICY

Mr. THUNE. Mr. President, as we enter the final stretch of the Obama administration, many have began analyzing the President’s tenure and debating what legacy he will leave. People are asking: Are we better off? Are we safer? Unfortunately, the evidence suggests that the answer to both of those questions is no.

As we look around the world right now, we see more and more unrest and insecurity, and the foreign policy failures of the President and his administration are partly responsible. Again and again, when it has come time for the President to lead, he has chosen instead to sit on the sidelines. His failure to act has emboldened our enemies and alienated our allies.

Take the situation in Syria. I am not blaming the start of the Syrian civil war on President Obama, but when a redline was drawn and crossed and the President ignored it, we lost our credibility and our ability to influence President Assad. As we retreated from a position of strength, turmoil and unrest erupted in Syria.

The President’s reluctance to act must have looked familiar to foreign leaders like Vladimir Putin. It doesn’t make the front pages of the papers anymore, but we must remember that Russia invaded the sovereign country of Ukraine and annexed Crimea while the President did nothing. After that, it is no surprise that Russia felt free to involve itself in Syria or that it continues to occupy and influence parts of eastern Ukraine as if it were a colony and not a free nation.

Recently, we have also seen Russian jets buzzing U.S. Navy ships. I can think of few other Presidents who would have stood for Russia’s behavior, but this passiveness now defines Presi-

dent Obama’s approach to foreign policy. The now-infamous Russian reset promoted by President Obama and Secretary Clinton will go down in history as a strategic failure of this administration.

In the Pacific, which was intended to be a key focus of the President’s foreign policy, China has gone largely unchallenged, especially in the South China Sea. The noticeable absence of the United States over the last 7 years has led to China building an island and standing up an airfield in some of the most disputed waters in the world—an island, Mr. President. Can you imagine if a country tried to build an island near the United States and then to militarize it? It is no surprise that our allies in Southeast Asia are growing increasingly nervous with the rising military power making such aggressive claims on their doorsteps.

Then there is the situation in Iraq. During his campaign, the President promised to withdraw U.S. troops from Iraq, which he then proceeded to do on a publicly announced timetable. Military planners and congressional Republicans warned that telegraphing our plans to insurgents will encourage them to bide their time and wait for our troops to leave before preying upon an underprepared Iraqi military. But it was evident that President Obama and Secretary Clinton didn’t want to see our obligation to the Iraqis through; they were more interested in keeping an ill-advised campaign promise no matter what the cost to security in Iraq.

The President proceeded with his plans to withdraw our troops without pressing former Iraqi Prime Minister Maliki on the importance of making sure his country was stable and secure before we withdrew. Everyone knows what happened next: The lack of American troops left a gaping hole in Iraq security and ISIS rolled in to fill the gap. Once called the JV team by President Obama, ISIS quickly established itself as arguably the most dangerous terrorist organization in the world. From its safe haven in Iraq, ISIS has spread terror across the Middle East and into Europe, destroying peaceful communities and cultural relics alike in its pursuit of a caliphate.

My heart especially breaks for the Christians and other religious minorities in the region in this time of darkness. Their experience under ISIS has been one of relentless persecution and suffering—genocide, Mr. President.

ISIS’s spread has only made the situation in Syria more dire, as well as extended terror beyond the Middle East to Europe. It may have also influenced a mass shooting here in the United States.

Even the President’s supposed leadership triumphs have demonstrated his unwillingness to stand up to our Nation’s enemies. As the days pass, buy-

er’s remorse from Democrats for the Iran deal continues to grow. The President negotiated a nuclear deal with Iran that will not only fail to stop Iran from acquiring a nuclear weapon, but it will actually make it easier for Iran to acquire advanced nuclear weapons down the road. This deal will jeopardize the security of the United States and our allies for many years to come.

Deputy National Security Advisor Ben Rhodes has admitted to creating “an echo chamber” of falsehoods to sell the deal. We have also learned that a firm that helped push the deal also funded positive media coverage. Not only was this a bad deal that will make it easier for Iran to acquire advanced nuclear weapons down the road, the administration was disingenuous in how it sold the deal. It pulled a fast one over Congress, the American people, and our partners around the world, all in the name of burnishing the President’s legacy, not because it was the will of the people. This is another instance of the President’s missteps that sends troubling signals to our allies—in this case, Israel, our closest and most reliable ally in the region.

I make these points because it is against this backdrop of growing international instability and lessening U.S. influence that the Senate is now considering the National Defense Authorization Act. This legislation authorizes the funding necessary to equip our troops with the resources they need to carry out their missions.

As we look beyond the failures of the Obama administration to the challenges that lie ahead, it is even more important that when it comes to our military, we get things right. It is not America’s strength that tempts our adversaries, it is our weakness. That is why we need to ensure that our military is well-equipped and trained to meet the challenges of rising powers through high-tech capabilities, while also being agile and versatile to combat increased unconventional threats from nonstate actors.

We sleep at night in peace and safety because our military stands on watch around the globe. As threats multiply around the world, we must ensure that the military has every resource it needs to confront the dangers facing our Nation. We need to support essential forward-looking weapons systems, such as the B-21 long-range strategic bomber and high-tech drones to deter and defeat future threats.

We must ensure that detainees stay at Guantanamo, instead of returning to the fight. We must ensure that our troops and their families at home have the support they need and deserve. This bill will accomplish all that.

As we continue to debate the National Defense Authorization Act, I am sure there are some contentious issues that will come up, but while there may be some disagreement, we must pass

this essential legislation without delay. Playing politics with funding for our troops, as the President did by vetoing the National Defense Authorization Act last summer, is unacceptable. I urge my colleagues to join me to advance this essential legislation to provide for our troops to ensure the safety and defense of America and to help restore America's position of strength.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

HAZARDOUS MATERIALS RAIL TRANSPORTATION
SAFETY IMPROVEMENT BILL

Mr. WYDEN. Mr. President, rural Oregonians who have long worried about trains rumbling through our treasured Columbia River Gorge had their fears realized last Friday when a mile-long oil train derailed and caught fire in the heart of one of our State's crown jewels, the Columbia River Gorge.

Our State is rich with breathtaking places, and we believe the Columbia River Gorge is right at the top of the list. Local tribes consider the area sacred ground, and it took the breath away from Meriwether Lewis, who wrote in his journal of "beautiful cascades which fell from a great height over stupendous rocks. . . ."

In addition to being a haven for wildlife, the gorge is the lifeblood for tens of thousands of residents in the Pacific Northwest, a critical transportation corridor, and a center for outdoor recreation and tourism. Those who visit the gorge do so to windsurf, kiteboard, and parasail, fish, hike, and camp. It boasts the most visited recreation site in the Pacific Northwest, the thundering Multnomah Falls that Meriwether Lewis wrote about.

In this pristine area, trains carrying flammable liquids barrel through the gorge on tracks that were built in the first half of the 20th century. On Friday, just a stone's throw from our region's lifeblood, the Columbia River, one of those trains fell off the tracks. Sixteen cars hauling crude oil crashed within view of a community school in the small town of Mosier. Three tank cars caught fire, one car leaked oil, and one experienced what is known as a thermal tear, sending a column of flames shooting into the air.

We can see from the photo next to me just how close this fiery crash was to that school. People within a mile of the crash site were evacuated. The evacuation zone included Interstate 84, which was closed for 12 hours, and at least 100 nearby households. Some of these folks have yet to return to their homes. The sewer system was damaged badly enough that it was taken offline. Firefighters were forced to use so much water to put out the fire that the town's main well was depleted. As a result, residents who remain have been forced to drink bottled and boiled water. This has all been taking place in the middle of a heat wave at home.

Here is the point about the reality I just described. A lot of Oregonians are telling me that we got lucky with the oil train accident in Mosier, and they are right. This crash has left Oregonians wondering what unlucky would have looked like. I can tell you it doesn't take a lot of imagination. The Mosier crash could have been much worse if the train had been going faster and with more cars derailling. It could have been worse if the crash had happened on Thursday, when winds were clocked above 30 miles an hour and the fire would have spread to the nearby tree line. If the crash had happened a mile east, it would have been on the edge of the river, causing a potentially catastrophic spill in the middle of a salmon run. If it had happened 60 miles west, it would have been in downtown Portland or in one of the suburbs.

Oregon has been lucky a lot, and at some point that luck is going to run out. What people in small communities in Oregon want to know, and what they deserve to know, is what happens next. What is Congress going to do to start fixing the problem?

I am here this morning with my friend and colleague from Oregon, Senator MERKLEY, to talk about what specifically we are going to do to get this fixed. More than a year ago, I introduced legislation with Senator MERKLEY, Senator SCHUMER, and five other Senators called the Hazardous Materials Rail Transportation Safety Improvement Act. Since then, four more Senators have signed on. Among the bill's lead supporters are the International Association of Firefighters and the International Association of Fire Chiefs.

Our bill reduces the chance of accidents in the first place by providing funding for communities to relocate segments of track away from highly populated areas and for States to conduct more track inspections. Next, it helps communities prepare for a possible accident by paying for training for first responders before the next accident. Finally, the bill provides market incentives to use the safest tank cars to transport hazardous materials, which lowers the chance of a spill or a fire in the event of an accident.

On Monday I talked with Union Pacific's CEO, Mr. Fritz. He committed to work with me and the Senate sponsors on this legislation. He indicated there were parts of the bill that the company can support. I think knowing that the company is willing now to follow up is a bit of constructive news and an encouraging development, but much more needs to be done.

Yesterday, Senator MERKLEY and I, with our Governor, Congressman BLUMENAUER, Congressman BONAMICI, called for a temporary moratorium on oil train traffic through the Columbia River Gorge. Yesterday, when I talked to the CEO of Union Pacific, Mr. Fritz,

he committed that the Union Pacific will not ship Union trains of oil through the gorge until there are three developments: No. 1, the cause of the accident has been determined, No. 2, Union Pacific ensures that an accident will not happen again, and the company sits down and works out concerns that are obviously of enormous importance to the residents of Mosier.

These commitments are helpful, and we are going to monitor them closely. The company has to do everything possible to help get residents in the town back on their feet. That includes getting the sewage system up and running and getting people back in their homes so they can get about their everyday lives.

In my view, it would be hard, after a very close call like the one in Mosier on Friday, for anybody to just walk away and say, well, there probably will not be another accident, because while the people of Mosier work to get back to their normal lives, the threat of another crash is going to linger. Our people are talking about it. They are telling the newspapers they are nervous. They are nervous about the prospect of another accident, which is lingering in the minds of folks across my State.

It has been clear for years that more needs to be done to protect our communities and prevent the next accident from ever occurring. It is tragic that Mosier has now joined a long and growing list of both small towns and big cities that have experienced an oil train accident, including: Casselton, ND; Lynchburg, VA; Aliceville, AL; New Augusta, MS; LaSalle, CO; Galena, IL; Watertown, WI; and Philadelphia, PA.

More needs to be done to ensure that transportation systems used to haul crude oil and other flammable liquids are up to par. I hope Members of this body on both sides of the aisle will join me and Senator MERKLEY and nine other Senators. We already have over 10 percent of the Senate. I hope they will join us in our effort to protect communities everywhere from the next oil train accident. This has nothing to do with Democrats and Republicans. What this has to do with is whether we are going to take commonsense steps to prevent these accidents and ensure that in particular we do everything we can to have the kind of trains that are not as likely to be part of accidents in the future.

My colleague Senator MERKLEY has been a terrific partner in this effort. We have been talking about how we are going to tackle this urgent issue for the people we represent, and he is going to have important remarks about Friday's accident in Mosier as well.

With that, I yield the floor and look forward to Senator MERKLEY's comments.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise with my friend and colleague Senator

WYDEN to draw attention to the dangerous oil train derailment that occurred in Oregon last Friday and the urgency to protect communities around our Nation with stronger safety regulations for these rolling explosion hazards.

The folks in the Columbia Gorge have experienced a proliferation of trains carrying coal and carrying oil. They have been concerned about the length of the trains and how these trains roll through, dividing their communities and the challenges they have. There is one concern they have above everything else; that is, that a train full of explosive Bakken crude would derail in their community. That happened last Friday.

It is the very scenario communities have dreaded. This oil train was traveling through the Cascade Mountains along the Columbia Gorge on its way to Tacoma, WA, with 97 cars loaded with flammable, explosive Bakken crude. Sixteen tank cars went off the tracks. One car ruptured, and when it ruptured, it spewed oil. The oil created an inferno, and the inferno started to heat up the adjacent cars. The adjacent cars had pressure relief valves that as they got hot, started spewing oil out of these pressure relief valves, spreading the fire to three cars. This happened near the town of Mosier, OR, which is just 70 miles east of Portland.

We were fortunate. We thank our lucky stars no one was injured in the incident, but it could have been different, as my colleague from Oregon pointed out. The proximity of Mosier resulted in an evacuation of over 100 nearby residents and the nearby grade school with over 200 children. An air quality warning occurred for vulnerable residents from the thick plumes of black smoke. We were fortunate, and we are happy that no human life was taken and no injury occurred.

Let's take a look at what that inferno looked like in this photo. We can see the massive plume of burning Bakken crude rising into the air. We see here the fire in the adjacent cars. We see the proximity to the Columbia River. There could have been a massive release of oil into the Columbia River as well. Again, we were fortunate in this regard. The Columbia Gorge is a very special place, but as its narrow channel through the Cascade Mountain occurs, these trains run through the middle of virtually every community along the way. They represent a rolling time bomb. Citizens are right to have grave concerns.

I don't think the citizens along the Columbia Gorge are mollified by thinking, well, it could have been worse; we were fortunate this time. Instead, what the citizens of Mosier are thinking and citizens in communities all along the gorge are thinking is, our concerns about these rolling explosion hazards are confirmed, and we need to take se-

rious measures so that one of these trains does not blow up in our community in the future.

Now there are inspections that take place. The track was reportedly inspected on May 31. A track detector vehicle used laser and other technology to inspect the track within the last 30 days.

But what happened? Why did this occur along this stretch of track? It is reported that a bolt or multiple bolts sheared. Why did they shear? Was it temperature differentials between day and night in our unusually warm spring? Was it because of the weight of these trains rolling through? Was it the volume of the traffic? Was it the speed they were traveling?

We have to understand every detail so that we respond and make sure this does not happen again. That is why it is so disturbing that the National Transportation Safety Board declined to investigate. In its mission, the NTSB is supposed to investigate accidents that result in the "release of hazardous materials"—well, that certainly was the case—and that "involve problems of a recurring nature".

There have been recurring derailments that involve significant property damage. There was significant damage here. This derailment sent oil into Mosier's wastewater treatment plant. The plant has been closed down, a major challenge for the city to cope with. There has even been a pause in the drinking water because of the modest oil sheen in the river. It was uncertain where it was coming from and whether it would get into the intake for the drinking water.

So let's hereafter not have a situation where there is a significant crash and we don't have the investigation to learn everything about it so we can apply those lessons into the future.

Senator WYDEN has been leading the charge to make sure that we understand accidents, that we have the right set of precautions in place: braking standards on the brakes and speed standards on the tracks and upgraded railroad tanker cars that are far less likely to rupture. I thank him for his leadership on this. I am a full-square partner in this effort.

The tank car that ruptured was not one that met the new standards. It was what was referred to by the president of Union Pacific as kind of a "medium safety"—not the worst car, not the oldest car. It did have some upgrades on it but certainly not the new cars that we have been setting and aspiring to have; that is, a stronger car with more protections, minimizing the chance of a rupture.

This is an issue we must take on seriously and urgently. Let's recognize that it is one accident after another. In July 2013, a runaway Montreal, Maine & Atlantic Railway train spilled oil and caught fire inside the town of Lac-

Megantic in Quebec. Forty-seven people were killed. Thirty buildings burned in the town center.

In December of that year, a fire engulfed tank cars loaded with oil on a Burlington Northern Santa Fe train after a collision about a mile from Casselton, ND. Two thousand residents were evacuated as emergency responders struggled with the intense fire.

In January 2014, a 122-car Canadian National Railway train derailed in New Brunswick, Canada. Three cars containing propane and one car containing crude from western Canada exploded after the derailment, creating intense fires that burned for days.

In April of that year, 15 cars of a crude oil train derailed in Lynchburg, VA, near a railside eatery and a pedestrian waterfront, sending flames and black smoke into the air. Thirty thousand gallons of oil spilled into the James River.

The list goes on. In February of 2015—

Mr. MCCAIN. Will the Senator allow an interruption so that I can be recognized for a unanimous consent request, and he then will regain the floor?

Mr. MERKLEY. I would be honored to yield for your unanimous consent proposal.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from Oregon yield to me for a unanimous consent request without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be in order to be offered: Durbin No. 4369 and Inhofe No. 4204. I further ask that the time until 4 p.m. be equally divided between the managers or their designees and that the Senate then proceed to vote in relation to the amendments in the order listed, with no second-degree amendments to these amendments in order prior to the votes, and that there be 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, AND 4344

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be called up en bloc: 4138, Peters; 4293, Baldwin; 4112, Gillibrand; 4177, Schumer; 4354, Leahy; 4079, Heitkamp; 4317, Hirono; 4031, Cardin; 4169, Coats; 4236, Portman; 4119, Roberts; 4095, Ernst; 4086, Murkowski; 4071, Hatch; 4247, Daines; and 4344, Sullivan.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for others, proposes amendments numbered

4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, and 4344 en bloc.

The amendments are as follows:

AMENDMENT NO. 4138

(Purpose: To provide for the treatment by discharge review boards of claims asserting post-traumatic stress disorder or traumatic brain injury in connection with combat or sexual trauma as a basis for review of discharge)

After section 536, insert the following:

SEC. 536A. TREATMENT BY DISCHARGE REVIEW BOARDS OF CLAIMS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH COMBAT OR SEXUAL TRAUMA AS A BASIS FOR REVIEW OF DISCHARGE.

Section 1553(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(3)(A) In addition to the requirements of paragraph (1) and (2), in the case of a former member described in subparagraph (B), the Board shall—

“(i) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the former member; and

“(ii) review the case with liberal consideration to the former member that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge of a lesser characterization.

“(B) A former member described in this subparagraph is a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.”.

AMENDMENT NO. 4293

(Purpose: To require a National Academy of Sciences study on alternative technologies for conventional munitions demilitarization)

At the end of subtitle C of title XIV, add the following:

SEC. 1422. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetics, and the disposal technologies used.

(2) An analysis of disposal, treatment, and reuse technologies, including technologies currently used by the Department and emerging technologies used or being developed by private or other governmental agencies, including a comparison of cost, throughput capacity, personnel safety, and environmental impacts.

(3) An identification of munitions types for which alternatives to open burning, open

detonation, or non-closed loop incineration/combustion are not used.

(4) An identification and evaluation of any barriers to full-scale deployment of alternatives to open burning, open detonation, or non-closed loop incineration/combustion, and recommendations to overcome such barriers.

(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

AMENDMENT NO. 4112

(Purpose: To expand protections against wrongful discharge to sexual assault survivors)

At the end of part II of subtitle D of title V, add the following:

SEC. 554. MEDICAL EXAMINATION BEFORE ADMINISTRATIVE SEPARATION FOR MEMBERS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH SEXUAL ASSAULT.

Section 1177(a)(1) of title 10, United States Code, is amended—

(1) by inserting “, or sexually assaulted,” after “deployed overseas in support of a contingency operation”; and

(2) by inserting “or based on such sexual assault,” after “while deployed.”.

AMENDMENT NO. 4177

(Purpose: To require a report on the replacement of the security forces and communications training facility at Frances S. Gabreski Air National Guard Base, New York)

At the end of subtitle B of title XXVI, add the following:

SEC. 2615. REPORT ON REPLACEMENT OF SECURITY FORCES AND COMMUNICATIONS TRAINING FACILITY AT FRANCES S. GABRESKI AIR NATIONAL GUARD BASE, NEW YORK.

(a) FINDINGS.—Congress makes the following findings:

(1) The 106th Rescue Wing at Francis S. Gabreski Air National Guard Base, New York, provides combat search and rescue coverage for United States and allied forces.

(2) The mission of 106th Rescue Wing is to provide worldwide Personnel Recovery, Combat Search and Rescue Capability, Expeditionary Combat Support, and Civil Search and Rescue Support to Federal and State entities.

(3) The current security forces and communications facility at Frances S. Gabreski Air National Guard Base, specifically building 250, has fire safety deficiencies and does not comply with anti-terrorism/force protection standards, creating hazardous conditions for members of the Armed Forces and requiring expeditious abatement.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the need to replace the security forces and communications training facility at Frances S. Gabreski Air National Guard Base.

AMENDMENT NO. 4354

(Purpose: To clarify that the National Guard's mission is both Federal and non-Federal for purposes of a report on the cost of conversion of military technicians to active Guard and Reserve)

On page 819, strike lines 7 through 13 and insert the following:

(B) An assessment of the ratio of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense required to best contribute to the readiness of the Reserves and of the National Guard for its Federalized and non-Federalized missions.

AMENDMENT NO. 4079

(Purpose: To ensure continued operational capability for long-range bomber missions in the event of termination of the B-21 bomber program)

On page 556, line 2, insert “, including the modernization investments required to ensure that B-1, B-2, or B-52 aircraft can carry out the full range of long-range bomber aircraft missions anticipated in operational plans of the Armed Forces” after “program”.

AMENDMENT NO. 4317

(Purpose: To fulfill the commitment of the United States to the Republic of Palau)

At the end of subtitle H of title XII, insert the following:

SEC. 1277. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

(a) FINDINGS.—Congress makes the following findings:

(1) The Republic of Palau is comprised of 300 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association which provided for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(5) The security terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation's military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and the right to establish and use defense sites in Palau.

(6) The Compact entitles any citizen of Palau to volunteer for service in the United States Armed Forces, and they do so at a rate that exceeds that of any of the 50 States.

(7) In 2009, and in accordance with section 432 of the Compact, the United States and Palau reviewed their overall relationship. In 2010, the two nations signed an agreement updating and extending several provisions of the Compact, including an extension of United States financial and program assistance to Palau, and establishing increased post-9/11 immigration protections. However, the United States has not yet approved this Agreement or provided the assistance as called for in the Agreement.

(8) Beginning in 2010 and most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House of Representatives and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(9) The February 22, 2016, letter concluded, "Approving the results of the Agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States' broader strategic interest in the Asia-Pacific region."

(10) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advances United States national security objectives in the region.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and strengthen the ability of the United States to defend the homeland, Congress and the President should promptly enact the Compact Review Agreement signed by the United States and Palau in 2010; and

(2) Congress and the President should immediately seek a mutually acceptable solution to approving the Compact Review Agreement and ensuring adequate budgetary resources are allocated to meet United States obligations under the Compact through enacting legislation, including through this Act.

AMENDMENT NO. 4031

(Purpose: To impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights)

(The amendment is printed in the RECORD of May 18, 2016, under "Text of Amendments.")

AMENDMENT NO. 4169

(Purpose: To require a report on the discharge by warrant officers of pilot and other flight officer positions in the Navy, Marine Corps, and Air Force currently discharged by commissioned officers)

At the end of subtitle H of title V, add the following:

SEC. ____ . REPORT ON DISCHARGE BY WARRANT OFFICERS OF PILOT AND OTHER FLIGHT OFFICER POSITIONS IN THE NAVY, MARINE CORPS, AND AIR FORCE CURRENTLY DISCHARGED BY COMMISSIONED OFFICERS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions in the Armed Forces under the jurisdiction of such Secretary that are currently discharged by commissioned officers.

(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each Armed Force covered by such report, the following:

(1) An assessment of the feasibility and advisability of the discharge by warrant offi-

cers of pilot and other flight officer positions that are currently discharged by commissioned officers.

(2) An identification of each such position, if any, for which the discharge by warrant officers is assessed to be feasible and advisable.

AMENDMENT NO. 4236

(Purpose: To require a report on priorities for bed downs, basing criteria, and special mission units for C-130J aircraft of the Air Force)

At the end of subtitle H of title X, add the following:

SEC. 1085. REPORT ON PRIORITIES FOR BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS FOR C-130J AIRCRAFT OF THE AIR FORCE.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Air Force Reserve Command contributes unique capabilities to the total force, including all the weather reconnaissance and aerial spray capabilities, and 25 percent of the Modular Airborne Firefighting System capabilities, of the Air Force; and

(2) special mission units of the Air Force Reserve Command currently operate aging aircraft, which jeopardizes future mission readiness and operational capabilities.

(b) REPORT ON PRIORITIES FOR C-130J BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS.—Not later than February 1, 2017, the Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) The overall prioritization scheme of the Air Force for future C-130J aircraft unit bed downs.

(2) The strategic basing criteria of the Air Force for C-130J aircraft unit conversions.

(3) The unit conversion priorities for special mission units of the Air Force Reserve Command, the Air National Guard, and the regular Air Force, and the manner which considerations such as age of airframes factor into such priorities.

(4) Such other information relating to C-130J aircraft unit conversions and bed downs as the Secretary considers appropriate.

AMENDMENT NO. 4119

(Purpose: To prohibit reprogramming requests of the Department of Defense for funds for the transfer or release, or construction for the transfer or release, of individuals detained at United States Naval Station, Guantanamo Bay, Cuba)

After section 1022, insert the following:

SEC. 1022A. PROHIBITION ON REPROGRAMMING REQUESTS FOR FUNDS FOR TRANSFER OR RELEASE, OR CONSTRUCTION FOR TRANSFER OR RELEASE, OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

While the prohibitions in sections 1031 and 1032 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 968) are in effect, the Department of Defense may not submit to Congress a reprogramming request for funds to carry out any action prohibited by either such section.

AMENDMENT NO. 4095

(Purpose: To improve Federal program and project management)

(The amendment is printed in the RECORD of May 24, 2016, under "Text of Amendments.")

AMENDMENT NO. 4086

(Purpose: To authorize a lease of real property at Joint Base Elmendorf-Richardson, Alaska)

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LEASE, JOINT BASE ELMENDORF-RICHARDSON, ALASKA.

(a) LEASES AUTHORIZED.—

(1) LEASE TO MUNICIPALITY OF ANCHORAGE.—The Secretary of the Air Force may lease to the Municipality of Anchorage, Alaska, certain real property, to include improvements thereon, at Joint Base Elmendorf-Richardson ("JBER"), Alaska, as more particularly described in subsection (b) for the purpose of permitting the Municipality to use the leased property for recreational purposes.

(2) LEASE TO MOUNTAIN VIEW LIONS CLUB.—The Secretary of the Air Force may lease to the Mountain View Lions Club certain real property, to include improvements thereon, at JBER, as more particularly described in subsection (b) for the purpose of the installation, operation, maintenance, protection, repair and removal of recreational equipment.

(b) DESCRIPTION OF PROPERTY.—

(1) The real property to be leased under subsection (a)(1) consists of the real property described in Department of the Air Force Lease No. DACA85-1-99-14.

(2) The real property to be leased under subsection (a)(2) consists of real property described in Department of the Air Force Lease No. DACA85-1-97-36.

(c) TERM AND CONDITIONS OF LEASES.—

(1) TERM OF LEASES.—The term of the leases authorized under subsection (a) shall not exceed 25 years.

(2) OTHER TERMS AND CONDITIONS.—Except as otherwise provided in this section—

(A) the remaining terms and conditions of the lease under subsection (a)(1) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-99-14; and

(B) the remaining terms and conditions of the lease under subsection (a)(2) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-97-36.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the leases under this section as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 4071

(Purpose: To redesignate the Assistant Secretary of the Air Force for Acquisition as the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics)

At the end of subtitle C of title IX, insert the following:

SEC. 949. REDESIGNATION OF ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION AS ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

(a) REDESIGNATION.—Section 8016(b)(4)(A) of title 10, United States Code, is amended—

(1) by striking "Assistant Secretary of the Air Force for Acquisition" and inserting "Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics"; and

(2) by inserting ", technology, and logistics" after "acquisition".

(b) REFERENCES.—Any reference to the Assistant Secretary of the Air Force for Acquisition in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to

the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.

AMENDMENT NO. 4247

(Purpose: To require an expedited decision with respect to securing land-based missile fields)

At the end of subtitle D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIELDS.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH-1N helicopter, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH-1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the decision relating to a request for forces required by paragraph (1); and

(3) if the Chairman determines the implementation of the decision to be warranted to mitigate any risk posed to the nuclear forces of the United States—

(A) not later than 60 days after such date of enactment, implement that decision; or

(B) if the Secretary cannot implement that decision during the period specified in subparagraph (A), not later than 45 days after such date of enactment, submit to Congress a report that includes a proposal for the date by which the Secretary can implement that decision and a plan to carry out that proposal.

AMENDMENT NO. 4344

(Purpose: To authorize military-to-military exchanges with India)

At the end of subtitle F of title XII, add the following:

SEC. 1247. MILITARY-TO-MILITARY EXCHANGES WITH INDIA.

To enhance military cooperation and encourage engagement in joint military operations between the United States and India, the Secretary of Defense may take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the Government of India and the United States Government—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for developing threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, tactics, techniques, and procedures, and humanitarian assistance and disaster relief;

(2) include exchanges of general and flag officers; and

(3) significantly enhance joint military operations, including maritime security, counter-piracy, counter-terror cooperation, and domain awareness in the Indo-Asia-Pacific region.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there any further debate on these amendments?

Hearing none, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, and 4344) were agreed to en bloc.

Mr. MCCAIN. Mr. President, I mentioned to my colleagues that we would have these two votes later this afternoon, depending on an agreement between the majority leader and the Democratic leader. I thank my colleagues for their cooperation, and we look forward to those two votes.

I thank my colleague from Oregon for allowing me to make this unanimous consent request.

The PRESIDING OFFICER. For the information of all Senators, the Senate is under an order to recess at 12:30 p.m. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator MERKLEY, my colleague from Oregon, be allowed to finish his remarks prior to the recess.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that, at the conclusion of the Senator's remarks, I be recognized for my remarks for 8 minutes before the recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

HAZARDOUS MATERIALS RAIL TRANSPORTATION SAFETY IMPROVEMENT BILL

Mr. MERKLEY. Mr. President, in February of 2015, on Valentine's Day, a 100-car Canadian National Railway train hauling crude oil and petroleum distillates derailed in Ontario, Canada. The blaze burned for days.

Two days later, a 109-car CSX oil train derailed and caught fire near Mount Carbon, WV, leaking oil into a Kanawha River tributary and burning a house to its foundation. The blaze burned for weeks.

In November of last year, a dozen cars loaded with crude oil derailed from a Canadian Pacific Railway train, causing the evacuation of dozens of homes near Watertown, WI.

Let's take a look at this chart. In all, there have been 32 crashes involving oil trains since 2013. So in less than 4 years, there have been 32 crashes. I just highlighted a few of them. We see a massive increase of crude oil transported by rail. Therefore, there is a corresponding concern because of the explosive nature of this product and the derailments resulting in explosions and infernos.

Senator WYDEN and I have been calling for reform. We are going to keep pressing. We need better information for first responders on the scheduling of these trains. We need better knowledge of where the foam that can be used to respond is stored. We need more foam stored in more places. We need faster implementation of the brake standards and faster implementation of the speed standards and faster implementation of the railcar tanker standards.

But we have to understand what happened in every one of these wrecks.

Let's take the same diligence to this that we take to aviation. We study every plane crash to understand what went wrong so we can take these lessons and diminish the odds of it happening again. The result is, we have incredibly safe aviation. Shouldn't we have the same standards when it applies to transportation across America with trains full of explosive oil running through the middle of our towns, not just in Oregon but all across this country? Haven't we learned in crash after crash after crash that these are not one-time isolated incidents, but something that happens with considerable regularity? Can't we do more?

Yes, we can. Yesterday, when I talked to the president of Union Pacific, I told him we were going to call for a moratorium, and Senator WYDEN and Governor Brown and Representatives BLUMENAUER and BONAMICI have joined in this effort. He heard our voice. He understands the challenge to these communities and the concerns that until the mess is cleaned up and until we understand and address the fundamental problems that contributed to this crash, no more oil should roll through the Columbia Gorge.

That is what we have called for. That is what we are going to keep persisting in. Let's stop this process of having oil train crash after oil train crash, explosion after explosion, inferno after inferno. The damage has gone up dramatically as the transportation of this oil has gone up dramatically. Incidents resulted in \$30 million in damage last year, up from one-fourth of that the previous year.

So let's act. Let's act aggressively. Let's act quickly. Senator WYDEN's act would take us a powerful stride in the right direction.

Let's not look to our citizens and towns with rail tracks across this country and simply shrug our shoulders. Instead, let's say we know we have a major problem and we are going to be diligent and aggressive in solving it.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 4204

Mr. INHOFE. Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 4204.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 4204.

Mr. INHOFE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike the provision relating to the pilot program on privatization of the Defense Commissary System)

Strike section 662.

Mr. INHOFE. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the Inhofe-Mikulski amendment No. 4204: SESSIONS, RUBIO, SHELBY, MORAN, WARREN, PETERS, and MENENDEZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we have been here before. The same language that is in the base bill right now was in a year ago. On the floor last year, we passed the Inhofe-Mikulski amendment, requiring a Secretary of Defense report on commissary benefits. It passed by unanimous consent with 25 bipartisan sponsors and cosponsors, and it was supported by 41 outside organizations and by the administration. It required a study on the impact of privatization of commissaries on military families before a pilot program on privatizing could be implemented that was to look at modifications to the commissary system.

I am sending the language now, which I will get to in a minute. It required a Comptroller General assessment of the plan no later than 120 days after submittal of the report.

Here is the situation. The House passed the fiscal year 2017 NDAA, and it doesn't include privatization language. The Senate version has the same language as last year, which would authorize a pilot program to privatize five commissaries on five major military bases. But only yesterday, we received the report from the Secretary of Defense. We have not yet received the Comptroller General's review.

Congress asked for this study because of concerns about the impact that privatization could have on our servicemembers and the commissary benefit. It seems as if we are taking away benefits. We are working these guys and gals harder than we ever have before, and this is one very significant benefit that is there.

Senator MIKULSKI and I, along with our now 38 cosponsors—last year it was 25—and with the support of 42 outside organizations are offering a simple amendment that strikes the privatization pilot program, allowing Congress to receive and vet the Secretary of Defense report and the valuation of the Comptroller.

This is not the first time this was done. The January 2015 report by the Military Compensation and Retirement Modernization Commission determined that commissaries were worth preserving, and they did not recommend privatization. That report took place almost 2 years ago.

When surveyed in 2014, 95 percent of the military members were using commissaries and gave them a 91-percent satisfaction rate.

According to the Military Officers Association of America, the average family of four who shops exclusively at commissaries sees a savings of somewhere between 30 percent to 40 percent.

Mr. President, I have six testimonials from military members about using commissaries that I wish to enter into the RECORD. They said the following:

"Our family needs the commissary! We wouldn't be able to afford a decent amount of groceries for our family if we had to shop off post!"

"My husband is currently active duty AF, and I drive 30 one way just to be able to shop at the commissary. We are stationed at a base in the middle of nowhere and if I were to shop at our local store, I would pay nearly twice as much. And, I know that a vast majority of those stationed where we are use the commissary for the same reason. And please consider those stationed overseas and in other rural locations. If the commissaries were privatized, they could increase the prices and without competition, our grocery bill would be significantly higher."

"Whether I am in the states or overseas I use my benefits of lower food cost. I've been in the military for 22 years. I've seen a lot of changes. But this should not be one. If anyone from your office wants more information feel free to contact me."

"While there are some items that may be found at a lower individual price on the economy the total combined savings remains constant."

"When I went out in town and we tried to get the same amount, we got about half of the groceries that we could afford at the Commissary."

"If you want to keep an all-volunteer military, you must keep the benefits that are in place as of today and for the future. All that are serving and have served depend on the commissary and exchange for low-cost goods. If the Commission does not recommend a pay increase, all benefits are extremely needed."

Commissaries are required to operate in remote areas. A lot of these objections are from commissaries in remote areas where people don't have any other place to actually make their purchases.

At a time when thousands of junior servicemembers and their families use food stamps, we should not be making changes that could increase costs at the checkout line.

The commissary benefit encourages people to reenlist, preserving a well-trained, dedicated military. It ensures that training investments are well spent, saving the expense of retraining the majority of the force every few years. The commissary savings and proximity and the consistency of the commissaries also encourage spouses, whose opinions may be a deciding factor in reenlistment decisions.

I know this is true. Just last Friday I was at Altus Air Force Base. I went into the commissary and talked to someone who was reconsidering. It was the wife of a flyer. Right now one of the biggest problems we have in the Air Force is the pilot shortage. They said that would be a major determining factor. So it is the right thing to do.

It also provides jobs for families of servicemen. Sixty percent of the commissary employees are military related. The greatest benefit is that their jobs are transferable. If they are transferred from one place to another, they are already trained and ready to go.

As I said, the Department of Defense delivered their report only yesterday and no one has had a chance to really go over it. The mandated GAO review of this plan is now under way. Of course, it could be up to 120 days after this for the next step to become completed.

The report supports section 661 of the Senate bill regarding optimization of operations consistent with business practices, but it doesn't affect 662. That is the section where we had the pilot program.

We have addressed this before, but the report also acknowledges that privatization would not be able to replicate the range of benefits, the level of savings, and geographic reach provided by DeCA while achieving budget neutrality.

It states that the Department of Defense—and I am talking about the report from the Department of Defense—is continuing its due diligence on privatization by assessing the privatization-involved portions. They are already doing that right now. In fact, some things have already been privatized, such as the delis, the bakeries. They have been privatized already in those areas and that is actually working. So privatizing military commissaries before having a full assessment of the costs and benefits is not the responsible thing to do. We owe that to our members.

Mr. President, I ask unanimous consent to have printed in the RECORD the Members who are cosponsors and the organizations that are supporting the Inhofe-Mikulski amendment No. 4204.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INHOFE-MIKULSKI AMENDMENT #4204

(1) Boozman (R-Ark.), (2) Boxer (D-Calif.), (3) Brown (D-Ohio), (4) Burr (R-N.C.), (5) Capito (R-W.Va.), (6) Cardin (D-Md.), (7) Casey (D-Pa.), (8) Collins (R-Maine), (9) Gillibrand (D-N.Y.), (10) Hatch (R-Utah), (11) Heller (R-Nev.), (12) Hirono (D-Hawaii), (13) Kaine (D-Va.), (14) Klobuchar (D-Minn.), (15) Lankford (R-Okla.), (16) Markey (D-Mass.), (17) Menendez (D-N.J.), (18) Moran (R-Kan.), (19) Murkowski (R-Alaska), (20) Murray (D-Wash.), (21) Nelson (D-Fla.), (22) Peters (D-Mich.), (23) Rounds (R-S.D.), (24) Rubio (R-Fla.), (25) Schatz (D-Hawaii), (26) Schumer (D-N.Y.), (27) Sessions (R-Ala.), (28) Shelby (R-Ala.), (29) Stabenow (D-Mich.), (30) Tester (D-Mont.), (31) Tillis (R-N.C.), (32) Udall (D-N.M.), (33) Vitter (R-La.), (34) Warner (D-Va.), (35) Warren (D-Mass.), (36) Whitehouse (D-R.I.).

42 ORGANIZATIONS SUPPORTING THIS AMENDMENT/OPPOSING PRIVATIZATION LANGUAGE IN THE BILL

(1) Air Force Sergeants Association, (2) American Federation of Government Employees, (3) American Federation of Labor

and Congress of Industrial Organizations Teamsters, (4) American Logistics Association, (5) American Military Retirees Association, (6) American Military Society, (7) American Retirees Association, (8) American Veterans, (9) Armed Forces Marketing Council, (10) Army and Navy Union, (11) Association of the United States Army, (12) Association of the United States Navy, (13) Fleet Reserve Association, (14) Gold Star Wives of America.

(15) International Brotherhood of Teamsters, (16) Iraq and Afghanistan Veterans of America, (17) Jewish War Veterans of the United States of America, (18) Military Order of Foreign Wars, (19) Military Order of the Purple Heart, (20) National Defense Committee, (21) National Guard Association of the United States, (22) National Military Family Association, (23) National Military and Veterans Alliance, (24) Military Partners and Families Coalition, (25) Military Officers Association of America, (26) National Association for Uniformed Services, (27) Society of Military Widows, (28) The American Military Partner Association, (29) The Coalition to Save Our Military Shopping Benefits, (30) The Flag and General Officers Network.

(31) Tragedy Assistance Program for Survivors, (32) The Retired Enlisted Association, (33) Uniformed Services Disabled Retirees, (34) United States Army Warrant Officers Association, (35) Veterans of Foreign Wars, (36) Vietnam Veterans of America, (37) Iraq and Afghanistan Veterans of America, (38) National Industries for the Blind, (39) Naval Enlisted Reserve Association, (40) Reserve Officer Association, (41) Enlisted Association of the National Guard of the United States, (42) The American Legion.

Mr. INHOFE. Mr. President, I yield back the remainder of my time.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 4204

Ms. MIKULSKI. Mr. President, I rise today to offer a bipartisan Inhofe-Mikulski amendment to the National Defense Act. What does our amendment do? It stops the privatization of commissaries, which are an earned benefit for our military and their families.

Every year when the Senate debates this bill, we talk about how we love our troops and how we always want to support our military families. But if we really love our troops, we need to make sure our troops have the support they need. One of the earned benefits that does that is the commissaries. And if we love our troops, why would we want to proceed in this direction of privatization? Our troops don't view commissaries as a subsidy; they view them,

as do I, as an earned benefit. I am fighting here to preserve this piece of the earned benefit compensation package.

What are the commissaries? Since 1826, military families have been able to shop at a network of stores that provide modestly priced groceries. The commissary system is simple: If you are an Active-Duty, Reserve, National Guard, retired member, or a military family member, you have access to more than 246 commissaries worldwide. They give military members and their families affordability and accessibility to health foods.

Senator INHOFE spoke earlier about where these commissaries are. Some are located in our country, and some in remote areas, and over 40 percent are either in remote areas or overseas.

Last year Senator INHOFE and I stood up for military family benefits to stop privatization. Congress adopted our amendment, but in doing so required a DOD study assessing privatization, which would affect commissaries. We needed to understand how privatization would affect levels of savings, quality of goods, and impact on families. DOD finally gave us the report on June 6, 2016. So they dropped the report on D-day. And guess what. It reaffirms what Senator INHOFE and I have been saying: We should not privatize commissaries without additional study. The report is simple and straightforward: We should not proceed with the privatization or a pilot on privatization until further study.

First, DOD has demonstrated that privatization cannot replicate the savings the current commissary system provides. Second, privatization significantly reduces the benefits available to commissary patrons. And privatization would dramatically reduce the workforce, which is where so many military families work. The DOD cannot move forward with privatization with a large number of unknowns.

We must honor the DOD request and fully evaluate the implications of privatization before we make drastic changes that hurt our military families. That is why everyone should support the Inhofe-Mikulski amendment. Our amendment is straightforward.

It strikes bill language authorizing a pilot program privatizing commissaries. It is supported by 41 organizations—the American Logistics, the National Guard Association, the National Military Family Association.

Privatizing commissaries is penny wise and pound foolish. If we care about the health of our troops, we must reject this.

I have been to the commissaries in Maryland. Go to the one at Fort Meade. Fort Meade is a tremendous place. We might not deploy troops the way Fort Bragg or Camp LeJeune does, but what we do there is phenomenal. There are 58,000 people who work at

Fort Meade. We are in the heart of Maryland, which has such a strong military presence, both Army and Navy. If you came to the commissary with me, you would see it as a nutritional settlement house. You would really like it because you see people there, first of all, of all ranks and ages mingling together. You might see a young woman who is married to an enlisted member of the military, and she is learning a lot about food and nutrition. She is getting advice, and she is getting direction, in addition to saving money. Also, if you go there, you would see oldtimers, who—although they are counting their pennies, they are counting their blessings that they have this commissary to be able to go to.

When I say a settlement house, it is a gathering to learn about food, about nutrition, about a lot of things. It often offers healthier food at cheaper prices.

When I talked with our garrison commander about something he and I worked on together called the Healthy Base Initiative, he said that what we were doing there was so phenomenal. We worked to bring in things like salad bars and some of the more modern kinds of things. This was just phenomenal.

So, first, we need commissaries. Second, if we are looking at how to make the budget neutral, and I don't argue with that point, the DOD study itself says we need to explore two things: other ways of achieving budget neutrality—and they had some suggestions—and also explore with the private sector who would be interested in privatization whether it would result in cost savings without costing the benefits, meaning what is really sold there in nutrition. There are a lot of new and wonderful ideas. My father ran a small grocery store. He would be amazed at what grocery stores are now. But things like going to private labeling, better management—the DOD has some other toolkits to do before we go off on this approach to privatizing without analyzing. So I am for analyzing and then looking at the next step.

The report this year just arrived. I know the authorizing committee didn't have the benefit of it. So I hope we will stick with Senator INHOFE and me, reject this amendment, look out for our troops, and let's explore other ways to achieve budget neutrality, but let's not just arbitrarily single out this earned benefit for cost savings.

Mr. President, the chair of the Armed Services Committee looks like he is eager to speak, but I also want to say that I support the Durbin amendment we will be voting on later on this afternoon. I am a strong supporter of DOD's Congressionally Directed Medical Research Program. I was very concerned about the bill language. I understand

the need for regulation but not strangulation. What is proposed in this bill would be so onerous, I am worried it would stop this research altogether. We can't let that happen, and Senator DURBIN's amendment would ensure that this program is allowed to continue its lifesaving discoveries. This congressionally mandated research has done so much good in so many areas, and we have large numbers of groups—from the Breast Cancer Coalition to the disabled veterans themselves—who support the Durbin amendment.

I have been supporting this program for more than 25 years. It all started in 1992 when the breast cancer community was looking to create a new research program. And by the way, the breast cancer advocates were just as organized, mobilized, and galvanized back then as they are today. The advocates knew that DOD ran the largest health system in the country and envisioned a new research program that was peer-reviewed and included input from not just scientists but also advocates. This was a new concept at the time that the needs of a community affected by disease would be considered when determining research priorities.

So we started with breast cancer in 1992 and quickly expanded to look at other illnesses and conditions. Since 1992, Congress has provided more than \$11.7 billion to fund more than 13,000 research grants. Today DOD's medical research program studies prostate cancer, ALS, traumatic brain injury, multiple sclerosis, lung cancer, ovarian cancer, autism, amputation research, and many others. And I am so proud that research is conducted at Fort Detrick in Maryland, Johns Hopkins, and the University of Maryland.

Almost immediately, Congress's investment in DOD's medical research program paid off—and with dividends. Breast cancer research led to the development of Herceptin, a standard care for the treatment of breast cancer. Lung cancer research led to creation of the first lung cancer bio-specimen repository with clinical and outcome data available to all researchers studying lung cancer. Traumatic brain injury research led to the development of two FDA-cleared devices to screen for and identify TBI in military members. Amputee care research led to the development of amputee trauma trainer, a device which replicates blast injuries from IEDs in war zones. It trains physicians to better respond to war injuries. Some of the DOD's regenerative medical breakthroughs are so astonishing you would think you were reading science fiction. The Department's medical program supported the first ever double hand transplantation on a combat-wounded warrior. Wow—so proud that this ground-breaking procedure was developed and performed at Johns Hopkins. This is just a snapshot. The list of successes are as long as they are inspiring.

For years, opponents of DOD's medical research program have argued against this program. They say, "Oh, this research is duplicative. Oh, this research should only benefit active military." Well, I say "no" to both arguments.

First, DOD's research is complementary to NIH's research but is not duplicative or redundant. In fact, the Department's research grants are peer-reviewed by doctors, scientists, advocates, and Federal agencies to ensure there is not duplication in efforts. The Institute of Medicine has reviewed DOD's program and found it to be efficient and effective.

Second, we know the diseases studied by DOD affect both active military and their families. Imagine if we refused to allow DOD to study breast cancer in 1992 simply because there were fewer women serving? We wouldn't have the advances that we do today saving lives and improving lives. Taking care of military families is an essential part of our promise to our men and women in uniform.

We have an opportunity to block this misguided language in the underlying bill that would have terrible consequences for medical research. The discoveries and treatments speak for themselves. I urge my colleagues to support Senator DURBIN's amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

AMENDMENT NO. 4204

Mr. MCCAIN. Mr. President, we will probably discuss this some more—this issue of the privatization—later on before we actually vote on the amendment, but this is a classic example of a distortion of an issue which could save the taxpayers \$1 billion that we subsidize the commissary system. It is not privatizing, I say to the Senator from Maryland; it is a pilot program of five—count them, five—military bases. There are companies and providers of food and services that are ready to try to establish on bases. We are not taking away a single commissary. We are not closing a single one—not one. But what we are trying to do is—if you want to have a hamburger at Burger King or McDonald's or Dunkin' Donuts or use UPS, you can go on a military base and they will provide you that service. The government doesn't do it. They don't make hamburgers. They don't carry mail. All of a sudden, now we have to have more studies. The real study would be a pilot program which proves successful.

By the way, if you ask the men and women who are in the military "Would you like to shop at Walmart or Safeway or one of these others if it is convenient?" do you know what the answer is? "Of course. Yes." Because there is more variety and there are lower prices.

Does my colleague, the Senator from Maryland, know that we are spending

over \$1 billion of taxpayer money on these commissaries every year, when we could probably do it for nothing or even charge these groups or commercial enterprises that would like to come, in a pilot program, to a military base? This is crazy. Fort Belvoir Commissary right here, the highest grossing store in the system, loses 10 cents on every dollar of goods it produces and sells, and guess who covers those losses. The taxpayers of America.

It is not an attempt to take away the commissary benefits; it is an attempt to see if the men and women in the military and all their dependents around the bases might get a better product at a lower price. That is what five—count them, five—privatizations are attempting to try.

Yesterday, we received the Department of Defense report on its plan to modernize the commissary and exchange systems. In that report, DOD stated that private sector entities are "willing to engage in a pilot program." DOD has told us that at least three major private sector entities are interested in testing commissary privatization. This has led DOD to publish a request for information to industry to give feedback on how a privatization pilot program could work. So why would my colleague support an amendment that would delay what needs to be done?

This is really all about an outfit called the grocery brokers. That industry has been working overtime to stop this pilot program because if it is successful, privatization would destroy their successful business model because they wouldn't have to use the grocery brokers. That is what this is all about, my friends.

So rather than paying over \$1 billion a year to be in the grocery business, privatization might provide—I am not saying it will, but it might provide the Department of Defense with an alternative method of giving the men and women in the military and our retirees high-quality grocery products, higher levels of customer satisfaction, and discount savings, while reducing the financial burden on taxpayers. We need to have a pilot program for sure.

Five pilot programs is not the end of civilization as we know it. It is not a burden on the men and women who are serving. I have talked to hundreds of men and women who are serving. I said "How would you like to have Safeway on the base? How would you like to have Walmart?" and they said "Gee, I would really like that" because they get a wider and diverse selection from which to choose—not to mention, although it doesn't seem to matter around here, it might save \$1 billion for the taxpayers. But what is \$1 billion? We are going to spend a couple billion dollars just on medical research—which the Senator from Maryland obviously is in favor of—calling it in the

name of defense, when it absolutely should be funded by other branches of the Appropriations Committee, rather than the Willie Sutton syndrome and taking it out of defense.

All I can say to the Senator from Maryland is that all we are talking about is giving it a try in five places. Let's not go to general quarters about an attempt to see if we can save the taxpayers \$1 billion a year. We are not going to close any commissaries in any remote bases. We are not doing anything but a five-base pilot program. That is all there is to this amendment, and to portray it as anything else is a distortion of exactly what the legislation has clearly stated its intent to be.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, despite what was just said, I am not in the pocket of something called grocery brokers. I am not here showing for something called grocery brokers. I am here to stand up for military and military families. I want the record to show that. I don't even know what grocery brokers are. I know what a grocery store is because my father ran one, I worked in one and learned a lot from the kind of values my father ran his business on.

Let's talk about the DOD-mandated report that we did last year when we discussed this. The report acknowledges that privatization would not be able to replicate the range of benefits, the level of savings, and the geographic reach provided by the commissaries while achieving budget neutrality. DOD is continuing its due diligence on privatization. It is still assessing the privatization of all or portions of the commissary system.

What I worry about is cherry-picking. "Oh, we are going to privatize." They are going to do it in the lucrative markets, in the Baltimore-Washington corridor, but right now our commissaries, owned by the United States of America for the troops defending the United States of America, are required to operate where the servicemembers are, even when it would not be economically beneficial from a commercial standpoint. Go ahead with this privatization myth, fantasy, or delusion that they are not going to cherry-pick.

More than two-thirds of the commissaries serve military populations living in locations that are not profitable for private sector grocers. These commissaries are made possible by the appropriated funds subsidy and by operating efficiencies and volumes of the large statewide stores. It is not only taxpayers they are subsidizing. Over 40 percent of commissaries' appropriated budget provide commissary services overseas and in remote locations. Do you think they are going to be part of privatization? They are going to take what they want, where they can make

money, and then these others are going to be defunded because, yes, you might talk about what the taxpayers subsidize, but at large, more profitable commissaries are also a cross-subsidy to those that are in the more remote areas or overseas.

Commissaries provide a benefit to servicemembers in the form of savings, proximity, and consistency that in some ways the commercial grocery sector, which must operate for profit, might find difficult to sustain.

Business is business. We know how the defense contractor game works. We know how the contractors are. They go where they can make money. That doesn't necessarily mean they go where they serve the Nation. I have great respect for our defense contractors. Many of them are either headquartered in Maryland or serve Maryland, but let's face it, their business is to make money, not necessarily to serve the troops. If they can make money serving the troops, they will make money and want to have stores where they can make money. That doesn't deal with the remote area. Let's hear it from our Alaskan people, let's hear it from the overseas people, and so on.

All I am saying is, while we continue on the path to explore either complete budget neutrality or to achieve budget neutrality, the Department of Defense says it needs more analysis on what it can do with itself and what the private sector is talking about.

There are three major private sector companies that have expressed interest. I would want to know, are they going to cherry-pick or are they going to be like Little Jack Horner waiting to get their hands on a plum? I am for the whole fruit stand, and I want it at the commissaries.

This has been a good exchange, and I respect my colleague from Arizona in the way he has stood up for defense. I know he wants to serve the troops as well. So let's see where the votes go, and we look forward to advancing the cause of the national security for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maryland. I always enjoy spirited discussion with her. She is a wonderful public servant, and I am going to miss her in this institution because she has an honorable record of outstanding service, and I always enjoy doing combat.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

HEAR ACT

Mr. CORNYN. Mr. President, earlier today, the Senate Judiciary Subcommittee on the Constitution convened a hearing on a piece of legislation I introduced with several of my colleagues called the Holocaust Expro-

priated Art Recovery Act, or the HEAR Act. This bill is long overdue, and like most pieces of good legislation, it is pretty straightforward.

During the Holocaust, Nazis regularly confiscated private property, including artwork, adding one more offense to their devastating reign. Today, the day after the anniversary of D-day and decades after World War II ended, there are still families who haven't been able to get their stolen artwork or family heirlooms back.

The HEAR Act will support these victims by giving them a chance to have their claims decided on the merits in a court of law and hopefully facilitate the return of artwork stolen by Nazis to their rightful owners. That is why we called the hearing "Reuniting Victims with Their Lost Heritage." It is true that Hitler's final solution in World War II was not just the extermination of the Jewish people but erasing their culture. This was part of the overall plan in Hitler's final solution. This legislation will help those who had vital pieces of their family and cultural heritage stolen to find justice.

This legislation is also consistent with our country's diplomatic efforts and longstanding congressional policy. I am grateful to my colleague from Texas, Senator CRUZ, as well as the senior Senator from New York, Mr. SCHUMER, and Connecticut, Senator BLUMENTHAL, for joining me in introducing this bipartisan piece of legislation. I hope the Senate Judiciary Committee will mark this up soon and the full Chamber will consider it soon.

Mr. President, separately, as we continue our work on the Defense authorization bill, I want to talk for a moment about how important that is. Yesterday I spent some time talking about the threats not only to our troops overseas who are in harm's way but threats that those of us here at home are experiencing as a result of a more diversified array of threats than we have ever seen in the last 50 years. I say "50 years" because the Director of National Intelligence, James Clapper, has served in the intelligence community for 50 years, and that is what he said—we have a more diverse array of threats today than he has seen in his whole 50-year career. That includes here at home because it is not just people traveling from the Middle East to the United States or people coming from the United States over to the Middle East training and then coming back. It is also about homegrown terrorists—people who are inspired by the use of social media and instructed to take up arms where they are and kill innocent people in the United States and, unfortunately, as we have seen in Europe as well.

As we think about the legacy of this President and his administration when it comes to foreign policy, I am reminded of the comments by former

President Jimmy Carter, a Democrat, commenting on another Democratic President's foreign policy. When he was asked, he candidly admitted and said: I can't think of a single place in the world where the United States is better off or held in higher esteem than it was before this administration. He called the impact of President Obama's foreign policy minimal. I would suggest that is awfully generous, if you look around the world, the threats of a nuclear-armed North Korea, which has intercontinental ballistic missiles it has tested in creating an unstable environment there with our ally and friend to the south, South Korea, if you look at what is happening in Europe as the newly emboldened Putin has invaded Crimea and Ukraine with very little consequences associated with it. I have said it before and I will say it again, weakness is a provocation. Weakness is a provocation to the world's bullies, thugs, and tyrants, and that is what we see in spades.

In the Middle East, President Obama talked about a red line in Syria when chemical weapons were used, but then when Bashar al-Assad saw that there was no real followthrough on that, it was a hollow threat and indeed he just kept coming, barrel-bombing innocent civilians in a civil war which has now taken perhaps 400,000 lives. Then, we have seen it in the South China Sea, where China, newly emboldened, is literally building islands in the middle of the South China Sea—one of the most important sealanes to international commerce and trade in Asia.

I will quote on North Korea again. Former Secretary of Defense Leon Panetta said: "We're within an inch of war almost every day in that part of the world," talking about Asia, with the threat of China in the South China Sea, North Korea. As far as North Korean aggression is concerned, this administration has basically done nothing to counter that aggression.

Under the President's watch, this regime has grown even more hostile and more dangerous because it is so unstable. In fact, when she was Secretary of State, Secretary Clinton testified in her confirmation hearing that her goal was "to end the North Korean nuclear program." That is what Secretary Clinton said. Her goal was to end the North Korean nuclear program. She even promised to embark upon a very aggressive effort to that effect.

We know what happened. Instead, she adopted what was later euphemistically called strategic patience. That is just another way of saying doing nothing. In other words, this more laid-back approach is simply lost on tyrants like we see in North Korea, and it certainly didn't punish the North Korean leadership for its hostilities.

We can't continue down the reckless path of ignoring challenges around the world or retreating where people are

looking for American leadership. That is why it is so critical that we demonstrate our commitment to our men and women in uniform by passing this important Defense authorization bill this week.

We have an all-volunteer military, and that is a good thing. We have many patriots who join the military, train, and then are deployed all around the world, as directed by the Commander in Chief, but the idea that we would not follow through on our commitment to make sure they have the resources they need is simply unthinkable.

I hope we will continue to make progress on the Defense authorization bill and make sure we provide the resources, equipment, and authorization they need in order to defend our country. Let's get the NDAA, the Defense authorization bill, done this week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

SYRIA

Mr. MCCAIN. Mr. President, while we are waiting for others to speak on the floor, I think it is important to take a moment to talk about the lead editorial in this morning's Washington Post, which describes the events transpiring in Syria, as we speak. The lead editorial says:

Empty words, empty stomachs. Syrian children continue to face starvation as another Obama administration promise falls by the wayside.

This is a devastating and true story.

It's been nearly six months since the U.N. Security Council passed a resolution demanding an end to the bombing and shelling of civilian areas in Syria and calling for immediate humanitarian access to besieged areas. It's been four months since Secretary of State John F. Kerry described the sieges as a "catastrophe" of a dimension unseen since World War II and said that "all parties of the conflict have a duty to facilitate humanitarian access to Syrians in desperate need."

Those were the words of Secretary of State John Kerry back in February.

The editorial continues:

By Monday, there still had been no food deliveries to Darayya in the Damascus suburbs, the al-Waer district of Homs or several of the other 19 besieged areas, with a population of more than 500,000, identified by the United Nations. Nor had there been airdrops. None have been organized, and U.N. officials say none are likely in the coming days. Another deadline has been blown, another red line crossed—and children in the besieged towns are still starving.

This is heartbreaking. It is heartbreaking. It is heartbreaking. Children in besieged towns are still starving.

The editorial continues:

Over the weekend, Russian and Syrian planes—

Our allies, the Russians—

heavily bombed civilian areas in rebel-held areas of Aleppo and Idlib. The Syrian Observatory for Human Rights said 500 civilians, including 105 children, had been killed in 45 consecutive days of bombing in Aleppo. The "cessation of hostilities" negotiated by Mr. Kerry in February, which was never fully observed by Russia and Syria, has been shredded.

And the Obama administration's response? It is still waiting patiently for the regime of Bashar al-Assad to stop dropping barrel bombs from helicopters on hospitals and allow passage to aid convoys. It is still asking politely for Russia to stop bombing Western-backed rebel units and to compel the Assad regime to follow suit. "We expect the regime to live up to its commitments," said a State Department statement Monday. "We ask Russia to use its influence to end this inhumane policy." As for airdrops, "that's a very complex question," said a spokeswoman.

The promise of air delivery, it turns out, was entirely rhetorical. On May 26, two senior U.N. officials publicly warned that a U.N. air bridge could not be established without permission from the Assad regime—the same regime that was blocking food deliveries by land. They called on the United States and Russia to "find a way" to begin the operation. But neither the United States nor Britain, the original proponent of the airdrops, acted to make an operation possible. Instead, they issued appeals to the Russian government—the same government that is systematically bombing civilian neighborhoods of Aleppo and Idlib.

The British ambassador to the United Nations hinted on Friday that if the Assad regime kept preventing land and air aid deliveries, his government "will consider other actions." The French ambassador to the United Nations said "the Syrian regime is continuing to systematically starve hundreds of thousands of civilians. These are war crimes . . . There is a strong momentum here in the Security Council . . . to say 'enough is enough.'"

Strong words. Those are a Kerry specialty, too. People in the besieged towns are "eating leaves and grass or animals of one kind or another that they can manage to capture," Mr. Kerry declared. Humanitarian access, he said, "has to happen not a week from now . . . it ought to happen in the first days." That was on February 2.

On February 2, the Secretary of State declared humanitarian access where 500,000 people were starving. On February 2, he said that the humanitarian access "has to happen not a week from now . . . it ought to happen in the first days." It is shocking and disgraceful. We should all be ashamed. By the way, the people who we are training to fight against ISIS are prohibited from fighting against the guy who is barrel-bombing and killing these thousands of men, women, and children—Bashar al-Assad. It is insanity. History will judge this administration and its actions not only with anger but with embarrassment. This is a shameful chapter in American history.

I note the presence of the Senator from Illinois.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, is there an order of business that has been agreed to by unanimous consent?

The PRESIDING OFFICER. The time until 4 p.m. is equally divided.

Mr. DURBIN. Mr. President, I find it hard to understand why anyone would want to eliminate funding for militarily relevant defense medical research—research that offers families hope and improves and saves lives—especially now. When you look at the body of medical research across all Federal agencies, we are getting closer to finding cures for certain cancers, closer than ever to understanding how to delay the onset of neurological diseases like Alzheimer's and Parkinson's, closer than ever to developing a universal flu vaccine. Now is the time to be ramping up our investment in medical research, not scaling it back. Yet, there are two provisions in this Defense authorization bill that would effectively end the Department of Defense medical research program. These two provisions are dangerous. They cut medical research funding, which will cost lives—military lives and civilian lives. That is why I filed a bipartisan amendment, together with Senator COCHRAN, the Republican chairman of the Senate Appropriations Committee, which will be considered by the Senate this afternoon.

My legislation would remove Chairman McCain's provisions so that life-saving research at the Department of Defense can continue. Senator McCain's two provisions, found in sections 756 and 898, work hand in hand to end the Department of Defense medical research program.

His first provision requires the Secretary of Defense to certify that each medical research grant is "designed to directly promote, enhance, and restore the health and safety of members of the Armed Forces"—not veterans, not retirees, not spouses of military members, and not children of military families. In my view, they are all part of our national defense, and they should all be covered by the DOD health care system and research.

Senator McCain's second provision, section 898, would require that medical research grant applicants meet the same accounting and pricing standards that the Department requires for procuring contracts. This is a dramatic change in the law. It is the imposition of miles of redtape on every medical research grant. The regulations that he has subjected them to apply to private companies that sell the Department of Defense goods and services, such as weapon systems and equipment. Among other things, it would require the Defense Contract Audit Agency, or DCAA, to conduct at least one, and probably several, audits on each grant

recipient. Do you know what that means? It means there will be 2,433 more audits each year by the Defense Contract Audit Agency. How are they doing with their current workload? They are behind on \$43 billion worth of goods and services that is being procured by the Department of Defense, and Senator McCain would send them at least 2,433 more audits next year.

Taxpayers deserve to know that their money is well spent. The existing system does just that. A grant application now is carefully scrutinized, and throughout the 24-year history of this Defense research program, there have only been a handful of instances where serious questions have risen. No grant makes it through this process without first showing clear military relevance. If an applicant fails that test, it is over. If they clear it, they will be subject to a host of criticism and scrutiny by researchers, and then representatives from the National Institutes of Health and the Department of Veterans Affairs sit down and measure each grant against existing research. These rules are in place to protect taxpayers' dollars, and they do. Senator McCain is now seeking to add miles of redtape to a program in the name of protecting it. His provisions go too far.

The Coalition for National Security Research, which represents a broad coalition of research universities and institutes, wrote: "These sections"—referring to Chairman McCain's sections—"will likely place another administrative burden on the DOD scientific research enterprise and slow the pace of medical innovation."

When we asked the Department of Defense to give us their analysis of Chairman McCain's provisions, they concluded—after looking at all of the redtape created by Senator McCain—that these issues would lead to the failure of the Congressionally Directed Medical Research Program. That is clear and concise, and, sadly, it is accurate.

What Senator McCain has proposed as a new administrative bureaucratic burden on medical research at the Department of Defense is not fiscally responsible, it doesn't protect taxpayers, and it is not in pursuit of small government by any means. These provisions are simply roadblocks.

Let's talk for a minute about the medical research funded by the Department of Defense. Since fiscal year 1992, this program has invested \$11.7 billion in innovative research. The U.S. Army Medical Research and Materiel Command determines the appropriate research strategy. They looked for research gaps, and they want to fund high-risk, high-impact research that other agencies and private investors may be unwilling to fund.

In 2004, the Institute of Medicine, an independent organization providing objective analysis of complex health

issues, looked at the DOD medical research program, and they found that this program "has shown that it has been an efficiently managed and scientifically productive effort." The Institute of Medicine went on to say that this program "concentrates its resources on research mechanisms that complement rather than duplicate the research approaches of the major funders of medical research in the United States, such as industry and the National Institutes of Health." This has been a dramatically successful program.

I would like to point to a couple of things that need to be noted in the RECORD when it comes to the success of this program. This morning Senator McCain raised a question about funding programs that relate to epilepsy and seizures when it comes to the Department of Defense medical research program. In a recent video produced by the Citizens United for Research in Epilepsy, they share heartbreaking stories of veterans suffering from post-traumatic epilepsy and the recovery challenges they face. They shared the story of retired LCpl Scott Kruchten. His team of five marines, during a routine patrol, drove over an IED. He was the only survivor. He suffered severe brain injury. Lance Corporal Kruchten suffered a seizure inside the helicopter while they were transporting him to Baghdad for surgery. He has been on medication ever since. In fact, seizures set back all of the other rehabilitation programs that injured veterans participate in and greatly slow their recovery.

Since the year 2000, over 300,000 Active-Duty military servicemembers have experienced an incident of traumatic brain injury. Many of them are at risk of developing epilepsy. Post-traumatic epilepsy comprises about 20 percent of all symptomatic epilepsy. According to the American Epilepsy Society, over 50 percent of traumatic brain injury victims with penetrating head injury from Korea and Vietnam developed post-traumatic epilepsy. The research we are talking about is relevant to the military. It is relevant to hundreds of thousands who have faced traumatic brain injury. I don't know why Chairman McCain pointed that out this morning as an example of research that is unnecessary to the Department of Defense. It is clearly necessary for the men and women who serve our country.

Let me say a word about breast cancer too. In 2009, after serving the Air Force for over 25 years, SMSgt Sheila Johnson Glover was diagnosed with advanced stage IV breast cancer which had spread to her liver and ribs. She said breast cancer cut her military career short. She was treated with Herceptin, a drug developed with early support from the Department of Defense medical research funding. According to Sheila, "It is a full circle

with me, giving 25 years of service in the DOD and the Department of Defense giving me back my life as a breast cancer patient.”

Sheila is not alone; 1 out of every 8 women is at risk of developing breast cancer in her lifetime and 175,000 women are expected to be diagnosed with the disease each year. With more than 1.4 million Active-Duty females and female spouses under the Federal military health system, breast cancer research is directly related to our military and our military community.

Breast cancer research started this medical research program in the Department of Defense. It was given a mere \$46 million at the start. Over the span of the life of medical research programs at the Department of Defense, a little over \$11 billion has been spent. Almost one-third of it has gone to breast cancer research, and they have come up with dramatic, positive results, such as the development of this drug Herceptin.

The point I am getting to is this. If you believe the military consists of more than just the man or woman in a uniform but consists of their families and those who have served and who are now veterans, if you believe their medical outcomes are critically important to the future of our military, then you can understand why medical research programs such as this one, which would be virtually eliminated by Chairman MCCAIN's language, is so important for the future strength of our men and women in uniform and the people who support them.

Let me tell you about a constituent who wrote me last month. This photo shows Linda and Al Hallgren. Al is a U.S. veteran, survivor of bladder cancer. Linda wrote to me and said:

When my husband was originally diagnosed in 2013, our only options were bladder removal followed by chemotherapy. Prognosis based on his cancer was months to a year or so. There were so many questions that came to mind, primarily around, “How did I get this?”

But as she pointed out to me, Al is a fighter, a survivor. Two years later, here they are, the two of them, enjoying a ride on a motorcycle.

When she passed along this photo, here is what she said: “We continue to fight the battle and take moments out to enjoy life to the fullest one day at a time.”

She noted in her letter that there are many risks with bladder cancer associated with military service. Smoking is the leading cause. The incidence of smoking among our military members is entirely too high.

The Institute of Medicine also took a look at the use of Agent Blue from 1961 to 1971 in the Vietnam war and its linkage to bladder cancer. It is the fourth most commonly diagnosed cancer among veterans but only the 27th highest recipient of Federal research. So

the story of this family and what they have been through raises an important question. Do we have an obligation to this individual who served our country, served it honorably, came home and suffered a serious medical illness? Do we have an obligation, through medical research, to try to find ways to make his life better, to make sure we spare him the pain that is associated with many of the things that are linked to his service in our military? Of course, we do. So why do we go along with this language that the chairman put in his authorization bill to eliminate these medical research programs?

I mentioned earlier the advancements that were made in breast cancer research. In 1993, the Department of Defense awarded Dr. Dennis Slamon two grants totaling \$1.7 million for a tumor tissue bank to study breast cancer. He began his work several years earlier with funding from the National Cancer Institute, but researchers still lacked the regular source of breast tissue from women. That is when the DOD funding made a difference. Dr. Slamon's DOD-funded work helped to develop Herceptin, which I mentioned earlier.

At lunch just a few minutes ago, we heard from Senator BARBARA MIKULSKI. She told about the lonely battle which she fought for years for women to get medical research. Sadly, the National Institutes of Health and other places were doing research only on men. Thank goodness Senator MIKULSKI and others spoke up. They spoke up and NIH started changing its protocols. Then they went to the Department of Defense and said: We want you to focus on breast cancer, if you will, for the emerging role of women in our military, and they did with dramatic results. Now comes a suggestion from Chairman MCCAIN that we are to put an end to this research. We should burden it with more redtape. I don't think it makes sense. It certainly doesn't make sense for the men and women serving in the military and the spouses of the men who serve in the military who certainly understand the importance of this research.

DOD-funded research developed a neurocognitive test for diagnosing Parkinson's disease. The Department of Defense research also identified additional genetic risk factors for developing the disease, including two rare variants that we now know connect the risk for Parkinson's with traumatic injury to the head. What we find when we look at the list of research, such as Parkinson's disease, and question why that has any application to the military, it is that they knew there was an application, they knew there was a connection, and it was worth seeking.

Here is the bottom line. People have lived longer and more productive lives because of DOD-funded medical research, and we have an opportunity to

help even more people if my amendment passes and we defeat the language that is in this Defense authorization bill.

Sixty-three Senators from 41 States, both sides of the aisle, requested increases in medical research for our next fiscal year. We can't earmark where that research is going to take place—that goes through a professional process—but you can certainly point out to the Department of Defense areas where they might have some interest, and they make the final decision.

If the McCain provisions become law, they put an end to research programs requested by a supermajority of the Senate.

Mr. President, how much time have I used and how much time currently remains?

The PRESIDING OFFICER (Mr. LANKFORD). There is 22½ minutes remaining.

Mr. DURBIN. I will yield the floor at this point to see if others are seeking recognition.

Mr. GRAHAM. Mr. President, how much time is remaining for our side?

The PRESIDING OFFICER. There is 30 minutes remaining for the majority.

Mr. GRAHAM. If it is OK with the Senator, I will make a few comments.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. No. 1, when it comes to Senator DURBIN, there is no stronger voice for medical research in the Senate and he should be proud of that.

Senator DURBIN and I are cochairing the NIH caucus, the National Institutes of Health, to make sure we take the crown jewel of our research at the Federal level and adequately fund it, to try to make it more robust, and in times of budget cuts, sequestration across the board, I want to compliment Senator BLUNT and Senator DURBIN and others for trying to find a way to increase NIH funding. I think we will be successful, and a lot of credit will go to Senator DURBIN.

As to the military budget, we are on course to have the smallest Army since 1940. We are on course to have the smallest Navy since 1915 and the smallest Air Force in modern times. Modernization programs are very much stuck in neutral. The wars continue, and they are expanding. By 2021, if we go back into a sequestration mode, we will be spending half of normally what we spend on defense in terms of GDP.

So to those who want to reform the military, count me in. This will be one of the most reform-minded packages in the history of the Department of Defense. We are trying to address the top-heavy nature of the military, where general officer billets have exploded, and make sure we have a leaner military at the top and put our emphasis on those out in the field fighting the war.

We are dealing with the explosion of contractors. We are looking at our

medical delivery systems anew. It has all been bipartisan. Senator REED deserves a lot of credit with his Democratic colleagues to find ways to reform the military, not only to save money but to improve the quality of life of those in the military.

There is an obligation on all of us who are considered defense hawks to make sure the military works more efficiently. This bill drives contracting away from cost-plus to fixed price. We see a lot of overruns in terms of big-ticket items—billions of dollars over what was projected in terms of costs of the F-35 and aircraft carriers. One of the ways to change that problem is to have the contractor have skin in the game by having a fixed price rather than cost-plus contracting.

I want to compliment Senators MCCAIN and REED for looking at the way the military is being run and trying to make it more efficient, understanding that reform is necessary.

Having said that, 50 percent of the military's budget, for the most part, goes into personnel, and I believe we need more people in the Army, not less. So we can reform the military to save money, and we should. We can bring better business practices to the table, and we should. We can modernize the way we deliver health care to get outcomes rather than just spending money, and we should. We can look at every part of the military and put it under a microscope and make it more efficient and make sure it is serving the defense needs of the country.

Having said that, given the number of ships we are headed toward, 278—420,000 people in the Army—we need more people to defend this Nation, and we have an obligation to the people defending the Nation to give them the best equipment and take care of their families. I am not looking for a fair fight. I want to rebuild the military and make sure our military has the weapons systems that would deter war, and if you had to go to war, to win it as quickly as possible.

That gets us to medical research. There is about \$1 billion spent on medical research within the Department of Defense. What we are suggesting is that we look at this account anew. What the committee has decided to do—Senator MCCAIN—is to say the Secretary of Defense has to certify that the money in the medical research budget in the Department of Defense is actually related to the defense world. There are a lot of good things being done in the Department of Defense in terms of medical research, but the question for us is, in that \$1 billion, how much of it actually applies to the military itself because every dollar we spend out of DOD's budget for things not related to defense hurts our ability to defend the Nation.

It is not a slam on the things they are doing. I am sure they are all worth-

while. The question is, Should that be done somewhere else and should it come out of a different pot of money?

So the two measures we are proposing—to continue medical research in the future, the Secretary of Defense would have to certify that the medical research program in question is related to the Department of Defense's needs, and there is a pretty broad application of what "need" is—traumatic brain injury and all kinds of issues related to veterans. Of the \$1 billion, using the criteria I have just suggested where there is a certification, some of the money will stay in the Department of Defense, but some of it will not because if we look at that \$1 billion, a lot of it is not connected to what we do to defend the Nation.

The second requirement is that if they are going to get research dollars, they have to go through the same process as any other contractor to get money from the Department of Defense. That means they are in the same boat as anybody else who deals with the Department of Defense. If that is a redtape burden, then everybody who deals with the Department of Defense will share that burden. So rather than just writing a check to somebody, there is a process to apply for the money and the contracting rules will apply. These are the two changes—a certification that the money being spent on medical research benefits the military, the Department of Defense, and in order to get that money one has to go through the normal contracting procedures to make sure there is competition and all the i's are dotted and t's are crossed. I think that makes sense.

I think some of the money we are spending under the guise of military Department of Defense research has nothing to do with the Department of Defense, and we need every dollar we can find to defend the Nation. Many of these programs are very worthwhile, I am sure, and I would be willing to continue them somewhere else. I am supporting a dramatic increase in NIH funding. I am very much for research, but if we are going to bring about change in Washington, and if people like me who want a stronger military are going to advocate for a bigger military, I think we have an obligation to have a smarter, more reformed system.

I am not trying to have it both ways. I am looking at how the Pentagon works at every level, along with Senator MCCAIN, and we are bringing structural changes that are long overdue.

I want to compliment Senator REED, who has been a great partner to Senator MCCAIN. We don't always agree, but I think Senator REED has bought into the idea that the Pentagon is not immune from being reformed and the status quo has to change.

So with all due respect to Senator DURBIN, I think the provisions Senator

MCCAIN has crafted make sense to me. To get research dollars in the future, the Secretary of Defense has to certify that the money in question helps the Department of Defense, and if one is going to bid for the business, they must go through the normal contracting process to make sure it is done right. Those are the only two changes.

Those programs that will be knocked out of the Department of Defense, I am certainly willing to keep them funded somewhere else. I think that is a long-overdue reform.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to respond to my friend from South Carolina. We are friends. We have worked on a lot of things together. I hope we will continue to do so in the future. We clearly see this issue differently today.

Two-tenths of 1 percent of the Department of Defense appropriations will go for medical research—about \$1 billion in a budget of \$524 billion. It is not an outrageous amount. We are not funding medical research at the expense of being able to defend America. Hardly anyone would argue that, but a small percentage would. I can make an argument—and I have tried effectively here—that when it comes to the medical research that is being done through the Department of Defense, it is extraordinary.

We have achieved so much for a minimal investment in so many different areas. I could go through the list—and I will—of those areas of research that have made such a big difference. I also want to say that there are 149 universities, veterans organizations, and medical advocacy groups that support the amendment that I offered today. The reason they support it is that what has been suggested—that this is not just another procedural requirement being placed in front of these institutions that want to do medical research—really understates the impact it will have.

The Department of Defense itself, after analyzing the McCain language that comes to us on this bill, said it will create a burden, a delay, additional overhead costs. The one thing we have not heard from Chairman MCCAIN or anyone on his side of the issue is what is the reason for this? Why are we changing a process that has been used for 24 years? Has there been evidence of scandal, of waste, of abuse?

Out of the thousands and thousands of research grants that have been given, only a handful have raised questions, and very few of those go to the integrity of the process. It has been a question about the medical procedure that was used. If we are going to impose new bureaucracies, new redtape,

new requirements, new audits, why are we doing it? If there is a need for it, I will stand up with everyone here and protect the taxpayers' dollars. But that is not really what is at stake here.

This morning on the floor, Chairman MCCAIN made it clear. He just does not want medical research at the Department of Defense. He wants it limited strictly to certain areas and not to be expanded to include the families of those serving in our military—our veterans—through the Department of Defense. That is his position. He can hold that position. I certainly disagree with it.

If we take an honest look at this, what we have done in creating this new bureaucracy and redtape is simply slow down the process and make it more expensive. For one thing, each one of these universities and each one of these organizations has to go through an annual audit—at least one. The agency within the Department of Defense responsible for those audits is currently overwhelmed, before this new McCain requirement comes in for even more audits.

So it means the process slows down. Research does not take place in a matter of months; it might be years. Do you want to wait for years in some of these instances? I don't. I want timely research to come up with answers to questions that can spare people suffering and spare expense to the families as well as to the Department of Defense. When I go through the long list of things that have been done through these defense research programs, it is amazing how many times they have stepped up and made a serious difference.

Let me give you one other illustration. The incidence of blast injuries to the eye has risen dramatically among servicemembers of Iraq and Afghanistan due to explosive weapons such as IEDs. Current protective eye equipment—glasses, goggles, and face shields—are designed to protect mainly against high-velocity projectiles, not blast waves from IEDs.

In Iraq and Afghanistan, upward of 13 percent of all injuries were traumatic eye injuries, totaling more than 197,000. One published study covering 2000 to 2010 estimated that deployment-related eye injuries and blindness have cost a total of \$25 billion. Notably, eye-injured servicemembers have only a 20-percent return-to-duty rate compared to an 80-percent rate for other battle trauma.

Since 2009, \$49 million in this Department of Defense medical research program has gone to research for the prevention and treatment of eye injury and disease that result in eye degeneration and impairment or loss of vision. From the Afghanistan and Iraq conflicts, a published study covering 2000 to 2010 estimated that these injuries have cost a total of \$25 billion. Eye-in-

jured soldiers have only 20-percent return-to-duty rates.

Research at Johns Hopkins, where they received grants to study why eye injuries make up such a high percentage of combat casualty, found that the blast wave causes eye tissue to tear, and protections like goggles can actually trap blast reverberations. University of Iowa researchers developed a handheld device to analyze the pupil's reaction to light as a quick test for eye damage.

So you look at it and say: Well, why would we do vision research at the Department of Defense? Here is the answer: What our men and women in uniform are facing with these IEDs and the blast reverberations—damage to their eyesight and even blindness—wasn't being protected with current equipment. Is this worth an investment by the U.S. Government of less than two-tenths of 1 percent of the Department of Defense budget? I think it is. I think it is critically important that we stand behind this kind of research and not second guess people who are involved.

We are not wasting money in this research; we are investing money in research to protect the men and women in uniform and make sure their lives are whole and make sure they are willing and able to defend this country when called upon.

This idea of Chairman MCCAIN—of eliminating this program with new bureaucracy and redtape—is at the expense of military members, their families, and veterans. We have made a promise to these men and women who enlisted in our military that we will stand by them through the battle and when they come home. That should be a promise we keep when it comes to medical research as well.

I retain the remainder of my time.

Mrs. MURRAY. Mr. President, I want to start by thanking Senator DURBIN, Senator COCHRAN, and all my colleagues here today for their work to support critical investments in medical research at the Department of Defense. I am proud to stand with them, but frankly, I am also really disappointed that we have to be here.

For decades, investments in medical research by the Department of Defense have advanced improvements in the treatment of some of our toughest diseases. DOD medical research funding has led to the development of new risk assessment tools that help evaluate the likelihood of breast cancer recurrence, as well as new tests to determine the potential spread of a primary tumor. It has helped advance research that could lead to treatment for the debilitating and, to-date, incurable disease ALS. It is supporting ongoing research into improvements in cognitive therapy and access to treatment for children with autism. And I could go on.

DOD medical research programs have had such an impact on the lives of tens

of millions of servicemembers and their families, as well as patients across the country. These programs certainly don't deserve to be on the chopping block, so it is very concerning to me that the defense authorization bill we are currently debating would severely restrict the scope of DOD research and undermine critical DOD support for research efforts on everything from breast cancer, to MS, to lung cancer, and much more.

If you are serving your country and have a child struggling with autism or if you are a veteran with severe hearing loss or if you are one of the many patients across the country waiting and hoping for a treatment or cure that hasn't been discovered yet, I am sure you would want to know that your government is doing everything it can to support research that could make all the difference.

I am proud to be supporting the amendment that we are discussing today, which would ensure that groundbreaking, and in some cases lifesaving, medical research at the Department of Defense can continue, and I urge all of my colleagues to join us. Thank you.

Mr. LEAHY. Mr. President, in this promising time, there are no resources too great to contribute to groundbreaking medical research. Key discoveries, new technologies and techniques, and tremendous leaps in our knowledge and understanding about disease and human health are being made every day.

Biomedical research conducted by the Defense Department has been a critical tool in combatting rare diseases here in the United States and across the world. Since 1992, the Department of Defense's Congressionally Directed Medical Research Program, CDMRP, has invested billions of dollars in lifesaving research to support our servicemembers and their families, veterans, and all Americans. I am proud to have been involved with starting this program, and I have fought year in and year out to support it. As the Senate continues to debate this year's National Defense Authorization Act, NDAA, I am concerned that the Senate's bill includes two harmful provisions that would undermine medical research in the CDMRP and erode these paths to vital progress, taking hope away from millions of Americans.

The CDMRP has long led to advancements in the field of medicine. From the development of early-detection techniques for diagnosing cancer and improving ways to restore mobility to patients suffering from Amyotrophic Lateral Sclerosis, ALS, to advancing treatments for traumatic brain injury and progressing the approval of drugs to treat prostate and breast cancer. For more than two decades, this valuable medical research program has invested over \$11 billion in the health of

our servicemembers and their families and developed techniques to combat various cancers and the many rare and debilitating diseases faced by so many Americans.

I was proud to be there from the start of the CDMRP. Those efforts evolved from linking a bill I coauthored in 1992 to create a national network of cancer registries to assist researchers in understanding breast cancer, with an effort led by former Iowa Senator Tom Harkin, myself, and several others, to redirect military funds to breast cancer research. With the help of the late Pat Barr of the Breast Cancer Network of Vermont and the many others who were the driving force behind national breast cancer networks, the CDMRP received its first appropriations of \$210 million for breast cancer research in the 1993 defense budget. Since then, the program has invested \$3 billion in breast cancer research, leading to exponential nationwide reductions in the incidence of the disease. It was due to these investments that Pat Barr herself was able to enjoy an active and fulfilling life for decades after her own diagnosis and was able to spend so many years fiercely fighting for the research that has touched, improved or saved millions of lives.

The structure of the CDMRP has always advanced biomedical research for servicemembers and their families, as well as the public at large. It is shortsighted and frustrating that two needless provisions have been dropped into this year's NDAA, which would bar the Department of Defense from researching the medical needs of military families and veterans and require grant applications to comply with weapon system acquisition rules instead of the carefully peer-reviewed applications process from which all good science grows.

To redefine the definition of who can benefit from lifesaving treatment and research to cancer and other diseases is misguided and counterproductive. If we are to advance medicine in one population, these tools should be made available to everyone. If we change the scope of these long fought efforts, we deny researchers the knowledge they need to carry out science that saves lives. It hinders medical progress for our children and grandchildren.

Whereas proponents of these provisions claim they will bring cost savings in the long term, we all know this is simply not true. Disease does not discriminate between servicemember, family member, veteran, or civilian. When it comes to medical research, we shouldn't either. That is why I am proud to support the bipartisan Durbin amendment to strike these unnecessary and hindering provisions from the bill, which would needlessly block access to innovative discoveries in these burgeoning fields of medicine.

Biomedical research is a proven tool that brings us closer every day to find-

ing cures and expanding treatments for debilitating conditions across the world. We cannot allow this year's defense authorization bill to deny our veterans, the families of our servicemembers, and other Americans victimized by ravaging disease the promise of such groundbreaking medical knowledge. I urge all Senators to join me in supporting Senator DURBIN's amendment and in defeating any provisions in the bill that threaten the continued success of the CDMRP. We must not lose sight of the progress we have made in the fight against breast cancer and other debilitating conditions. This valuable medical research program has paved the way for so many, and we must keep it strong for generations to come.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. There is 22 minutes.

Mr. GRAHAM. I will just take a couple of minutes to keep everybody awake.

The history of this program is pretty interesting. In 1992, by mandate, the Congressionally Directed Medical Research Program began within the Department of Defense with an earmark of \$20 million for breast cancer. So, back in 1992, somebody came up with the idea that we should put some money regarding breast cancer research into the Department of Defense bill.

Everybody I know of wants to defeat breast cancer and fund research at an appropriate level. Why did they do it in the Defense bill? Because the Defense bill was going to pass. It is the one thing around here that we all eventually get done because we have to defend the Nation. So that idea of a \$20 million earmark for breast cancer—fast forward from 1992 to now—is \$900-something million of research at the Department of Defense. It went from \$20 million to \$900 million. It has been about \$1 billion a year for a very long time.

The reason these programs are put in the Department of Defense—some of them are related to the Department of Defense and veterans; many of them are not, and the ones that can make it in this bill are going to get their funding apart from their traditional research funding—is that the Department of Defense will get funded.

All we are saying is that, given the budget problems we have as a nation and the constraints on our military due to defense cuts and shrinking budgets, now is the time to reevaluate the way we do business. It is not that we are against medical research in the Defense Department's budget; we just want it to be related to defense. I know that is a novel idea, but it makes sense to me.

All the things that Senator DURBIN identified as being done in the Department of Defense—I am sure most of them are very worthy. Let's just make sure they are funded outside of the Department of Defense because the money is being taken away from defending the Nation. Taking money out of the Defense Department to do research is probably not a smart thing to do now if it is not related to defending the Nation, given the state of the world and the state of the military.

So this is business as usual, even if it is just \$900 million, which is still a lot of money. I think it is time to relook at the way we fund the Defense Department and how it runs and try to get it in a spot that is more sustainable. So what have we done? We have said: You can still do research at the Department of Defense, but the Secretary of Defense has to certify it is related to our defense needs—and a pretty liberal interpretation of that.

If you are going to do research, you have to go through the normal contracting procedures that everybody else has to go through. Those two changes really make sense to me.

Here is the point: If you apply the test that it has got to be related to defending the Nation in a fairly liberal interpretation, probably two-thirds or three-fourths of this account would not pass that test. So that means there is going to be \$600 million or \$700 million—maybe more—that will go to defense needs, not research needs.

That doesn't mean that we don't need to spend the money on research. Most of it we probably do. The person delivering this speech is also the co-chairman of the NIH, which is the part of the government that does medical research. I want to increase that budget tremendously because the dividends to the taxpayers and to our overall health are real. I just don't want to continue to use the Defense Department as a way to do research unrelated to the defense needs of this country because I don't think that is the right way to do it.

When you are this far in debt and the military is under this much pressure, it is time for change. That is all this is—making a commonsense change to a practice that started at \$20 million and is now almost \$1 billion.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Almost 16 minutes.

Mr. DURBIN. Mr. President, let me respond to my friend from South Carolina. I keep giving examples of medical research in this program that relate directly to members of the military and their families and to veterans. All I hear back in return is: Well, we ought to be doing this research someplace else. Why? Don't we want the research

to be done by the Department that has a special responsibility to the men and women in uniform and their families as well as veterans?

Let me give you another example that I think really helps to tell this story of research that is jeopardized by the McCain language in this authorization bill. Joan Gray graduated from West Point in the first class that included women. She was commissioned in the U.S. Army as a platoon leader, commander, staff officer. After 5 years of service, she sustained a spinal cord injury in a midair collision during a nighttime tactical parachute jump. Joan Gray's wounds required 12 vertebral fusions. She is now an ambulatory paraplegic and a member of the Paralyzed Veterans of America.

Spinal injuries sustained from trauma impact servicemembers deployed overseas and in training. Over 5 percent of combat evacuations in Iraq and Afghanistan were for spinal trauma. Spinal cord injuries require specialized care and support for acute injury, disability adjustment, pain management, quality of life.

Since 2009, Congress has appropriated in this account—which is going to be eliminated by this amendment—over \$157 million to research the entire continuum of prehospital care, treatment, and rehab needs for spinal cord injury. The amount and extent of bleeding within the spinal cord can predict how well an individual will recover from a spinal cord injury.

Researchers at Ohio State University and the University of Maryland at Baltimore examined why some injuries cause more or less bleeding. They studied early markers of injury and found an FDA-approved diabetes drug that proved to reduce lesion size and injury duration in spinal cord injuries. At the University of Pennsylvania, researchers have studied how to facilitate surviving nerve axons to grow across an injury site after spinal cord trauma to improve nerve generation and functionality.

Is this research important? I would say it is. It is certainly important to those who serve us. It is important to their families as well. It should be important to all of us. Why are we cutting corners when it comes to medical research for our military and our veterans? Why is this account, which is less than two-tenths of 1 percent of this total budget, the target they want to cut? Medical research for the military and the veterans—every single grant that is approved has to go through the test of military relevance.

It isn't a question of dreaming up some disease that might have an application someplace in the world. A panel looks at the research that is requested and asks: Does this have relevance today to our military and their families and veterans as well? If it doesn't pass this test, it is finished. That is

why I am fighting to protect this money. So much has come out of this that it is of value to the men and women in uniform and veterans. Putting this new procedure in here making them go through the procurement requirements that we have for the largest defense contractors in America is unnecessary, burdensome, and will delay this process and make it more expensive.

I would like to hear from the other side one example of abuse in these research grants that would justify changing the rules that have been in place for 24 years. Come up with that example. You are going to be hard-pressed to find it. After more than 2,000 of these grants a year for years—it has gone on for 24 years—I am waiting for the first example.

What I think is really at stake here is an effort to make it more difficult, more cumbersome, and less appealing to the universities to do this kind of research, and we will be the lesser for it.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, how much time is remaining on this side?

The PRESIDING OFFICER. There is 17 minutes remaining.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that I be allowed 9 minutes and that Senator JOHNSON then be allowed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. I ask unanimous consent that the remaining time be for the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, would you please let me know when 8 minutes has elapsed.

The PRESIDING OFFICER. Yes. The Senator will be notified.

(The remarks of Mr. ALEXANDER and Mr. JOHNSON pertaining to the introduction of S.J. Res. 34 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to first inquire how much is remaining on my time.

The PRESIDING OFFICER. There are 11½ minutes remaining.

Mr. REED. Mr. President, I wish to comment on the two pending amendments.

I will begin by thanking my colleague from South Carolina for his thoughtful and kind words about the collaboration we have both witnessed on the committee as we brought this bill to the floor under the leadership of Chairman MCCAIN.

AMENDMENT NO. 4204

First, with respect to the Inhofe-Mikulski amendment, I share their con-

cerns about the quality of commissaries. It is an essential service for military personnel. In fact, it is really in the fabric of military life, being able to go to a commissary. It is an important benefit, particularly for junior members, those who aren't as well paid as more senior members of the military. But both the chairman and my colleagues on the committee—many of them recognize the need to look for alternate approaches for delivering services to military families but doing so in a way that can save resources that could be used for operations and maintenance, for training, equipment—all the critical needs we are seeing much more clearly at this moment.

So we have proposed—and I support the chairman's proposal—to try a pilot program for commissaries that would be run by commercial entities. I think there is merit to this proposal. I want to emphasize that it is a pilot program. It is not a wholesale replacement of the commissary system. It is designed to test in real time whether a commercial entity can effectively use the resources and the operation of the commissary to better serve military personnel.

We have come a long way from years ago when the commissary was practically the only place a servicemember could get groceries or get the supplies they need for their home. Today, go outside any military base and you will see a Target, a Walmart, and every other combination of stores. Frankly, our young soldiers, sailors, marines, and airmen are used to going there. They are used to going to both places looking for bargains. They are used to the service. This is no longer the isolated military of decades ago where literally the only place you could shop was the commissary, and I think we have to recognize that.

The other thing we have to recognize is that there is now an interest by many grocery chains to test this model, to see if, in fact, they can deliver better services to military personnel.

I think that test should be made. That is the essence of the proposal within the Armed Services Committee mark. There is an ongoing study of this by the Department of Defense which I think is helpful. Part of the conclusion is this: "The Department is critically assessing the privatization of all portion(s) of the commissary system." I will emphasize that this amendment does not support the privatization of all commissary systems at this time; they are looking at that issue. "Initial conversations with interested business entities informed the Department of private sector willingness to engage, which is leading to more thorough market analysis, including a more formal Request for Information." This request was issued in May, just a few weeks ago.

I think we are now positioned to move forward and test this model, and

that is what we are asking for—a pilot test. It is sensible. It is limited. We will learn quite quickly and very effectively whether this model works and what its potential is. I think in that process, too, we can conduct it in such a way that we will be able to structure, if it is a valuable enterprise, relationships between commercial entities that not only protect military personnel but enhance their experience at the commissary. That is the goal. It is not just to save dollars—that is important—but also to make sure that their experience in the commissary is both adequate and, in effect, more than adequate.

Mr. President, let me turn to Senator DURBIN's amendment very quickly. I support this amendment. The reason I do is not only because of the eloquence of the Senator from Illinois about the success of this program. But how we got here, as described by my colleague, to me, is a crucial point. It is a combination of history, of rules, of budgeting 20-plus years ago. But in the interim we have been able to create a useful medical research enterprise which I think will be dismantled—not intentionally. That is not the intent of the chairman or of any of the supporters of this provision in the bill. In fact, as the chairman said, he would stand up and support reallocating these funds someplace else. My colleague from South Carolina suggested, I believe, NIH. But if we look at how difficult it is to fund the Health and Human Services budget here—and this is what drives it—the reality is if these funds are taken out of this bill, they will not reappear, even through the best and sincere efforts of many of my colleagues, elsewhere. We will lose this funding, and we will lose hugely valuable resources.

As to the whole issue with certification by the Secretary of Defense, if we step back, this research has been so effective, and there is a linkage to every military member. It might not be as dramatic as a prosthesis to fix someone who lost their limb in combat, but certainly their wife, their child—pediatric diseases—may be affected. This research affects every American.

For those reasons, I am going to support Senator DURBIN's amendment. He has stated the case very well about unintended overhead caused by the certification process and all of the related issues. But I think the essence here is we have a valuable national resource that through the history and the bureaucratic and congressional procedures and policies has been embedded in the Defense Department. If we do not support Senator DURBIN's amendment, we will lose that. We won't recapture it elsewhere in another spending bill or in another authorization bill. I just think it is too much to lose.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, how much time is remaining on each side?

The PRESIDING OFFICER. The minority has 5 minutes, and the majority has 5½ minutes.

Mr. DURBIN. Mr. President, I thank Senator REED for his comments in support of my amendment. This is about medical research, and if I have a passion for the subject, I do. Certainly, I believe most of us do.

There comes a point in your life where you get a diagnosis or news about someone you love, and you pray to goodness that there has been some research to develop a drug or a procedure or a device which gives them a chance for life.

Do I want to invest more money in medical research so that there are more chances for life? You bet I do. And I believe our highest priority should be the men and women in uniform and their families and our veterans. That is why I will stand here today and defend this Department of Defense medical research program for as long as I have breath in my lungs. I believe it is essential that once we have made the promise to men and women in uniform, we stand by them and we keep our word, and our word means standing by medical research.

Some have made light of issues being investigated under medical research—not anyone on the floor today, but others.

Prostate cancer. What are they doing investigating prostate cancer at the Department of Defense? Servicemembers are twice as likely to develop prostate cancer as those who don't serve in the military. Why? I don't know the answer. Is it worth the research to answer that question? Of course it is.

Alzheimer's and Department of Defense medical research. For the men and women who served our country and have experienced a traumatic brain injury, their risk of developing Alzheimer's disease is much higher. For those suffering from post-traumatic stress disorder, the risk is also higher. So, as to Alzheimer's research at the Department of Defense, here is the reason.

Lou Gehrig's disease, or ALS. We sure know that one; don't we? According to the ALS Association, military veterans are twice as likely to be diagnosed with ALS relative to the general population. Why? Should we ask the question? Do we owe it to the men and women in uniform to ask this question about ALS? We certainly do.

Lung cancer. Of course there is too much smoking in the military and that is part of the reason, but the incidence is higher.

Gulf war illness. It wasn't until the Department of Defense initiated its research that we finally linked up why so many gulf war veterans were coming home sick. Now we are treating them, as we should.

There is traumatic brain injury, spinal cord injury, epilepsy, and seizure.

The list goes on. To walk away from this research is to walk away from our promise to the men and women in uniform, their families, and our veterans. I am not going to stand for that. I hope the majority of the Senate will support my effort to eliminate this language that has been put into the Department of Defense authorization bill, and say to the chairman, once and for all: Stop this battle against medical research. There are many ways to save money in the Department of Defense. Let's not do it at the expense of medical research and at the expense of the well-being of the men and women who serve our country.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Georgia.

(The remarks of Mr. ISAKSON pertaining to the introduction of S.J. Res. 34 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, as to the Durbin amendment, I want people to understand what we are trying to do.

There is \$900 million spent on medical research in the Department of Defense. All we are asking is that the money being spent be related to the defense needs of this country. Of that \$900 million, probably two thirds of the research money will not pass the test of being related to the Defense Department.

If you care about the men and women in uniform—which we all do—that is probably \$600 million or \$700 million to help a military that is in decline.

In terms of research dollars, I have worked with Senators DURBIN, ALEXANDER, and BLUNT to increase NIH funding. This idea of taking money out of the Defense Department's budget to do medical research unrelated to the defense needs of this country needs to stop because the military is under siege. We have the smallest Navy since 1915 and the smallest Army since 1940. If we really want to reform the way things are done up here, this is a good start.

To those programs that don't make the cut in DOD, we will have to find another place. If they make sense, I will help you find another place. To those medical research items that survive the cut, they are going to have to go through the normal contracting procedure to make sure we are doing it competitively.

I don't think that is too much to ask. If you want things to change in Washington, somebody has to start the process of change. It is long overdue to stop spending money in the Department of Defense's budget for things unrelated to the Department of Defense, even though many of them are worthy.

The point we are trying to make is that our military needs every dollar it

can get, and we need to look at the way we are doing business anew. That is exactly what this bill does, and Senator DURBIN takes us back to the old way of doing it.

Finally, the whole idea of medical research in the Department of Defense budget started with a \$20 million earmark for breast cancer that is now \$900 million. Why? Because if you can make it into DOD's bill, you are going to get your program funded. It is not about medical research. It is about the power of somebody to get the medical research program in the budget of the Department of Defense. It is not a merit-based process. It needs to be.

I yield the floor.

Mr. DURBIN. Mr. President, how much time remains?

The PRESIDING OFFICER. One minute, 45 seconds.

Mr. DURBIN. And on the other side?

The PRESIDING OFFICER. One minute, 15 seconds.

Mr. DURBIN. Mr. President, I will conclude.

I would just say to my friend from South Carolina that I have gone through a long list of research projects at the Department of Defense and their medical research program, and each and every one of them I have linked up to medical families and peculiar circumstances affecting our military. That is why I think this Department of Defense medical research is so critical.

I have yet to hear the other side say that one of these is wasteful, and they can't. If our men and women in uniform are suffering from gulf war illnesses, of course we want the Department of Defense or any other medical research group to try to find out what is the cause of the problem and what we can do about it.

When it comes to the incidents of cancer being higher among veterans, are you worried about that? I sure am. Why would it be? Should we ask that question? Of course we should. And we do that through legitimate medical research.

Here is what the Institute of Medicine said about this medical research program: It "has shown that it has been an efficiently managed and scientifically productive effort and that it is a valuable component of the nation's health research enterprise."

This is not wasted money. This is medical research for the men and women in uniform, their families, and the veterans who served this country. I will stand here and fight for it every minute. To those who say we will strengthen our military if we do less medical research on behalf of the men and women in uniform and veterans, that doesn't make us a stronger military.

Let us keep our word to the men and women in uniform and to the veterans. We have told them we would stand behind them when they came home, and we have to keep our word.

I ask unanimous consent that a list of 147 organizations that support the Durbin amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS OPPOSING SECTIONS 756/898 &
SUPPORTING DURBIN AMDT #4369

Academy of Nutrition and Dietetics, Action to Cure Kidney Cancer, Adult Congenital Heart Association, Alliance for Lupus Research/Lupus Research Institute, ALS Association, Alzheimer's Association, American Academy of Dermatology Association, American Academy of Pediatrics, American Association for Cancer Research, American Association for Dental Research, American Association of Clinical Urologists, American Brain Tumor Association, American Cancer Society Cancer Action Network, American Congress of Obstetricians and Gynecologists, American Dental Association, American Diabetes Association, American Gastroenterological Association, American Heart Association, American Lung Association, American Psychological Association.

American Society of Tropical Medicine and Hygiene, American Society of Nephrology, American Thoracic Society, American Urological Association, Aplastic Anemia and MDS International Foundation, Arthritis Foundation, Association of American Cancer Institutes, Association of American Medical Colleges, Association of American Universities, Association of Public and Land-grant Universities, Asbestos Disease Awareness Organization, Asthma and Allergy Foundation of America, Autism Speaks, AVAC: Global Advocacy for HIV Prevention, Bladder Cancer Advocacy Network, Cancer Support Community, Caring Together New York, Children's Heart Foundation, Children's Tumor Foundation, Citizens United for Research in Epilepsy (CURE), Coalition for National Security Research (CNSR), Cold Spring Harbor Laboratory, Colon Cancer Alliance, Crohn's and Colitis Foundation of America, CureHHT.

Debbie's Dream Foundation: Curing Stomach Cancer, Digestive Disease National Coalition, Duke University, Duke University School of Medicine, Dystonia Medical Research Foundation, Elizabeth Glaser Pediatric AIDS Foundation, Endocrine Society, Esophageal Cancer Action Network, Inc., Fight Colorectal Cancer, FORCE: Facing Our Risk of Cancer Empowered, Foundation for Women's Cancer, Foundation to Eradicate Duchenne, Georgetown University, GBS/CIDP Foundation International, Hartford HealthCare Center, Hepatitis Foundation International, HIV Medicine Association, Hydrocephalus Association, Indiana University, Infectious Diseases Society of America, International Foundation for Functional GI Disorders, International Myeloma Foundation.

Interstitial Cystitis Association, Johns Hopkins University, Kidney Cancer Association, LAM Foundation, Lineberger Clinic Cancer Center at the University of North Carolina, Littlest Tumor Foundation, Living Beyond Breast Cancer, Lung Cancer Alliance, Lupus Foundation of America, Lymphangiomatosis & Gorham's Disease Alliance, Lymphoma Research Foundation, Malecare Cancer Support, Melanoma Research Foundation, The Michael J. Fox Foundation for Parkinson's Research, Michigan State University, Minnesota Ovarian Cancer Alliance, Muscular Dystrophy Association, National Alliance for Eye and Vision

Research, National Association of Nurse Practitioners in Women's Health, National Autism Association, National Breast Cancer Coalition, National Fragile X Foundation, National Gulf War Resource Center, National Kidney Foundation.

National Multiple Sclerosis Society, National Ovarian Cancer Coalition, NephCure Kidney International, Neurofibromatosis Arizona, Neurofibromatosis Central Plains, Neurofibromatosis Michigan, Neurofibromatosis (NF) Midwest, Neurofibromatosis Network, Neurofibromatosis Northeast, Nurse Practitioners in Women's Health, The Ohio State University, Oncology Nursing Society, Ovarian Cancer Research Fund Alliance, Pancreatic Cancer Action Network, Parent Project Muscular Dystrophy (PPMD), Pediatric Congenital Heart Association, Penn State University, Prostate Cancer Foundation, Prostate Health Education Network, Pulmonary Hypertension Association, Research!America.

RESULTS, Rettssyndrome.org, Rutgers, The State University of New Jersey, Sabin Vaccine Institute, Scleroderma Foundation, Sleep Research Society, Society of Gynecologic Oncology, State University of New York, Susan G. Komen, Treatment Action Group, TB Alliance, Texas Neurofibromatosis Foundation, Theresa's Research Foundation, Tuberous Sclerosis Alliance, University of Arizona Cancer Center at Dignity Health St. Joseph's Hospital and Medical Center, University of California-Irvine, University of California System, University of Central Florida, University of Kansas, University of Kansas Medical Center, University of Pittsburgh, University of Washington, University of Wisconsin-Madison, US Hereditary Angioedema Association.

Us TOO International Prostate Cancer Education and Support Network, The V Foundation for Cancer Research, Vanderbilt University, Veterans for Common Sense, Veterans Health Council, Vietnam Veterans of America, Washington Global Health Alliance, Washington State Neurofibromatosis Families, Weill Cornell Medicine, WomenHeart: The National Coalition for Women with Heart Disease, Young Survival Coalition, ZERO-The End of Prostate Cancer.

AMENDMENT NO. 4369

Mr. DURBIN. Mr. President, I call up amendment No. 4369.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 4369.

Mr. DURBIN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that certain provisions in this Act relating to limitations, transparency, and oversight regarding medical research conducted by the Department of Defense shall have no force or effect)

At the end of subtitle C of title VII, add the following:

SEC. 764. TREATMENT OF CERTAIN PROVISIONS RELATING TO LIMITATIONS, TRANSPARENCY, AND OVERSIGHT REGARDING MEDICAL RESEARCH CONDUCTED BY THE DEPARTMENT OF DEFENSE.

(a) MEDICAL RESEARCH AND DEVELOPMENT PROJECTS.—Section 756, relating to a prohibition on funding and conduct of certain

medical research and development projects by the Department of Defense, shall have no force or effect.

(b) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION EFFORTS AND PROCUREMENT ACTIVITIES RELATED TO MEDICAL RESEARCH.—Section 898, relating to a limitation on authority of the Secretary of Defense to enter into contracts, grants, or cooperative agreements for congressional special interest medical research programs under the congressionally directed medical research program of the Department of Defense, shall have no force or effect.

Mr. GRAHAM. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. The time is yielded back.

The question is on agreeing to the Durbin amendment.

Mr. ALEXANDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 66, nays 32, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—66

Alexander	Feinstein	Mikulski
Ayotte	Franken	Moran
Baldwin	Gardner	Murkowski
Bennet	Gillibrand	Murphy
Blumenthal	Grassley	Murray
Blunt	Heinrich	Nelson
Booker	Heitkamp	Peters
Boozman	Heller	Portman
Boxer	Hirono	Reed
Brown	Hoeven	Reid
Burr	Isakson	Schatz
Cantwell	Johnson	Schumer
Capito	Kaine	Shaheen
Cardin	King	Shelby
Carper	Kirk	Stabenow
Casey	Klobuchar	Tester
Cassidy	Leahy	Thune
Cochran	Manchin	Udall
Collins	Markey	Warren
Coons	McCaskill	Whitehouse
Donnelly	Menendez	Wicker
Durbin	Merkley	Wyden

NAYS—32

Barrasso	Flake	Roberts
Coats	Graham	Rounds
Corker	Hatch	Rubio
Cornyn	Inhofe	Sasse
Cotton	Lankford	Scott
Crapo	Lee	Sessions
Cruz	McCain	Sullivan
Daines	McConnell	Tillis
Enzi	Paul	Toomey
Ernst	Perdue	Vitter
Fischer	Risch	

NOT VOTING—2

Sanders	Warner
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The amendment (No. 4369) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. WARNER. Mr. President, due to a prior commitment, I regret I was not

present to vote on Senate amendment No. 4369, offered by Senator DURBIN. I am a cosponsor of this amendment, and had I been present, I would have voted in support of the amendment. The CDMRP has produced breakthroughs in treatment for a variety of diseases and medical conditions, and it deserves our continued support.●

AMENDMENT NO. 4204

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, in relation to the Inhofe amendment.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, a year ago, when we were considering this same bill, the language of the bill that was presented to us had a pilot program that would temporarily look at privatizing five commissaries. We elected not to do that.

We had an amendment at that time with 25 cosponsors, and it was not necessary to actually have a rollcall vote, and it overwhelmingly was passed that we would not do that until we had a study of DOD with an assessment by GAO on privatization. That has not happened yet. The initial report came out from GAO and it is negative on having the privatization language at this point.

I reserve the remainder of my time.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Rhode Island.

Mr. REED. Madam President, the key aspect of this legislation that was included in the committee mark is that it is a pilot, and I believe, along with the chairman, this is the best way to evaluate the merits or demerits of privatization of commissaries.

It will allow an evaluation that is not theoretical, not a report but an actual company actively engaged in running a facility. The goal is not just to maintain the commissaries, the goal is to enhance the value of service to men and women. I think, along with the chairman, this approach is an appropriate approach and would do just that.

I urge rejection of the Inhofe amendment.

The PRESIDING OFFICER. The Senator from Oklahoma has 7 seconds.

Mr. INHOFE. Madam President, we have 40 cosponsors. I advise each Senator to look at the cosponsors before voting on this. However, I would have no objection to a voice vote.

The PRESIDING OFFICER. Is there further debate?

The question is on agreeing to the Inhofe amendment No. 4204.

Mr. MCCAIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 28, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—70

Alexander	Franken	Nelson
Ayotte	Gardner	Peters
Baldwin	Gillibrand	Reid
Barrasso	Grassley	Roberts
Bennet	Hatch	Rounds
Blumenthal	Heinrich	Rubio
Blunt	Heitkamp	Schatz
Booker	Heller	Schumer
Boozman	Hirono	Scott
Boxer	Inhofe	Sessions
Brown	Kaine	Shaheen
Burr	Kirk	Shelby
Cantwell	Klobuchar	Stabenow
Capito	Lankford	Sullivan
Cardin	Leahy	Tester
Casey	Markey	Tillis
Cochran	McCaskill	Udall
Collins	Menendez	Vitter
Coons	Merkley	Warren
Cornyn	Mikulski	Whitehouse
Donnelly	Moran	Wicker
Durbin	Murkowski	Wyden
Enzi	Murphy	
Feinstein	Murray	

NAYS—28

Carper	Flake	Paul
Cassidy	Graham	Perdue
Coats	Hoeven	Portman
Corker	Isakson	Reed
Cotton	Johnson	Risch
Crapo	King	Sasse
Cruz	Lee	Thune
Daines	Manchin	Toomey
Ernst	McCain	
Fischer	McConnell	

NOT VOTING—2

Sanders	Warner
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The amendment (No. 4204) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. WARNER. Mr. President, due to a prior commitment, I regret I was not present to vote on Senate amendment No. 4204, offered by Senator INHOFE. I am a cosponsor of this amendment, and had I been present, I would have voted in support of the amendment. It would be imprudent for Congress to authorize this privatization, possibly jeopardizing an important benefit for our military men and women, their families, as well as retired servicemembers, before receiving the thorough study on the potential impacts as requested in last year's National Defense Authorization Act.●

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, it is my understanding that we are trying to set up the amendment and second-degree amendment on the increase of an authorization of \$17 billion. It is my understanding there will also be a second-degree amendment.

I just want to say a few words about the amendment which is pending. We

were trying to reach an agreement as to when we will have debate and vote on both the second degree and the amendment itself.

I would point out that the unfunded requirements of the military services total \$23 billion for the next fiscal year alone. Sequestration threatens to return in 2018, taking away another \$100 billion from our military. The amendment would increase defense spending by \$18 billion.

I will be pleased to go through all of the programs where there is increased spending, but I would point out that those increases were in the 5-year defense plan but were cut because of the authorization of \$17 billion—the President's request of \$17 billion from what we had last year.

From a quick glance around the world, I think we can certainly make one understand that the world is not a safer place than it was last year. We are cutting into readiness, maintenance, and all kinds of problems are beginning to arise in the military.

My friend from Rhode Island and I will be discussing and debating both the second-degree amendment and the amendment, and hopefully we will have votes either tomorrow or on Thursday, depending on negotiations between the leaders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I thank and commend the chairman. As he indicated, he has proposed an amendment, and he is also allowing us to prepare a second-degree amendment, which I would like to offer as soon as it is ready and then conduct debate on a very important topic; that is, investing in our national security in the broadest sense and doing it wisely and well. Then, I would hope again—subject to the deliberations of the leaders on both sides—that we could have a vote on both the underlying amendment and the second-degree amendment tomorrow or the succeeding day.

Again, I thank the chairman for not only bringing this issue to the floor but also for giving us the opportunity to prepare an appropriate amendment.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I understand that the Senator from Oklahoma and the Senator from New Mexico are interested in getting non-controversial legislation up and completed. I am more than pleased to yield time from our discussion of the Defense authorization bill for the Senator from Oklahoma.

Mr. INHOFE. If the Senator would yield, I would appreciate that very much. We are talking about the TSCA bill, and it is one that is almost a must-pass type of bill. We have support on both sides—I think almost total

support. If we could have another 10 minutes to talk to a couple of people, I would like to make that motion.

If you could, go ahead and talk about the Defense bill.

Mr. MCCAIN. I thank the Senator from Oklahoma. When he gets ready, we will obviously be ready to yield to the Senator from Oklahoma for consideration of that important legislation.

In the meantime, I would like to point out that, as part of this package of \$18 billion, it increases the military pay raise to 2.1 percent. The current administration's budget request sets pay raises at 1.6 percent.

It fully funds troops in Afghanistan at 9,800. The budget request of the President funds troop levels at 6,217.

It stops the cuts to end strength and capacity. It restores the end strength for Army, Navy, Marine Corps, and Air Force. For example, it cancels the planned reduction of 15,000 active Army soldiers. If the planned reduction actually was implemented, we would have one of the smallest armies in history, certainly in recent history.

It funds the recommendations of the National Commission on the Future of the Army. It includes additional funding for purchasing 36 additional UH-60 Black Hawk helicopters, 5 AH-64 Apaches, and 5 CH-47 Chinook helicopters. I would point out that all of those were in keeping with the recommendations of the National Commission on the Future of the Army.

It adds \$2.2 billion to readiness to help alleviate problems each of the military services are grappling with. Of the \$23 billion in unfunded requirements received by the military services, almost \$7 billion of it was identified as readiness related.

It addresses the Navy's ongoing strike fighter shortfall and the U.S. Marine Corps aviation readiness crisis by increasing aircraft procurement. It addresses high priority unfunded requirements for the Navy and Marine Corps, including 14 F/A-18 Super Hornets and 11 F-35 Joint Strike Fighters.

It supports the Navy shipbuilding program, and it provides the balance of funding necessary to fully fund the additional fiscal year 2016 DDG-51 *Arleigh Burke*-class destroyer. It restores the cut of the one littoral combat ship in fiscal year 2017.

It supports the European Reassurance Initiative with the manufacturing and modernization of 14 M1 Abrams tanks and 14 M2 Bradley fighting vehicles.

There is also increased support for Israeli cooperation on air defense programs of some \$200 million.

What this is is an effort to make up for the shortfall that would bring us up to last year's number—last year's. Again, I want to point out—and we will talk more about it—we have all kinds of initiatives going on. We have an increase in troops' presence in Iraq and

Syria; we are having much more participation in the European reassurance program; and there is more emphasis on our rebalancing in Asia. At the same time, we are cutting defense and making it \$17 billion lower than the military needed and planned for last year.

I hope that my colleagues would understand and appreciate the need, particularly when we look at the deep cuts and consequences of reductions in readiness, training, and other of the intangibles that make the American military the great organization—superior to all potential adversaries—that it is.

I hope my colleagues will look at what we are proposing for tomorrow. I know the other side will have a second-degree amendment as well. I haven't seen it, but I would be pleased to give it utmost consideration, depending on its contents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, after Memorial Day and a day after the 72nd anniversary of D-day and at a time when we live in a more and more dangerous world with threats from North Korea, China, Russia, and ISIS, it is appropriate that we are on the floor talking about our military, talking about helping our troops, and doing so by strengthening our military.

Senator MCCAIN, who is the chairman of the committee, just talked about the fact that there is a pay raise here. There is also an assurance to our military that we are not going to have the kind of end strength that puts us in more peril.

I applaud him and I applaud Senator REED for their work on this bill. I intend to support this bill, and I hope we continue to make progress this week on it.

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Madam President, I am up today to talk about something different. It is another fight that we have, and that is with this terrible epidemic of heroin and prescription drugs. We now have a situation where 129 people on average are dying every single day. We have in my home State of Ohio and around the country epidemic levels not just of heroin and prescription drugs but now fentanyl, which is a synthetic form of heroin. It is affecting every community and every State.

This is the eighth time I have come on the floor to talk about this issue since the Senate passed their legislation on March 10—every week we have been in session since then. Initially, I came to encourage the House to act and urge them to move on it. They did that a couple weeks ago. Now I am urging the House and the Senate to come together because we have some differences in our two approaches to this, but for the most part we have commonality. There is common ground on

how to deal with this issue: more prevention and education, better treatment and recovery, helping our law enforcement to be able to deal with it.

My message is very simple. We know what is in the House bill. We know what is in the Senate bill. We are starting to work together to find a way to come together. That is good. We need to do that as soon as possible. This isn't like other issues we address on the floor, with all due respect. This is an emergency back home. This is one we know the Federal Government can be a better partner with State and local governments and with nonprofits. The Presiding Officer has been very involved in this issue over time. When we go home, we hear about it. This affects every single State. That is why we had a 94-to-1 vote in this Chamber. That never happens around here. We were on the floor for 2½ weeks, and by the end of the debate practically every single Senator who voted said this is a key issue back home. I like this bill because it is comprehensive, it is common sense. We need to support it. There is a real crisis out there, and this is a genuinely comprehensive solution to the crisis. We have the common ground. We need to move forward and do so soon.

In 88 days, since the Senate passed the legislation on March 10, more than 10,000 Americans—10,000 Americans—have died of drug overdoses from opioids. That doesn't include the hundreds of thousands of others who have not died from an overdose but are casualties. They have lost a job. They have broken their relationship with their family, with loved ones. They have been driven to pay for drugs by going to crime. They have lost hope. There are now an estimated 200,000 in Ohio who are suffering from addiction to heroin and prescription drugs. That is the size of the city of Akron, OH, a major city in my State. It is urgent. People understand it. There is a new poll showing that 3 in 10 Ohioans know someone struggling with an opioid addiction. They know people—their family members, their friends, their coworkers, their fellow parishioners, their neighbors—who are experiencing the consequences we talked about a moment ago: a lost job, time in prison, broken relationships, communities being devastated. All they have to do is open the newspaper to be reminded of it. Every day the headlines tell the story of families torn apart because of addiction.

Since my last speech on the floor about 2 weeks ago, there is more bad news from my State of Ohio. Two weeks ago, a 41-year-old man and his 19-year-old daughter, both from Ohio, were arrested together buying heroin. The same day, a 26-year-old man was found dead of an overdose near a creek in Lemon Township in Butler County. Last Thursday, in Steubenville, police

seized 100 grams of heroin from one man. I told the story 2 weeks ago of Annabella, a 14-month-old from Columbus who died at a drug house after ingesting her mother's fentanyl-laced heroin. Last Thursday, a 29-year-old man in Columbus was sentenced to 9 years in prison after his 11-month-old son, Dominic, ingested his father's fentanyl and died.

Ohioans know this is happening, and we are taking action back home. State troopers in Ohio will soon be carrying naloxone with them, which is a miracle drug that can actually reverse the effects of an overdose. Our legislation provides more training for naloxone, also called Narcan. It also provides more grant opportunities for law enforcement. It is one reason the Fraternal Order of Police has been very supportive of our legislation and provided us valuable input as we were crafting it. In Ohio, last year alone, first responders administered Narcan 16,000 times, saving thousands of lives.

Our Governor, John Kasich, is conducting an awareness campaign in Ohio called "Start Talking." The National Guard is helping out. They are conducting 113 events across Ohio, reaching more than 30,000 high school students to talk about drugs and opioid addiction. I am told 65 National Guard members have partnered with 28 law enforcement agencies on counterdrug efforts. They have helped confiscate more than \$6 million in drugs already, including 235 pounds of heroin, 20 pounds of fentanyl, and 26 pounds of opiate pills.

CARA would create a national awareness campaign—we think this is incredibly important—including making this connection between prescription drugs, narcotic pain pills, and heroin. Four out of five heroin addicts in Ohio started with prescription drugs. This is not included in the House-passed legislation, as one example of something we want to add, but I think it is critical we include it in the final bill we ultimately send to the President's desk and ultimately out to our community so this message can begin to resonate to let people know they should not be getting into this addiction—this funnel of addiction—that is so difficult.

We are taking action in Ohio, but back in Ohio they want the Federal Government to be a better partner, and we can be through this legislation. In Cleveland, the Cuyahoga county executive, Armond Budish, and the County medical examiner, Dr. Thomas Gilson, last week asked the Federal Government to be a better partner with them. I agree with them. They support our legislation. So do 160 of the national groups—everybody who has worked with us over the years to come up with this nonpartisan approach. It is based on what works. It is based on actual evidence of the treatment that works, the recovery programs that work, the prevention that works.

In Cleveland, OH, it is not hard to see why. One hundred forty people have died of fentanyl overdoses so far this year—record levels. Fentanyl is even more potent than heroin. Depending on the concentration, it can be 50 or more times more powerful than heroin. Forty-four people died of opioid overdoses in Cleveland in just the month of May—44 in 1 month, just 1 month, in one city. That includes one 6-day span when 13 people died of overdoses; 18 of those 44 lived in the city of Cleveland, 26 lived in the suburbs. This knows no ZIP Code. It is not isolated to one area. It is not isolated to rural or suburban or inner city. It is everywhere. No one is immune, and no one is unaffected by this epidemic.

People across the country are talking about it more in the last couple weeks. One reason we are talking about it is because of the premature death of Prince, a world-renowned recording artist whose 58th birthday would have been celebrated yesterday. Based on the autopsy of Prince, we now know he died of a fentanyl overdose.

Fentanyl is driving more of this epidemic every day. As I said, in 2013, there were 84 fentanyl overdose deaths in Ohio. The next year it was 503. Sadly, this year it is going to be more than that. The new information about the overdose that took Prince's life has surprised some. After all, Prince had it all: success, fame, talent, and fortune. He was an amazingly talented musician, but as Paul Wax, the executive director of the American College of Medical Toxicology, put it, "This epidemic spares no one. It affects the wealthy, the poor, the prominent, and the not prominent." He is exactly right. This epidemic knows no limits.

In a way, as this becomes known, it may help get rid of the stigma attached to addiction that is keeping so many people from coming forward and getting the treatment they need as people understand it is everywhere. It affects our neighbors and friends regardless of our station in life or where we live. It happens to grandmothers. It happens to teenagers who just had their wisdom teeth taken out. It happens to the homeless, and it happens to the rich and famous.

Prince is hardly the first celebrity case of opioid addiction. Celebrities like Chevy Chase and Jamie Lee Curtis have been brave enough to open up and talk about their struggles, and I commend them for that. The former Cleveland Browns wide receiver, Josh Cribbs, recently told ESPN:

I grew up in the football atmosphere, and to me it's just part of the game. Unfortunately, it's ingrained within the players to have to deal with this, and it's almost as if that's part of it. After the game, you are popping pills to get back to normal, to feel normal. The pills are second nature to us. They're given to us just to get through the day. . . . The pills are part of the game.

I am hopeful that if any good can come out of tragedies like Prince's premature death, it can be that we raise awareness about this epidemic and prevent new addictions from starting. Prevention is ultimately going to be the best way to turn the tide.

The House-passed legislation does not include CARA's expanded prevention grants, which address local drug crises and are focused on our young people, but I am hopeful again that ultimately that will be included in the bill we send to the President's desk and to our communities.

I know the scope of this epidemic can feel overwhelming at times, but there is hope. Prevention can work, treatment can work, and it does work.

Think about Jeff Knight from the suburbs of Cleveland. He was an entrepreneur. He started a small landscaping business when he was just 21 years old. The business grew and grew. He was successful. He had more than a dozen employees. Then, at age 27, he was prescribed Percocet. Percocet. He became addicted. His tolerance increased so he switched to OxyContin. When the pills were too expensive or he couldn't find enough pills, he switched to heroin because it was less expensive and more accessible. He started selling cocaine and Percocet to buy more heroin. The drugs became everything, which is what I hear from so many of our recovering addicts. The drugs became everything, pulling them away from their families, their job, and their God-given purpose in life.

Within 3 years, Jeff Knight lost everything. He lost his business, he lost his relationship with his family, and he was arrested, but there he got treatment, and through a drug court program he got sober. He moved into a sober-living facility where there was supervision, accountability, and support from his peers. Again, as we are looking at these programs around the country and we are holding up those best practices, we want to fund those best practices that have that kind of support, not just the treatment but the strong recovery programs.

Jeff has now been clean for 3 years. He still has that same entrepreneurial spirit, and he is using it now to help others. He actually has bought several houses in Cleveland, which he has now turned into sober housing for men who are addicted—all because he got treatment and he was in a good recovery program, which he is now permitting others to appreciate.

Nine out of ten of those who need treatment aren't getting it right now, we are told. CARA—the Senate-passed bill—and the House bills both provide more help for the type of treatment programs and recovery that work. If we can get a comprehensive bill to the President, we can help more people who are struggling to get treatment, and we can give them more hope. It is

time to act, and act quickly, to find common ground and get a comprehensive bill in place now so we can begin to help the millions who are struggling.

Again, I appreciate the Presiding Officer's efforts in this regard. I ask my colleagues on both sides of the aisle to continue to promote our leadership to move forward, get this conference resolved, get it to the President's desk, and begin to help our constituents back home, all of whom deserve our attention on this critical issue and this epidemic that is affecting every community.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PAUL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL CHEMICAL REGULATION LEGISLATION

Mr. PAUL. Madam President, Milton Friedman once said that if you give the Federal Government control of the Sahara Desert, within 5 years there will be a shortage of sand. I tend to agree, and it worries me anytime a consensus builds to federalize anything.

I have spent the last week reading this bill, this sweeping Federal takeover of chemical regulations, and I am now more worried than I was before I read the bill. Most worrisome, beyond the specifics, is the creeping infestation of the business community with the idea that the argument is no longer about minimizing regulations but about making regulations regular. Businesses seem to just want uniformity of regulation as opposed to minimization of regulation.

A good analogy is that of how businesses respond to malingerers who fake slip-and-fall injuries. Some businesses choose to limit expenses by just paying out small amounts, but some brave businesses choose to legally defend themselves against all nuisance claims. Federalizing the chemical regulations is like settling with the slip-and-fall malingerers and hoping he or she will keep their extortion at a reasonable level.

In the process, though, we have abandoned principle. We will have given up the State laboratories where economic success and regulatory restraint are aligned. It is no accident that regulatory restraint occurs in States that host chemical companies and ensures that State legislatures will be well aware that the economic impact of overbearing regulation will be felt in their State. As a consequence, there is a back-and-forth and consideration both of the environment and health of the economy.

Federalization of regulations separates the people who benefit from a

successful chemical industry from the unelected bureaucrats who will write the regulations. Once you sever the ties, once there is no incentive, once nobody cares about the jobs anymore, the tendency is to regulate and to overregulate. Once that tie is severed, the joint incentive to minimize regulation is lost. In fact, this legislation explicitly bans the consideration of a regulation's economic cost when deciding whether chemicals will be put into a high-risk category. Once a chemical has been labeled "high risk," the legal liability and stigma that will attach will effectively ban the substance without the effect on the economy ever being considered. Regardless of what the final regulations actually say, the subsequent public reaction and lawsuits will have the effect of driving the chemical out of the market if it is considered to be a high-risk chemical.

If we are to ignore the cost of regulations, if we are to ignore the relationship between regulations and job loss, there is basically no limit to the fervor and ferocity that will be unleashed by bureaucrats whose perpetual mandate is to regulate.

I always thought we needed more balance, not less, in deciding on new regulations. I always thought we should balance the environment and the economy. Instead of balancing the economic effects and the environmental effects, this bill explicitly says to regulators that their goal is to regulate, period. This bill explicitly states that the economic impact of regulations is only considered after the EPA has decided to regulate, after a substance has been categorized as high risk. Is this really the best we can do?

Sometimes I wonder if we deserve the government we get. When the business community gets together and seeks Federal regulations, I wonder: Have they not paid any attention to what is going on in Washington? Are they unaware of the devastating explosion of Federal regulations? Are they unaware that today's overbearing regulations were yesterday's benign advisories? Everything starts out nice and easy: We are not going to overregulate you. But it never goes down; it always ratchets up. Are they unaware that the most benign and well-intended regulations of the 1970s are now written and rewritten by a President mad with regulatory zeal?

For those who are unaware of the devastation the EPA has wreaked upon our people, I request that you come and visit us in Eastern Kentucky. Come and visit us in West Virginia. The EPA's War on Coal has spread a trail of despair amongst a proud people. Many of these counties have unemployment over twice the national average.

The regulations that are crippling and destroying our jobs in Kentucky were not passed by Congress; these job-

killing regulations are monsters that emerged from the toxic swamp of Big Government bureaucrats at the EPA. The Obama-Clinton War on Coal largely came from regulations that were extensions of seemingly bland, well-intended laws in the early 1970s, laws like the Clean Water Act that were well-intended, legislating that you can't discharge pollutants into a navigable stream. I am for that, but somehow the courts and the bureaucrats came to decide that dirt was a pollutant and your backyard might have a nexus to a puddle that has a nexus to a ditch that was frequented by a migratory bird that once flew from the Great Lakes, so your backyard is the same as the Great Lakes now. It has become obscene and absurd, but it was all from well-intentioned, reasonable regulations that have gotten out of control. Now the EPA can jail you for putting dirt on your own land. Robert Lucas was given 10 years in prison for putting dirt on his own land.

Now, since that craziness has infected the EPA, we now have the Feds asserting regulatory control over the majority of the land in the States.

Will the Federal takeover of the chemical regulations eventually morph into a war on chemical companies, similar to what happened to the coal industry? I don't know, but it concerns me enough to examine the bill closely.

Anytime we are told that everyone is for something, anytime we are told that we should stand aside and not challenge the status quo, I become suspicious that it is precisely the time someone needs to look very closely at what is happening.

I also worry about Federal laws that preempt State laws. Admittedly, sometimes States, such as California, go overboard and they regulate businesses out of existence or at least chase them to another State. However, California's excess is Texas's benefit.

I grew up along the Texas coast. Many of my family members work in the chemical industry. Texas has become a haven because of its location and its reasonable regulations.

Because Texas and Louisiana have such a mutually beneficial relationship with the chemical industry, it is hard to imagine a time when the Texas or the Louisiana Legislature would vote to overregulate or to ignore the cost of new regulations. It is not in their best interest. But it is much easier to imagine a time when 47 other States gang up on Texas, Louisiana, and Oklahoma to ratchet up a Federal regulatory regime to the point at which it chokes and suffocates businesses and their jobs. Think it can't happen? Come and visit me in Kentucky. Come and see the devastation. Come and see the unemployment that has come from EPA's overzealous regulation.

How can it be that the very businesses that face this threat support

this bill, support the federalization of regulation? I am sure they are sincere. They want uniformity and predictability—admirable desires. They don't want the national standard of regulations to devolve to the worst standard of regulations. California regulators—yes, I am talking about you. Yet the bill before us grandfathers in California's overbearing regulations. It only prevents them from getting worse.

But everyone must realize that this bill also preempts friendly States, such as Texas and Louisiana, from continuing to be friendly States. As Federal regulations gradually or quickly grow, Texas and Louisiana will no longer be able to veto the excesses of Washington. Regulations that would never pass the Texas or Louisiana State Legislature will see limited opposition in Washington. Don't believe me? Come and see me in Kentucky and see the devastation the EPA has wrought in my State.

So why in the world would businesses come to Washington and want to be regulated? Nothing perplexes me more or makes me madder than when businesses come to Washington to lobby for regulations. Unfortunately, it is becoming the norm, not the exception. Lately, the call to federalize regulations has become a cottage industry for companies to come to Washington and beg for Federal regulations to supersede troublesome State regulations. It seems like every day businesses come to my office to complain about regulatory abuse, and then they come back later in the day and say: Oh, and by the way, can you vote for Federal regulations on my business because the State regulations are killing me? But then a few years later, they come back—the same businesses—and they complain that the regulatory agencies are ratcheting up the regulations.

Food distributors clamor for Federal regulations on labeling. Restaurants advocate for national menu standards. Now that we have Federal standards, lo and behold, we also have Federal menu crimes. You can be imprisoned in America for posting the wrong calorie count on your menu. I am not making this up. You can be put in prison for putting down the wrong calorie count. We have to be wary of giving more power to the Federal legislature.

With this bill, chemical companies lobby for Federal regulations to preempt State legislation. None of them seem concerned that the Federal regulations will preempt not only aggressive regulatory States, such as California, but also market-oriented States, friendly States, such as Texas and Louisiana. So the less onerous Federal regulations may initially preempt overly zealous regulatory States, but when the Federal regulations evolve into a more onerous standard, which they always have, there will no longer be any State laboratories left to exer-

cise freedom. Texas and Louisiana will no longer be free to host chemical companies as the Federal agencies ratchet higher.

Proponents of the bill will say: Well, Texas and Louisiana can opt out; there is a waiver. Guess who has to approve the waiver. The head of the EPA. Anybody know of a recent head of the EPA friendly to business who will give them a waiver on a Federal regulation? It won't work.

The pro-regulation business community argues that they are being overwhelmed by State regulations, and I don't disagree. But what can be done short of federalizing regulations? What about charging more in the States that have the costly regulations? In Vermont, they have mandated GMO labeling, which will cost a fortune. Either quit selling to them or jack up the price to make them pay for the labeling. Do you think the Socialists in Vermont might reconsider their laws if they have to pay \$2 more for a Coke or for a Pepsi to pay for the absurd labeling?

What could chemical companies do to fight overzealous regulatory States? What they already do—move to friendly States. If California inappropriately regulates your chemicals, charge them more and by all means, move. Get the heck out of California. Come to Kentucky. We would love to have your business.

What these businesses that favor federalization of regulation fail to understand is that the history of Federal regulations is a dismal one. Well-intended, limited regulations morph into ill-willed, expansive, and intrusive regulations. What these businesses fail to grasp is that while States like California and Vermont may pass burdensome, expensive regulations, other States, like Texas, Tennessee, and Kentucky, are relative havens for business. When businesses plead for Federal regulations to supersede ill-conceived regulations in California and Vermont, they fail to understand that once regulations are centralized, the history of regulations in Washington is only to grow. Just witness regulations in banking and health care. Does anyone remember ever seeing a limited, reasonable Federal standard that stayed limited and reasonable?

It is not new in Washington for businesses to lobby to be regulated. Some hospitals advocated for ObamaCare and now complain that it is bankrupting them. Some small banks advocated for Dodd-Frank regulations, and now they complain the regulators are assaulting them as well.

The bill before us gives the Administrator of the EPA the power to decide at a later date how to and to what extent he or she will regulate the chemical industry. In fact, more than 100 times this bill leaves the discretionary authority to the EPA to make decisions on creating new rules; 100 times

it says the Administrator of the EPA shall at a later date decide how to regulate. That is a blank check to the EPA. It is a mistake.

Does anyone want to hazard a guess as to how many pages of regulations will come from this bill? The current Code of Federal Regulations is 237 volumes and more than 178,000 pages. If ObamaCare is any guide, it will be at least 20 pages of regulations for every page of legislation. Using the ObamaCare standard, this bill will give us nearly 2,000 pages of regulations. ObamaCare was about 1,000 pages. The regulations from ObamaCare have morphed into nearly 20,000 pages. It is not hard to see how this bill, which requires review of more than 85,000 chemicals now on the market, could quickly eclipse that lofty total.

No one disputes that this bill increases the power of the EPA. This is an important point. No one disputes that this bill increases the power of the EPA. No one disputes that this bill transfers power from the States to the Federal Government. The National Journal recognizes and describes this bill as granting extensive new authority to the EPA. If you don't think that is a problem, come to Kentucky and meet the 16,000 people in my State who have lost their jobs because of the overregulatory nature of the EPA. Ask them what they think of Hillary Clinton's plan to continue putting coal miners out of business in my State. Ask them what they think of granting extensive new authority to the EPA. Look these coal miners in the face and tell them to trust you and that your bill will not increase EPA's power. Tell them to trust you.

Is there anything in the recent history of regulatory onslaught that indicates a reasonable Federal standard will remain reasonable? When starting out, everybody says that they are going to preempt these terrible States like California. It is going to preempt California and Vermont and all of these terrible liberal States, and it will be a low level. Business was involved so business has made it a low and easy standard for chemicals. It will be ratcheted up because regulations never get better; they always get worse.

I rise today to oppose granting new power to the EPA. I wish we were here today to do the opposite—to vote to restrain the EPA and make sure that they balance regulations and jobs. I wish we were here today to vote for the REINS Act that requires new regulations to be voted on by Congress before they become enforceable. Instead, this legislation will inevitably add hundreds of new regulations.

I rise today to oppose this bill because it preempts the Constitution's intentions for the Federal Government.

I rise today to oppose this bill because the recent history of the EPA is one that has shown no balance, no

quarter, and no concern for thousands of Kentuckians they have put out of work.

I rise today to oppose this bill because I can't in good conscience, as a Kentuckian, vote to make the Federal EPA stronger.

I thank the Presiding Officer, and I yield my time.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I am prepared to make a unanimous consent request. I don't have the wording yet, but I will momentarily, so I will not take the floor at this time.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, if I might make an inquiry about the order. Senator WHITEHOUSE and I were about to engage in a colloquy.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. COONS. Mr. President, I ask unanimous consent to engage in a colloquy with Senator WHITEHOUSE of Rhode Island for up to 20 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLIMATE CHANGE

Mr. COONS. Mr. President, I am so pleased to join my colleague, the Senator from Rhode Island, to discuss one of the most important issues facing future generations in our world, which is climate change, an issue that also directly affects both of our coastal and low-lying States.

Many may know Delaware's status as the first State to ratify the Constitution, but I think few of my colleagues are aware that Delaware is also our country's lowest lying State. We have the lowest mean elevation. This status comes with certain challenges, especially with nearly 400 miles of exposed shoreline. That means no part of our State is more than 30 miles from the coast, so the good news is that no matter where you live in my home State, it takes less than 30 minutes to get to sun and sand. But the challenge is that we are particularly vulnerable to the increasing effects of climate change.

In recent years, we have seen how flooding can devastate homes and communities up and down our State. Low-lying neighborhoods often don't have the resources to cope with steadily increasing flooding. A community such as Southbridge in Wilmington—pictured to my right—has been disproportionately affected.

Environmental justice has long been a concern of mine and of Senator WHITEHOUSE. We had the opportunity to visit the neighborhood of Southbridge. Southbridge is significantly flooded every time it rains more than an inch or two. With subsidence, the steady sinking of the land, and with sea level rise acting in combination in

my State, we will simply see more and more challenges from severe flooding due to sea level rise around the globe and in my home State.

It is not just houses and neighborhoods that are threatened by sea level rise; it also affects businesses and entire industries. There is a broad range of long-established industries and businesses in my State that are placed in coastal areas because of the history of our settlement and development. Somewhere between 15 and 25 percent of all the land used for heavy industry in my State will likely be inundated by sea level rise by the end of the century, and that doesn't even include all of the other productive land use for agriculture and tourism that contribute to jobs and revenue in my home State.

Despite our small size and our significant exposure, we also punch above our weight when it comes to tackling the challenges of climate change. In places like Southbridge, our communities have come together at the State and local level to find creative solutions to cope with the flooding that is increasingly caused by climate change. This image demonstrates a plan that has been developed for the South Wilmington wetlands project. Senator WHITEHOUSE may describe his visit to the State of Delaware in more detail, but I wanted to open simply by describing this community response to the flooding that we saw in the previous slide. We have come together as a community to plan a cleanup of a brownfield area to create a safe and attractive park for the neighborhood and to improve water quality and drainage in a way that also creates new ecosystems, new opportunities for recreation, and a new future for a community long blighted and often under water.

That is not the only example of the many actions that have been taken by my home State of Delaware. Delaware also participates in RGGI, the Regional Greenhouse Gas Initiative, a collection of nine mid-Atlantic and northeastern States, including Rhode Island, that have joined together to implement market-based policies to reduce emissions.

Since 2009, the participating States have reduced our carbon emissions by 20 percent while also experiencing stronger economic growth in the rest of the country, which I view as proof that fighting climate change and strengthening our economy are not mutually exclusive exchangeable goals.

In fact, over the past 6 years, Delaware has reduced its greenhouse gas emissions more than any State in the entire United States. We have done that by growing our solar capacity 6,000 percent through multiple utility-scale projects and distributed solar. We have also done our best to adapt to climate change through community and State-led planning. Our Governor Jack

Markell and former Delaware Secretary Collin O'Mara led a fantastic bottom-up, State-wide level planning effort to address the impacts of climate change on water, agriculture, ecosystems, infrastructure, and public health. In December of 2014, they released their climate framework for Delaware—an impressive statewide effort to be prepared for what is coming before it is too late.

I believe Delaware is an example of how communities that are most vulnerable to climate change can work together across public and private sectors to meet the challenges of climate change head-on. That is why I invited my friend and colleague Senator WHITEHOUSE. He is a true leader in the work to address climate change, not only in his home State of Rhode Island but across our country, and he has paid a visit to my State.

Every week, Senator WHITEHOUSE gives a speech on a different aspect of climate change, and I was proud to participate today in his weekly speech on the topic and thrilled to welcome him to my home State in May as part of his ongoing effort.

Before I yield the floor to Senator WHITEHOUSE, I just want to talk about one other stop on our statewide tour—a stop in Prime Hook, one of Delaware's two national wildlife refuges. The beach in Prime Hook over the last 60 years has receded more than 500 feet. Over the last decade, storms have broken through the dune line several times, flooding 4,000 acres of previously freshwater marsh.

When Hurricane Sandy hit this already fragile shoreline, leaving this coastline battered, as we can see here, it broke through completely and permanently flooded and destroyed the freshwater marsh. The storm deepened and widened the beach from 300 feet to about 1,500 feet and exacerbated routine flooding on local roads used by the community to access the beach.

For a delicate ecosystem like this wildlife refuge, this type of severe weather and flooding can be devastating. Over the last 3 years, the U.S. Fish and Wildlife Service has worked in tandem with other Federal agencies, State partners, and NGOs to restore this highly damaged fragile ecosystem and rebuild the beach's defenses.

It is a long story, but you can see the punch line here. As of 2016, construction of a newly designed, resloped, redeveloped barrier has been completed. Senator WHITEHOUSE has also had the opportunity to visit this area. The finished project will be a saltwater marsh that I am confident will contribute significantly to a durable, resilient, and long-term ecosystem.

This is just one example of the creative things we are doing in Delaware to address the impacts of climate change and sea level rise. In some ways I think the most important and excit-

ing was the last stop in our statewide visit.

With that I will turn it over to Senator WHITEHOUSE to discuss in more detail his visit to Delaware and our last visit to the southernmost part of my home State.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am really grateful to the junior Senator from Delaware for inviting me to his home State and for joining me here today for my "Time to Wake Up" speech No. 139.

Senator COONS and I spent a terrific day touring the Delaware shore. You can say whatever you want about us, but on that day we were the two wettest Members of the U.S. Senate. I can assure you of that.

This is Capitol Hill Ocean Week, and Wednesday is World Oceans Day, so it is a good time to consider the effects of global climate change in our oceans. The oceans have absorbed one-third of all carbon dioxide produced since the industrial revolution and over 90 percent of the excess heat that has resulted. That means that by laws of both physics and chemistry, the oceans are warming, rising, and acidifying.

Rhode Island is the Ocean State, but give Delaware credit. From the last report in 2013, it generated around \$1 billion and over 23,000 jobs from the ocean based in tourism, recreation, shipping, and fishing. Like Rhode Island, Delaware sees its sea level rise at a rate of 3½ millimeters per year along the Delaware shore, 13 inches up over the last 100 years. Delawareans care about this issue. Over a quarter have reported personally experiencing the effects of sea level rise, two-thirds worry about the effects of sea level rise, and over 75 percent called on the State to take immediate action to combat climate change and sea level rise.

I did enjoy our visit in South Wilmington, and I enjoyed the visit to Port Mahon, where the roads had to be built up with riprap to protect against sea level rise. But the real prize and the prime reason I went was Port Mahon's avian connection. Among the sandpipers, ruddy turnstones, and gulls we saw on the shore was a bird called the rufa red knot. Red knots stand out from other shore birds on the beach not only for their colorful burnt orange plumage but also for the amazing story that accompanies their arrival in Delaware each spring. This is a story to love, and I guess you would have to say a bird to admire.

They have only about a 20-inch wingspan at full growth, and the body is only about the size of a teacup, but each spring these red knots undertake an epic 9,000-plus mile voyage from Tierra del Fuego on the southern tip of South America up to the Canadian Arctic. After spending the summer nesting in the Arctic, they make the return

trip south to winter in the Southern Hemisphere. This little bird has one of the longest animal migrations of any species on Earth.

How does Delaware come into this? Well, the red knots fly straight from Brazil to Delaware Bay. As you can imagine, when they get there, they are hungry. They have lost as much as half their weight. We were told they start to ingest their own organs toward the end.

Delaware Bay is the largest horseshoe crab spawning area in the world. Each May, horseshoe crabs lay millions of eggs. Nearly 2 million horseshoe crabs were counted in Delaware Bay in 2015, and a female can lay up to 90,000 eggs per spawning season. Do the math. That is a lot of eggs.

The red knots come here timed just so by mother nature to bulk up on the nutritious horseshoe crab eggs to replenish their wasted bodies from the long flight to Delaware Bay and to fuel up for the 2,000 further miles of journey to the Canadian Arctic.

I wanted to see this before it ends. The U.S. Fish and Wildlife Service has listed the red knot as threatened under the Endangered Species Act because "successful annual migration and breeding of red knots is highly dependent on the timing of departures and arrivals to coincide with favorable food and weather conditions in the spring and fall migratory stopover areas and on the Arctic breeding grounds." Climate change can bollix up that timing.

We are already seeing that in a different subspecies of red knots that migrate north along the West African coast. A study published in the journal *Science* last month found that the earlier melt of Arctic snow is accelerating the timeline for the hatching of insects in spring, leading to smaller birds. The chicks, being less strong, begin to weaken and can't feed as successfully, and it cascades through an array of further difficulties.

You actually have to love this unassuming and astounding little bird, but its survival relies on a cascade of nature's events to line up just right. Nature throws a long bomb from Tierra del Fuego, where these birds start, and off they go. Months later they arrive in Delaware Bay timed to this 450 million-year-old creature, the horseshoe crab, emerging from Delaware Bay to spawn. If one environmental event comes too early or too late or if one food source becomes too limited, the species could collapse.

We got ahead of that in the 1990s when horseshoe crabs became rare because they were overfished. As their numbers went down, the red knot fell in accord. If the changes we are so recklessly putting in motion on the planet disturb nature's fateful planning, the red knot could pay a sad price.

Some people may snicker and say: There he goes again. Now he is on the

Senate floor talking about some stupid bird. But I say this: When one sees the voyage that this bird has to make, a little shore bird used to running along the shore making this epic voyage every year—one of them has been measured, because of a tag on its ankle, to have flown the distance from here to the moon and halfway back in its life—if one can't see the hand of God in that creature, I weep for their soul.

So I thank my colleague from Delaware for his staff and the experts he brought along to help us learn about this. Like Rhode Island, Delaware has been proactive in planning for the risks that we face in a warmer and wetter future.

I yield the floor to the distinguished junior Senator from Delaware.

Mr. COONS. With that, Mr. Presiding, I want to conclude by commenting that our day together began and ended with citizen science. The very first thing we did was to visit Delaware's national park to participate in a bio blitz, where volunteers from all over the country were identifying species and categorizing the threats to them from climate change. The very last thing we did was to count horseshoe crabs along the Cape Henlopen shore. I must say that my colleague from Rhode Island, even though there was driving rain and there were difficult conditions, was passionate and determined to do everything we could to contribute to the counting effort of the horseshoe crabs that day. It was a terrific opportunity to see a State that is engaged in planning and preparation and to witness one of the most remarkable migrations across our globe.

I want to express my gratitude to Senator WHITEHOUSE for his leadership on this issue.

Mr. WHITEHOUSE. Will the Senator yield for a question?

Mr. COONS. The Senator will yield for a question.

Mr. WHITEHOUSE. Were we, indeed, the two wettest Senators that day?

Mr. COONS. We were, indeed, the most persistently wet Senators in the entire country by the end of a very wet and very fulfilling day up and down the State of Delaware.

With that, I thank my colleague from Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

TSCA MODERNIZATION ACT OF 2015

Mr. INHOFE. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 2576.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2576) entitled "An Act to modernize the

Toxic Substances Control Act, and for other purposes." with an amendment to the Senate amendment.

MOTION TO CONCUR

Mr. INHOFE. Mr. President, I move to concur in the House amendment to the Senate amendment.

I ask unanimous consent that there now be 45 minutes of debate on the motion, and that following the use or yielding back of time, the Senate vote on the motion to concur.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. For the information of Senators, this will allow us to pass this bill tonight by voice vote.

Mr. President, I ask unanimous consent that for that 45 minutes of debate, the Senator from California, Mrs. BOXER, be recognized for 10 minutes; followed by the Senator from Louisiana, Mr. VITTER; and then go back and forth in 5-minute increments.

The PRESIDING OFFICER. Is there objection?

The Senator from California.

Mrs. BOXER. Reserving the right to object, Mr. President, I want to make a little clarification.

Senator UDALL has asked for 10 minutes. If we could use our time, allowing this Senator 10 minutes, and then after Senator VITTER's time, we would go to Senator UDALL for 10 minutes and then back to the other side. Then Senator MARKEY wanted 5 minutes and Senator WHITEHOUSE wanted 5 minutes as well—if it would go in that order as stated, with 10 for myself, 10 for Senator UDALL, 5 for Senator MARKEY, and 5 for Senator WHITEHOUSE.

Mr. INHOFE. I believe that adds up to our 45 minutes, and I will just not speak until after the vote.

The PRESIDING OFFICER. Is there objection to modifying the request?

Mrs. BOXER. There would be 5 minutes left, if that is all right.

Mr. INHOFE. I will amend my unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I want to start off by thanking my dear friend, Senator INHOFE. We have had a wonderful relationship when it comes to the infrastructure issues. We have not worked terribly well together on environmental issues, but because of both of our staffs and the Members of our committee on both sides of the aisle, we were able to tough it out and come up with a bill that I absolutely believe is better than current law.

I will be entering into the RECORD additional views by four leading Democratic negotiators—myself, Senator UDALL, Senator MERKLEY, and Senator MARKEY.

I rise in support of H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. I spoke at length about this before, so I won't go

on for a long time. But I do want to reiterate that the journey to this moment has been the most complicated journey I have ever had to take on any piece of legislation, and I have been around here for a long time.

It was a critical journey. When naming a bill after Senator Lautenberg, who fought for the environment all his life, the bill must be worthy of his name, and, finally, this bill is.

It didn't start out that way. I used every prerogative I had, every tool in my arsenal to bring it down until it got better, and it is better. It is better than current law.

Asbestos, for example, is one of the most harmful chemicals known to humankind, and it takes 15,000 lives a year. It is linked to a deadly form of lung cancer called mesothelioma. People can breathe in these fibers deep into their lungs where they cause serious damage. We have addressed asbestos in this bill. We didn't ban it on this bill, which I support—and I have stand-alone legislation to do that—but we have made asbestos a priority in this bill.

Flame retardants are another category of dangerous chemicals. They have been linked to a wide array of serious health problems, including cancer, reduced IQ, developmental delays, obesity, and reproductive difficulties. These harmful chemicals have been added to dozens of everyday items such as furniture and baby products. So when we are talking about TSCA reforming the toxic laws, we are not just talking about a conversation, we are not just talking about a theory, we are not talking about something you would address in a classroom. We are talking about our families.

Now, the negotiations have been challenging. Many organizations in many States stood strong despite the pressure to step back, and I am so grateful to them for their persistence. I especially want to thank the 450 organizations that were part of the Safer Chemicals, Healthy Families coalition that worked with me, as well as the Asbestos Disease Awareness Organization for their efforts. Without them, I would not have had the ability to negotiate important improvements.

Let me highlight briefly a few of the most important changes in the final bill. I can't go one more minute without thanking the two people who are sitting right behind me, Bettina Poirier, who is my chief of staff on the committee and chief counsel, and Jason Albritton, who is my senior adviser. They worked tirelessly—through the night sometimes—with Senator INHOFE's staff. Without their work, we never would have gotten to this point, and we never would have gotten to a bill worthy of Frank's name, and it means a great deal to me.

The first major area of improvement is the preemption of State restrictions

on toxic chemicals. In the final bill, we were able to make important exceptions to the preemption provisions.

First, the States are free to take whatever action they want on any chemical until EPA has taken a series of steps to study a particular chemical. Second, when EPA announces the chemicals they are studying, the States still have up to a year and a half to take action on these particular chemicals to avoid preemption until the EPA takes final action.

Third, even after EPA announces its regulation, the States have the ability to get a waiver so they can still regulate the chemical, and we have made improvements to that waiver to make it easier for States to act.

For chemicals that industry has asked EPA to study, we made sure that States are not preempted until EPA issues a final restriction on the chemical, and for that I really want to thank our friends in the House. They put a lot of effort into that.

The first 10 chemicals EPA evaluates under the bill are also exempted from preemption until the final rule is issued. Also, State or local restrictions on a chemical that were in place before April 22, 2016, will not be preempted.

So I want to say, as someone who comes from the great State of California—home to almost 40 million people and which has a good strong program—we protected you. Would I rather have written this provision myself? Of course, and if I had written it myself I would have set a floor in terms of this standard and allowed the States to take whatever action they wanted to make it tougher. But this was not to be. This was not to be. So because I couldn't get that done, what we were able to get done were those four or five improvements that I cited.

The States that may be watching this debate can really gear up and move forward right now. There is time. You can continue the work on regulations you passed before April. You can also have a year and a half once EPA announces the chemical, and if they don't announce anything, you can go back to doing what you did before. An EPA that is not funded right, I say to my dearest friend on the floor today, is not going to do anything. So the States will have the ability to do it. I would hope we would fund the EPA so we have a strong Federal program and strong State programs as well. But we will have to make sure that the EPA doesn't continually get cut.

The second area of improvement concerns asbestos. I think I have talked about that before. It is covered in this bill.

The third area of improvement concerns cancer clusters. This one is so dear to my heart and to the heart of my Republican colleague, Senator CRAPO. We wrote a bill together called the Community Disease Cluster Assist-

ance Act, or "Trevor's Law." Trevor's Law provides localities that ask for it a coordinated response to cancer clusters in their communities.

What Trevor taught us from his experience with a horrible cancer is that sometimes these outbreaks occur and no one knows why. Yet it is considered a local issue. Now, if the local community requests it—if they request it—they will get help.

Fourth, we have something called persistent chemicals. Those are chemicals that build up in your body. You just don't get rid of them. They are a priority in this legislation.

Fifth, another one that is dear to my heart and dear to the heart of Senator MANCHIN and Senator CAPITO is this provision that ensures that toxic chemicals stored near drinking water are prioritized. This provision was prompted by the serious spill that contaminated the drinking water supplies in West Virginia in 2014, causing havoc and disruption. They didn't know what the chemical was. It got into the water. They didn't know what to do. As we all remember, it was a nightmare for the people there—no more. Now we are going to make sure that the EPA knows what is stored near drinking water supplies.

The sixth is very important and is something that got negotiated in the dead of night. I want to thank Senator INHOFE's staff for working with my staff on this. The bill enables EPA to order independent testing if there are safety concerns about a chemical, and these tests will be paid for by the chemical manufacturer. I also want to thank Members of the House who really brought this to us.

Finally, even the standard for evaluating whether a chemical is dangerous is far better than in the old TSCA. The bill requires EPA to evaluate chemicals based on risks, not costs, and considers the impact on vulnerable populations. This is really critical. The old law was useless. So all of these fixes make this bill better than current Federal law.

Looking forward, I want to make a point. This new TSCA law will only be as good as the EPA is good. With a good EPA, we can deliver a much safer environment for the American people—safer products, less exposure to harmful toxics, and better health for our people. With a bad EPA that does not value these goals, not much will get done. But, again, if a bad EPA takes no action, States will be free to act.

Mr. President, I ask for 30 additional seconds, and I will wrap this up.

Mr. INHOFE. Reserving the right to object, we do have this down with five people.

Mrs. BOXER. I ask unanimous consent for 30 seconds. I am just going to end with 30 seconds, and I will add 30 seconds to your side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I say to the States: You are free to act with a bad EPA. Compared to where we started, we have a much better balance between the States and the Federal Government. It is not perfect. The bills I worked on with Frank did not do this. They did not preempt the States. But because of this challenging journey, we respected each other on both sides, we listened to each other on both sides, and today is a day we can feel good about.

We have a decent bill, a Federal program, and the States will have a lot of latitude to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise also to laud a really significant achievement that we are going to finalize tonight with the final passage of the Frank R. Lautenberg Chemical Safety for the 21st Century Act.

This much needed bill will provide updates that have been due literally for decades to the Toxic Substances Control Act of 1976, known as TSCA for short, which has been outdated and overdue for updating since almost that time. Now, getting to where we are tonight, about to pass this by an overwhelming vote, following the 403-to-12 vote in the House a few weeks ago, did not happen overnight. In fact, it took about 5-plus years.

In 2011 I started discussions with a broad array of folks, certainly including Senator Lautenberg. That is when I first sat down with Frank and started this process in a meaningful way and when we agreed that we would try to bridge the significant differences between our two viewpoints and come up with a strong bipartisan bill.

That same year I also sat down with JOHN SHIMKUS of Illinois to let him know that Frank and I were going to put in a lot of effort to come up with this framework, and we wanted him to be a full and equal and contributing partner. Over the next year and a half, we slogged through that process of trying to come up with a strong bipartisan bill. It wasn't easy. Between Senator Lautenberg and myself and our staffs and other staffs, there was an often brutal stretch of difficult negotiations and challenging times, testing everybody's patience.

Several times we walked away to come back together again. Finally, it did come together. In early 2013, that really started taking shape. Toward the end of April 2013, we were far enough along to lock a small group of staff and experts in a room to finalize that first bipartisan bill. There were folks like Bryan Zumwalt, my chief counsel then; Dimitri Karakitsos, who is my counsel and is now a key staffer who continues on the EPW Committee; Senator Lautenberg's chief counsel, Ben Dunham; and his chemical adviser, Brendan Bell.

That led finally to this first bipartisan bill that we introduced on May 23, 2013. Now, that wasn't the end of our TSCA journey. Unfortunately, in many ways, the most difficult segment of that journey was soon after that introduction on May 23, because on June 3, just a few weeks later, Frank passed. The single greatest champion of reforming how chemicals are regulated died at 89 years of age.

That was heartbreaking. But it was a moment when all of us who had been involved only redoubled our commitment to following this through to the end. Soon after Frank's unfortunate passing, our colleague TOM UDALL really stepped up to the plate in a major way to take Frank's role as the Democratic lead in this effort. We had a quiet dinner one night here on Capitol Hill to talk about our commitment to carry on this fight and get it done. We formed a partnership and a friendship that was really built around this work with an absolute commitment to get that done. I will always be so thankful to TOM and his partnership and also to his great staff, including their senior policy adviser, Jonathan Black.

As with most major undertakings, we had a lot of other help all along the way. Early on, at that stage of the process, Senators CRAPO and ALEXANDER were extremely helpful. Also, a little later on, Senators BOOKER, MERKLEY, and MARKEY did a lot to advance the ball and refine the product. Of course, at every step of the way, I continued to meet and talk with Congressman JOHN SHIMKUS. He was a persistent and a reliable partner in this process, as was his senior policy adviser, Chris Sarley.

Throughout this process, staff was absolutely essential and monumental. They did yeoman's work in very, very difficult and trying circumstances. I mentioned Bryan Zumwalt, my former chief counsel. He was a driving force behind this. I deeply appreciate and acknowledge his work, as well as someone else I mentioned, Dimitri Karakitsos, who continues to work as a key staffer on the committee and who is seeing this over the goal line.

Let me also thank Ben Dunham, the former chief counsel to Senator Lautenberg. I think in the beginning, particularly, Ben, Bryan, and Dimitri gave each other plenty of help but worked through very difficult negotiations to get it done.

Also, I want to thank Jonathan Black and Drew Wallace in Senator UDALL's office and Michal Freedhoff and Adrian Deveny in Senator MARKEY's office.

On the outside, there are a lot of experts from all sorts of stakeholders across the political spectrum, certainly including industry representatives with the American Chemistry Council. I want to thank Mike Walls, Dell Perelman, Rudy Underwood, Amy

DuVall, Robert Flagg, and, of course their leader, Cal Dooley.

Finally, there is one enormous figure who is owed a great debt of gratitude and a lot of credit for seeing this over the goal line tonight; that is, Frank's better half—and I say that with deep respect and admiration to Frank, but surely his better half—Bonnie Lautenberg. She has been called the 101st Senator, particularly on this issue. She was devoted to seeing Frank's work completed. I thank her for her relentless effort reaching out to Members in the House and Senate and stakeholders to make sure this happened.

As I mentioned at the beginning, this is long overdue. All stakeholders across the political spectrum agreed for decades that this aspect of the law needed to be updated. We needed to fully protect public health and safety, which we all want to do. We also needed to ensure that American companies, which are world leaders today in science, research, and innovation remain so and do not get put behind a regulatory system which is overly burdensome and unworkable.

This TSCA reform bill, properly named after Frank Lautenberg, achieves those goals. It is a positive, workable compromise in the best sense of that term, so that we will achieve public health and safety. It ensures that our leading American companies, great scientists, great innovators, and great world leaders in this sector remain just that and that they remain the world leaders we want and need them to continue to be.

So I thank all of those who have contributed to this long but ultimately successful and worthwhile effort. With that, I look forward to our vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, let me just initially, while Senator VITTER is still on the floor here, thank him so much. He was a great partner in terms of working on this piece of legislation thoroughly through the process over 3 years. We met, I think, about 3 years ago and had a dinner and decided, after Frank Lautenberg had died—he did a lot of work on the bill—that we would pick it up and make it happen. He has been a man of his word, and it has been a real pleasure working with him.

Let me just say about Chairman INHOFE that what they say in the Senate is that if you have a strong chairman, you can get a bill done. He has been remarkable in terms of his strength and his perseverance in terms of moving this bill. So we are at a very, very historic point today. I think I would call it a historic moment. I thank the Senator. It has been a pleasure working with the Senator. I enjoyed working with the Senator when I was on the committee, and I am going to enjoy working with Chairman

INHOFE in the future in terms of many other issues that come before us in the Senate.

I don't have any doubt that this is a historic moment several years and Congresses in the making. For the first time in 40 years, the United States of America will have a chemical safety program that works and that protects our families from dangerous chemicals in their daily lives. This is significant. Most Americans believe that when they buy a product at the hardware store or the grocery store, that product has been tested and determined to be safe. But that is not the case.

Americans are exposed to hundreds of chemicals from household items. We carry them around with us in our bodies and even before we are born. Some are known as carcinogens, others as highly toxic. But we don't know the full extent of how they affect us because they have never been tested. When this bill becomes law, there will finally be a cop on the beat.

Today, under the old TSCA, reviewing chemicals is discretionary. When this bill is law, the EPA will be required to methodically review all existing chemicals for safety, starting with the worst offenders. Today, the old law requires that the EPA consider the costs and benefits of regulation when studying the safety of chemicals. Very soon, EPA will have to consider only the health and environmental impacts of a chemical. If they demonstrate a risk, EPA will have to regulate.

Very soon, it will be enshrined in the law that the EPA most protect the most vulnerable people—pregnant women, infants, the elderly, and chemical workers. Today, the old TSCA puts burdensome testing requirements on the EPA. To test a chemical, the EPA has to show a chemical possesses a potential risk, and then it has to go through a long rulemaking process.

Very soon, EPA will have authority to order testing without those hurdles. Today, the old TSCA allows new chemicals to go to market without any real review, an average of 750 a year. Very soon, the EPA will be required to determine that all chemicals are safe before they go to the market.

Today, the old TSCA allows companies to hide information about their products, claiming it is confidential business information, even in an emergency. Very soon, we will ensure that companies can no longer hide this vital information.

States, medical professionals and the public will have access to the information they need to keep communities safe. Businesses will have to justify when they keep information confidential. That right will expire after 10 years. Today, the old TSCA underfunds the EPA so it doesn't have the resources to do its job.

Very soon, there will be a dedicated funding stream for TSCA. It will require industry to pay its share, \$25 million a year. In addition, this new law will ensure victims can get access to the courts if they are hurt. It will revolutionize unnecessary testing on animals, and it will ensure that States can continue to take strong action on dangerous chemicals.

The Senate is about to pass this legislation. It is going to the President, and he will sign it. Over the past several days, I have gotten the same question over and over: What made this legislation different? Why was the agreement possible when other bills stalled? I thought about it quite a bit. It wasn't that the bill was simple. This was one of the most complex environmental pieces of legislation around. It certainly wasn't a lack of controversy. This process almost fell apart many times. It certainly wasn't a lack of interest from stakeholders. Many groups were involved, all with strong and passionate views and some with deep distrust. We faced countless obstacles, but I think what made this possible was the commitment and the willpower by everyone involved to see good legislation through and endure the slings and the arrows. I say a heartfelt thank-you to everyone involved.

I remember having dinner with Senator VITTER one evening early on when I was trying to decide whether I would take up Frank Lautenberg's work on this bill. There was already plenty of controversy and concern about the bill. Senator VITTER and I were not used to working with each other. In fact, we have almost always been on opposite sides. But I left that dinner with the feeling that Senator VITTER was committed, that he wanted to see this process through and was willing to do what it would take. For 3 years, I never doubted that. Both of us took more than a little heat. We both had to push hard and get important groups to the table and make sure they stayed at the table. I thank Senator VITTER. He has been a true partner in this process.

There are many others to thank, and I will, but before I do that, I want to say a few words about this bill's namesake. Frank Lautenberg was a champion for public health and a dogged, determined leader for TSCA reform. He cared so much for his children and grandchildren that he wanted to leave a better, healthier, safer environment for them. He always said that TSCA reform would save more lives than anything he ever worked on.

This is a bittersweet moment for all of us because Frank isn't here to see this happen, but I have faith that he is watching us and he is cheering us on. His wife Bonnie has been here working as the 101st Senator. She has been a force and inspiration, keeping us going, pushing us when we needed it. She helped us fulfill Frank's vision.

In the beginning, we thought the bill might not ever get introduced in the Senate. We entered this Congress after the Republicans took the majority. Many felt that strong environmental legislation was impossible. They urged us to wait. But many of us felt that 40 years was already too long to wait. We knew we could do it, make it better, and get it passed.

Senator CARPER was one of those key members on the Environment Committee. He gave us legs to get out of the gate. He and Senators MANCHIN and COONS were among our original cosponsors. They recognized that we had a great opportunity before us, and I thank them all.

They say that in order to get things done in Washington, you need a good, strong chairman, and Chairman INHOFE fits that description. I thank Chairman INHOFE and especially his staff, Ryan Jackson and Dimitri Karakitsos. Chairman INHOFE's team was instrumental in moving things forward and working with me to ensure that we built the broadest possible support. They knew that with broad support, we could do better than get it out of committee, we could get it across the finish line.

There are days when we all feel discouraged by gridlock here in Washington, but Chairman INHOFE and Senator VITTER rose above that. They saw the value of working together across party and across House and Senate.

Senators BOOKER, MERKLEY, and WHITEHOUSE all understood that we could work together. I thank them, too, for sticking with this bill and working through differences. As a result of their efforts, the bill gives States stronger protections, it helps reduce unnecessary testing on animals, and it includes a number of other improvements. Their staff—Adam Zipkin, Adrian Deveny, and Emily Enderle, among others—were key.

A strong bipartisan vote of 15 to 5 out of the committee set us up for action on floor. As many of you know, floor time is valuable and hard to come by and subject to nonpertinent issues. We needed to work to ensure the broadest possible support. We did that with Senators DURBIN and MARKEY, our 59th and 60th cosponsors of our legislation. I thank them and their staff members, Jasmine Hunt and Michal Freedhoff, for their important work to improve key aspects of the Federal program, such as fees and implementation dates, and to ensure that we could pass this bill through the Senate.

The PRESIDING OFFICER (Mr. ROUNDS). The time of the Senator has expired.

Mr. UDALL. Mr. President, has my time expired?

The PRESIDING OFFICER. Yes, it has.

Mr. UDALL. Thank you very much.

Let me just say that I am going to stay over. I thank the two Senators. I

am going to stay with Senator INHOFE and thank additional people because I think it is that important, but we have this time agreement, and we need to move on.

I yield to Senator MARKEY for 5 minutes, and then we are going to Senator WHITEHOUSE for 5 minutes unless there is a Republican to intervene. Chairman INHOFE, is that correct?

Mr. INHOFE. That is right.

I would also say that I will forgo my remarks in order to give them more time until after the vote.

The PRESIDING OFFICER. Who yields time?

Mr. UDALL. I yield time to—the agreement, as I understand it, is that Senator MARKEY will speak for 5 minutes and Senator WHITEHOUSE for 5 minutes and then back to the Chair.

Mr. INHOFE. Yes, that is already a unanimous consent.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, today Congress stands ready to reform the last of the core four environmental statutes. It may do so with a stronger bipartisan vote than any other major environmental statute in recent American history.

For a generation, the American people have been guinea pigs in a terrible chemical experiment. Told that all the advances in our chemistry labs would make us healthier, happier, and safer, American families have had to suffer with decades of a law that did nothing to ensure that was true. That is because when the industry successfully overturned the EPA's proposed ban on asbestos, it also rendered the Toxic Substance Control Act all but unusable. Children shouldn't be unwitting scientific subjects. Today we have a chance to protect them by reforming this failed law.

As ranking Democrat on the Senate subcommittee of jurisdiction, I was one of a handful of Members who participated in an informal conference with the House. With Senators UDALL, BOXER, and MERKLEY, I have prepared a document that is intended to memorialize certain agreements made in the bicameral negotiations that would typically have been included in a conference report.

In our work with the House, we truly did take the best of both bills when it came to enhancing EPA's authority to regulate chemicals.

The degree to which States will be preempted as the Federal Government regulates chemicals has been a source of considerable debate since this bill was first introduced. I have always been a very strong supporter of States' rights to take actions needed to protect their own residents. For many of us, accepting preemption of our States was a difficult decision that we only made as we also secured increases to the robustness of the EPA chemical safety program.

I am particularly pleased that efforts I helped lead resulted in the assurance that Massachusetts' pending flame retardant law will not be subjected to pause preemption and that there is a mechanism in the bill to ensure that States' ongoing work on all chemicals can continue while EPA is studying those chemicals.

The fact that the bill is supported by the EPA, the chemical industry, the chamber of commerce, and the trial lawyers tells you something. The fact that a staggering 403 Members of the House of Representatives voted for this TSCA bill—more than the number who agreed to support the Clean Air Act, the Clean Water Act, or the Safe Drinking Water Act amendments when those laws were reauthorized—tells you something. What it tells you is that we worked together on a bipartisan and bicameral basis to compromise in the way Americans expect us to.

Although there are many people who helped to create this moment, I wish to thank some whose work over the past few months I especially want to recognize.

I thank Bonnie Lautenberg. On behalf of her husband Frank, she was relentless.

Senator INHOFE and his staffers, Ryan Jackson and Dimitri Karakitsos, remained as committed to agreements they made about Senate Democratic priorities as they were to their own commitment priorities throughout this process. I couldn't have imagined a stronger or more constructive partnership.

I would like to thank Senator UDALL and his staffers, Drew Wallace and Jonathan Black, whose leadership—especially during these challenging moments—was very important.

I also thank Senator MERKLEY and his staff, Adrian Deveny, whose creativity often led us to legislative breakthroughs, especially when it came to crafting certain preemption compromises.

My own staff, Michal Freedhoff, has done little but this for 1 consecutive year. This is her 20th year on my staff. With her Ph.D. in biochemistry—it was invaluable in negotiating with the American Chemistry Council and all other interests.

I want to thank many other Members: Senator BOXER; Senator WHITEHOUSE and his staff, Bettina, along with BARBARA BOXER; Senator MCCONNELL; Senator REID; Senator DURBIN—all central players in making sure this legislation was here today.

I thank the spectacular and hard-working EPA team, all of whom provided us with technical assistance and other help, often late at night and before dawn.

I thank Gina McCarthy, Jim Jones, Wendy Cleland-Hamnet, Ryan Wallace, Priscilla Flattery, Kevin McLean, Brian Grant, David Berol, Laura

Vaught, Nicole Distefano, Sven-Erik Kaiser, and Tristan Brown.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARKEY. Mr. President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MARKEY. I also thank Ryan Schmit, Don Sadowsky, and Scott Sherlock.

I want to thank Stephenne Harding and Andrew McConville at CEQ, whose day-to-day engagement helped us, especially in these last few weeks.

There are some outside stakeholders who worked particularly closely with my staff and with me, including Andrew Rogers, Andrew Goldberg, Richard Denison, Joanna Slaney, Mike Walls, Rich Gold, and Scott Faber.

I have enjoyed meeting, working with, and partnering with each one of these outstanding people over the last year.

This is a huge bill. It is a historic moment. It is going to make a difference in the lives of millions of Americans. It is the most significant environmental law passed in this generation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MARKEY. The old law did not work. This one is going to protect the American people.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, as the song said, it has been a long, strange trip getting here, and it has had its share of near-death experiences, as Senator UDALL is intimately aware of. I was involved with Senator MERKLEY and Senator BOOKER in one of those near-death experiences. If this was a rocket with stages, one of the major stages was the Merkley-Booker-Whitehouse effort in the committee. I just wanted to say it was the first time the three of us worked together as a triumvirate. They were wonderful to work with. They were truly a pleasure. We had a lot on our plates. We made about a dozen major changes in the bill.

I want to take just a moment to thank Emily Enderle on my staff, who was terrific through all of the negotiations and renegotiations and counter-negotiations in that stage. But this was obviously a rocket that had many more stages than that one.

I thank Chairman INHOFE and his staff for their persistence through all of this.

Ranking Member BOXER was relentless in trying to make this bill as strong as she could make it through every single stage, and it is marked by that persistence.

Senator VITTER and Senator UDALL forged the original notion that this compromise could be made to happen, and they have seen it through, so I congratulate them.

The House had a rather different view of how this bill should look. Between Senator INHOFE, Senator UDALL, Representative PALLONE, and Representative UPTON, they were able to work out a bicameral as well as a bipartisan compromise that we all could agree to.

There are a lot of thanks involved, but I close by offering a particular thank-you to my friend Senator UDALL. In Greek mythology there is a Titan, Prometheus, who brought fire to humankind. His penalty for bringing fire to humankind was to be strapped to the rock by chains and have Zeus send an eagle to eat his liver every single day. It is an image of persisting through pain. I do have to say Senator VITTER may have had his issues on his side—I do not know how that looked—but I can promise on our side TOM UDALL persisted through months and months of pain, always with the view that this bill could come to the place where this day could happen.

There are times when legislation is legislation, and there are times when legislation has a human story behind it. This is a human story of courage, foresight, persistence, patience, and willingness to absorb a considerable number of slings and arrows on the way to a day when slings and arrows are finally put down and everybody can shake hands and agree we have, I think, a terrific victory. While there is much credit in many places, my heart in this is with Senator TOM UDALL of New Mexico.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, today, while the Nation has been focused on the final six primaries across the Nation, the final six State primaries across the Nation, something extraordinary is unfolding here on the floor of the Senate. The Senate is taking the final congressional act to send the Frank R. Lautenberg Chemical Safety for the 21st Century Act to the President's desk.

This is landmark legislation that honors the legacy of our dear colleague Frank Lautenberg. This is landmark legislation that will make a real difference for the health and safety of every American. This is the first significant environmental legislation to be enacted by this Chamber in 25 years.

This bill—this extraordinary bill—brought Democrats and Republicans together to take action to protect public health. I have been honored to be a part of this coalition as we have worked toward a final bill for over a year. It hasn't been easy, but things worth doing are rarely easy.

A huge thank-you to Senators UDALL and VITTER, who cosponsored this bill, lead the way; Senators BOXER and INHOFE, the chair and ranking member of the Environment Committee; and Senators MARKEY, WHITEHOUSE, and BOOKER for their leadership and contributions throughout this entire process.

Also, a special thank-you to the staff who worked day and night. I know I received calls from my staff member Adrian Deveny at a variety of hours on a variety of weekends as he worked with other staff members to work out, iron out the challenges that remained, so a special thank-you to Adrian Deveny.

Just a short time ago, I had the chance to speak to Bonnie Lautenberg, Frank Lautenberg's wife. She would have loved to have been here when we took this vote, but she is going to be down in the Capitol next week with children and grandchildren. I hope to get a chance to really thank her in person for her husband's leadership but also for her leadership, her advocacy that we reached this final moment. She said to me: It appears it takes a village to pass a bill. Well, it does. This village was a bipartisan village. This was a bicameral village. It has reached a successful conclusion.

In the most powerful Nation on Earth, we should not be powerless to protect our citizens from toxic chemicals in everyday products. Today marks a sea shift in which we finally begin to change that. For too long, we have been unable to protect our citizens from toxic chemicals that hurt pregnant women and young children, chemicals that hurt our children's development, chemicals that cause cancer.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act will tremendously improve how we regulate toxic chemicals in the United States—those that are already in products and should no longer be used and those new chemicals that are invented that should be thoroughly examined before they end up in products—and make sure that toxic chemicals don't find their way into our classrooms, into our bedrooms, into our homes, into our workplaces. Now the Environmental Protection Agency will have the tools and resources needed to evaluate the dangerous chemicals and to eliminate any unsafe uses.

My introduction to this issue began with a bill in the Oregon State Legislature about the cancer-causing flame retardants that are in our carpets and our couches and the foam in our furniture that should not be there. This bill gives us the ability to review that and to get rid of those toxic chemicals.

It was enormously disturbing to me to find out that our little babies crawling on the carpet, their noses 1 inch off the ground, were breathing in dust

from the carpet that included these cancer-causing flame retardants. It should never have happened, but we did not have the type of review process that protects Americans. Now we will.

So, together, a bipartisan team has run a marathon, and today we cross the finish line. In short order, this bill will be sitting in the Oval Office, on the President's desk, and he will be putting ink to paper and creating this new and powerful tool for protecting the health of American citizens. That is an enormous accomplishment.

Mr. President, on behalf of Senator BOXER, the printing cost of the statement of additional views with respect to H.R. 2576, TSCA, will exceed the two-page rule and cost \$2,111.20.

I ask unanimous consent that the Boxer statement of additional views be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DETAILED ANALYSIS AND ADDITIONAL VIEWS OF DEMOCRATIC MEMBERS ON THE MOTION TO CONCUR IN THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO THE BILL H.R. 2576 ENTITLED "AN ACT TO MODERNIZE THE TOXIC SUBSTANCES CONTROL ACT, AND FOR OTHER PURPOSES" JUNE 7, 2016

As the lead Senate Democratic negotiators on H.R. 2576, (hereinafter referred to as the Frank R. Lautenberg Chemical Safety for the 21st Century Act), we submit the following additional views that describe the intent of the negotiators on elements of the final bill text.

1. "WILL PRESENT"

Existing TSCA as in effect before the date of enactment of Frank R. Lautenberg Chemical Safety for the 21st Century Act includes the authority, contained in several sections (see, for example, section 6(a)), for EPA to take regulatory actions related to chemical substances or mixtures if it determines that the chemical substance or mixture "presents or will present" an unreasonable risk to health or the environment.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act includes language that removes all instances of "will present" from existing TSCA and the amendments thereto. This does not reflect an intent on the part of Congressional negotiators to remove EPA's authority to consider future or reasonably anticipated risks in evaluating whether a chemical substance or mixture presents an unreasonable risk to health or the environment. In fact, a new definition added to TSCA explicitly provides such authority and a mandate for EPA to consider conditions of use that are not currently known or intended but can be anticipated to occur:

"(4) The term 'conditions of use' means the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of";

2. MIXTURES

In section 6(b) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, EPA is directed to undertake risk evaluations on chemical substances in order to determine whether they pose an unreasonable risk to health or the environment. Some have questioned whether

the failure to explicitly authorize risk evaluations on mixtures calls into question EPA's authority to evaluate the risks from chemical substances in mixtures.

The definition of 'conditions of use' described above plainly covers all uses of a chemical substance, including its incorporation in a mixture, and thus would clearly enable and require, where relevant, EPA to evaluate the risks of the chemical substance as a component of a mixture.

3. NEW CHEMICALS

While existing TSCA does not preclude EPA from reviewing new chemicals and significant new uses following notification by the manufacturer or processor, it does not require EPA to do so or to reach conclusions on the potential risks of all such chemicals before they enter the marketplace. EPA has authority to issue orders blocking or limiting production or other activities if it finds that available information is inadequate and the chemical may present an unreasonable risk, but the burden is on EPA to invoke this authority; if it fails to do so within the 90-180 day review period, manufacture of the new chemical can automatically commence. This bill makes significant changes to this passive approach under current law: For the first time, EPA will be required to review all new chemicals and significant new uses and make an affirmative finding regarding the chemical's or significant new use's potential risks as a condition for commencement of manufacture for commercial purposes and, in the absence of a finding that the chemical or significant new use is not likely to present an unreasonable risk, manufacture will not be allowed to occur. If EPA finds that it lacks sufficient information to evaluate the chemical's or significant new use's risks or that the chemical or significant new use does or may present an unreasonable risk, it is obligated to issue an order or rule that precludes market entry or imposes conditions sufficient to prevent an unreasonable risk. EPA can also require additional testing. Only chemicals and significant new uses that EPA finds are not likely to present an unreasonable risk can enter production without restriction. This affirmative approach to better ensuring the safety of new chemicals entering the market is essential to restoring the public's confidence in our chemical safety system.

4. UNREASONABLE RISK

TSCA as in effect before the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act authorized EPA to regulate chemical substances if it determined that the chemical substance "presents or will present an unreasonable risk of injury to health or the environment." In its decision in *Corrosion Proof Fittings vs EPA*, the U.S. Court of Appeals, 5th Circuit overturned EPA's proposed ban on asbestos, in part because it believed that

"In evaluating what is 'unreasonable,' the EPA is required to consider the costs of any proposed actions and to 'carry out this chapter in a reasonable and prudent manner [after considering] the environmental, economic, and social impact of any action.'" 15 U.S.C. §2601(c).

As the District of Columbia Circuit stated when evaluating similar language governing the Federal Hazardous Substances Act, "[t]he requirement that the risk be 'unreasonable' necessarily involves a balancing test like that familiar in tort law: The regulation may issue if the severity of the injury that may result from the product, factored by the likelihood of the injury, offsets the

harm the regulation itself imposes upon manufacturers and consumers.” *Forester v. CPSC*, 559 F.2d 774 789 (D.C.Cir.1977). We have quoted this language approvingly when evaluating other statutes using similar language. See, e.g., *Aqua Slide*, 569 F.2d at 839.”

The Frank R. Lautenberg Chemical Safety for the 21st Century Act clearly rejects that approach to determining what “unreasonable risk of injury to health or the environment” means, by adding text that directs EPA to determine whether such risks exist “without consideration of costs or other nonrisk factors” and, if they do, to promulgate a rule that ensures “that the chemical substance no longer presents such risk.” In this manner, Congress has ensured that when EPA evaluates a chemical to determine whether it poses an unreasonable risk to health or the environment and regulates the chemical if it does, the Agency may not apply the sort of “balancing test” described above.

5. PRIORITIZATION

Section 6(b) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, defines high-priority chemical substances and low-priority chemical substances as follows:

“(i) **HIGH-PRIORITY SUBSTANCES.**—The Administrator shall designate as a high-priority substance a chemical substance that the Administrator concludes, without consideration of costs or other nonrisk factors, may present an unreasonable risk of injury to health or environment because of a potential hazard and a potential route of exposure under the conditions of use, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant by the Administrator.

“(ii) **LOW-PRIORITY SUBSTANCES.**—The Administrator shall designate a chemical substance as a low-priority substance if the Administrator concludes, based on information sufficient to establish, without consideration of costs or other nonrisk factors, that such substance does not meet the standard identified in clause (i) for designating a chemical substance a high-priority substance.”

The direction to EPA for the designation of low-priority substances is of note in that it requires such designations to be made only when there is “information sufficient to establish” that the standard for designating a substance as a high-priority substance is not met. Clear authority is provided under section 4(a)(2)(B), as created in the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to enable EPA to obtain the information needed to prioritize chemicals for which information is initially insufficient. The bill text also goes on to state that if “the information available to the Administrator at the end of such an extension [for testing of a chemical substance in order to determine its priority designation] remains insufficient to enable the designation of the chemical substance as a low-priority substance, the Administrator shall designate the chemical substance as a high-priority substance.”

These provisions are intended to ensure that the only chemicals to be designated low-priority are those for which EPA both has sufficient information and, based on that information, affirmatively concludes that the substance does not warrant a finding that it may present an unreasonable risk.

6. INDUSTRY REQUESTED CHEMICALS

Sec. 6(b)(4)(E) sets the percentage of risk evaluations that the Administrator shall conduct at industry’s request at between 25

percent (if enough requests are submitted) and 50 percent. The Administrator should set up a system to ensure that those percentages are met and not exceeded in each fiscal year. An informal effort that simply takes requests as they come in and hopes that the percentages will work out does not meet the requirement that the Administrator “ensure” that the percentages be met. Also, clause (E)(ii) makes clear that industry requests for risk evaluations “shall be” subject to fees. Therefore, if at any point the fees imposed by the Frank Lautenberg Act (which are subject to a termination in section 26(b)(6)) are allowed to lapse, industry’s opportunity to seek risk evaluations will also lapse and the minimum 25 percent requirement will not apply.

7. PACE OF AND LONG-TERM GOAL FOR EPA SAFETY REVIEWS OF EXISTING CHEMICALS

Existing TSCA grandfathered in tens of thousands of chemicals to the inventory without requiring any review of their safety. The Frank R. Lautenberg Chemical Safety for the 21st Century Act sets in motion a process under which EPA will for the first time systematically review the safety of chemicals in active commerce. While this will take many years, the goal of the legislation is to ensure that all chemicals on the market get such a review. The initial targets for numbers of reviews are relatively low, reflecting current EPA capacity and resources. These targets represent floors, not ceilings, and Senate Democratic negotiators expect that as EPA begins to collect fees, gets procedures established and gains experience, these targets can be exceeded in furtherance of the legislation’s goals.

8. “MAXIMUM” EXTENT PRACTICABLE

Several sections of the Frank R. Lautenberg Chemical Safety for the 21st Century Act include direction to EPA to take certain actions to “the extent practicable”, in contrast to language in S 697 as reported by the Senate that actions be taken to “the maximum extent practicable.” During House-Senate negotiations on the bill, Senate negotiators were informed that House Legislative Counsel believed the terms “extent practicable” and “maximum extent practicable” are synonymous, and ultimately Congress agreed to include “extent practicable” in the Frank R. Lautenberg Chemical Safety for the 21st Century Act with the expectation that no change in meaning from S 697 as reported by the Senate be inferred from that agreement.

9. COST CONSIDERATIONS IN RULEMAKING

Section 6(c)(2) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act lists what is required in analysis intended to support an EPA rule for a chemical substance or mixture:

“(2) **REQUIREMENTS FOR RULE.**—“(A) **STATEMENT OF EFFECTS.**—In proposing and promulgating a rule under subsection (a) with respect to a chemical substance or mixture, the Administrator shall consider and publish a statement based on reasonably available information with respect to—

“(i) the effects of the chemical substance or mixture on health and the magnitude of the exposure of human beings to the chemical substance or mixture;

“(ii) the effects of the chemical substance or mixture on the environment and the magnitude of the exposure of the environment to such substance or mixture;

“(iii) the benefits of the chemical substance or mixture for various uses; and

“(iv) the reasonably ascertainable economic consequences of the rule, including consideration of—

“(I) the likely effect of the rule on the national economy, small business, technological innovation, the environment, and public health;

“(II) the costs and benefits of the proposed and final regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator; and

“(III) the cost effectiveness of the proposed regulatory action and of the 1 or more primary alternative regulatory actions considered by the Administrator.

The language above specifies the information on effects, exposures and costs that EPA is to consider in determining how to regulate a chemical substance that presents an unreasonable risk as determined in EPA’s risk evaluation.

Senate Democratic negotiators clarify that sections 6(c)(2)(A)(i) and (ii) do not require EPA to conduct a second risk evaluation-like analysis to identify the specified information, but rather, can satisfy these requirements on the basis of the conclusions regarding the chemical’s health and environmental effects and exposures in the risk evaluation itself.

The scope of the statement EPA is required to prepare under clauses (i)–(iv) is bounded in two important respects. First, it is to be based on information reasonably available to EPA, and hence does not require new information collection or development. Second, EPA’s consideration of costs and benefits and cost-effectiveness is limited to the requirements of the rule itself and the 1 or more “primary” alternatives it considered, not every possible alternative. The role of the statement required under subparagraph (c)(2)(A) in selecting the restrictions to include in its rule is delineated in subparagraph (c)(2)(B). Under this provision, EPA must “factor in” the considerations described in the statement “to the extent practicable” and “in accordance with subsection (a).” As revised, subsection (a) deletes the paralyzing “least burdensome” requirement in the existing law and instructs that EPA’s rule must ensure that the chemical substance or mixture “no longer presents” the unreasonable risk identified in the risk evaluation. Thus, it is clear that the considerations in the statement required under subparagraph (c)(2)(A) do not require EPA to demonstrate benefits outweigh costs, to definitively determine or select the least-cost alternative, or to select an option that is demonstrably cost-effective or is the least burdensome adequately protective option. Rather, it requires only that EPA take into account the specified considerations in deciding among restrictions to impose, which must be sufficient to ensure that the subject chemical substance no longer presents the unreasonable risk EPA has identified. The Frank R. Lautenberg Chemical Safety for the 21st Century Act clearly rejects the regulatory approach and framework that led to the failed asbestos ban and phase-out rule of 1989 in *Corrosion Proof Fittings v. EPA* 947 F.2d 1201 (5th Cir. 1991).

10. “MINIMUM” LABELING REQUIREMENTS

Section 6(a) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, ensures that the requirements EPA can impose to address an unreasonable risk to health or the environment include requiring “clear and adequate minimum” warnings. The addition of the word “minimum” was intended to avoid the sort of litigation that was undertaken in *Wyeth v. Levine*, 555 U.S. 555 (2009), when a plaintiff won a Supreme Court decision after alleging that the harm she suffered from a

drug that had been labeled in accordance with FDA requirements had nevertheless been inadequately labeled under Vermont law. This ensures that manufacturers or processors of chemical substances and mixtures can always take additional measures, if in the interest of protecting health and the environment, it would be reasonable to do so.

11. CRITICAL USE EXEMPTIONS

Section 6(g) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, authorizes EPA to exempt specific conditions of use from otherwise applicable section 6(a) rule requirements, if EPA makes specified findings. Section 6(g)(4) in turn requires EPA to include in such an exemption conditions that are “necessary to protect health and the environment while achieving the purposes of the exemption.” It is Congress’ intent that the conditions EPA imposes will protect health and the environment to the extent feasible, recognizing that, by its nature, an exemption will allow for activities that present some degree of unreasonable risk.

12. REGULATORY COMPLIANCE

Several sections of the Frank R. Lautenberg Chemical Safety for the 21st Century Act clarify the Congressional intent that compliance with federal EPA standards, rules or other requirements shall not preclude liability in circumstances where a reasonable manufacturer or processor or distributor of a chemical substance or mixture could or should have taken additional measures or precautions in the interest of protecting public health and the environment.

13. TSCA AS THE PRIMARY STATUTE FOR THE REGULATION OF TOXIC SUBSTANCES

EPA’s authorities and duties under section 6 of TSCA have been significantly expanded under the Frank R. Lautenberg Chemical Safety for the 21st Century Act, now including comprehensive deadlines and throughput expectations for chemical prioritization, risk evaluation, and risk management. The inter-agency referral process and the intra-agency consideration process established under Section 9 of existing TSCA must now be regarded in a different light since TSCA can no longer be construed as a “gap-filler” statutory authority of last resort. The changes in section 9 are consistent with this recognition and do not conflict with the fundamental expectation that, where EPA concludes that a chemical presents an unreasonable risk, the Agency should act in a timely manner to ensure that the chemical substance no longer presents such risk. Thus, once EPA has reached this conclusion, Section 9(a) is not intended to supersede or modify the Agency’s obligations under Sections 6(a) or 7 to address risks from activities involving the chemical substance, except as expressly identified in a section 9(a) referral for regulation by another agency which EPA believes has sufficient authority to eliminate the risk and where the agency acts in a timely and effective manner to do so.

Regarding EPA’s consideration of whether to use non-TSCA EPA authorities in order to address unreasonable chemical risks identified under TSCA, the new section 9(b)(2) merely consolidates existing language which was previously split between section 6(c) and section 9(b). It only applies where the Administrator has already determined that a risk to health or the environment associated with a chemical substance or mixture could be eliminated or reduced to a sufficient extent by additional actions taken under other EPA authorities. It allows the Administrator

substantial discretion to use TSCA nonetheless, and it certainly does not reflect that TSCA is an authority of last resort in such cases. Importantly, the provision adds a new qualification, not in original TSCA, that the required considerations are to be “based on information reasonably available to the Administrator” to ensure that such considerations do not require additional information to be collected or developed. Furthermore, none of these revisions were intended to alter the clear intent of Congress, reflected in the original legislative history of TSCA, that these decisions would be completely discretionary with the Administrator and not subject to judicial review in any manner.

14. DISCLOSURE OF CONFIDENTIAL BUSINESS INFORMATION

S. 697 as passed by the Senate included several requirements as amendments to sections 8 and 14 of existing TSCA that direct EPA to “promptly” make confidential business information public when it determines that protections against disclosure of such information should no longer apply. The Frank R. Lautenberg Chemical Safety for the 21st Century Act instead directs EPA to remove the protections against disclosure when it determines that they should no longer apply. Because EPA informed Senate negotiators that its practice is to promptly make public information that is no longer protected against disclosure, we see no difference or distinction in meaning between the language in S. 697 as passed and the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and expect EPA to continue its current practice of affirmatively making public information that is not or no longer protected from disclosure as expeditiously as possible.

Subsection 14(d)(9) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, further clarifies the Congressional intent that any information required pursuant to discovery, subpoena, court order, or any other judicial process is always allowable and discoverable under State and Federal law, and not protected from disclosure.

15. CHEMICAL IDENTITY

Section 14(b)(2) of the bill retains TSCA’s provision making clear that information from health and safety studies is not protected from disclosure. It also retains TSCA’s two existing exceptions from disclosure of information where health and safety studies: for information where disclosure would disclose either how a chemical is manufactured or processed or the portion a chemical comprises in a mixture. A clarification has been added to the provision to note explicitly that the specific identity of a chemical is among the types of information that need not be disclosed, when disclosing health and safety information, if doing so would also disclose how a chemical is made or the portion a chemical comprises in a mixture. This clarification does not signal any Congressional intent to alter the meaning of the provision, only to clarify its intent.

16. “REQUIREMENTS”

Subsection 5(i)(2) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act clarifies the Congressional intent to ensure that state requirements, including legal causes of action arising under statutory or common law, are not preempted or limited in any way by EPA action or inaction on a chemical substance.

Subsection 6(j) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, clarifies the Congress-

sional intent to ensure that state requirements, including legal causes of action arising under statutory or common law, are not preempted or limited in any way by EPA action or inaction on a chemical substance.

17. STATE-FEDERAL RELATIONSHIP

Sections 18(a)(1)(B) and 18(b)(1) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, refer to circumstances under which a state may not establish or continue to enforce a “statute, criminal penalty, or administrative action” on a chemical substance. Section 18(b)(2) states that “this subsection does not restrict the authority of a State or political subdivision of a State to continue to enforce any statute enacted, criminal penalty assessed, or administrative action taken”. In an email transmitted by Senate Republican negotiators at 11:45 AM on May 23, 2016, the Senate requested that House Legislative Counsel delete the word “assessed,” but this change was not made in advance of the 12 PM deadline to file the bill text with the House Rules Committee. The Senate’s clear intent was not to change or in any way limit the meaning of the phrase “criminal penalty” in section 18(b)(2).

Section 18(d)(I) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, references “risk evaluations” on chemical substances that may be conducted by states or political subdivisions of states with the clear intent to describe the circumstances in which such efforts would not be preempted by federal action. The term “Risk Evaluation” may not be universally utilized in every state or political subdivision of a state, but researching each analogous term used in each state or political subdivision of a state in order to explicitly list it was neither realistic nor possible. The use of this term is not intended to be in any way limiting.

Section 18(d)(1)(A)(ii) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, fully preserves the authority of states or political subdivisions of states to impose “information obligation” requirements on manufacturers or processors with respect to chemicals they produce or use. The provision cites examples of such obligations: reporting and monitoring or “other information obligations.” These may include, but are not limited to, state requirements related to information, such as companies’ obligations to disclose use information, to provide warnings or to label products or chemicals with certain information regarding risks and recommended actions to reduce exposure or environmental release.

Section 18(d)(2) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, specifies that nothing in this section shall modify the preemptive effect of any prior rule or order by the Administrator prior to the effective date, responding to concerns that prior EPA action on substances such as polychlorinated biphenyls would be potentially immunized from liability for injury or harm.

Section 18(e) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, grandfathers existing and enacted state laws and regulatory actions, and requirements imposed now or in the future under the authority of state laws that were in effect on August 31, 2003.

Section 18(f) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, provides discretionary and mandatory waivers which exempt regulatory action by states and their political subdivisions from any federal preemptive effect. In particular, Subsection 18(f)(2)(B)

specifies that, where requested, EPA shall grant a waiver from preemption under subsection (b) upon the enactment of any statute, or the proposal or completion of a preliminary administrative action, with the intent of prohibiting or otherwise restricting a chemical substance or mixture, provided these actions occur during the 18-month period after EPA initiates the prioritization process and before EPA publishes the scope of the risk evaluation for the chemical substance (which cannot be less than 12 months after EPA initiates the prioritization process).

Section 18(g) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, specifies that no preemption of any common law or statutory causes of action for civil relief or criminal conduct shall occur, and that nothing in this Act shall be interpreted as dispositive or otherwise limiting any civil action or other claim for relief. This section also clarifies the Congressional intent to ensure that state requirements, including legal causes of action arising under statutory or common law, are not preempted or limited in any way by EPA action or inaction on a chemical substance. This section further clarifies Congress' intent that no express, implied, or actual conflict exists between any federal regulatory action and any state, federal, or maritime tort action, responding to the perceived conflict contemplated in *Geier v. American Honda Motor Co.*, 529 U.S. 861 (2000) and its progeny.

18. FEES

Fees under section 26(b), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, are authorized to be collected so that 25% of EPA's overall costs to carry out section 4, 5, and 6, and to collect, process, review, provide access to and protect from disclosure information, are defrayed, subject to a \$25,000,000 cap (that itself can be adjusted for inflation or if it no longer provides 25% of EPA's costs listed above). While the collection of fees is tied to the submission of particular information under sections 4 and 5 or the manufacturing or processing of a particular chemical substance undergoing a risk evaluation under section 6, in general the use of these fees is not limited to defraying the cost of the action that was the basis for payment of the fee. The exception to this general principle is for fees to defray the cost of conducting manufacturer requested risk evaluations, which are independent of the \$25 million cap or 25% limit. These must be spent on the particular risk evaluation that was the basis for payment of the fee. This limitation applies only to the fee collected for the purpose of conducting the risk evaluation and does not prevent EPA from collecting further fees from such persons for other purposes for which payment of fees are authorized under the section. For example, if a manufacturer-requested risk evaluation later leads to risk management action, EPA may assign further fees to manufacturers and processors of that substance, subject to the \$25,000,000 cap and the requirement to not exceed 25% of overall program costs for carrying out sections 4, 5, and 6, and to collect, process, review, provide access to and protect from disclosure information.

We also note that some have raised the possibility that section 26(b)(4)(B)(i)(I), as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, could be read to exclude the cost of risk evaluations, other than industry-requested risk evaluations, from the costs that can be covered by

fees. This was not the intent and is not consistent with the statutory language. As clearly indicated in section 26(b)(1), the amended law provides that manufacturers and processors of chemicals subject to risk evaluations be subject to fees, and that fees be collected to defray the cost of administering sections 4, 5, and 6, and of collecting, processing, reviewing and providing access to and protecting from disclosure information. Risk evaluations are a central element of section 6. And as demonstrated by section 6(b)(4)(F)(i), the intent of the bill is that the EPA-initiated risk evaluations be defrayed at the 25% level (subject to the \$25,000,000 cap), in contrast to the industry-initiated evaluations, which are funded at the 50% or 100% level. The final citation in section 26(b)(4)(B)(i) should be read as section 6(b)(4)(C)(ii), as it is in section 6(b)(4)(F)(i), not to section 6(b) generally.

19. SCIENTIFIC STANDARDS

The term "weight of evidence" refers to a systematic review method that uses a pre-established protocol to comprehensively, objectively, transparently, and consistently, identify and evaluate each stream of evidence, including strengths, limitations, and relevance of each study and to integrate evidence as necessary and appropriate based upon strengths, limitations, and relevance.

This requirement is not intended to prevent the Agency from considering academic studies, or any other category of study. We expect that when EPA makes a weight of the evidence decision it will fully describe its use and methods.

20. PARTIAL RISK EVALUATIONS

Section 26(1)(4) of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, states

"(4) CHEMICAL SUBSTANCES WITH COMPLETED RISK ASSESSMENTS.—With respect to a chemical substance listed in the 2014 update to the TSCA Work Plan for Chemical Assessments for which the Administrator has published a completed risk assessment prior to the date of enactment of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the Administrator may publish proposed and final rules under section 6(a) that are consistent with the scope of the completed risk assessment for the chemical substance and consistent with other applicable requirements of section 6."

EPA has completed risk assessments on TCE, NMP, and MC, but has not yet proposed or finalized section 6(a) rules to address the risks that were identified. The risk assessments for these chemicals were not conducted across all conditions of use. During the bi-cameral negotiations, EPA expressed the view that, rather than reexamine and perhaps broaden the scope of these assessments, it is better to proceed with proposed and final rules on the covered chemicals to avoid any delay in the imposition of important public health protections that are known to be needed. Congress shared these concerns. The language House-Senate negotiators included above is intended to allow EPA to proceed with the regulation of these substances if the scope of the proposed and final rules is consistent with the scope of the risk assessments conducted on these substances.

21. SNURS FOR ARTICLES

Section 5(a)(5) addresses the application of significant new use rules (SNURs) to articles or categories of articles containing substances of concern. It provides that in promulgating such SNURs, EPA must make "an affirmative finding . . . that the reasonable

potential for exposure to the chemical substance through the article or category of articles subject to the rule justifies notification." This language clarifies that potential exposure is a relevant factor in applying SNURs to articles. Exposure is a relevant factor in identifying other significant new uses of a chemical substance as well. It is not intended to require EPA to conduct an exposure assessment or provide evidence that exposure to the substance through the article or category of articles will in fact occur. Rather, since the goal of SNURs is to bring to EPA's attention and enable it to evaluate uses of chemicals that could present unreasonable risks, a reasonable expectation of possible exposure based on the nature of the substance or the potential uses of the article or category of articles will be sufficient to "warrant notification." EPA has successfully used the SNUR authority in the existing law to provide for scrutiny of imported articles (many of which are widely used consumer products) that contain unsafe chemicals that have been restricted or discontinued in the U.S. and it's critical that SNURs continue to perform this important public health function under the amended law.

22. COMPLIANCE DEADLINES

The amended law expands on existing section 6(d) by providing that rules under section 6 must include "mandatory compliance dates." These dates can vary somewhat with the type of restriction being imposed but, in general, call for compliance deadlines that "shall be as soon as practicable, but not later than 5 years after the promulgation of the rule." While EPA could in unusual circumstances delay compliance for as long as five years, this should be the exception and not the norm. To realize the risk reduction benefits of the rule, it is expected that compliance deadlines will be as soon as practicable after the rule's effective date as directed in new paragraph 6(d)(1).

Senator Barbara Boxer, Ranking Member, Environment and Public Works Committee.

Senator Edward J. Markey, Ranking Member, Subcommittee on Superfund, Waste Management and Regulatory Oversight, Environment and Public Works Committee, and cosponsor, Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Senator Tom Udall, lead Democratic author and sponsor, Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Senator Jeffrey A. Merkley, cosponsor, Frank R. Lautenberg Chemical Safety for the 21st Century Act.

Mr. MERKLEY. I yield the floor.

Mrs. GILLIBRAND. Mr. President, I know that everyone here shares a desire to fix our chemical safety law, the Toxic Substances Control Act, and I appreciate the years of hard work that my colleagues, starting with the late Senator from New Jersey, Frank Lautenberg, put in to try to make this bill the best bipartisan compromise it could be.

So many parts of this bill strengthen the standards and review process for chemicals, and I am pleased that we will finally be able to effectively regulate chemicals on a Federal level.

However, there is one part of the bill that still concerns me: the preemption of State laws.

Right now, a number of States, including New York, have taken the lead in chemical safety and have set standards for their own citizens that are higher than the standards set by the EPA.

These State actions have brought the chemical companies to the table to finally create a strong federal system for reviewing chemicals for safety.

But this bill would significantly limit the rights of individual States to set their own chemical safety standards from this day forward.

It would prevent a State from regulating or enforcing regulations on a chemical if the EPA is studying but has not yet ruled on the safety of that chemical.

But the EPA's review process can take far longer than a State's review process.

As a result, if a Governor or a State legislature wanted to develop their own rules to protect their citizens from a particular chemical that they knew was toxic and posing an imminent threat, their hands would be tied because of this law, and it would be left to the EPA to determine whether the State's science is valid.

Why would we take away this right from our States?

The only recourse for States is a burdensome waiver process that does not guarantee that a State will prevail in obtaining a waiver to continue to protect the health of its families. That is not enough.

When it comes to protecting public health, I firmly believe that Federal laws should set a floor, not a ceiling, and States should continue to have the right to protect their citizens from toxic chemicals—especially while they wait for the EPA to complete their own lengthy studies.

No State should be prevented from acting to protect the health and safety of its people when the Federal Government fails to act.

No State should be prevented from banning a dangerous chemical, simply because the EPA is taking time to review the substance.

So despite all the hard work of my colleagues and the progress that has been made, I cannot vote to undermine my State's ability to protect our constituents, and I will vote no on this bill.

Thank you.

CONGRESSIONAL INTENT BEHIND SPECIFIC
PROVISIONS OF THE BILL

Mr. INHOFE. Senator VITTER and I rise today to discuss a few provisions in the bill with the desire of clarifying what the Congressional intent was behind specific provisions of the legislation. Senator VITTER, I would like to start with a question to you on the purpose of the term "conditions of use" and how that term is supposed to be applied by EPA in risk evaluations?

Mr. VITTER. Thank you Senator INHOFE. There are many important pro-

visions of this law and I think clarifying what Congress intended is very important to ensure the legislative intent is understood and followed. To specifically address your first question, the term "conditions of use" is specifically defined as 'the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.' The conditions of use of a chemical substance drive the potential for exposure to a chemical. Exposure potential, when integrated with the hazard potential of a chemical, determines a chemical's potential for risk. So EPA's understanding of a chemical's conditions of use—and importantly it is the circumstances 'the Administrator' determines—will be critical to EPA's final determination of whether a chemical is safe or presents an unreasonable risk that must be controlled. Finally, to address your question of how this is supposed to be applied by EPA in risk evaluations, it is important to note that many TSCA chemicals have multiple uses—industrial, commercial and consumer uses. EPA has identified subcategories of chemical uses for regular chemical reporting requirements, so the Agency is well aware that some categories of uses pose greater potential for exposure than others and that the risks from many categories of uses are deemed negligible or already well controlled. The language of the compromise makes clear that EPA has to make a determination on all conditions of use considered in the scope but the Agency is given the discretion to determine the conditions of use that the Agency will address in its evaluation of the priority chemical. This assures that the Agency's focus on priority chemicals is on conditions of use that raise the greatest potential for risk. This also assures that the Agency can effectively assess and control priority chemicals and meet the new law's strict deadlines. Without this discretion to focus chemical risk assessments on certain conditions of use, the Agency's job would be more difficult.

Mr. INHOFE. Thank you, Senator VITTER. That response raised an interesting follow up question I would like to ask. If EPA's final Section 6(a) risk management rule includes a restriction or prohibition on some of the conditions of use identified in EPA's scope of the risk evaluation, but not all of them, is it final agency action as to those other conditions of use?

Mr. VITTER. That is a very important question and the clear intent of Congress is the answer is yes. This is because, to be legally sufficient according to EPA's own technical assistance, EPA's Section 6(a) rule must ensure that the chemical substance or mixture no longer presents an unreasonable

risk. A Section 6(i) order, determining that a chemical substance does not present an unreasonable risk under conditions of use, is similarly final Agency action applicable to all those conditions of use that were identified in the scope of EPA's risk evaluation on the chemical substance. To be clear, every condition of use identified by the Administrator in the scope of the risk evaluation must, and will be either found to present or not present an unreasonable risk.

Mr. INHOFE, this brings me to a question on the testing EPA has the authority require manufacturers to conduct under this compromise. One of the major flaws in TSCA is the so-called 'catch 22' under which EPA cannot require testing of chemicals without first making a finding that the chemical may present an unreasonable risk. In TSCA's history, EPA has been able to make that finding only for about 200 chemicals. Does the compromise remedy that provision of TSCA?

Mr. INHOFE. It is clear that the compromise directs EPA to systematically evaluate more chemicals than ever before. To help the Agency meet that objective, the compromise does two things. First, EPA can issue a test rule or order if it finds that a chemical substance may present an unreasonable risk to human health or the environment. In this case, an EPA order would be a final agency action subject to judicial review. EPA would be well-advised to consider the practice of issuing a 'statement of need' similar to that required under section 4(a)(3) when using this authority.

The section also provides EPA discretionary authority to require testing—by rule, order or consent agreement—when EPA determines that new information is necessary to review a premanufacture notice under section 5, to conduct a risk evaluation under section 6, or to implement rules or orders under those sections. The compromise also recognizes that EPA may need new information to prioritize a chemical substance for review, to assess certain exports, and at the request of another federal agency. To use this discretionary order authority, EPA must issue a 'statement of need' that explains the need for new testing/exposure information. It must describe how available information has informed the decision to require new information, whether vertebrate animal testing is needed, and why an order is preferred to a rule.

Section 4 of the compromise also requires EPA to use 'tiered' screening and testing processes. This means EPA must require less expensive, less complex screening tests to determine whether higher level testing is required. This is an efficient approach to testing chemicals that is based on EPA experience in other testing programs. Tiered testing will also help assure

that EPA is meeting the objective to minimize animal testing that is set out in the compromise.

Finally, section 4 prohibits the creation of a 'minimum information requirement' for the prioritization of chemicals. That is a very important provision that should be applied to any and all testing by the Agency regardless of which authority it uses.

Senator VITTER, in addition to new testing authorities the bill also makes changes to TSCA in the new chemicals program under section 5 which has been largely viewed as one of the major strengths of existing law. It has been credited with spurring innovation in chemistry used for new products and technologies throughout the value chain. The industry we're regulating in TSCA is highly innovative: 17 percent of all US patents are chemistry or chemistry related. Clearly Congress has an interest in preserving the economic engine that is the business of U.S. chemistry, while ensuring that EPA appropriately reviews new chemical substances and significant new uses. How does the compromise balance these interests?

Mr. VITTER. Protecting innovation and not materially altering the new chemicals process was a critical part of the final compromise. Every effort was made to ensure EPA has the right tools to review new chemical substances but the amendments to this section were intended to conform closely with EPA's current practice and maintain the Agency's timely reviews that allow substances to market within the statutory deadlines. First, the compromise retains the 90-day review period for EPA to make a risk-based decision on a new chemical, without consideration of costs or other non-risk factors. Second, when EPA does not have the information sufficient for the evaluation of a new chemical, or when EPA determines that a new chemical may present an unreasonable risk, the compromise requires EPA regulate the new chemical to the extent necessary to protect against unreasonable risk. Once sufficient information is available, of course, EPA must make a decision. These requirements largely reflect EPA's practice today, under which EPA can allow the new chemical on the market but with limits. Finally, if EPA determines that a new chemical is not likely to present an unreasonable risk, EPA must make a statement to that effect before the end of the 90 day period. This provision ensures that chemicals considered not likely to pose an unreasonable risk are not delayed in getting to market.

Importantly, EPA would not stop reviewing new chemical notices while it develops any policies, procedures and guidance needed to implement these new provisions in Section 5. The compromise is very clear: EPA should not stop or slow its review of new chemi-

cals while it develops any needed new policies procedures or guidance for Section 5. Also by amending Section 5 to require EPA make an affirmative finding before manufacturing or processing of a substance may commence, Congress did not intend to trigger the requirements of any other environmental laws. This again maintains the consistency with how EPA currently administers the new chemicals program under existing law.

Senator INHOFE, this leads me to another question on a provision that is rather technical and has been misunderstood by many and that is nomenclature. After the TSCA Inventory was established in 1979, questions arose about the appropriate chemical 'nomenclature' to be used to list these chemical substances. EPA addressed many of these questions in a series of guidance documents. The compromise includes a provision on nomenclature. What is this provision intended to do?

Mr. INHOFE. Thank you, Senator VITTER. These provision are very important to many major domestic producers including manufacturers of products like glass, steel, cement, along with domestic energy producers across the country. The chemical nomenclature provision in section 8 of the compromise addresses several issues critical to the efficient functioning of the new chemical regulatory framework.

For the purposes of the TSCA Inventory, a single, defined molecule is simple to name. For example, ethanol is a Class 1 chemical on the TSCA Inventory. Its identity does not depend on how it is made. Since one ethanol is chemically the same as another ethanol, a new producer of ethanol can use the existing ethanol chemical listed on the TSCA Inventory. For other substances known as Class 2 chemicals, nomenclature is more complex. For those substances, the name of the substance typically includes either—or both—The source material and the process used to make it. The compromise requires EPA to maintain the Class 2 nomenclature system, as well as certain nomenclature conventions in widespread use since the early days of TSCA.

The compromise also directs EPA to continue to recognize the individual members of categories of chemical substances as being on the TSCA inventory. The individual members of these categories are defined in inventory descriptions developed by EPA. In addition, the compromise permits manufacturers or processors to request that EPA recognize a chemical substance currently identified on the TSCA Inventory under multiple nomenclatures as 'equivalents.'

Importantly, the equivalency provision relates only to chemical substances that are already on the TSCA Inventory. Although the equivalency

provision specifically references substances that have Chemical Abstract Service (CAS) numbers, EPA could usefully apply an equivalency approach to substances on the Inventory that do not have CAS numbers as well, such as for naturally-occurring substances.

Now, Senator VITTER, once a chemical is on the inventory, information about the substance that is provided to EPA often contains sensitive proprietary elements that need protecting. There has been a significant debate in recent years regarding the protection from public disclosure of a confidential chemical identity provided in a health and safety study under TSCA section 14(b). Although new section 14(b) is substantially similar to the existing statute, what is the intent behind the additional language related to formulas?

Mr. VITTER. It was the Congressional intent of the legislation to balance the need to ensure public access to health and safety studies with the need to protect from public disclosure valuable confidential business information (CBI) and trade secrets that are already exempt from mandatory disclosure under the Freedom of Information Act. Striking the appropriate balance between public disclosure on the one hand, and the protection of a company's valuable intellectual property rights embodied in CBI and trade secrets on the other hand, is essential to better informing the public regarding decisions by regulatory authorities with respect to chemical, while encouraging innovation and economic competitiveness.

The compromise retains the language of existing section 14(b) to make clear that the Administrator is not prohibited from disclosing health and safety studies, but that certain types of CBI and trade secrets disclosed within health and safety studies must always be protected from disclosure. The new, additional language in this section is intended to clarify that confidential chemical identities—which includes chemical names, formulas and structures—may themselves reveal CBI or trade secret process information. In such cases, the confidential chemical identity must always be protected from disclosure. The new language is not limiting; it makes clear that any other information that would reveal proprietary or trade secret processes is similarly protected. In other cases involving confidential chemical identities, EPA should continue to strike an appropriate balance between protection of proprietary CBI or trade secrets, and ensuring public access to health and safety information.

In addition to the protection of confidential information, another critically important provision in the deal was preemption. Senator Inhofe could you describe how the compromise address the relationship between State

governments and the Federal government?

Mr. INHOFE. As we all recognize, the preemption section of this bill was the most contentious issue of the negotiations as well as the most important linchpin in the final deal. The compromise includes several notable provisions. First, it is clear that when a chemical has undergone a risk evaluation and determined to pose no unreasonable risk, any state chemical management action to restrict or regulate the substance is preempted. This outcome furthers Congress's legislative objective of achieving uniform, risk-based chemical management nationally in a manner that supports robust national commerce. Federal determinations reached after the risk evaluation process that a chemical presents no significant risk in a particular use should be viewed as determinative and not subject to different interpretations on a state-by-state or locality-by-locality basis. Further, under the new legislation, EPA will make decisions based on conditions of use, and must consider various conditions of use, so there could be circumstances where EPA determines that a chemical does not present an unreasonable risk in certain uses, but does in others. Preemption for no significant risk determinations would apply as these determinations are made on a use-by-use basis.

Second, to promote the engagement of all stakeholders in the risk evaluation process—including State governments—the compromise creates a temporary preemption period for identified high priority chemicals moving through EPA's risk evaluation process. The period only runs from the time EPA defines the scope of the evaluation to the time that EPA finishes the evaluation, or the agency deadline runs out. It does not apply to the first 10 TSCA Work Plan chemicals the EPA reviews, and it does not apply to manufacturer-requested risk evaluations. It does apply to any and all other chemical substances EPA chooses to review through a risk evaluation. States with compelling circumstances can request and be granted a waiver by EPA. These waiver and scope limitations ensure that the pause has its intended effect—to ensure that there is one, comprehensive, nationally-led risk evaluation occurring at a time, allowing EPA and affected manufacturers to focus on and complete the work on a timely basis, and to ensure a uniform and consistent federal approach to risk evaluation and risk management.

Senator VITTER, despite the fact that this law regulates products in commerce and Congress has the authority and Constitutional duty to protect interstate commerce, efforts were made to give States a role in this process, and even to get waivers from preemption where State actions are ade-

quately justified. It should be noted that nothing precludes State action on chemical substances that are not the subject of an EPA risk evaluation or decision. There is also nothing in the compromise that precludes states from offering opinions, advice, or comment during the risk evaluation process. The risk evaluation process anticipates numerous opportunities for public comment. It is our hope that States with an interest in a particular chemical substance will in fact bring forward relevant scientific information on chemical hazards, uses and exposures to inform an effective federal decision. This will ensure that EPA is making the most informed decisions for the citizens of the United States as a whole, rather than one State affording protection to only a fraction of the country.

Senator VITTER, before we conclude our discussion on preemption, I would like to ask you to help clarify the intent of the preemption provision as it relates to actions taken prior to enactment of the Frank Lautenberg bill.

Mr. VITTER. Thank you, Senator INHOFE, for those important clarifications to preemption and for another question that is very important to clarify in order to capture the full congressional intent of the bills preemption section. This Act is intended to change the preemption provisions of TSCA only with respect to regulations promulgated and actions taken under this Act after its effective date. This Act is not intended to alter any preemptive effect on common law or state positive law of regulations promulgated or administrative actions taken under preexisting authorities, and is not intended to make any statement regarding legal rights under preexisting authorities, including TSCA sections 6 and 17 in effect prior to the effective date of this Act.

Mr. INHOFE. I appreciate your clarification on the intent of an important aspect of preemption under this act and also wanted to follow up with a question on judicial review. Specifically, what changes to TSCA's judicial review provisions have been made in the compromise?

Mr. VITTER. When TSCA was first enacted in 1976, the Act created a higher level of judicial review for certain rulemakings that would restrict chemicals in commerce. Congress took this approach because it wanted to ensure that rulemakings that would directly affect commerce by imposing restrictions on chemicals would be well supported with substantial evidence. The substantial evidence standard requires an agency rule to be supported by substantial evidence in the rulemaking record taken as a whole. The compromise legislation makes no changes to the process for judicial review of rulemakings or the standard of review.

The compromise now provides EPA with expanded authority to pursue cer-

tain administrative actions by order in addition to by rule. This new order authority is intended to allow EPA greater flexibility to move quickly to collect certain information and take certain actions. It is intended that an agency order constitute final agency action on issuance and be subject to judicial review. Orders under Sections 4, 5, and 6 of TSCA constitute final agency action on issuance, and continue to be reviewed under the standards established by the Administrative Procedures Act. The intention is that regulatory actions that result in total or partial bans of chemicals, regardless of whether such action is by rule or order authority, be supported by substantial evidence in the rulemaking record taken as a whole.

Senator INHOFE, before we are done I think there are a few other sections of the bill that have been less discussed and would be important to touch on. The first is Section 9 of TSCA which discusses the relationship between this and other laws. Could you please speak to what the intent of this bill with regards to Section 9 is?

Mr. INHOFE. The Senate Report language states that section 9 of TSCA provides EPA with discretionary authority to address unreasonable risks of chemical substances and mixtures under other environmental laws. "For example, if the Administrator finds that disposal of a chemical substance may pose risks that could be prevented or reduced under the Solid Waste Disposal Act, the Administrator should ensure that the relevant office of the EPA receives that information."

Likewise, the House Report on section 9 of TSCA states: "For example, if the Administrator determines that a risk to health or the environment associated with disposal of a chemical substance could be eliminated or reduced to a sufficient extent under the Solid Waste Disposal Act, the Administrator should use those authorities to protect against the risk."

This act states in new section 9(a)(5) of TSCA that the Administrator shall not be relieved of any obligation to take appropriate action to address risks from a chemical substance under sections 6(a) and 7, including risks posed by disposal of the chemical substance or mixture. Consistent with the Senate and House reports, this provision means that the Administrator should use authorities under the other laws such as the Solid Waste Disposal Act to prevent or reduce the risks associated with disposal of a chemical substance or mixture.

Senator VITTER, I know another section that is very important to you is the language around sound science and we all know you have worked to ensure that this bill fixes the scientific concerns of the National Academy of Science and other scientific bodies who have raised concerns with the way EPA

has reviewed chemicals in the past. Could you please discuss the Congressional intent of the bills science provisions?

Mr. VITTER. Thank you Senator INHOFE, the sound science provisions were a critical part of TSCA reform in my opinion and I hope this bill serves as a model for how to responsibly reform other laws administered by EPA and other Federal Agencies that are tasked to make decisions based on science. For far too long Federal agencies have manipulated science to fit predetermined political outcomes, hiding information and underlying data, rather than using open and transparent science to justify fair and objective decision making. This Act seeks to change all of that and ensure that EPA uses the best available science, bases scientific decisions on the weight of the scientific evidence rather than one or two individual cherry-picked studies, and forces a much greater level of transparency that forces EPA to show their work to Congress and the American public.

Congress recognized the need to use available studies, reports and recommendations for purposes of chemical assessments rather than creating them from whole cloth. We do believe, however, that the recommendations in reports of the National Academy of Sciences should not be the sole basis of the chemical assessments completed by EPA. Rather, the EPA must conduct chemical assessments consistent with all applicable statutory provisions and agency guidelines, policies and procedures. Further, in instances where there were other studies and reports unavailable at the time of the NAS recommendations, EPA should take advantage of those studies and reports in order to ensure that the science used for chemical assessments is the best available and most current science.

Mr. INHOFE. Thank you for clarifying the Congressional intent of the important science provisions in this bill. I wanted to ask you one final question that is another key element to reforming this outdated law. It should be clear to all that H.R. 2576 attempts to ensure that the Environmental Protection Agency takes the possible exposures to sensitive subpopulations into account when prioritizing, assessing and regulating high priority chemical substances. The goal, of course, is to ensure that factors that may influence exposures or risk are considered as the Agency assesses and determines the safety of chemical substances.

A concern, however, could be that the language regarding sensitive subpopulations may be read by some to promote the concept of "low dose linearity" or "no threshold" for many chemicals, including substances that are not carcinogens. This concept has not been firmly established in the scientific community. Does H.R. 2576 address this concern?

Mr. VITTER. That is an important question Senator INHOFE and I appreciate the opportunity to clarify. The Lautenberg bill tries to address the concern about forcing paralysis by analysis in several ways. First, the bill establishes that "unreasonable risk under the conditions of use" as the safety standard to be applied by EPA. "Unreasonable risk" does not mean no risk; it means that EPA must determine, on a case-by-case basis, whether the risks posed by a specific high priority substance are reasonable in the circumstances of exposure and use. Second, the bill requires EPA to specifically identify the sensitive subpopulations that are relevant to and within the scope of the safety assessment and determination on the substance in question. At the same time, EPA should identify the scientific basis for the susceptibility, to ensure transparency for all stakeholders. In this way, the legislation affords EPA the discretion to identify relevant subpopulations but does not require—or expect—that all hypothetical subpopulations be addressed.

While a principle element of this compromise is including protections for potentially susceptible subpopulations to better protect pregnant women and children, a core of the bill since it was first introduced by Senator Lautenberg and I was never to require the national standard to be protective of every identified subpopulation in every instance. If a chemical substance is being regulated in a condition of use that we know has no exposure to a subpopulation, EPA should apply the "unreasonable risk" standard appropriately. In addition, it is clear that the concept of low dose linearity is not firmly established by the science, and the concept is not appropriate to apply as a default in risk evaluations.

Mr. INHOFE. Thank you very much for that explanation, Senator VITTER.

MERCURY-SPECIFIC PROVISIONS IN THE BILL

Mr. WHITEHOUSE. Mr. President, we rise to highlight two mercury-specific provisions—the creation of a mercury inventory and expansion of the export ban to certain mercury compounds—in the Frank R. Lautenberg Chemical Safety for the 21st Century Act that the Senate will approve tonight. These provisions are sections of the Mercury Use Reduction Act that we introduced in the 112th Congress with the late Senator Frank Lautenberg, after whom this legislation is named, and with then-Senator John Kerry. Senator LEAHY and Senator MERKLEY have been longtime partners in these efforts. Senator LEAHY was a leader in the Senate's consideration of a resolution of disapproval concerning the Bush administration's mercury rule. I yield to Senator LEAHY.

Mr. LEAHY. Mr. President, I thank Senator WHITEHOUSE. His leadership in this area has been paramount.

Under the mercury inventory provision, the EPA will be required to prepare an inventory of mercury supply, use, and trade in the United States every 3 years. Despite an EPA commitment in 2006 to collect this data, there is not yet any good data on mercury supply and uses in the United States. This lack of data has impacted our ability to reduce health risks from mercury exposure and would compromise our ability to comply with the Minamata Convention of Mercury, which will come into force next year and to which the U.S. Government has agreed to become a party. When preparing the inventory, EPA shall identify the remaining manufacturing and product uses in the United States and recommend revisions to federal laws or regulations for addressing the remaining uses. The term "revisions" in this provision includes both new laws or regulations or modifications to existing law.

To provide the data needed to compile the inventory, companies producing or importing mercury or mercury compounds or using mercury or mercury compounds will be required to report on this activity under a rule to be issued by the Administrator. To minimize any reporting burden, EPA must coordinate its reporting with State mercury product reporting requirements through the Interstate Mercury Education and Reduction Clearinghouse, IMERC. In addition, the provision excludes waste management activities already reported under the Resource Conservation and Recovery Act, RCRA, from this reporting, unless the waste management activity produces mercury via retorts or other treatment operations. A company engaged in both waste generation or management and mercury manufacture or use must report on the mercury manufacture and use activity, since that data would not be provided under the RCRA reporting. I yield to Senator MERKLEY.

Mr. MERKLEY. Mr. President, I thank Senator LEAHY.

The second mercury provision builds upon the Mercury Export Ban Act of 2008, expanding the export ban currently in effect for elemental mercury to certain mercury compounds previously identified by EPA or other regulatory bodies as capable of being traded to produce elemental mercury in commercial quantities and thereby undermine the existing export ban. The mercury compound export ban would go into effect in 2020, providing EPA and companies ample preparation time. An exemption is provided to allow the landfilling of these compounds in Canada, a member country to the Organization for Economic Co-operation and Development, OECD, with which we have a bilateral arrangement to allow these cross-border transfers. The export is only authorized for landfilling;

no form of mercury or mercury compound recovery, reuse, or direct use is permitted. EPA must evaluate whether such exports should continue within 5 years, in part based upon available domestic disposal options, and report to Congress on this evaluation so we may revise the law as needed. I have been happy to partner with Senator WHITEHOUSE and Senator LEAHY on these issues.

Mr. WHITEHOUSE. Mr. President, I thank Senator MERKLEY. We are pleased these provisions were included in a bill and believe it is fitting they are included in a package designed to protect the public from toxic chemicals, like mercury, and named after the late Frank Lautenberg, one of the original cosponsors of the Mercury Use Reduction Act.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, may I inquire as to how much time is remaining?

The PRESIDING OFFICER. There is 7½ minutes remaining.

Mr. WHITEHOUSE. I will yield the time.

The PRESIDING OFFICER. That is all the time remaining.

Mr. INHOFE. That is all the time remaining; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. I will not use 7½ minutes, but I will be using that after the vote. I do want to include one more person who has not been thanked, and that is Senator MCCAIN.

Right now we are in the middle of the must-pass bill every year, the Defense authorization bill. He was kind enough to allow us to work this in during his very busy schedule on this bill, which we are trying to get through this week. So I do thank him very much.

It is important, even though we thank the same people over and over again. When it gets to Dimitri, I am going to pronounce his name right, and I will be thanking him and several others. With that, I yield our time back.

I see the Senator from Massachusetts.

Mr. MARKEY. Will the Senator yield?

Mr. INHOFE. Of course.

Mr. MARKEY. I just want to once again compliment Senator INHOFE and Senator VITTER. It didn't have to wind up this way. It wound up this way because you reached across the aisle, because you ensured that all sides were given a fair hearing, and that at the end of the day there would be this result.

I have been doing this for 40 years. I have been on the Environment Committee for 40 years. This is not easy. From my perspective, it is historic and it is unprecedented in terms of ultimately how easy the Senator made this process. I was there at the table of

Superfund, Clean Air Act, all the way down the line. You—you, my friend, have distinguished yourself, and along with Senator VITTER you have made it possible for all of us to hold hands here as this historic bill tonight will pass on the Senate floor.

I just wanted to compliment the Senator.

Mr. INHOFE. I appreciate the remarks of the Senator from Massachusetts very much.

Mr. President, I yield back our time and ask for the vote.

The PRESIDING OFFICER. The question is on agreeing to the motion to concur.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me go through the list. As I made the statement, it is important that people recognize how long staff works around here. Quite frankly, I have often said, when they come around for a report from our committee—the Environment and Public Works Committee, the committee that has the largest jurisdiction in the entire U.S. Senate—we are the committee that gets things done.

If we look at the variety of philosophies that are present praising this work that is being done, we had the very most conservative to the very most progressive of Members, and it is not just this bill. We did the highway reauthorization bill, something that had to wait for about 8 years to get done, the largest one since 1998. We had the WRDA bill, which we anticipate is going to be a reality. It has come out of our committee. This committee also has jurisdiction over the Nuclear Regulatory Commission and then all of the public works. As my ranking member, Senator BOXER, has said several times during this process, we get things done.

Now, we do disagree on a lot of the issues on the environment. As I say to my good friends on the other side of the aisle, you have every right to be wrong, but we get things done, and I appreciate that very much.

Senator MCCAIN, I already thanked you for yielding to us to allow us to pass one of the most significant bills which we just passed by voice vote.

Mr. MCCAIN. I would be glad to be thanked again.

Mr. UDALL. I am ready to do that also, if the Senator will yield.

Mr. INHOFE. I yield the floor.

Mr. UDALL. Mr. President, I will just also—has the Senator finished?

I just wanted to say a few closing words and thank a few more people staying to the end, but of course the chairman needs to finish his remarks.

Mr. INHOFE. Let me just quickly say—because I do want to make sure we get on the record on this, Senators VITTER and UDALL, certainly the Senator from New Mexico. The way we have worked together is remarkable.

The Senator has brought in Bonnie to do the work she has done. I know she wanted to be here as we are voting on this bill, but it got down to do we want to get it done tonight or do we want to take a chance for later.

Dimitri Karakitsos, all these were working. Jonathan Black with Senator UDALL's office has been great, and Andrew Wallace so ably represented Senator UDALL in those negotiations. I thank Michal Freedhoff in Senator MARKEY's office for the hours of work he poured into this bill. I also thank Adrian Deveny with Senator MERKLEY for his work in these negotiations and Adam Zipkin representing Senator BOOKER. A special thanks goes to Bill Ghent and Emily Spain with Senator CARPER. Senator CARPER has not been mentioned much tonight, but he has been very active in getting this done. Emily Enderle with Senator WHITEHOUSE. Senators CARPER, WHITEHOUSE, MERKLEY, and BOOKER have been partners in getting this completed. Finally, I appreciate, as I have said many times before, Senator BOXER and her team, Bettina Poirier and Jason Albritton, for working with us in support of this bill. We have done not just this bill but a lot of bills in the committee, and these same characters keep coming up. So it is the staff who has driven this thing. I have to say, my chief of staff, the one most prominent on the committee, obviously did so much of the work on this. So, Ryan Jackson, you did a great job.

With that, I yield the floor.

Mr. UDALL. I thank the chairman. I just want to say to Chairman INHOFE, the bipartisanship he showed is incredible, and it showed what a significant accomplishment we could have.

I also want to thank so much Senator MCCAIN for allowing us to fit a little slice here in the middle of this very important bill, the NDAA, which I know he works on all year long. He does a terrific job. He allowed us to come in.

He knew my uncle, Mo Udall. They served together in the House. I said: I hope you will do this for Mo. He just got a very big smile on his face because he spent so much time with him.

Mr. INHOFE. Will the Senator yield?

Mr. UDALL. I will yield.

Mr. INHOFE. I saved one of the best for last, and that is Alex Herrgott. I neglected to mention him.

Mr. UDALL. Of course, Alex, thank you.

Mr. President, I ask unanimous consent to use enough time here to just get through my thank-yous.

The PRESIDING OFFICER. Without objection, it so ordered.

Mr. UDALL. The House and the Senate passed bills. We didn't actually go through conference committee, but we worked hard on those differences from late December through just a few weeks ago. We faced challenges working out a final agreement with the

House. We had two very different bills. Both had broad bipartisan support, but they took very different paths to fix our broken chemical safety program, but we worked through those issues too. Although this was not a formal conference, it was a true bicameral process with a lot of give-and-take. To that end, I want to ensure the record reflects a number of views that I and some of my colleagues have about the final product.

We are not filing a traditional conference report, but Senators BOXER, MARKEY, MERKLEY, and I have prepared a document to enshrine the views we have on the compromised language. That will be added to the RECORD for posterity on our final product.

I thank all of our Senate and House colleagues who were instrumental in pulling this together. Again, Chairman INHOFE was a driving force, and Senators VITTER, CRAPO, CAPITO, and Senators MERKLEY, MARKEY, and BOXER. Throughout this entire process, Ranking Member BOXER and I didn't always agree. We are of the same party, but we also have different opinions about the most important aspects of this legislation. I want to say I sincerely appreciate her work and advocacy, especially on State preemption. She is a force. All of my colleagues know that. She worked hard to improve this bill. The legislative process is an important one, and I believe it played out to a good resolution.

I also thank her and her staff, Bettina Poirier and Jason Albritton, for their dedication and work. Then, my staff members who have been mentioned here several times were crucial: Jonathan Black, Andrew Wallace, Mike Collins, Bianca Ortiz Wertheim, and all my staff who over these 3 years kicked in and helped out when the heavy burden was on the folks I have mentioned.

On the House side, I thank Chairman FRED UPTON, Subcommittee Chairman JOHN SHIMKUS, of course Leader PELOSI, Democrat Whip HOYER, Ranking Member PALLONE, and Representatives DEGETTE and GREEN. They all worked tirelessly to advocate for reform.

I would like to mention their staff members as well: Republican staff, Dave McCarthy, Jerry Couri, Tina Richardson, Chris Sarley, and the Democratic staff, Rick Kessler, Jackie Cohen, Tuley Wright, Jean Frucci, and especially Mary Frances Repko with Representative HOYER's office, and Eleanor Bastion and Sergio Espinosa with Representatives DEGETTE's and GREEN's offices. All these staff and so many more worked tirelessly to advocate for their members and shape and move this complex and important legislation, and of course my own staff and many more whom I did not mention, many Senate and House staff who have come and gone over the long process but played very important roles.

There are too many to try and list, but let me say thanks to the good folks at the House and Senate legislative counsel offices. Throughout this process, we used both offices a tremendous amount and appreciated their patience and good work, especially Michelle Johnson-Weider, Maureen Contreni, and Deanna Edwards at the Senate legislative counsel.

A law like this takes so much work from all these offices and staff. I know my own staff could not have possibly done it without the expertise and advice of the experts at the Environmental Protection Agency. Of course, Administrator Gina McCarthy and her top assistant, Administrator Jim Jones, deserve a great deal of gratitude for all they did to help support our efforts and ensure we got it right, and many congressional liaisons, program officers, and lawyers from the general counsel's office. My staff and others spent many evenings and weekends with EPA experts on calls to make sure we were getting the text right. Here are just a few: Wendy Cleland-Hamnet, Ryan Wallace, Priscilla Flattery, Kevin McLean, Brian Grant, David Berol, Laura Vaught, Nichole Distefano, Sven-Erik Kaiser, Tristan Brown, Ryan Schmit, Don Sadowsky, and Scott Sherlock. I thank them all and put them on alert: The real job for the EPA is only beginning.

I am about finished, Senator MARKEY.

Mr. MARKEY. One second. I just wanted to reinforce what the Senator just said. On the House side, FRED UPTON, FRANK PALLONE, NANCY PELOSI, and STENY HOYER, that incredible staff, Mary Frances Repko, over there, just indispensable. That is why it happened. It is bipartisan, bicameral.

I thank the Senator for yielding.

Mr. UDALL. I thank the Senator. He knows, because he has served so many years, how important it is to have good staff. I want to make sure we get them thanked here. I appreciate that.

Implementation of this law is going to be extremely important. As the ranking member on the Appropriations Committee with jurisdiction over EPA, I will remain very involved in ensuring that this law gets implemented well.

Finally, I also recognize all the great advocates for reform who pushed Congress to act and kept pushing until we did act. Of course, I need to start by thanking the Environmental Defense Fund. In particular, Fred Krupp and his staff, Richard Denison, Joanna Slaney, and Jack Pratt. Let me also thank Dr. Lynn Goldman, the dean of Public Health at George Washington University, and the good advocates at Moms Clean Air Force, the Humane Society, the National Wildlife Federation, the March of Dimes, the Physicians Committee for Responsible Medicine, the Building Trades, the American Association of Justice, and so

many others. They reminded us that we are working for reform that would improve the lives of countless mothers, fathers, and children. From New Mexico to Michigan, from California to Maine, they reminded us that the American people need a working chemical safety program.

I know there are many other groups in the environmental and public health community that took a different approach to our bill. I understand and appreciate where they were coming from—groups like Safer Chemicals, Healthy Families, and the Natural Resources Defense Council. They brought passion and conviction to the debate and stood firm on principles. They played a great and important role, and I want to thank them for that.

Good legislation takes work. It takes give-and-take from everyone, including industry groups, the American Chemistry Council, the American Cleaning Institute, and over 100 other members of the American Alliance for Innovation. Thank you for engaging in the process to get this done. Many thousands of Americans have worked for chemical safety reform over the last four decades. I am thanking you for not giving up.

My dad always said—and Senator MCCAIN knew my father Stewart Udall—"Get it done, but get it done right." And today I can say that not only did we get it done, but we got it done right. Let's not forget, this is just one step in the process. We must find a way to work collaboratively as we turn to the next step—implementation. Implementation needs to be done and needs to be done right.

I look forward to working with all of these members and groups to ensure we have a strong, workable chemical safety program.

Thank you, Senator MCCAIN. I am sorry if this went longer than you expected. I know my Uncle Mo is looking down and saying thank you to you and my father Stewart and the long relationship you have had with the Udall family and the chapters in your books about Mo Udall and that relationship. So thank you so much, and I thank also Ranking Member JACK REED for his patience. I know the hour is getting late. Thank you so much.

I yield the floor.

Mr. MCCAIN. Will the Senator yield? I just wonder if there is anyone left in America whom he has not thanked.

Mr. UDALL. I did my best.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 4549 TO AMENDMENT NO. 4229

Mr. REED. Mr. President, I call up amendment No. 4549 to McCain amendment No. 4229, and I ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] proposes an amendment numbered 4549 to amendment No. 4229.

The amendment is as follows:

(Purpose: To authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015)

At the end, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS MATTERS.

(a) ADJUSTMENTS.—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 587) is amended—

(1) by striking paragraph (2)(B) and inserting the following:

“(B) for fiscal year 2017, \$76,798,000,000.”; and

(2) by inserting after paragraph (2) the following:

“(3) For purposes authorized by section 1513(b) of the National Defense Authorization Act of 2017, \$18,000,000,000.”.

(b) ADDITIONAL PURPOSES.—In addition to amounts already authorized to be appropriated or made available under an appropriation Act making appropriations for fiscal year 2017, there are authorized to be appropriated for fiscal year 2017—

(1) \$2,000,000,000 to address cybersecurity vulnerabilities, which shall be allocated by the Director of the Office of Management and Budget among nondefense agencies;

(2) \$1,100,000,000 to address the heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) \$1,900,000,000 for budget function 150 to implement the integrated campaign plan to counter the Islamic State of Iraq and the Levant, for assistance under the Food for Peace Act (7 U.S.C. 1721 et seq.), for assistance for Israel, Jordan, and Lebanon, and for embassy security;

(4) \$1,400,000,000 for security and law enforcement needs, including funding for—

(A) the Department of Homeland Security—

(i) for the Transportation Security Administration to reduce wait times and improve security;

(ii) to hire 2,000 new Customs and Border Protection Officers; and

(iii) for the Coast Guard;

(B) law enforcement at the Department of Justice, such as the Federal Bureau of Investigation and hiring under the Community Oriented Policing Services program; and

(C) the Federal Emergency Management Agency for grants to State and local first responders;

(5) \$3,200,000,000 to meet the infrastructure needs of the United States, including—

(A) funding for the transportation investment generating economic recovery grant program carried out by the Secretary of Transportation (commonly known as “TIGER grants”); and

(B) funding to address maintenance, construction, and security-related backlogs for—

(i) medical facilities and minor construction projects of the Department of Veterans Affairs;

(ii) the Federal Aviation Administration;

(iii) rail and transit systems;

(iv) the National Park System; and

(v) the HOME Investment Partnerships Program authorized under title II of the

Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.);

(6) \$1,900,000,000 for water infrastructure, including grants and loans for rural water systems, State revolving funds, and funds to mitigate lead contamination, including a grant to Flint, Michigan;

(7) \$3,498,000,000 for science and technology, including—

(A) \$2,000,000,000 for the National Institutes of Health; and

(B) \$1,498,000,000 for the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy research, including ARPA-E, and Department of Agriculture research;

(8) \$1,900,000,000 for Zika prevention and treatment;

(9) \$202,000,000 for wildland fire suppression; and

(10) \$900,000,000 to fully implement the FDA Food Safety Modernization Act (Public Law 111-353; 124 Stat. 3885) and protect food safety, the Every Student Succeeds Act (Public Law 114-95; 129 Stat. 1802), the Individuals with Disabilities Education Act (20 U.S.C. 1400), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), and for college affordability.

Mr. REED. Mr. President, I look forward to a very thoughtful debate tomorrow. Senator McCain has introduced an amendment that would increase spending with respect to the Department of Defense and related functions. In this amendment, we are proposing an additional increase in non-defense programs. I look forward to tomorrow.

I thank the chairman for his consideration through the process of this floor debate.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend from Rhode Island and look forward to vigorous debate on both the initial amendment and the second-degree amendment proposed by my friend from Rhode Island. I would like to engage in very vigorous debate on both, and hopefully, for the benefit of my colleagues, cloture on both will be filed by the majority leader and hopefully we can finish debate on it either late morning tomorrow or early afternoon, if necessary, so we can move on to other amendments.

Let's have no doubt about how important this debate and discussion on this amendment will be tomorrow. We are talking about \$18 billion. In the case of the Senator from Rhode Island, I am sure there are numerous billions more as well. I think it deserves every Members' attention and debate.

I say to my friend from Rhode Island, I certainly understand the point of view and the position they have taken, and from a glance at this, it looks like there are some areas of funding that are related to national security that I think are supportable. There are others that are not, but we look forward to the debate tomorrow, and hopefully any Member who wants to be involved will come down and engage in this debate. We would like to wrap it up to-

morrow because there are a number of other amendments pending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, it was extraordinary to watch this bipartisan effort on TSCA.

An hour ago, Senator PETERS and I thought we were going to have floor time for some brief remarks. I would like to ask unanimous consent that Senator PETERS have the chance to address the issues he thought he was going to address, and he is going to be brief. I will go next. I will be brief. I ask unanimous consent that following Senator PETERS' remarks, I be allowed to address the Senate briefly.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Michigan.

AMENDMENT NO. 4138

Mr. PETERS. Mr. President, I rise to thank Chairman MCCAIN and Ranking Member REED for their support and for their help in passing the Peters amendment No. 4138 to the National Defense Authorization Act. I also would like to thank my colleagues Senators DAINES, TILLIS, and GILLIBRAND for joining me in this important bipartisan amendment. I would also like to thank all the Members who cosponsored the amendment, including Senators TESTER, STABENOW, KIRK, SANDERS, STABENOW, BLUMENTHAL, BOXER, and Chairman MCCAIN.

We have far too many servicemembers who are suffering from trauma-related conditions such as post-traumatic stress disorder or traumatic brain injury. Unfortunately, many of these servicemembers have received a less-than-honorable discharge, also known as a bad paper discharge. These former servicemembers can receive bad paper discharges for misconduct that is often linked to behavior seen from those suffering from PTSD, TBI, or other trauma-related conditions. The effects of traumatic brain injury can include cognitive problems, including headaches, memory issues, and attention deficits. In addition to combat-sustained injuries, PTSD and TBI can also be the result of military sexual trauma.

Bad paper discharges make former servicemembers who are suffering from service-connected conditions ineligible for a number of the benefits they have earned and have become ineligible when they need them the most. These discharges put servicemembers at risk of losing access to VA health care and veterans homelessness prevention programs. This is completely unacceptable.

I would like to share a story of a former servicemember who shared his experience with my office in Michigan. This individual was deployed in Afghanistan in 2008 as a machine gunner.

For his performance overseas, he received a number of awards, including the Combat Action Ribbon, Global War on Terrorism Service Medal, Navy Meritorious Unit Commendation, Afghanistan Campaign Medal, Sea Service Deployment Ribbon, and the National Defense Service Medal. When he returned home, he began suffering from agitation, inability to sleep, blackouts, and difficulties with comprehension.

He was scheduled to be evaluated for TBI. However, that evaluation never occurred. He began drinking to help himself sleep and received an other-than-honorable discharge after failing a drug test. Following his discharge, the VA diagnosed him with TBI, and he began treatment.

The VA later determined he was ineligible for treatment due to the character of his discharge, and his treatment ceased immediately. He was later evaluated by a psychologist specializing in trauma management who determined that the behavior that led to his discharge was the result of his TBI and PTSD.

He petitioned the Discharge Review Board for a discharge upgrade and presented the medical evidence of both TBI and PTSD. However, the Discharge Review Board considered his medical evidence to be irrelevant and his petition was denied.

This Michigander has since experienced periods of homelessness and has had difficulty maintaining a job. This is an example of someone who is suffering as a result of service to his country, and yet the VA denied his request for benefits on the basis of this discharge. The Discharge Review Board also denied his request to upgrade his discharge, despite his presenting clear evidence of his condition.

We must stop denying care to servicemembers with stories like this and start providing them with the benefits they deserve and earned through their service. We have a responsibility to treat those who defend our freedom with dignity, respect, and compassion.

Last year I introduced the Fairness for Veterans Act, and the Peters-Daines-Tillis-Gillibrand amendment that was unanimously accepted by this body is a modified version of that bill. The Peters amendment would ensure liberal consideration will be given to petitions for changes in characterizations of service related to PTSD or TBI before Discharge Review Boards.

The Peters amendment also clarifies that PTSD and TBI claims that are related to military sexual trauma should also receive liberal considerations. I would like to thank the many veterans service organizations that advocated tirelessly on behalf of this amendment and legislation.

I would like to recognize the Iraq and Afghanistan Veterans of America, Disabled Veterans of America, Military Officers Association of America, the

American Legion, Paralyzed Veterans of America, Vietnam Veterans of America, Veterans of Foreign Wars, United Soldiers and Sailors of America, and Swords to Plowshares.

In addition to seeing strong support from these veteran services organizations, this has also been a bicameral effort. I would also like to thank Representative MIKE COFFMAN of Colorado and TIM WALZ of Minnesota, who introduced the companion bill in the House and are supportive of this amendment.

Servicemembers who are coping with the invisible wounds inflicted during their service and were subject to a bad paper discharge should not lose access to the benefits they have rightfully earned. That is why we must ensure that all veterans get the fair process they deserve when petitioning for a change in characterization of their discharge. The Peters amendment No. 4138 will do just that.

I am proud that today this body unanimously approved this important amendment that I authored with Senators DAINES, TILLIS, and GILLIBRAND. I look forward to working with my House colleagues to ensure this provision remains in the conference bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, as the Senate works on the Defense bill, it is important to note the shameful squandering of taxpayer money by a defense contractor accused of willfully exposing U.S. soldiers to toxic chemicals while they served in Iraq.

In 2003, courageous American soldiers, including members of Oregon's National Guard, were given the task of protecting workers of Kellogg Brown & Root, KBR, at the Qarmat Ali water treatment plant in southern Iraq. Some of these soldiers are suing KBR on the grounds that the contractor knowingly exposed them to dangerous carcinogenic substances such as sodium dichromate and hexavalent chromium. Many of these soldiers have reported serious illnesses, and at least one has already passed away at a surprisingly young age. KBR has fought this case, as is their right, and normally this would not be an issue for the Congress, but this is not a normal case because KBR isn't paying for the case. The American taxpayer is picking up the bill. KBR's contract with the Pentagon includes an indemnification clause. This, of course, is legalese that means that the U.S. taxpayer is on the hook not only for any damages incurred as a result of the contractor's actions but also for legal bills and administrative costs incurred during legal battles. It makes no difference if the contractor is at fault or not.

In this case KBR has run up exorbitant and wasteful legal bills in the course of its lengthy legal defenses against the soldiers' claims. The Pen-

tagon, in essence, gave these contractors a blank check. Predictably, KBR has run very high legal fees, paying first-class airfare for lawyers, witnesses, and executives, secure in the knowledge that the taxpayer was picking up the tab.

Along with attorneys billing at \$750 an hour, taxpayers are on the hook to pay at least one expert more than \$600,000 for testimony and consultation and apparently time spent napping. Of course, there is no incentive for KBR to bring the legal cases to a conclusion. The lawyers can run fees until the cows come home because they know they will not have to pay a dime no matter how the case turns out.

Fortunately, in this indemnity case, and in others, there is a solution provided in the same contract. The contract empowers the Department of Defense to take over the litigation and look out for the interest of the American taxpayer who is footing the bill. For reasons that are hard to calculate, the Pentagon has refused to do this in the KBR case, despite my having urged several Secretaries of Defense to exercise this authority, and so the litigation continues with no end in sight. That is why I have filed amendment No. 4510 to the 2017 National Defense Authorization Act. The amendment directs the Department of Defense to exercise its contractual right to take over litigation for indemnified contractors in cases where the legal process runs more than 2 years. In doing so, it will bring the seemingly never-ending litigation to a timely resolution and save taxpayers from throwing good money after bad as the process drags on and on year after year.

The amendment isn't an attempt to relitigate the decision to indemnify contractors in the first place. What this commonsense amendment seeks to do is to make sure that the blank checks being picked up by taxpayers stop. This is critical because the government has an obligation to ensure that these legal bills don't cost the taxpayers any more than necessary, and certainly the American taxpayer does not need to be padding the pockets of the lawyers of the contractors.

I want to be clear: The amendment does not prejudice the outcome of the legal case in any way. It simply ensures that when the taxpayers pay the bill, the government that represents the American taxpayer is in control instead of a contractor's lawyer. It seems to me that the Senate owes that to the American taxpayer.

I urge my colleagues to support this amendment when it is considered later in the course of the day.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, when I was growing up in the Eastern Plains of Colorado, one of the things I was

hoping to do after graduating from college and entering the workforce was to work in the space program. I desperately wanted to be an engineer—an astronaut. I wanted to live that dream that was played on the television when I was growing up and when there were movies such as “The Right Stuff.” When I was growing up in the mid-1980s, the movies they showed idealized the world of space exploration. I grew up idolizing the astronauts.

I can remember as a child writing a letter to the National Aeronautics and Space Administration, or NASA, and basically telling them that I was really interested in becoming an astronaut and how I could someday do that. Little did I know that my mom, all these years later, kept the response from NASA, and the letter had the old “worm” NASA logo on top. The response came with a picture of the most recent space shuttle mission, which included Sally Ride. Of course we know Sally Ride, the first female in the space shuttle program. I remember how excited I was to get that letter back.

Years later, I looked at the actual content of the letter and noted that they weren’t necessarily quite as kind in confirming my aspirations when they laid out how difficult it would be to become a rocket scientist—to become an aerospace engineer and to go on and pursue that dream. Lo and behold, they were right. I ended up pursuing a different direction in college and beyond, but I always had great admiration and respect for the men and women of our space program.

Growing up on the Eastern Plains of Colorado was a fascinating experience. I learned how people ran their businesses and how today many of our tractors and combines rely on the very space programs that I was admiring. The roots of the space program that we saw in the 1970s and 1980s are being utilized today to steer tractors, satellite-guided equipment, to locate the best yield in a field through combines that use global positioning systems and precision farming data to better their operations. Of course, we have these debates today that remind me about those conversations. We have debates today over policy about how we are going to see the future of space, how we are going to see the future of security, how we are going to see the future of rocket launches in this country. It reminds me of the conversations that I had with those farmers in the Eastern Plains.

My family sells farm equipment today in a little, tiny town out by Kansas. Oftentimes farmers would come in and talk about how they would be more productive this year and what kind of equipment they needed to be tailor-made for their operation, how they could create a farming program with the farm equipment they would buy in order to have the right type of tractor,

the right type of combine, or the right type of tillage equipment to meet the needs of their operation.

When they would come in and talk to us about what kind of farm equipment best fit their needs, they would look at what price range they had to deal with—what was more affordable or less affordable. They would look at the utility of a single piece of equipment. Could this tractor or combine meet all of their needs? Could it harvest corn and sunflowers? Could it harvest soybeans? Could it pick sunflower seeds? Could it pick up dried beans? Those are the conversations we would have.

What they didn’t do was come in and say: Hey, I want to buy a piece of equipment that costs 35 percent more than any other piece of equipment and doesn’t fit the needs of our operation. We sold red farm equipment. There may have been equipment that somebody would want to do that with, but the fact is this: When they came into our store, they wanted farm equipment that would fit their needs at the right price and was able to meet the demands of all of their operations so they wouldn’t have to use a tractor for this field and a different tractor for that field or pay for a tractor that costs 35 percent more over here and a tractor that didn’t fulfill all of their needs over there.

When I look at the debates today over the National Defense Authorization Act and how we are handling our Nation’s rocket program, the EELV programs—the debate that has occupied this Congress for a number of years—I think back to the common sense of those farmers on the High Plains of Colorado because what is common sense on the High Plains is just plain sense in Washington, DC, and that is what we are facing during this debate over what rockets we are going to allow this country to use in the future. That is the argument that we are making today. It is an argument about competition, it is an argument about costs, and it is an argument about what is actually going to fulfill all of our needs in space and not leave us without the capability to meet our national security space missions. That is the critical part of what we are talking about today. Just as those farmers on the Eastern Plains did—they talked about the best fit for their mission to make sure they could plant their crops, to make sure they could get the crops out of the field and do it in an affordable manner so they would still be in operation the next year despite the fact that they had historically low commodity prices, just as we are facing a historically tight budget in the U.S. Congress.

What we are talking about is our national security. It is not about tractors in a field, and it is not about whether we are going to have the right combine. This debate is about national se-

curity space missions. This debate is about having the right kind of rocket to launch a critical mission that might include a satellite on top that is for missile launch detection, or perhaps it is a rocket that is going to put into orbit a device that will listen and provide opportunities for us to know what is happening across the world or across the United States. Maybe it is something that is related to that organization that I was so desperate to join, the National Aeronautics and Space Administration, NASA. Maybe it is the Dream Chaser from Sierra Nevada Corporation, which is attempting to build a vehicle that will be placed on top of one of the rockets that might be no longer available, should the current language of the National Defense Authorization Act move forward.

We have the same kinds of debates every day in our business, whether you are a farmer or a car dealer, but this is about our security, this is about our defense, and this is about our ability to provide competition in space, to provide rockets that compete for business, to provide rockets that are cost effective for their mission, to provide rockets for this country to meet those critical missions that we talked about that are reliable and have a proven record. That is what we are doing today, and that is why Senator BILL NELSON of Florida and I have together worked on amendment No. 4509 to make sure when it comes to our ability to reach space, to reach the orbits that we need to, we can do it in a cost environment that reflects the reality of budgets today and do it in a way that we know can be reliable. This amendment will address those concerns by peeling out the language of the National Defense Authorization Act to ensure competition, to ensure reliability, to ensure affordability, and to assure that those agencies such as NASA or perhaps USGS and other agencies that are relying on space more and more have the ability and capacity to reach the orbits they are trying to reach.

The Nelson-Gardner amendment assures competition. That is something we have all agreed is critically important as we look to the future of our space and launch programs. This addresses the certification of the Evolved Expendable Launch Vehicle, the EELV program that I mentioned before, to make sure that a provider can be awarded a national security launch for one of these critical missions by using any launch vehicle in its inventory.

Why is that important? Because we need to make sure that the U.S. Government has the ability to receive the best value. It is the same conversation those farmers were having about what farm equipment they were going to use back home, except this is a critical national security space mission.

If we prevent this language from being removed or if we don’t allow the

Nelson-Gardner amendment to move forward, then it is going to be very difficult for us to have that competition. For instance, you are looking at the possibility that a rocket we are using right now known as the Atlas V rocket, which has never failed, would be forced to bid for future rocket missions; that is, United Launch Alliance, which makes the Atlas V rocket right now, would be forced to bid using more expensive Delta forerunners. To be expensive is one thing, but to cost 35 percent more than what we already have today is missing that common sense that I talked about on the High Plains of Colorado.

This amendment will make sure that we abide by the request of the U.S. Air Force, which is concerned that if we allow the provision of the National Defense Authorization Act to move forward today, that would bar our ability to use certain rocket engines; that if the Atlas V, which relies on this rocket engine, is banned prematurely from DOD's use, that alternative—which means they would have to use that Delta IV rocket—would cost an additional \$1.5 to \$5 billion more versus simply relying on the proven and effective rocket that we have today.

I think everybody in this Chamber agrees that we can move to a different rocket than the Atlas V, which relies on the engine prohibited under the act. Everybody agrees with that, but what they don't agree with is the fact that we would spend \$1.5 billion more to achieve this goal.

We are going to be debating very soon an amendment that will add \$18 billion and put that money into our defense because people are concerned that we have a dwindling capacity in our military to meet the needs around the globe for U.S. national security needs; that our men and women in uniform don't have the dollars they need to fix the equipment they are relying upon.

This Chamber is going to be voting on putting more money into national defense. Allowing the language that is currently in the bill would bar our ability to use this engine in an existing rocket, and it would cost \$1.5 billion more. The fiscally responsible thing to do is to allow for competition, to allow this rocket to continue to be used, to allow this engine to continue to be used as we transition out of this engine and in a few years to have a different type of engine and different type of rocket that they are working on right now. And in a few years we will have it. To say that we are going to change and eliminate competition today, we are going to drive up costs by 35 percent, and we are going to turn to a rocket that can't meet all the orbits, can't meet all our needs, and doesn't have the track record of the Atlas V—that is the definition of irresponsibility.

Adding \$1.5 billion to \$5 billion of cost and also eliminating competition

is not what I think this place should stand for. The Senate should stand for competition. We should achieve what remarkable changes we have seen in the space program, as more people are entering into the rocket market. We have seen new entrants into rocket launchers—and that is what we are talking about today—to continue the competition, not lessen the competition by eliminating it, taking offline models of rockets and then spending \$5 billion more.

We have already talked about the farmer sitting in the field. If he has a combine that could cost 35 percent more but does the same job as the one that cost 35 percent less, which one is he going to choose? Which one would his banker want him to choose? The American people would want us to go with what is proven and what is reliable. Let's transition off of it—you bet—but not at an increased cost to our defense of \$1.5 billion to \$5 billion more.

To support this amendment and the rocket competition that this Nation deserves is what is fiscally conservative. The pro-competition position ensures that the U.S. Air Force and National Aeronautics and Space Administration will have access to space. It is about meeting the needs of those in our Air Force, NASA, and others who have said that we need this critical mission.

As General Hyten testified before this Congress, the Department of Defense will incur additional costs to reconfigure missions to fly on a different rocket—the Delta IV we have been talking about and the Delta IV Heavy—because the competitor to the Atlas V doesn't have a rocket as capable as the Atlas V and can fly to only half of the necessary orbits.

In 2015 and 2016, the Air Force and the Defense Department leadership testified to the need for additional RD-180 engines—that is the engine that we have been talking about that is stripped out of the Atlas V, ending the Atlas V program—to compete for launches and to assure that the United States doesn't lose assured access to space, making sure we can get to where we need to go to place a satellite in the orbit it needs to be in to provide security for this country. We can do it with a reliable system at an affordable cost.

We talked about competition. The Nelson-Gardner amendment promotes competition by allowing the Defense Department to contract for launch services with any certified launch vehicle until December 2022, allowing competition to 2022 and transitioning out of the RD-180 so that we can have more competition in the future.

The language we have been discussing—I believe it is section 1036 or 1037 of the National Defense Authorization Act—eliminates this competition. It puts an end to it by ending the use of these engines and basically taking

out the Atlas V rocket. The Atlas V, again, is the United States' most cost effective and capable launch vehicle.

According to the Congressional Research Service, the Atlas V rocket, which is powered by the RD-180 engine, has had 68 successful Atlas V launches since 2000. The Atlas V has never experienced a failure. When talking about competition, cost, reliability, and putting a satellite on top of a rocket—where many times that satellite costs more than the rocket itself—we can't afford a failure from a fiscal standpoint, and we certainly can't afford a failure from a security standpoint. That is why we need reliability and a proven track record.

This debate is complicated. People for years have talked about the Atlas V, the Delta IV, and the Falcon 9. People ask: What does it all mean, which engine do we use, how do we transition, and why did we end up in this position in the first place?

There are a lot of people who have come to the floor on different issues, saying it is not rocket science, but, indeed, today we are talking about rocket science and the need to have an Atlas V rocket that provides competition, reliability, and the opportunity for the United States to meet our national security needs.

Without the Nelson-Gardner amendment, the underlying language of the National Defense Authorization Act legislates a monopoly. It creates a monopoly with the Evolved Expendable Launch Vehicle Program, or EELV, because only one company would be allowed to fairly compete. While we have all committed to competition and we all have said we are going to transition away from this rocket engine, we actually would be passing legislation that would create a legislative monopoly. That is not plain common sense; that is nonsense.

It is important to note that the Department of Defense isn't the one that is buying these rocket engines in the first place. The Department of Defense buys the launch services. The Nelson-Gardner amendment would allow United Launch Alliance and others to compete for missions with the Atlas V. The ULA is competing with the Atlas V. Others could be competing as well. If the ULA does not win the competition, the Department of Defense will not be using the RD-180 engine. It makes sense to me.

Promoting this open and fair competition to get the best deal for the taxpayers of this country—to get the best deal for national security needs in this country—is the fiscally responsible path forward and allows the DOD to achieve those priorities. It allows the Air Force to reach the space that they need to. It is not just the Air Force; it is the Secretary of Defense, the Director of National Intelligence, the Secretary of the Air Force, Commander of the U.S. Space Command,

the Air Force teaching staff, and many others who have testified before this Congress in support of continued use of the RD-180 rocket engine until a new domestic engine is certified for national security space engines. Compared to the Delta IV, the Atlas V can reach every national security space mission that we need with certified, 100-percent reliability from the Atlas V. We don't have that anywhere else.

It has been made clear by the Secretary of Defense, the Director of National Intelligence, the Secretary of the Air Force, and the Commander of Space Command that ensuring America's access to space is an issue of national security, as well as protecting the taxpayers' dollars that are already so scarce in the defense budget. Why would we add an additional \$1 billion in cost by eliminating competition when we ought to be doing the exact opposite?

The Nelson-Gardner amendment promotes national security by assuring reliable access to space that we talked about, to make sure that we have a certified launch service available with a proven track record. The Atlas V rocket is one of the most successful rockets in American history. Since 2000, we have had 68 consecutive successful launches with zero failures, according to the Congressional Research Service. That is a 16-year track record.

According to the Department of Defense—and this is important—if Atlas V restrictions are imposed, certain missions would sustain up to 2½ years of delay.

We have threats emerging around the globe. This past week I had the opportunity to visit South Korea. We met with General Brooks, and we talked about the need this country has in assuring a denuclearized Korean peninsula to make sure that North Korea doesn't possess the capability to launch a nuclear weapon that could hit the mainland of the United States. That is not something that can wait year after year because we made a decision that costs the taxpayer more and lessens our capacity and capability of going into space.

In fact, what I heard from General Brooks and from others in South Korea is that our intelligence needs and requirements in North Korea are only increasing. So why would we decrease competition? Why would we decrease access to space? Why would we increase costs when our security needs are growing?

The Nelson-Gardner amendment assures that we have this access because we know if there is a 2½-year delay, not only does that prevent us from putting important assets into space, it will also drive up costs. The space-based infrared system, SBIRS, warning satellites designed for ballistic missile detection from anywhere in the world, particularly countries such as

North Korea, would be delayed. The Mobile User Objective System and Advanced Extremely High Frequency satellite systems that are designed to deliver vital communications capabilities to our armed services around the world would both be delayed.

According to a letter dated the 23rd of May from the Deputy Secretary of Defense, "losing/delaying the capability to place position and navigation, communication, missile warning, nuclear detection, intelligence, surveillance, and reconnaissance satellites in orbit would be significant."

Challenges to our freedom around the globe in the Middle East, North Korea, along with what is happening in Southeast Asia and the radicalization occurring in certain countries mean we can't afford delay. We can't afford cost increases. It is not just the defense bill. It is not just the Secretary of the Air Force. It is these agencies that we have also talked about tonight, like NASA.

The Nelson-Gardner amendment supports our civil space missions by ensuring access and allowing Federal Government agencies to contract any certified launch service provider because many of those missions that are critical to NASA's success outside of the DOD are designed to fly atop an Atlas V rocket. According to the Wall Street Journal, while the underlying NDAA language only directly impacts the Department of Defense, the result "is likely to raise the price of remaining NASA missions because massive overhead costs would have to be spread across fewer launches."

That goes back to the conversation about buying one piece of equipment, not a separate combine to harvest corn, a separate combine to harvest wheat, a separate combine to pick up beans. Buy one combine with different attachments, and you can do it all. That is what we are trying to do to make sure that we have the capability in the equipment because if there is a NASA mission and they are placing a Dream Chaser on top of it, or if you are placing something to do with the Orion mission, which is designed to be on top of the Atlas V, you are going to drive up the costs. You have the costs being driven up by the rocket because there are higher costs being spread across fewer agencies. You have a higher cost because you have to redesign the Orion and the Dream Chaser to fit the new rocket. You are going to be delayed, possibly, because of those changes, and it is going to result in higher costs.

So we have a responsibility to the American people in how we transition away from the RD-180 engine while ensuring reliability, access, and maintaining competition. It is by keeping the Atlas V.

At a Senate Appropriations Committee hearing on March 10, NASA Administrator Bolden highlighted the need for the Atlas V by stating, "We

are counting on ULA being able to get the number of engines that will satisfy requirements for NASA to fly." That is not a congressional staffer making it up in the back room of the mail office; that is the Administrator of NASA. He went on to talk about the mission's impact. He talked about the Dream Chaser, which was recently awarded a cargo resupply services contract. This isn't pie-in-the-sky kind of stuff; this is a company that has already been awarded a cargo resupply service contract to supply the International Space Station.

The Dream Chaser was designed to fly atop the Atlas V rocket. The language in the NDAA would strip this ability to use that rocket. Our amendment, the Nelson-Gardner amendment, would allow us to use the commonsense approach, to use that plain sense that I talked about.

Michael Griffen, former NASA Administrator, weighed in on the issue, stating:

A carefully chosen committee led by Howard Mitchell, United States Air Force, Retired, made two key recommendations in the present matter: 1. Proceed with all deliberate speed to develop an American replacement for the Russian RD-180 engine [and we agree], and while that development is being carried out, buy all the RD-180s we can to ensure that there is no gap in U.S. access to space for national security payloads. I see no reason to alter those recommendations.

We are talking about a hard stop of 2022 so that we can replace the rocket with our own. But in the meantime, let's use some common sense. Let's make sure we are saving the taxpayer dollars. Let's make sure we are not putting an additional cost—pulling \$1.5 billion out of our defense budget to cover something that we can already do, when their resources are already far too scarce. Let's make sure we have a reliable platform to reach all of the orbits we need to, a platform that has had 68 consecutive launches to achieve the mission needs. This is high-risk stuff. I mentioned as a kid growing up in the Eastern Plains of Colorado how fascinated I was with this rocket science.

I believe this body has a responsibility to adopt the Nelson-Gardner amendment to assure that we can protect our people fiscally and from a defense standpoint. So later this week, as we debate and offer amendment 4509, I hope and encourage everyone to do what is fiscally responsible, to promote competition, to promote access and reliability from the DOD to NASA by adopting the Nelson-Gardner amendment.

I yield the floor.

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to speak about amendment No. 4083, submitted by a dear friend and respected colleague of mine from New Hampshire whom I must in good faith disagree with. This amendment increases already existing mandatory minimum sentences on offenses related to fentanyl and would not make our communities safer. It would redirect funds away from the kinds of investments we need to truly end the opioid abuse and heroin use epidemic.

Today we face a deadly reality, a community-shattering reality—an opioid epidemic in America. I know what this epidemic is doing to our communities.

In my home State of New Jersey, the heroin death rate is more than three times the national average. The heroin overdose rate in New Jersey now eclipses that of homicides, suicides, car accidents, and AIDS as a leading cause of death. Over the past 10 years, we have lost over 1,500 people under the age of 30 to heroin overdoses in New Jersey alone.

I know that nationally death rates from prescription opioid overdoses have tripled in the last 20 years. I know that the opioid epidemic knows no bounds. It crosses geographic lines, economic lines, and racial lines. This is an epidemic that is tearing apart families, individuals, and communities.

This is an American epidemic, but this amendment is not part of the solution.

First of all, mandatory minimums themselves have proven to be ineffective in making us a safer Nation and stopping the drug war.

Secondly, this amendment and ones like it will divert critical resources that could be, that should be, that must be invested in real solutions, in supporting preventive and education efforts, in supporting law enforcement, in supporting treatment programs.

We have seen a rush like this toward mandatory minimums before. In the 1980s and 1990s, we piled on mandatory minimum sentences and “three strikes and you’re out” laws in response to the growing drug problem in the United States, but these laws did not prevent this epidemic. It didn’t work then, and there is no reason to expect it to work now.

What did the war on drugs do? Well, it increased our Federal prison population by 800 percent since 1980 alone.

The laws ended up increasing the costs in our Federal prison system from \$970 million annually in 1980 to \$6.7 billion in 2013, a close to 600-per-

cent increase in the use of taxpayer dollars.

According to Pew, the Federal prison system uses \$1 in \$4 spent by the Department of Justice. This is unacceptable.

In fact, in my first meeting with then-Attorney General Eric Holder in his office after I was elected Senator, he shared with me how the Bureau of Prisons budget had become so bloated that he had limited resources to put toward other Department of Justice programs—initiatives such as hiring FBI officers and support for programs that we actually know will make our communities safer.

What is more, these laws did not work. They didn’t target those whom they were supposed to target. Mandatory minimum sentences weren’t responsible for reducing crime. The work of law enforcement and the utilization of data-driven policies are what have done that. A report from the Brennan Center found that “increased incarceration has been declining in its effectiveness as a crime control tactic for 30 years. Its effect on crime rates since 1990 has been limited, and has been non-existent since 2000.”

Experts have found that mandatory minimum sentences have no demonstrable marginal effect on deterring crime, and it is also the reason why police leadership across the country are speaking out against increasing these mandatory minimums. Former New York Police Commissioner Bernie Kerik spoke out earlier this year to say: “The reality is that the federal mandatory minimum sentences established in the early 1980’s has had little, if anything, to do with the various state and city violent crime and murder statistics in America.”

I know this. I ran a police department as a mayor and oversaw the functioning of an incredible group of professionals. Had we had more resources from the Federal Government—instead of going to mandatory minimums—to actually hire more police officers, to put more of them in the streets, had we had more resources for drug treatment, had we had more resources for doing things such as reentry programs, we could have better fought crime, rather than wasting more money on ineffective mandatory minimum sentences.

Since 1990, as the onslaught of these mandatory minimums have come, illegal drug use in the U.S. has actually increased.

To pay for the overincarceration explosion, Congress has increased spending on Federal prisons by 45 percent since 1998. But over that same period, Congress has cut spending on State and local law enforcement by 76 percent. In fiscal year 2015, the Federal Government spent over \$2.3 billion warehousing people who received lengthened mandatory minimums, and that is money that could be invested elsewhere.

Mandatory minimums, if we remember our history, were created to go after drug kingpins. However, the U.S. Sentencing Commission has found that they too often apply to every function within a drug organization, from mules and couriers to low-level street offenders. By the way, when low-level offenders are arrested and given these mandatory minimum sentences, they are simply replaced by other low-level dealers. The strategy does not work in making us safer, but it is costing us so much money.

This is contrary to the original vision of mandatory minimums. They were created to go after serious drug traffickers and kingpins. The U.S. Sentencing Commission found that mandatory minimums are often applied too broadly, set too high, and—what is worse—that they are unevenly applied. In other words, people who can afford lawyers, people who have resources and means, can fight against those laws, and people who cannot afford the best defense often are the ones who get mandatory minimums.

Who is going to get mandatory minimums? People on college campuses, such as the one I attended, or people in the city I now call home.

Understand this: The amendment that is being proposed reflects the old strategies that haven’t won the war on drugs but, in many cases, have actually made things worse, especially by diverting so much money into our prison system and away from strategies in our communities, such as treatment and law enforcement, which we know work.

What have these laws done? They have caused an 800-percent increase in our Federal prison population over the last 30 years. What have these laws done? They have imprisoned too many nonviolent Americans for decades for nonviolent, low-level drug crimes.

What have these laws done? They have imprisoned people such as Sherman Chester, who with two prior nonviolent drug arrests was convicted and sentenced to life in prison for a third nonviolent drug crime. At his sentencing, Mr. Chester’s judge said: “This man doesn’t deserve a life sentence, and there is no way that I can legally keep from giving it to him.”

What have these laws done? They have imprisoned mothers such as Alice Johnson, who, after losing her job and filing for bankruptcy, began to associate with people involved in drug dealing. She was arrested for her participation in transporting drugs as a go-between. When 10 of her coconspirators testified against her for reduced charges, she was sentenced to life in prison without parole for 25 years for that nonviolent drug crime.

What have these laws done? They have imprisoned people like Dicky Jackson, a father who was so desperate to save his 2-year-old child who needed a bone marrow transplant that, after

exhausting his options—including community fundraisers—he began transporting meth in his truck. A year into his work, he was arrested for selling a half pound of meth to an undercover officer. He was found guilty of possession with intent to distribute and was given three life sentences without parole.

The Federal prosecutor assigned to Mr. Jackson's case remarked: "I saw no indication that Mr. Jackson was violent, that he was any sort of large-scale narcotics trafficker, or that he committed his crimes for any reason other than to get money to care for his gravely ill child."

What these laws have done is make sure that these nonviolent offenders and too many more like them will die in prison for their crimes—taking money from our communities and imprisoning people into their fifties, sixties, and seventies for nonviolent crimes. They are redirecting taxpayer dollars from strategies in our neighborhoods, in our cities, and in communities that we know work and will actually get to the problem of drug abuse. Our system hasn't empowered people. It hasn't empowered them to deal with addictions. It hasn't empowered them to deal with mental health challenges. Our system, as it stands, hasn't empowered us to do the things we know make us safer.

This has been punishment without proportionality, retribution without reason, and a gross taxpayer expense that takes away money that could be invested in public safety and our community well-being.

If the failed war on drugs, the Anti-Drug Abuse Act of 1986, and the Violent Crime Control and Law Enforcement Act of 1994 have taught us anything, it is that locking more people up for longer and longer sentences for low-level drug crimes at the expense of billions and billions of taxpayer dollars does not curb drug use and abuse. These laws didn't work then. Why are we proposing new ones now?

There is a different way. More mandatory minimum sentences won't impact the fentanyl opioid problem. The mandatory minimums being proposed for low-level drug offense are not going to accomplish what the amendment supporters hope it will. It is a facade that makes people feel like they are doing something about the problem, but they are not making a difference.

What they will do is throw more taxpayer dollars at our Bureau of Prisons, expanding that bureaucracy and draining money—taxpayers' money—from solutions that we know will work.

What is stunning to me, what is actually deeply frustrating to me is that we have two pieces of bipartisan legislation, one that has passed without enough funding and one that has yet to be brought up for a vote that would address this epidemic and the broken criminal justice system.

Instead of turning to bipartisan legislation that is going through regular order and investing in strategies that this body, in a bipartisan fashion, has agreed with near unanimity would work, we are now considering an amendment that would spend more money on imprisoning low-level offenders for longer and longer sentences.

Earlier this year, the Senate passed the Comprehensive Addiction and Recovery Act of 2015, also known as CARA. It is a bipartisan bill that would allow the Attorney General to award grants to address the opioid epidemic and expand prevention and education efforts.

I was pleased to cosponsor that bill, but unfortunately the amendment that would have provided funding for the programs and grants in this bill failed to pass. The bill that went forward had the right intentions, but an unwillingness in this body to provide robust funding means that it simply won't address the epidemic adequately. That is what is frustrating to me. The Members of this body who refused to increase funding for preventive and treatment measures through CARA now want to divert taxpayer resources towards putting people in jail for longer and longer sentences for low-level, nonviolent crimes. That makes no sense—to spend millions of more dollars to lock up low-level offenders and starve the programs that local leaders all over this country are asking for, such as treatment, education, and local law enforcement.

If properly funded, CARA would expand prevention initiatives, would expand education efforts, and would curb abuse and addiction, hitting our Nation's problem at its heart—at its demand—and helping addicts with what they need—treatment, not more jail. It would expand the availability of naloxone to law enforcement. It would increase resources to identify and treat incarcerated Americans suffering from drug addiction. It would increase disposal sites for unwanted prescription medications and would promote best practices for evidence-based opioid and heroin treatment and prevention all over our country.

This bipartisan bill had wisdom in it. It was sensible, commonsense, and based on evidence-based strategies.

But now, here we are, not talking about investing in what we know will work but suggesting that we do things that have proven over the last two decades not only not to work but to drain taxpayer dollars and to do more harm. We are considering an amendment that would use taxpayer resources not to do the things I just listed that are underfunded right now but would spend money on incarcerating low-level drug offenders because of unwise increases of mandatory minimum sentences.

The fact is the opioid epidemic is not a problem we can jail our way out of.

We already have mandatory minimum sentences in place for heroin and fentanyl offenses, and they haven't done what they were created to do—to prevent an epidemic such as this from occurring. What this amendment does is to double down on that failing strategy.

In fact, for over a year, Senate Judiciary Committee members on both sides of the aisle have worked on crafting a bill, the Sentencing Reform and Corrections Act, which would take meaningful steps toward undoing so much of the damage these failed policies have caused over the past decades. That bipartisan criminal justice reform legislation, which worked through regular order and would reduce mandatory minimum penalties and give judges more discretion at sentencing, has been pending on the Senate floor for over 7 months now without Senate action.

The bill followed regular order. It moved through a hearing and a markup. It took in testimony from dozens of experts and organizations. It was adjusted and amended with input from law enforcement officers, attorneys general, prosecutors, civil rights leaders, and local elected leaders. It passed out of the committee. It was then, because of input from other Republican Senators, changed again and modified. Now, this baked bill is fully ready for a vote on the floor. If given that vote, it would most likely get a super majority in this body.

But today, instead of moving forward on that bipartisan, compromise piece of legislation—which would start to fix the failed drug policies of the 1980s and 1990s, which would save us money, which would help us right past wrongs, which would create resources through its savings that could be used for the Comprehensive Addiction and Recovery Act—we are now considering an amendment that would actually build on the mistakes of the past and divert money from the solutions we know work today.

So again I say that I am frustrated, I am angry, and I am beginning to grow disheartened by the current state of affairs. The amendment being proposed and its potential consequences are what a growing consensus in the Senate from both sides of the aisle and especially thoughtful leaders around the country from all sides of the political spectrum—this is exactly what we have been fighting against. My frustration is that instead of looking to take a step forward with the current bipartisan legislation, we are looking to take a step back into the mistakes of the 1980s and 1990s. Instead of learning from the mistakes of the past, we are damning ourselves to make them again.

Since arriving in the Senate 2½ years ago, I have been encouraged by the momentum building around this comprehensive criminal justice reform legislation. I felt encouraged that hope

has been dawning. It has been one of my more affirming experiences as a public leader. During the 2½ years I have been in the Senate, many of my colleagues on both sides of the aisle have been negotiating over this issue in good faith, and actually for a time even before I was here they were working hard on criminal justice reform.

This comprehensive criminal justice reform bill would address so many of the issues that have been agreed to on both sides of the aisle. It would address a system that does not make our communities safer but instead wastes the potential of millions of Americans and drains billions, trillions of taxpayer resources over time.

What we have in the Senate is amazing. It has been incredible to see. We have Senators as different from each other on the political pole as Senator LEAHY and Senator GRASSLEY, with other Democrats and Republicans, from the most liberal to the most conservative in this body, coming together to craft a measured bill that would begin to fix our deeply broken criminal justice system. This result, the Sentencing Reform and Corrections Act, would enable prosecutors and judges to maintain critical tools for prosecuting violent offenders and high-level drug traffickers while reducing mandatory minimums and life-without-parole sentences for nonviolent drug offenders.

In addition, the bill actually includes a provision related to fentanyl—not one that I necessarily believe in or believe is most effective, but it was included in the bill as a compromise measure.

This critical piece of legislation has the support of dozens of civil rights groups and faith groups, Christian evangelicals and law enforcement and prosecutor groups, including well-respected organizations such as the Major County Sheriffs' Association, the International Association of Chiefs of Police, and the National District Attorneys Association. From law enforcement to faith-based leaders, civil rights activists, and fiscal conservative organizations, so many have come together and are being led in many cases by law enforcement officials because they know this bill is actually smart public safety policy. This bill has the support of law enforcement leaders, including former President George Bush's U.S. Attorney General, Michael Mukasey; former FBI Director Louie Freeh; and the U.S. Department of Justice.

In a letter to Senate leadership, former U.S. Attorney Michael Mukasey, with former Director Bill Sessions and dozens of former Federal judges and U.S. attorneys, shared what they believe the Sentencing Reform and Corrections Act can do. They said it "is good for Federal law enforcement and public safety. It will more effectively ensure that justice shall be done."

Groups like Law Enforcement Leaders to Reduce Crime and Incarceration, which represent more than 160 current and former police chiefs, U.S. attorneys, and district attorneys, have spoken out in support of this bill, arguing:

This is a unique moment of rare bipartisan consensus on the urgent need for criminal justice reform. As law enforcement leaders, we want to make it clear where we stand: Not only is passing Federal mandatory minimum reform necessary to reduce incarceration, it is also necessary to help law enforcement continue to keep crime at historic lows across the country. We urge Congress to pass the Sentencing Reform and Corrections Act.

Contrary to what the few opponents argue, this act would preserve certain mandatory minimum sentences for drug offenders. It would also more effectively target these mandatory minimums toward high-level drug traffickers and violent criminals. Federal drug laws were meant to go after these kingpins, and this legislation leaves important tools in place that allow prosecutors to go after them.

Also, contrary to what the few opponents of this bill argue, the bill would not open the floodgates and permit violent offenders to be let out of prison early; rather, each case must go in front of a Federal judge, where the prosecutor will be present, for that independent judicial review.

Experts from the National Academy of Sciences to the National Research Council have found that lengthy prison sentences have a minimal impact on crime prevention.

The profound thing about this bill is that it is not breaking new ground. This is now becoming common knowledge around the States. In fact, it is being followed and led by many red States in our Nation. In fact, States have shown that we can reduce the prison population, save taxpayers millions and billions of dollars, and also reduce crime. Texas, for instance, between 2007 and 2012, reduced its incarceration rate by 9 percent and saw its total crime drop by 16 percent. If Texas—a State known for law and order and being tough on crime—can enact sweeping measures to reform its criminal justice system, so can we at the Federal level. That is why I am proud that one of the sponsors of the bill is the Republican Whip from Texas, Senator CORNYN.

But there are other States—California, Connecticut, Delaware, Georgia, Maryland, Michigan, Nevada, Massachusetts, North Carolina, South Carolina, Utah, and New Jersey. All these States have lowered their prison populations through commonsense reforms and—surprise, surprise—have seen crime drop. These States have enacted reforms because it is good for public safety and it saves needed taxpayer dollars that can be reinvested in public safety strategies that actually make us safer. Remember, these are Repub-

lican-led States and Democratic-led States, Governors from the right and the left.

There is a great conservative organization called Right on Crime. This is what they had to say about public safety and criminal justice reform:

Taxpayers know that public safety is the core function of government, and they are willing to pay what it takes to keep communities safe. In return for their tax dollars, citizens are entitled to a system that works. When governments spend money inefficiently and do not obtain crime reductions commensurate with the amount of money being spent, they do taxpayers a grave disservice.

It is worth repeating that line: "Citizens are entitled to a system that works."

You see, this is not a partisan issue; it is an American issue. There is a chorus calling for reform across the political spectrum. Everyone from Republican candidates for President to conservative groups, such as Koch Industries and Americans for Tax Reform, have come out in support of criminal justice reform and this bill. That is why some Republicans like Grover Norquist and George Martin have written:

Some Republicans who have not focused on our successes in the states think we are still living back in the 1980s and also believe that "lock them up" is a smart political war cry. . . . Wasting money is not a way to demonstrate how much you care about an issue.

That is why people like Marc Levin, the founder of Right on Crime, have shared that "the recent successes of many states in reducing crime, imprisonment, and costs through reforms grounded in research and conservative principles provide a blueprint for reform—at the Federal level."

Former Governor Mike Huckabee said:

I believe in law and order. I also believe in using facts, rather than fear, when creating policy. And, I believe in fiscal responsibility. Right now, our criminal justice system is failing us in all three camps.

Republicans and Democrats from across the political spectrum have come together because they realize our failures to fix this system have simply cost us too much already. Everyone knows that the first rule of holes is that when you find yourself in one, stop digging. That is why this amendment is so frustrating—because it seeks to dig us deeper into a hole. Look at the financial costs we are already paying. In 2012, the average American taxpayer was contributing hundreds of dollars a year to corrections expenditures, including the incarceration and monitoring and rehabilitation of prisoners.

A report from the Center of Economic Policy Research concluded that in 2008 alone, formerly incarcerated people's employment losses—keeping people in for decades and decades—cost our economy the equivalent of 1.5 to 1.7

million workers or \$57 billion to \$65 billion annually. And it is estimated that the U.S. poverty rate between 1980 and 2004 would have been 20 percent lower if it had not been for all this mass incarceration. This is a lot of money we are spending keeping people behind bars—nonviolent offenders—and it is taking a significant financial toll in our country. We could be investing this money better.

By passing this bipartisan Sentencing Reform and Corrections Act, the CBO told us that this one bill alone that takes modest steps toward criminal justice reform will save an estimated \$318 million in reduced prison costs over the next 5 years and \$722 million over the next 10 years. Doing the right thing creates savings that we can then invest in strategies to make ourselves safer or give back to the taxpayers.

Please understand that we have paid dearly for our mistakes. For example, from 1990 to 2005, a new prison opened every 10 days in the United States, making us the global leader in this infrastructure investment. A new prison opened every 10 days in the United States to keep up with the massive explosion in incarcerations. Imagine the roads and bridges and railways we could have been investing in during that time. As our infrastructure has been crumbling over the last three decades, the one area of infrastructure that has been ballooning was gleaming new prisons to actually incarcerate overwhelmingly nonviolent offenders. Imagine the investments we could have made in lifesaving research, innovative technologies, science and math funding. Instead, we extended mandatory minimums again and again and again for low-level drug offenders.

The United States must be the leader around the globe for liberty and justice. Unfortunately, the United States now leads the world in a vastly more dubious distinction: the number of people we incarcerate. We only have 5 percent of the world population—only 5 percent—but one out of four imprisoned people on planet Earth is here in the United States. Again, the majority of those people are nonviolent offenders. The U.S. incarceration rate is 5 to 10 times that of many of our peer countries.

The financial cost, the dollars wasted, are only part of the story, though. We are actually paying for our system's failures in innumerable ways. The hidden financial costs of our broken prison system mirror the hidden social costs that befall families of those incarcerated, with 1 in 28 American children—or 3.6 percent of American kids—growing up with a parent behind bars. Just 25 years ago, it was 1 in 125 American children. I recently saw that "Sesame Street" has started programming specifically aimed at helping kids with parents in prison be-

cause there are now so many of them. Over half of imprisoned parents were the primary earners for their children prior to their incarceration. What is more, a child with an incarcerated father is more likely to be suspended from school than a peer without an incarcerated father—23 percent compared to 4 percent.

Our rush to incarcerate as a response to many of our societal problems has now created a stunning distinction. According to a new report from the Center for American Progress, close to half of all children in America are growing up with a parent with a criminal record.

Our system often entraps the most vulnerable Americans. We are entrapping people who often are in need of incarceration but treatment and medical help, putting those vulnerable populations in jail for longer and longer periods. In fact, now many of our prisons serve as warehouses for the mentally ill. Serious mental illness affects an estimated 14.5 percent of men and 31 percent of all the women in our jails. Between 25 and 40 percent of all mentally ill Americans will be jailed or incarcerated at some point in their lives, and 65 percent of all American inmates meet the medical criteria for the disease of addiction, many of them not getting the treatment they need but just getting more incarceration.

Today we live in a country where in many ways the words of Bryan Stevenson are also true. This idea of equal justice under the law is challenged by the facts of our criminal justice system. As Bryan Stevenson said, we live in a nation where you get treated better if you are rich and guilty than if you are poor and innocent. Over 80 percent of Americans who are charged with felonies are poor and deemed indigent by our court system.

Our criminal justice system doesn't disproportionately affect just the mentally ill, the addicted, and the poor; it also disproportionately impacts people of color. We know that there is no deeper proclivity to commit drug crimes among people of color, but there is a much deeper reality that the drug laws affect people of color in a different way. For example, Blacks and Whites have no difference in using or selling drugs. There is no statistical difference. In fact, right now in America, some studies are showing that young White men have a slightly higher rate of dealing drugs than young Black men. But Blacks are 3.6 times more likely to get arrested for selling drugs. Latinos are 28 percent more likely than Whites to receive a mandatory minimum penalty for Federal offenses punished by such penalties. A 2011 report found that more than any other group, Latinos in America were convicted at a higher rate of offenses that carried a mandatory minimum sentence. And Blacks are also 21 per-

cent more likely to receive a mandatory minimum sentence than Whites facing similar charges. Black men are given sentences about 20 percent longer than White men for similar crimes. And Native Americans are grossly overrepresented in our criminal justice system, with an incarceration rate 38 percent higher than the national average.

Because minorities are more likely to be arrested for drug crimes even though the rates are not different in usage of drugs or selling of drugs, they are more—disproportionately—likely, therefore, to lose their voting rights, thus resulting in stunning statistics. Today, 1 in 13 Black Americans is prevented from voting because of felony disenfranchisement. Black citizens are four times more likely to have their voting rights revoked than someone who is White.

Those are statistics befitting a different era in American history, but unfortunately they reflect our current circumstances.

So here we find ourselves. I have been talking about this issue for my entire time in the Senate. Many of my colleagues have been working on this issue longer. I have been so encouraged that literally my first policy conversation on the Senate floor right after being sworn in right there by the Vice President of the United States—I walked back toward the back of the room and was met by colleagues who talked to me about this issue. I am so glad there is this growing consensus, but I am frustrated that an amendment is potentially coming to the floor that takes us backward while so much work has gone on to move this body ahead.

I have come to believe in this body. I worked hard to become a Member of the Senate because I believe in the Senate and the power of this institution to do great things. In fact, it is the result of the great good of this body and the labor and struggles of so many Americans that I am even here in the first place, so many Americans fighting for issues that this body helped to change. From equal housing rights, to voting rights, to civil rights, this body has made us a fairer and more just Nation. This body has made our country the shining light on planet Earth for liberty and justice. This body, with so many committed Americans through so many generations, has so much to be proud of.

I am so encouraged by colleagues on both sides of the aisle, that despite the partisanship and cynicism this body often generates, we have found common ground to advance the common good around our criminal justice system. We have a crisis in that system, but I am proud there is movement to address that.

I urge my colleagues to consider the profound potential we have to advance our Nation, to deal with the opioid crisis, the drug crisis, and the crime crisis

with smart and effective policies that have proven to work already at the State level.

I urge my colleagues to resist the seductive temptation to claim to be tough on crime when in reality we are just wasting taxpayer dollars on a failed fiction that obscures the true urgency of the day.

Finally, I urge the leadership of this body to not let this amendment reflecting failed policy of the past to the floor and instead move to bring forward a bipartisan, widely supported bill that will address the current crisis. We can no longer hesitate or equivocate, and we can definitely not afford to retreat. Wasting more time is not the answer. The time is now, and, I confess, I am losing patience.

While I am encouraged by leaders like the chairman of the Judiciary Committee and the ranking member of that committee, while I am encouraged by the fact that the majority whip and the Democratic Whip are on this bill, while I am encouraged by the fact that likely a supermajority of support exists for this bill, I am growing impatient that it has not come to a vote yet. There is nothing as painful as a blockage at the heart of justice, blocking the flow of reason, of common sense, fairness, and urgently needed progress.

But the pain and frustration I might feel is minimal compared to those who are suffering under the brunt of a broken system. We cannot be deaf to the cries for justice of families and children, those suffering addictions, those suffering from mental illness, and those whose families have been torn apart by such misfortunes. We cannot be mute or silent in the face of injustice, those of us who are elected to serve all Americans.

At the beginning of each day, we swear an oath in this body. We pledge allegiance to those ideals of liberty and justice. Let us now act so we do not betray the moral standing of our Nation.

I urge the Senate leadership to bring the Sentencing Reform and Corrections Act for a vote. The time is right now to do what is right now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Reed amendment No. 4549.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Reed amendment No. 4549 to the McCain amendment No. 4229 to S. 2943, the National Defense Authorization Act.

Harry Reid, Jack Reed, Richard J. Durbin, Michael F. Bennet, Charles E. Schumer, Patty Murray, Richard Blumenthal, Jeff Merkley, Jeanne Shaheen, Al Franken, Gary C. Peters, Bill Nelson, Barbara Boxer, Robert Menendez, Sheldon Whitehouse, Amy Klobuchar, Barbara A. Mikulski.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the McCain amendment No. 4229.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McCain amendment No. 4229 to S. 2943, an act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Roger F. Wicker, Richard Burr, James M. Inhofe, Pat Roberts, Tom Cotton, Thom Tillis, Roy Blunt, Shelley Moore Capito, Dan Sullivan, Lindsey Graham, Lisa Murkowski, David Vitter, Mitch McConnell.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS

Mr. MCCONNELL. Mr. President, I wish to commemorate the 100th anniversary of the Reserve Officers' Training Corps, or ROTC, the Nation's training program for commissioned officers of the U.S. Armed Forces. Founded in 1916, ROTC prepares young adults to be leaders in our Nation's Army, Navy, Air Force, and Marines. ROTC cadets commit to serving their country in uniform after college graduation in exchange for ROTC assisting with costs associated with their college education.

Although military training took place at civilian colleges and universities in the 19th century, it was not until the National Defense Act of 1916, signed by President Woodrow Wilson,

that this training was consolidated under a single entity: the Reserve Officers' Training Corps. ROTC is the largest officer-producing organization within the U.S. military.

In 100 years of history, ROTC has commissioned more than 1 million military officers. The U.S. Army ROTC program started in 1916 with just 46 initial programs, and today it has commissioned more than 600,000 officers at almost 1,000 schools across the Nation, with a presence in every State, as well as Guam and Puerto Rico.

In 2016, Army ROTC has an enrollment of more than 30,000 and produces over 70 percent of the second lieutenants who join the Army, Army National Guard, and U.S. Army Reserve.

Army ROTC is one of the most demanding and strenuous leadership training programs a young person can choose today. ROTC training molded and shaped six Chiefs of Staff of the Army, two Chairmen of the Joint Chiefs of Staff, a current Supreme Court Justice, the current Governor of Kentucky, as well as countless other leaders in government, business, science, sports, and the arts.

For decades, Army ROTC has conducted summer training for many cadets at Fort Knox, KY. In 2013, I was pleased to help Army ROTC get an ROTC training program called the Cadet Leader Course relocated to Fort Knox as well. More than 6,000 cadets attend that particular leadership course at Fort Knox every year since the installation began hosting the program in 2014. In all, over 10,000 cadets attend various summer training courses each year at Fort Knox.

ROTC serves as a vital introduction to life and a career in the military for America's young men and women. Supporting our Armed Forces means supporting ROTC programs at institutions across the country. ROTC creates America's next generation of leaders, in the Armed Forces, and in American life.

I know my colleagues join me in commemorating the 100th anniversary of the creation of our military's ROTC and in thanking the hundreds of thousands of brave cadets who have successfully completed the challenges of the program and gone on to become officers. We are certainly grateful for their service and their sacrifice. Without ROTC, our Nation's military would not be the superior fighting force that is today. I am proud that Kentucky plays a significant role in the training of ROTC cadets.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY ACT

Mr. LEAHY. Mr. President, the Senate's final passage today of the bipartisan Frank R. Lautenberg Chemical Safety for the 21st Century Act, after 3

years of difficult negotiations, reflects the true nature of compromise. I am glad that we have finally come to an agreement to update our country's ineffective and outdated chemical regulatory program. While this is not a perfect bill, I believe that it goes a long way towards protecting American families from dangerous chemicals and serves as a fitting tribute to Senator Lautenberg, who was a tireless public health advocate.

This legislation overhauls the 40-year-old, outdated Toxic Substances Control Act and will bring more than 64,000 chemicals under the review of the U.S. Environmental Protection Agency, EPA. Under the old law, the EPA was required to approve chemicals using a burdensome and ineffective economic cost-benefit analysis, but this reform bill will require the EPA to make a decision based solely on health and safety concerns. Additionally, the Lautenberg act gives the EPA enhanced authority to require testing of both new and existing chemicals, requiring safety reviews for all chemicals in active commerce and a safety finding for new chemicals before they are allowed on the market.

The House bill originally included a provision preempting State authority to regulate specific chemicals. State preemption is a significant concern for Vermont, especially with the discovery of perfluorooctanoic acid, PFOA, contaminated water in the communities of North Bennington and Pownal. Unfortunately, due to shortcomings in the 1976 Toxic Substances Control Act, PFOA was one of many chemicals that had been presumed safe without any requirement for testing or review. While the inclusion of even minimal State preemption action in the final bill is unfortunate, the final compromise largely retains the Senate bill's provisions and allows States 12 to 18 months to enact tougher regulations through a waiver process after the EPA formally announces that it has started the review process for a chemical. There have been assurances to the Vermont congressional delegation from the EPA that Vermont will be able to retain its more stringent regulation of PFOA. I will continue to work with both the State and with the EPA to address PFOA contamination in Vermont.

I am pleased that the final bill includes two mercury-specific provisions: The creation of a mercury inventory and the expansion of the export ban to certain mercury compounds. These provisions are sections of the Mercury Use Reduction Act that I was proud to cosponsor in the 112th Congress. Under the mercury inventory provision, the EPA will be required to prepare an inventory of mercury supply, use, and trade in the United States every 3 years. This data will enhance our ability to reduce the health risks from mercury exposure. The second mercury

provision builds upon the Mercury Export Ban Act of 2008, expanding the export ban currently in effect for elemental mercury to include certain mercury compounds that could be traded to produce elemental mercury in commercial quantities, thus undermining the existing export ban.

This reform bill also includes new unprecedented transparency measures thanks to new limits imposed on what can qualify as "confidential business information." The transparency provisions also ensure that State officials, medical professionals, and the public have access to health and safety information. In addition, the bill places time limits and requires justification for any "confidential business information" claims that must also be fully justified when made and will expire after 10 years if they are not re-substantiated.

Like many Vermonters, I have been concerned for years about the need to improve chemical safety standards in the United States. While I had hope for more reforms in the bill, overall, the bill is a significant improvement over current law. It is a true testament to the groundwork laid by Senator Lautenberg that we have finally heeded the calls from the American people to reform this outdated law and better protect our families from dangerous chemicals.

TRIBUTE TO DR. FREDERICK BURKLE

Mr. LEAHY. Mr. President, one of the formative parts of my life was being a student at Saint Michael's College in Vermont. It was especially so because of the people I met there. One of my most memorable classmates is Dr. Frederick Burkle.

Skip Burkle was one who cared greatly about what he was learning and showed moral leadership even then. As students, we both lived in dorms that resembled World War II-era barracks. Fortunately, the living conditions for students at Saint Michael's have improved since then.

Last month, now-Dr. Burkle, spoke at Saint Michael's College giving the commencement address. Everyone who was there actually listened to a man who spoke of his own background. He spoke also to the moral compass he has developed both in school and since in the military and in his scientific work.

So much could be said about his career. I agree when he said, "My humanitarian work was the most meaningful I've ever done." That makes so much sense because few people I have ever known have begun to approach his life as a humanitarian.

Mr. President, I ask unanimous consent that his speech to the graduating class be printed in the RECORD because I want those beyond Saint Michael's College to read what an outstanding person has said.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SAINT MICHAEL'S COLLEGE COMMENCEMENT ADDRESS

COLCHESTER, VERMONT: MAY 15, 2016

FREDERICK M. BURKLE, JR., MD, MPH

PHYSICIAN, SCHOLAR, HUMANITARIAN

Greetings to you all!

There are many reasons to celebrate this day. This graduation is a milestone for you and your entire family.

Saint Michael's also needs to be celebrated and commended. As an academic, I do not know of any other college or university this year, or in recent memory, that has shown both the insight and courage to declare "Service to Others" as the theme of graduation. Only at Saint Mike's! . . . I'm not surprised!

The implications of this decision are many and must be applauded . . . Most importantly it brings great hope and wisdom for the future of this generation and those that follow . . .

I have been asked to speak to you on what in my life and college experiences influenced my humanitarian career. My first concern when asked was: How does someone who graduated in 1961, 55 years ago, tell his story to the class of 2016? . . .

Let's give it a try

In truth, if you knew me in high school you would have voted me the "least likely graduate to ever give a commencement address." . . .

I attended an all male Catholic High School in Southern Connecticut. I was painfully shy, occasionally stuttered, was easily embarrassed, struggled to be an average student, and was hopelessly burdened by what is known today as severe dyslexia. I only began to read in the 5th grade.

My Father, emphatically and loudly said "No" to the idea of college. He had labeled me a "lazy dreamer" . . . so to him college was a waste of good money. You would agree . . . I was certainly not a prize academic prospect!

So here I am . . . and now I've got to explain to you how I got onto this stage as a Commencement speaker.

I would not be here today without the help of some very unselfish people . . . I call them my own personal humanitarians . . . we all have them.

Not going to college was a serious blow I could not live with. For years I had held on to an otherwise quite impossible and secret dream of being a physician. A dream which simply arose many years before from viewing very early Life Magazine photos of doctors treating starving children in an African jungle hospital.

Having been born 2 years before WWII, all my life was one war after another with equally dire photos of both World War II and Korean War casualties. And soon after, during high school, emerged my generation's war . . . in a strange and unheard of country named Viet Nam . . . a war which actually began to build up as early as 1954.

My story, in great part, is a love story. I met an equally shy girl when she was 13 and I was the older man of 14. We went steady during high school and secretly dreamed of our future together. With College off the table the military draft seemed inevitable. She urged me to plead my case to the High School Academic Dean, a stern gray haired Brother of Holy Cross, to both loan me the application fee and forward a decent recommendation. I was shaking in my boots. He

silently pondered the circumstances yet nodded his head and agreed to accept the personal risk despite the potential anger of my Father . . .

The very next day there was a check waiting for me!

There were others . . . while working as an orderly in a local hospital I met two very caring physicians. They embodied everything I wanted to be. They introduced me to a small French Catholic Liberal Arts College named St. Michael's in rural Vermont that I never heard of. Both were WWII veterans who attended St. Mike's and then medical school on the GI Bill. Despite their busy schedules they took time to counsel and encourage, spoke highly of the quality of the education but also cautioned that the academic experience would demand much more.

St. Mike's was the only place I applied. With luck, I was accepted. My girl friend's parents, not my own, took me to campus . . . There was no turning back!

Falling in love with St. Mike's was a little slower and not nearly as romantic! Matriculation at St. Mike's was a shock . . . and at first a disappointment. Maybe my Father was right . . . Will I fail and embarrass myself once again?

From the outset, the St. Mike's academic faculty made it clear that everyone on campus was required to take 4 years of liberal arts. This included a long list of the world's literature, history, arts and philosophy from the beginning of written time. This included a comparative study of all religions, and a compelling semester of logic that forced us to deliberate the philosophical "how" and "why" problems that stressed the minds of every adolescent, like me, whose brain had not yet matured . . .

It took me 3 trips to the bookstore to carry all the required reading back to the small shared room in a former WWII poorly heated wooden barracks that once stood where we are today.

We desperately asked why such torture was necessary. I'm to be a scientist. Why did I have to study the liberal arts? I pleaded . . . something must be wrong! With my reading disability, my anxiety level was palpable to everyone.

The science faculty made it quite clear that to pass the rigorous requirements for recommendation to graduate school required excellent marks in both the sciences and the liberal arts. They offered us multiple examples of notable Statesmen and Nobel Laureates alike who, empowered by incorporating the lessons learned from the liberal arts, made major breakthroughs for mankind . . . such as human rights, freedom of speech, the splitting of the atom, penicillin, the Magna Carta, the Geneva Conventions, and the U.S. Constitution itself . . .

Slowly, St. Mike's, without my knowledge, began to hone, tame and humble me by introducing new ways of thinking and reasoning.

I, like all my classmates, had to give up that concrete black and white thinking of youth to meet the demands of the outside world.

Most students incorporated those new concepts to one degree or another over the next 4 years. Confidence was built through testy debates on what our increasingly complex world demanded of us. The process re-introduced me to the academic world I thought was unfriendly . . . and gave me a new love for books which were once the enemy of every dyslexic child.

Less than a month into my freshman year a profound geopolitical event occurred that

no one had anticipated or was ready for. On October 4, 1957, we huddled around the one radio available in the barracks to listen to the faint battery powered beeps of the Russian satellite Sputnik. The following day the faculty held an 'all student assembly' to discuss the impact of the satellite launch on mankind and openly asked if any students would consider changing their major to the sciences. The Space war had begun in earnest. Everyone's sense of security suddenly changed and with it many Cold War humanitarian crises sprang up around the world . . . many of which, in a short decade, I became mired in myself.

Every generation has their own Sputnik moments. Your generation already has more than your share.

The liberal arts and the comparative religion courses prepared me for my life as a humanitarian more than I ever realized at the time.

Yes, we all read the Bible and debated its meaning . . . but we also found a certain solace in understanding that similar beliefs were universal among many other religions and the cultures they were tied to.

All religions that have survived over the centuries collectively teach "social justice" . . . a language all its own that defines the fair and just relationship between the individual and society. It is that shared social justice that I have in common with my humanitarian and volunteer colleagues on every continent . . . might they be Muslims, Hindus, Christians, Jews, Buddhists, agnostics or atheists and whether they live in the Middle East or rural Vermont.

All the major wars and multiple conflicts that I became engulfed in over my lifetime were all fought over "whose god was the true god!" Unfortunately, these wars continue today.

Admittedly, and probably somewhat selfishly, I fell in love with the challenges of global health and humanitarian assistance.

And yes, that shy girl friend who supported my application to St. Mike's and I were married my first year of medical school and we had 3 children by the time I finished my residency at the Yale University Medical Center.

Service to one's country was mandatory then . . . and the government obliged by drafting me into the military. In 1968 I was rapidly trained and rushed, within 20 days, into the madness of the Viet Nam war as a Combat physician with the Marines.

Subsequently I was recalled to active duty as a combat physician in 5 major wars, and over the years moved up the invisible ladder of leadership in managing conflicts in over 40 countries. I've worked for and with the World Health Organization, the International Red Cross and multiple global humanitarian organizations. I found myself negotiating with numerous African warlords and despots including Saddam Hussein in Iraq.

I set up refugee camps, treated horrific war wounds, severe malnutrition, scurvy, the death throes of starvation, and cholera, malaria and blackwater fever, to name but a few . . . When I was only a few years older than you, I had to manage the largest Bubonic Plague epidemic of the last century.

Eventually, in 2003 I served the State Department as the Senior Health Diplomat and first Interim Minister of Health in Iraq where I was the target of 3 assassination attempts by the same Sunni military that now, more than a decade later, make up today's ISIS forces in Iraq and Syria. Yes, it is madness.

Obviously, my work was often quite dangerous. Making uncomfortable but real deci-

sions over who survives and who doesn't, simply because there are scant resources, is always a nightmare. Over 1,000 fellow humanitarian aid workers have been killed during my time . . . many, many more than any United Nations Peacekeepers.

I have seen more senseless death and suffering than anyone my age should be allowed to witness. The same "how and why" issues that I first struggled with in Logic class at St. Mike's were now re-framed in very basic daily struggles of both ethics and morality.

As such, I moved more and more to care for the most vulnerable . . . the children, women, the elderly and disabled who make up 90% or more of those who flee or become ill, injured or die in every war. This became my calling.

While some of this may impress the budding healthcare professionals in the audience, everything I experienced in war was preventable . . . it need not have happened. War is not the answer.

But, my humanitarian work was the most meaningful I have ever done. I have no regrets. The saving of lives when the victims themselves have given up . . . and working with some of the most self-less people in the world, is addictive . . . and for a physician the adrenaline rush, intensity of the work and the diagnostic challenges are comparable to nothing else.

As Medical Director of the last Orphan Lift out of Saigon in 1975, I was secretly slipped into a refugee crowded, already surrounded and hostile Saigon during its last days to find abandoned and ill infants . . . many alone and starving in dank and dirty orphanages. We airlifted out 310 nameless infants in file boxes . . . 20 years later, by chance, I met an attractive and ebullient Asian woman, now a graduate student who had been the valedictorian of her college class. She was one of the infants I rescued . . . Life comes full circle . . . it was a really good day.

The scientific research that defines my academic career has me closely working with like-minded colleagues in Iran, Israel, Iraq, China, the European Union and many others. And Yes, another example of life taking full circle . . . the Nobel Laureates, once touted in 1957 as examples for us to emulate by the St. Mike's science Professors, selected a 2013 research study I co-authored to be presented and debated at their World Summit in Spain last year. Good people are listening and reading your work. So for the future academics and scientists in the audience. . . . Never give up!

Hopefully, my now fading career allows me to reflect and offer some parting Grand-Fatherly advice:

The essence of volunteerism is found in understanding the culture of the people we engage with, even within our own communities. In my experience, we did not understand the culture of Viet Nam or Iraq, and when General Petraeus was asked at the 10 year mark in Afghanistan what he would have done differently he said "I would have learned more about the culture!" . . .

Graduation marks your movement from the protective culture of the campus to a culture that is more complex, unforgiving at times, but also very exciting and worthwhile.

Most young volunteers are understandably burdened by the non-action they have reluctantly inherited from my generation. . . . Burdens that shamelessly stem from worldwide political neglect of both the health and science of the planet.

You should be disappointed but also challenged. . . . However, a very hopeful characteristic of your generation is that you

more often than not see yourselves less as nationalists . . . and more as global citizens. This marks a significant shift from my generation and a hopeful game-changer in the global landscape.

As your volunteerism matures, use whatever bully pulpit you have to expose and change those inequities that you see in the world. The risk is worth it.

I spoke up in Iraq over blatant human rights violations of the Geneva Convention and was called a "traitor" in the political Press. I am most proud I made that choice.

Remember, those who do have the political power to make change frequently do not know what they don't know. Instinctively, all volunteers are also educators and advocates. . . . It comes with the title.

The MOVE program, run by the Campus Ministry, and the Fire & Rescue Squad represent realistic "real world models" that one can neither assume nor get from the classroom alone. I wish I had experienced them myself. These inspiring volunteer initiatives have changed the culture of the College and more broadly and accurately re-defined "American exceptionalism."

Harvard, where I teach today, has recently taken a page from the St. Mike's playbook by placing more emphasis on accepting students to College who value caring for the community over individual extracurricular achievements. They claim that "community service" and the ethical concern for the greater public good!" is a more sensitive and true measure of an applicant.

I agree! St. Mike's, emphasizing "service to others" has owned and promoted this belief for many decades.

Aid to the oppressed has never stood still. Volunteerism, in general, is increasingly moving toward prevention, recovery and rehabilitation. . . . Your role models must be those distinguished recipients of the honorary degrees today. I applaud their self-less commitments to others.

St. Mike's was an unselfish gift to me. My class of 1961 was unique in producing many leaders in science, education, government, law, the military, industry, the social sciences, and medicine and dentistry to name but a few. They are all great citizens who still argue incessantly over politics . . . some things never change. . . . nor should they!

Please promise me that you will see your classmates often . . . call them, email them and return to the reunions . . . it's a great time to brag and see that everyone is equally aging and putting on weight. I do miss many of my friends and colleagues and also the professors who I tried to model myself on who passed away before I could thank them.

And yes, . . . as a bonus, there is another Harvard study this year that shows that both volunteers and their recipients increase social connections, reduce stress . . . and live longer lives!

I must close now. . . . As a 31-year Navy and Marine Corp veteran I wish to leave you with a saying that we, in the service of our country, always thought was strictly a nautical blessing. . . . In point of fact, it is a universal phrase of good luck as one departs on a voyage in life. . . . It reads: "Let me square the yards . . . while we may . . . and make a fair wind of it homeward". I wish you all in this audience "Fair Winds and Following Seas". . . . God speed to you and St. Mike's . . . and thank you for listening . . .

TRIBUTE TO KEVIN PEARCE

Mr. LEAHY. Mr. President, Vermont athletes are no strangers to the U.S.

Winter Olympic team. In 2009, the Hartland, VT, raised Kevin Pearce was readying himself to be a member of that team when tragedy struck. During a routine half-pipe training session for the 2010 Olympics, Kevin suffered a traumatic brain injury and was nearly killed when he crashed and struck his head. Since then, Kevin, with the support of his family, has worked to recover and heal from that terrible accident. I have heard firsthand from Kevin how instrumental his younger brother David was in providing positive feedback and encouragement as he completed his physical therapy. Together with his older brother, Adam, Kevin started the Love Your Brain Foundation, which offers support to survivors of traumatic brain injuries, their families, and their caregivers.

The Love Your Brain Foundation recently held its free annual retreat in Lincoln, VT. The foundation's mission extends beyond simply providing support to survivors; it also works to raise broader public awareness about the condition. Kevin, Adam, and those who support the mission of the Love Your Brain Foundation believe that traditional treatment options, as well as alternative methods of care, can help survivors of traumatic brain injuries lead full and healthy lives. The foundation's annual retreat enables people from around the country, and some from Canada, who are dealing with traumatic brain injuries to share their own personal stories and to sharpen skills in workshops focused on music, yoga, and nutrition education.

Whether the result of sporting accidents or from a vehicle crash, injuries sustained on the hiking trail or the battlefield, there is still much to be learned about traumatic brain injuries and how best to help those who sustain them recover. That is why the work of the Love Your Brain Foundation makes a real difference.

Kevin Pearce's life forever changed the day of his accident. He and his family have taken that tragedy and turned it into an opportunity to advance public awareness. His story is one we can all be inspired by, and his road to recovery is one we should all learn from and seek to emulate.

Mr. President, I ask unanimous consent that a May 28 article written by Vermont Associated Press reporter Lisa Rathke, entitled "Injured snowboarder helps brain injury survivors," be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Associated Press, May 28, 2016]

INJURED SNOWBOARDER HELPS BRAIN INJURY SURVIVORS

(By Lisa Rathke)

LINCOLN—A near-fatal halfpipe crash while training for the 2010 Olympics ended Kevin Pearce's snowboarding career and changed his life forever. Six years later, Pearce, 28,

continues to cope with his traumatic brain injury that he will carry with him for the rest of his life and he's helping other survivors do the same.

Pearce, who grew up in Vermont, and his brother started the Love Your Brain Foundation to support traumatic brain injury survivors and caregivers. The foundation provides workshops for yoga teachers to cater their classes to brain injury survivors. It also offers a free yearly retreat for those with traumatic brain injury and their caregivers that is taking place this week in Lincoln, Vermont, and hopes to offer retreats in other parts of the country.

The foundation raises money to cover these activities and is working on educating young athletes about the importance of "loving their brains" and preventing concussions.

About 50 people from around the country and Canada are attending the third annual event that also features nutrition education, art, music and other mindfulness activities. Attendees can also share their personal stories.

"There was a huge missing piece to traumatic brain injuries and there's such an unknown for so many people of what to do after they sustain this injury," said Pearce, following a morning yoga class at the retreat in a barnlike building on a hillside.

Alternatives such as acupuncture, yoga and meditation are proving helpful to traumatic brain injury survivors in their recoveries, said Dr. Roger Knakal, medical director of physical medicine and rehabilitation and the University of Vermont Medical Center.

One of the hardest parts about traumatic brain injuries is that they are invisible injuries, said Pearce's brother Adam.

The biggest eye-opener was how isolated people can become from a brain injury, he said. "When you have a brain injury, you feel so not normal," said Pearce. "You're thrown back into the regular world. You're expected to be as you were before this. We're not able to do that because we're now a new person."

Pearce was considered, along with Shaun White, to be one of America's top athletes in the sport at the time of his crash. On New Year's Eve in 2009, he struck his head during half-pipe training in Utah. He was in critical care for a month and then acute care for two weeks before moving to a rehabilitation center in Denver. He had to relearn how to walk, talk, even swallow. The family then moved back to Vermont where he continued rehab.

Pearce, who now lives in Bend, Oregon, continues to do cognitive therapy and is seeing eye therapists in Chicago to help with vision problems. He maintains a busy schedule, speaking to various groups about his story and the importance of "loving your brain" and showing the 2013 documentary about him called "Crash Reel."

Ari Havusha, 20, of Vancouver, returned to the retreat for the third time this year. He said he suffered several severe concussions and an eye injury as a teen soccer player and another severe concussion later during a college fall. He lives with a constant headache.

Havusha withdrew from McGill University in Montreal and returned home, where he became anxious and depressed. His mother pointed to the Love Your Brain retreat and right away, Havusha said, he knew he had to do it. "It was a huge turning point for me," he said. "I saw other people and their traumatic stories and I was able to connect with other people. Suddenly I was kind of lifted out of that isolation I felt so heavily."

TRIBUTE TO ADMIRAL
BILL GORTNEY

Mr. McCAIN. Mr. President, today I honor an exceptional leader and aviator. After 39 years, a lifetime of service to our Nation, ADM Bill Gortney is retiring from the U.S. Navy. On this occasion, I find it fitting to recognize Admiral Gortney's many accomplishments and years of uniformed service to our Nation.

As the son of a U.S. Navy captain and WWII aviator, Admiral Gortney was no stranger to the challenges and opportunities of naval aviation. After graduating from Elon College with a bachelor of arts in history and political science, he entered the Aviation Officer Candidate School and commissioned in the U.S. Naval Reserve in 1977. He earned his wings of gold as a naval aviator following his graduation from the jet strike pilot training pipeline in 1978. He is a 1996 graduate of Naval War College and earned his master of arts in international security affairs.

Admiral Gortney moved through the ranks quickly, moving from commander to four-star admiral in 8 years. Despite his rapid ascent through the command naval ranks, Admiral Gortney still managed to log over 5,360 mishap-free flight hours and completed over 1,265 carrier-arrested landings primarily in the A-7E Corsair II and the F/A-18 Hornet. Admiral Gortney has completed seven tours of command, starting with the VFA-15 Vallions and culminating with his third commanding tour in U.S. Central Command, as commander, U.S. Naval Forces Central Command/U.S. 5th Fleet, where he provided support to maritime security operations and combat operations for Operations Enduring Freedom And Iraqi Freedom.

Admiral Gortney's first flag tour was as the deputy chief of staff for Global Force Management and Joint Operation, U.S. Fleet Forces Command in Norfolk. This was followed by assignment as Commander, Carrier Strike Group 10 onboard the USS *Harry S Truman*, during which time he was promoted to a two-star rear admiral. After promotion to his third star, he was assigned as Commander, U.S. Naval Forces Central Command/U.S. 5th Fleet/Combined Maritime Forces, Bahrain. He also served as director, joint staff, from 2010-2012. In 2012, he became Commander, U.S. Fleet Forces Command. His final assignment prior to retirement was that of Commander, North American Aerospace Defense Command and U.S. Northern Command. It is the first and only position that places a single military commander in charge of the protection of our Nation from any potential attacks on U.S. soil. It is also the only binational command in the world's existence between Canada and the United States.

During his tenure there, Admiral Gortney redefined the mission for

USNORTHCOM's future, furthering the bonds that have secured the skies above the homelands for 60 years. He built a personal trust critical to the strength of the alliance with our partners in Canada, Mexico, and the Bahamas and was able to expand the traditional bounds of security cooperation. He increased military-to-military training and interaction. Within the homeland, Admiral Gortney's keen intuition led to a deliberate campaign plan to protect the United States forces from the threat of homegrown violent extremists. He led the Department of Defense planning to support lead Federal agencies to minimize the threat of both the Ebola and Zika viruses.

Throughout his career, Admiral Gortney's message of empowerment and his relentless desire to seek creative solutions to the commands' challenges has served as an example to all during his lifetime exemplary of military service. I join with the members of the Senate Armed Services Committee in expressing my respect and gratitude to Admiral Gortney for his outstanding service to our Nation. I offer heartfelt thanks to Bill; his wife, Sherry; their children, Stephanie and Billy; daughter-in-law, Jackie; and grandchildren, Gavin and Grayson. Congratulations to all on Bill's retirement from the U.S. Navy after a lifetime of dedicated service. To Bill, trusted leader and dedicated patriot, fair winds and following seas.

90TH ANNIVERSARY OF THE
TRIANGLE X RANCH

Mr. ENZI. Mr. President, I appreciate having this opportunity to share some news with the Senate about a very important anniversary we are celebrating in my home State. This is the year the Triangle X Ranch, one of our State's great attractions, is marking its 90th year of operation.

As you can imagine, the Triangle X has quite a story to tell of those 90 years. It began in the early 1900s when a visitor fell in love with an especially beautiful area of Wyoming. It continues to this day, its 90th year, cared for over the years by five generations of the Turner family.

The people of my home State have a great fondness and appreciation for the Triangle X because it reminds us of our Western heritage and our love of the land and all it provides. It reminds us of our growth as a State and what it was like to live in Wyoming back in those days.

The Triangle X Ranch Web site tells the story of the ranch. It begins, back in the early 1900s, when John and Maytie Turner liked to take "fun vacations," as they called them, to Yellowstone National Park. It was during one of those visits they had a chance to see an area around Jackson Hole for the

first time. It was one of those story-book encounters—or to put it another way: love at first sight.

Life was a lot tougher back then, so when they decided to make the area their home, they had to bring their sons back with them to get things started. It took a tremendous effort to build their home so they would have a place to stay. Even today, it is hard to imagine what an effort it took for them to live what had become their dream.

For starters, they had to bring the logs from some felled trees to their home site so they could build the basement of what would become their home. Once that was done, they had a place where they could live while they built the rest of their house.

Everything was difficult. Providing for the essentials they needed took planning and some time. Just taking a trip to the nearest town took several days. They had to grow or produce their own food, and while they were at it, they had to come up with ways of making something of a living.

This paragraph from the history section of their Web site says a lot about what their life was like back then for them and for many of those who had left the comforts of home and traded them for the great freedom and excitement of Wyoming and the West: "Because there was no electricity, wood supplied heat and kerosene lamps brought light to interiors. Refrigeration was provided by large chunks of ice that had been cut from nearby beaver ponds in the winter and stored in piles of sawdust to keep through the summer. A fresh meat supply was provided by the Turners' cattle herd, chickens and big game harvested in the fall. Surprisingly, most of these methods of supply continued through the 1940s."

The next generation saw more changes to the ranch. It was now a dude ranch. Their Web site describes how it became an "authorized concession of the National Park Service—the last dude ranch concession within the entire National Park system."

Today, a fifth generation of the Turner family is working the ranch and greeting guests, both new and returning friends, the lifestyle their family has loved for all these years. As each guest comes to the Triangle X, they receive the kind of education you just can't get from watching a movie or reading a book. You are immersed in a lifestyle that provides you with a front row seat to what life was like in the days of the old West.

As you can tell, I enjoy talking about the people of Wyoming, our businesses, and our unique brand of hospitality. I can't encourage you strongly enough to come to Wyoming and get a taste of what life was like back in the days when the West was the best part of our national heritage—and you will see

that it still is. When you come to my home State, you might stop by the Triangle X and then explore some more of Wyoming and the West.

Our homegrown businesses are one of the special things about Wyoming. Together, they form the backbone of Wyoming's economy and they keep us headed in the right direction. They are the strength of Wyoming and the West, and they are one of the reasons why people keep flocking to Jackson and the other cities and towns of Wyoming.

I will close by once again congratulating all those who are a part of the Triangle X story. They have made a difference in our State and in the lives of all those who come to visit. I would also like to invite my colleagues to come and see my home State. You can't beat our scenic beauty, hospitality, and our history and legacy as a State. I can promise you that you will have an adventure in Wyoming that you will remember for a long time to come.

Thank you.

ADDITIONAL STATEMENTS

PEASE GREETERS' 1000TH FLIGHT

• Ms. AYOTTE. Mr. President, today I wish to recognize and congratulate the Pease Greeters' nonprofit organization for more than 11 years of continuous service in greeting our troops and civilian personnel from the Department of Defense, DOD, passing through the Pease International Trade Port in Portsmouth, NH. In June of 2016, they will have welcomed more than 1,000 flights passing through the trade port on their way to or from Afghanistan, Iraq, or other areas of conflict in the world.

The Pease Greeters organization was created in May of 2005 when an unannounced plane carrying members of the U.S. military landed at the Pease International Airport. The airport director, maintenance manager, and airport employees quickly got together to meet and greet these troops, offering coffee, donuts, and a big thank you for their service. Soon thereafter, the airport director discovered that additional charter flights would be arriving at Pease. Upon learning this, he reached out to the Seacoast Marine Corps League for assistance welcoming the troops and putting together a fitting ceremony to show respect, appreciation, and honor for their service.

Once word spread, dozens of citizens from New Hampshire, Maine, and Massachusetts, lent their support to organize what quickly became known as the Pease Greeters, whose mission is to promote broad participation in this welcoming of heroes, paying special attention to the education of school children by instilling respect and admiration for the troops through formal

ceremonies for each flight. Whether it is 4 in the morning or 4 in the afternoon, the Pease Greeters are there to welcome and thank the members of the military and the civilian men and women working in the DOD coming through Pease. As of May 2016, the Pease Greeters have met more than 190,000 servicemen and servicewomen at the trade port, provided a bank of phones where they can call loved ones anywhere in the world free of charge, offered them more than 27,000 pizzas, 167,000 sandwiches, 110,000 bottles of water or soda, and 74,000 knitted hats.

As the Pease Greeters welcomes its 1,000th flight on June 26, 2016, I commend the board of directors, the many volunteers, the supporting businesses, the Pease International Airport director and staff, and the hundreds of well-wishers who have spent more than 11 years thanking and honoring our troops and DOD members for their service and selfless sacrifice to our Nation. As the Pease Greeters' mission continues, I have no doubt they will continue to provide comfort and welcome many future military members arriving or departing from the Pease International Trade Port.●

40TH ANNIVERSARY OF THE MEMORIAL TOURNAMENT

• Mr. PORTMAN. Mr. President, today I wish to recognize the 40th anniversary of the first playing of the Memorial Tournament, "the Memorial", at Muirfield Village Golf Club in Dublin, OH. Jack Nicklaus, a golf legend and Congressional Gold Medal recipient, founded the Memorial in 1976. Jack wanted to bring an annual PGA tour event to Central Ohio and named the tournament "the Memorial" to recognize a person or persons, living or deceased, who have contributed to the game of golf with honor.

The Memorial has been a significant benefit to charitable organizations. For example, Nationwide Children's Hospital in Columbus, OH, has received over \$14 million from the Memorial. In honor of that support, the hospital renamed its neonatal intensive care unit, NICU, as the Memorial NICU in 2006. The Memorial has also helped other organizations, such as the James Cancer Hospital and Solove Research Institute, the First Tee of Central Ohio, Shriners, and many more. The Memorial provides a significant economic development impact to the central Ohio region with an estimated \$35 million annually toward the economy.

I am honored to have attended the Memorial to see firsthand its impact in the community. I would like to congratulate all who were involved in making the first 40 years of the Memorial a success.●

RECOGNIZING ALABAMA'S SPECIAL CAMP FOR CHILDREN AND ADULTS

• Mr. SESSIONS. Mr. President, today I wish to recognize the 40th anniversary of Alabama's Special Camp for Children and Adults, a nationally recognized leader in therapeutic recreation for children and adults with both physical and intellectual disabilities.

Also known as Camp ASCCA, the organization was founded in 1976 with the goal of helping eligible individuals achieve equality, dignity, and maximum independence. Camp ASCCA is the only one of its kind in the State of Alabama and hosts between 6,000 and 8,000 people each year, all varying in age. On the shores of Lake Martin, the camp offers 230 wooded acres and handicapped facilities. The camp strives to increase the level of individuality and confidence of its guests, and that impact lasts long after the camp session ends.

Camp ASCCA maintains a trained staff dedicated to accommodating the needs of its visitors. The mission statement of ASCCA is to serve those who can derive maximum benefit from the resident camp experience and provide a healthier, happier, longer, and more productive life for children and adults of all abilities.

On August 6, 2016, ASCCA will be celebrating its 40th anniversary.

Please join me in recognizing Alabama's Special Camp for Children and Adults for its long-term commitment to creating an enjoyable atmosphere for those guests who attend.●

REMEMBERING MARLIN MOORE

• Mr. SHELBY. Mr. President, today I wish to honor the life of my friend Marlin Moore of Tuscaloosa, AL, who passed away on May 25, 2016. He will be long remembered as an accomplished businessman and a civic leader.

A native of Tuscaloosa, Marlin attended Tuscaloosa High School and then went on to become a student at the University of Alabama's School of Commerce. Following graduation, he joined the firm of Pritchett-Moore, Inc., where he worked under its founders, Marlin Moore, Sr., and Harry H. Pritchett.

Marlin eventually became president and then chairman of Pritchett-Moore. Not only did he develop 43 subdivisions during his time with Pritchett-Moore, but he was involved with the Realtors Association both on the State and national level. Marlin served two terms as president of the Tuscaloosa Association of Realtors, president of the Alabama Association of Realtors, and served as a board member of the National Association of Realtors for 11 years. For his contributions to the real estate community, he received the Alabama Realtor of the Year Award and was named a member of the Home

Builders Association of Tuscaloosa Hall of Fame.

In addition to his interest and work in real estate, Marlin was also a founder of Security Bank, where he served as its chairman. He served as a board member of First National Bank and AmSouth Bank, and he served two terms on the board of the Federal Reserve Bank of Atlanta.

In addition to his professional contributions to west Alabama, Marlin worked with several philanthropic organizations such as the United Way of West Alabama, West Alabama Chamber of Commerce, Red Cross, Exchange Club, the Boy Scout Council, the West Alabama Community Foundation, and the University of Alabama and the Crimson Tide Track Program. In 2008, he was inducted into the Pillars of West Alabama for his dedicated efforts and service to the area.

The city of Tuscaloosa and the State of Alabama was fortunate to have a great businessman and civic leader like Marlin Moore, and he will be sorely missed. I offer my deepest condolences to his wife, Laine, and their children as they celebrate his life and mourn his loss.●

MESSAGE FROM THE HOUSE

At 11:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 3(a) of the Evidence-Based Policymaking Commission Act of 2016 (Public Law 114-140), the Minority Leader appoints the following individuals on the part of the House of Representatives to the Commission on Evidence-Based Policymaking: Dr. Sherry A. Glied of New York, Dr. Hilary W. Hoynes of California, and Dr. Latanya A. Sweeney of Massachusetts.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 795. A bill to enhance whistleblower protection for contractor and grantee employees (Rept. No. 114-270).

S. 1411. A bill to amend the Act of August 25, 1958, commonly known as the "Former Presidents Act of 1958", with respect to the monetary allowance payable to a former President, and for other purposes (Rept. No. 114-271).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. WARREN (for herself and Mr. LEE):

S. 3025. A bill to amend the Internal Revenue Code of 1986 to permit fellowship and stipend compensation to be saved in an individual retirement account; to the Committee on Finance.

By Mr. SCHUMER:

S. 3026. A bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KING:

S. 3027. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 3028. A bill to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 3029. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans; to the Committee on Veterans' Affairs.

By Mr. ALEXANDER (for himself, Mr. JOHNSON, Mr. MCCONNELL, Mr. BARASSO, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. SUL-LIVAN):

S.J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 299

At the request of Mr. FLAKE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 609

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 609, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Pennsyl-

vania (Mr. CASEY) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 859

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 859, a bill to protect the public, communities across America, and the environment by increasing the safety of crude oil transportation by railroad, and for other purposes.

S. 884

At the request of Mr. BLUNT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 1049

At the request of Ms. HEITKAMP, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1516

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1516, a bill to amend the Internal Revenue Code of 1986 to modify the energy credit to provide greater incentives for industrial energy efficiency.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1715

At the request of Mr. HOEVEN, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1715, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the arrival of the Pilgrims.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2531

At the request of Mr. KIRK, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2531, a bill to authorize State and local

governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 2569

At the request of Mr. PETERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2569, a bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes.

S. 2598

At the request of Ms. WARREN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2614

At the request of Mr. SCHUMER, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 2614, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

S. 2659

At the request of Mr. BURR, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2682

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2682, a bill to provide territories of the United States with bankruptcy protection.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2852

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2852, a bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes.

S. 2854

At the request of Mr. BURR, the names of the Senator from Utah (Mr.

HATCH), the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2895

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2895, a bill to extend the civil statute of limitations for victims of Federal sex offenses.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3023

At the request of Mrs. MCCASKILL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3023, a bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes.

S. RES. 465

At the request of Mr. HEINRICH, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 465, a resolution supporting the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and businesses across the United States.

AMENDMENT NO. 4068

At the request of Mr. MORAN, the name of the Senator from Pennsyl-

vania (Mr. TOOMEY) was added as a cosponsor of amendment No. 4068 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4080

At the request of Ms. HEITKAMP, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 4080 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4088

At the request of Mrs. BOXER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 4088 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4097

At the request of Mr. MCCAIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 4097 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4098

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 4098 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4116

At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 4116 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military

activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4123

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 4123 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4136

At the request of Mr. HOEVEN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 4136 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4138

At the request of Mr. PETERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 4138 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4149

At the request of Mr. MCCAIN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 4149 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4155

At the request of Mr. BOOZMAN, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 4155 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4172

At the request of Mr. KIRK, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 4172 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4179

At the request of Ms. CANTWELL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 4179 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4202

At the request of Mr. DAINES, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 4202 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4204

At the request of Mr. INHOFE, the names of the Senator from Alabama (Mr. SHELBY), the Senator from Kansas (Mr. MORAN), the Senator from Massachusetts (Ms. WARREN), the Senator from Michigan (Mr. PETERS) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 4204 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4217

At the request of Ms. AYOTTE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 4217 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4220

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 4220 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4222

At the request of Ms. MURKOWSKI, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Alaska (Mr. SULLIVAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4223

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 4223 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4225

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 4225 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4229

At the request of Mr. MCCAIN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4229 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4235

At the request of Mr. HELLER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 4235 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4241

At the request of Mr. MARKEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4241 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4245

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 4245 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4249

At the request of Ms. HEITKAMP, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4249 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4250

At the request of Mrs. SHAHEEN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Michigan (Mr. PETERS), the Senator from Minnesota (Mr. FRANKEN) and the

Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 4250 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4251

At the request of Mr. DAINES, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 4251 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4255

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 4255 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4267

At the request of Mr. COCHRAN, the names of the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Florida (Mr. RUBIO), the Senator from Utah (Mr. LEE), the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON), the Senator from North Dakota (Mr. HOEVEN), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 4267 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4276

At the request of Mr. LEE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 4276 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4280

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 4280 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4292

At the request of Mr. CASEY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 4292 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of amendment No. 4292 intended to be proposed to S. 2943, *supra*.

AMENDMENT NO. 4306

At the request of Mr. BARRASSO, his name was added as a cosponsor of amendment No. 4306 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4317

At the request of Ms. HIRONO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4317 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4320

At the request of Mr. SCHATZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 4320 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4369

At the request of Mr. DURBIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from

Michigan (Ms. STABENOW), the Senator from Michigan (Mr. PETERS), the Senator from Minnesota (Mr. FRANKEN), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. NELSON), the Senator from Oregon (Mr. WYDEN), the Senator from New Jersey (Mr. BOOKER), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 4369 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4401

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4401 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4418

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 4418 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4423

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4423 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4426

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 4426 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4433

At the request of Mr. WYDEN, the names of the Senator from Virginia (Mr. Kaine), the Senator from California (Mrs. BOXER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 4433 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4435

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 4435 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4436

At the request of Mr. RUBIO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 4436 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4438

At the request of Mr. SCHATZ, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 4438 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 3028. A bill to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I am pleased to join with Senator MURRAY in introducing legislation to rename the Olympic Wilderness in Olympic National Park as the Daniel J. Evans Wil-

derness, in honor of former Washington Senator and Governor Dan Evans.

Dan Evans has had a long and distinguished career in public service. He was first elected Governor of Washington in 1964 and was reelected in 1968 and 1972. In 1983, he was appointed to fill the term of the late Senator Henry M. Jackson and served an additional term in the Senate before retiring in January, 1989. From 1993 through 2005, Senator Evans served as a member of the University of Washington Board of Regents.

During his time in the Senate, Senator Evans was a leader in the passage of two major wilderness bills in our state. He was a cosponsor of the 1984 Washington Wilderness Act, which designated more than one million acres of national forest lands in Washington as wilderness. And he was the lead sponsor of the Washington Park Wilderness Act of 1988, which designated more than 1.5 million acres of Wilderness in Olympic, Mount Rainier and North Cascade National Parks.

Thanks to Senator Evans' dedication to protecting many of our state's most spectacular wildlands, Washingtonians and all Americans are able to enjoy outdoor recreation opportunities in some of our Nation's most iconic areas, including protection of more than 876,000 acres of wilderness in Olympic National Park.

This dedication will not affect the management of either the national park or the wilderness, but it will appropriately recognize the important role of Dan Evans in securing the permanent protection of this magnificent landscape.

By Mr. ALEXANDER (for himself, Mr. JOHNSON, Mr. MCCONNELL, Mr. BARRASSO, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. SULLIVAN):

S.J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I am here today to introduce a Congressional Review Act resolution of disapproval on the administration's so-called overtime rule. I am joined by Senator JOHNSON of Wisconsin on this effort and also 43 other Senators who are cosponsors.

While President Obama is running around talking about keeping college costs down, his administration has put out this so-called overtime rule that could raise tuition by hundreds of dollars for millions of American college students or cause layoffs at our colleges and universities. In Tennessee, for example, colleges report to me that they may have to raise tuition by anywhere from \$200 a student to \$850 a student in one case because of this rule.

The administration's new rule is a radical change to our Nation's overtime rules. What they have done is doubled the salary threshold for overtime. Here is what that means. Hourly workers are usually paid for overtime work, but salaried workers generally don't earn overtime unless they are making below a threshold set by the Labor Department, as required by the Fair Labor Standards Act. Today that threshold is \$23,660. This administration is raising it all at one time to \$47,476. The administration calls this the overtime rule. I think we should call this the "time card" rule or the "higher tuition" rule. This means that a midlevel manager in Knoxville or Nashville who is making \$40,000 a year is going to have to go back to punching a time card.

The rule affects 4.23 million workers nationwide and nearly 100,000 in Tennessee. It is going to create huge costs for employers, including small businesses, nonprofits, such as the Boy Scouts, and colleges and universities. They have to decide whether to cut services, cut benefits, lay off or demote employees, or create more part-time jobs or do a little of all of that.

The University of Tennessee says that if they increase everyone's salaries to meet the new threshold, they will have to increase tuition by over \$200 per student on average, with some seeing as much as a \$456 increase.

If they put all the salaried employees back on time cards, they will face big morale issues.

Listen to this letter I received from a University of Tennessee employee:

Currently, I am an exempt employee but I stand to fall under the non-exempt status under the new standards. While this may not seem like a major issue to many, I stand to lose a substantial amount of benefits if my status changes. The nature of my position does not ever cause me to work overtime, as I work in an office from 8:30-4:30 daily and I am salaried. If I am reclassified, it appears I will lose 96 hours of annual leave per year, as well as be subject to an almost 100 hour lower cap on accrued annual leave.

Another private college in Tennessee tells me it will cost them the equivalent

of \$850 a student if they don't lay off any employees.

As employers, they also face the cascade of regulations that is coming from the Labor Department.

This rule should be called the "time card" rule because they are going to pull millions of Americans who have climbed their way to salaried positions backwards—back to filling out a time card and punching a clock, back to having fewer benefits, backwards in their careers, back to being left out of the room, back to being left off emails and even out of the discussion.

Want to show your stuff at work? Want to get up early, leave late, climb the ladder, earn the American dream the way that so many Americans have before you? Tough luck. Employers are going to say: Don't come early. Don't stay late. Don't take time off to go to your kids' football game. Work your 8 hours and go home. I don't have enough money to pay you overtime.

This rule says the Obama administration knows best. They know how to manage your career, your work schedule, your free time, and your income. They know better than you do.

Today, somebody who makes a salary of less than \$23,660 must be paid overtime. Almost everyone agrees that threshold is low and should begin to go up. Almost everyone said to the administration: It is time to raise the number, but don't go too high, too fast or you will create all kinds of destruction.

They didn't listen, so now we are going to have these huge costs.

Let's talk about employers. Let's remember that we are talking about nonprofits like Operation Smile, which is a charity that funds cleft palate operations for children. They say this rule will mean 3,000 fewer surgeries a year. Then there is the Great Smoky Mountain Council of the Boy Scouts, my home council, which estimates \$100,000 in added annual costs because during certain seasons, employees staff weekend campouts and recruitment events, which mean longer hours.

Many Americans are discouraged by this economic recovery. Millions are still waiting for the recovery. But you don't grow the economy by regulations such as this.

The National Retail Federation says the rule will "curtail career advancement opportunities, diminish workplace flexibility, damage employee morale, and lead to a more hierarchical workplace."

The U.S. Chamber Commerce says: "The dramatic escalation of the salary threshold, below which employees must be paid overtime for working more than 40 hours a week, will mean millions of employees who are salaried professionals will have to be reclassified to hourly wage workers."

There are 16 million Americans—including 320,000 Tennesseans—who are working part time while looking for

full-time work or who are out of work entirely. They need a vibrant economy; they don't need Washington bureaucrats telling them how to manage their work schedule, their free time, and their income.

I know this is a good-sounding rule, but it wrestles more and more control from the hands of Americans and small business owners and puts more power in Washington agencies.

Many of these rules, like the overtime rule or the "higher tuition" rule or the "time card" rule—call it whatever you will—won't stand the test of time. They will end up in courts and they will lose, or another President will come along and fix what is broken. But in the meantime, how many millions of dollars and hours of time will be wasted as small business owners make excruciating decisions about how to implement these rules?

My hope is that the Senate will vote to give this "time card" "higher tuition" rule an early death before business owners and nonprofits and colleges and universities begin the task of implementing it by December.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise first to say thank you to the Senator from Tennessee for leading this vote of disapproval on what is really a terrible rule. It is a solution looking for a problem.

I spent 31 years running a manufacturing plant. It has been my experience that I have never had somebody in my operation ask to go from salary to hourly. I remember in 2004 when they tightened the rules and a number of people who worked for me were forced into hourly. None of them wanted to go. By the way, none of them received higher wages or a higher salary; they just lost flexibility—and that is exactly what is going to happen.

Being an accountant, I would like to kind of go through the numbers. These are the Department of Labor's own calculations. They claim there would be \$1.2 billion more wages paid to workers. That is what they claim the benefit is going to be, but they also admit that there will be \$678 million in compliance costs to businesses just trying to figure out the rule, trying to implement it.

What they are missing is, if wages—and I think that is a big "if" because I think what will end up happening is—you know, employers are competing in a global economy, and you can't just increase costs. So my guess, basically, is what is going to happen—and happened to my business in 2004—is they will just adjust. The workers won't get any more money. But let's just say \$1.2 billion in wages is paid to workers. Well, that will be a cost to businesses. So as far as the overall benefit to the economy, wages might increase \$1.2 billion, but business costs will increase

\$1.2 billion, and that nets to zero benefit to the economy. But there will still be a \$678 million compliance cost to businesses, and, of course, that will be added to the already onerous regulatory burden on our economy.

There are three different studies—the Small Business Administration, the Competitive Enterprise Institute, and the National Association of Manufacturers—putting the cost of complying with Federal regulation somewhere between \$1.75 trillion to over \$2 trillion per year. If you take the medium estimate of that and divide it by 127 million households, that is a total cost of compliance with Federal regulations of \$14,800 per year, per household. The only larger expense to a household is housing. That is the cost of complying.

Let me finish with another figure—\$12,000 per year, per employee. That is the cost of just four Obama regulations to one Wisconsin paper manufacturer. I can't tell you which one because the CEO fears retaliation. Now, think of that for a minute. But just four Obama regulations are costing one paper manufacturer the equivalent of \$12,000 per year, per employee.

So if you are concerned about income inequality, if you are wondering why wages have stagnated, look no further than this massive regulatory burden, and of course the overtime rule is just one of those burdens. I would just ask everybody, would you rather have that \$12,000 feeding the government in compliance costs or would you rather have that \$12,000 in your paycheck feeding your family?

Making a living is hard. Big Government just makes it a whole lot harder, and this overtime rule is just going to make it that much more incrementally harder.

Mr. ISAKSON. Mr. President, I rise for a few minutes to compliment Chairman ALEXANDER and Senator JOHNSON for their resolution of disapproval on the overtime rule.

When I came into the Chamber, LAMAR ALEXANDER was making his speech, followed by Senator JOHNSON. I listened closely, because I got a phone call last week from Bryant Wright, the pastor at the Johnson Ferry Baptist Church in Marietta, GA. They are one of the largest Baptist churches in my State. They provide daycare. They provide early childhood development. They provide sports activities. They provide vacation Bible school—a 24/7 program for underprivileged kids.

The unintended consequence of what I am sure is a well-intended regulation is that a 24-hour-a-day camp counselor at Johnson Ferry Baptist Church for their vacation Bible school will be paid regular pay for 8 hours and then have to be paid time and a half for the other 16 hours of the day they are with the child under the application of the rule. You are going to price the Johnson Ferry Baptist Church out of the busi-

ness of providing for underprivileged children. And what is going to happen? Those people are going to come to the government for the government to provide that service.

So what this will do is take a church out of the business of helping human beings and put the government in the position of having more demand for taxpayers to fund services that would have been provided anyway.

I commend Chairman ALEXANDER. I commend Senator JOHNSON and others. I urge all my colleagues to join them in the resolution of disapproval in the overtime rule. It is wrong for America. Its consequences are unintended, but they are devastating. I urge everybody to vote in favor of it, and I appreciate Senator ALEXANDER for his leadership in introducing that joint resolution.

I yield the floor.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4448. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4450. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4451. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4452. Mr. HEINRICH (for himself, Mr. HELLER, and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4453. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4454. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4455. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4456. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4457. Mr. MERKLEY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4458. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4459. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4460. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4461. Mr. MANCHIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4462. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4463. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4464. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4465. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4466. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4467. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4468. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4469. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4470. Mr. PETERS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4471. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4472. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4473. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4474. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4475. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4476. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4477. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4478. Mr. HOEVEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S.

2943, *supra*; which was ordered to lie on the table.

SA 4479. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4480. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4481. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4482. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4483. Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURR, Mr. INHOFE, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4484. Mrs. ERNST (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4485. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4486. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4487. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4488. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4489. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4490. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4491. Mr. BENNET (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4492. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4493. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4494. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4495. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4496. Mr. KAINE (for himself, Mr. FLAKE, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4497. Mr. KAINE (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4498. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4499. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4500. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4501. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4502. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4503. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4504. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4505. Mr. DONNELLY (for himself, Mr. INHOFE, Mr. KAINE, Mr. HATCH, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4506. Ms. WARREN (for herself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mr. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SANDERS, Ms. STABENOW, and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4507. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4508. Mr. BROWN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4509. Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4510. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4511. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4512. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4513. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4514. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4515. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4516. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment in-

tended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4517. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4526. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4527. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4528. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4529. Mrs. MURRAY (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4531. Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mr. SCHUMER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4532. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4533. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4534. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4535. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4536. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4537. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4541. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4542. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4543. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4544. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4545. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4547. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. MCCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4549. Mr. REED (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. MCCAIN to the bill S. 2943, supra.

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4551. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4552. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4553. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4448. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. AUTHORITY FOR AGREEMENTS TO REIMBURSE STATES FOR COSTS OF SUPPRESSING WILDFIRES ON STATE LANDS CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES UNDER LEASES AND OTHER GRANTS OF ACCESS TO STATE LANDS.

Section 2691 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) The Secretary of Defense may, in any lease, permit, license, or other grant of ac-

cess for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.”.

SA 4450. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1241, insert the following:

SEC. 1241A. UNITED STATES POLICY WITH RESPECT TO FREEDOM OF NAVIGATION OPERATIONS IN INTERNATIONAL WATERS AND AIRSPACE.

(a) FINDINGS.—Congress makes the following findings:

(1) Since the Declaration of Independence in 1776, which was inspired in part as a response to a “tyrant” who “plundered our seas, ravaged our Coasts” and who wrote laws “for cutting off our Trade with all parts of the world”, freedom of seas and promotion of international commerce have been core security interests of the United States.

(2) Article I, section 8 of the Constitution of the United States establishes enumerated powers for Congress which include regulating commerce with foreign nations, punishing piracies and felonies committed on the high seas and offenses against the law of nations, and providing and maintaining a Navy.

(3) For centuries, the United States has maintained a bedrock commitment to ensuring the right to freedom of navigation for all law-abiding parties in every region of the world.

(4) In support of international law, the longstanding United States commitment to freedom of navigation and ensuring the free access to sea lanes to promote global commerce remains a core security interest of the United States.

(5) This is particularly true in areas of the world that are critical transportation corridors and key routes for global commerce, such as the South China Sea and the East China Sea, through which a significant portion of global commerce transits.

(6) The consistent exercise of freedom of navigation operations and overflights by United States naval and air forces throughout the world plays a critical role in safeguarding the freedom of the seas for all lawful nations, supporting international law, and ensuring the continued safe passage and promotion of global commerce and trade.

(b) DECLARATION OF POLICY.—It is the policy of the United States to fly, sail, and operate throughout the oceans, seas, and airspace of the world wherever international law allows.

(c) IMPLEMENTATION OF POLICY.—

(1) IN GENERAL.—In furtherance of the policy set forth in subsection (b), the Secretary of Defense shall—

(A) plan and execute a robust series of routine and regular freedom of navigation operations (FONOPs) throughout the world, with a particular emphasis on critical transportation corridors and key routes for global commerce (such as the South China Sea and the East China Sea);

(B) execute, in such critical transportation corridors, routine and regular maritime freedom of navigation operations throughout the year;

(C) in addition to the operations executed pursuant to subparagraph (B), execute routine and regular maritime freedom of navigation operations throughout the year, in accordance with international law, including the use of expanded military options and maneuvers beyond innocent passage (including fire-control radars, small boat launches, and helicopter patrols);

(D) to the maximum extent practicable, execute freedom of navigation operations pursuant to this subsection with regional partner countries and allies of the United States; and

(E) when necessary, execute other routine and regular freedom of navigation operations to challenge maritime and airspace claims by other countries that are not consistent with international law.

(2) **WAIVER.**—The Secretary may waive a requirement in paragraph (1) to execute a freedom of navigation operation otherwise specified by that paragraph if the Secretary certifies to the congressional defense committees in writing that the waiver is in the national security interests of the United States and includes with such certification a justification for the waiver.

(d) **ANNUAL REPORTS.**—

(1) **IN GENERAL.**—Not later than June 30 each year, the Secretary of Defense shall submit to the congressional defense committees a report on the freedom of navigation operations executed pursuant to subsection (c) during the preceding calendar year.

(2) **ELEMENTS.**—Each report under this subsection shall include, for the calendar year covered by such report, the following:

(A) A list of each freedom of navigation operation executed.

(B) A description of each such operation, including—

- (i) the location of the operation;
- (ii) the type of claim challenged by the operation;
- (iii) the specific military operations conducted during the operation; and
- (iv) each partner country or ally, if any, included in the operation.

SA 4451. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 216, insert the following:

SEC. 216A. HIGH ENERGY LASER SYSTEMS TEST FACILITY.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The High Energy Laser Systems Test Facility (HELSTF) was chartered to be the primary test and evaluation facility for high energy laser systems throughout the Department of Defense and the Armed Forces, thus ensuring efficient, effective, and more affordable testing and evaluation of high energy lasers for the United States.

(2) Research, development, test, and evaluation on high energy lasers is critical to achieving the Third Offset Strategy of the Department, and workloads related to laser testing are increasing.

(3) Due to insufficient funding, the High Energy Laser Systems Test Facility is unable to accommodate the test and evaluation demanded of it by the Armed Forces.

(b) **INDEPENDENT EVALUATION.**—

(1) **IN GENERAL.**—The Secretary of Defense shall enter into an agreement with an independent entity to conduct an evaluation and assessment of options to provide financial resources for the High Energy Laser Systems Test Facility in accordance with the recommendations in the 2009 report of the Test Resource Management Center and High Energy Laser Joint Program Office entitled “Impact Report to Congress on High Energy Laser Systems Test Facility (HELSTF) and Plan for Test and Evaluation of High Energy Laser Systems”, and other relevant reports, including—

(A) the transfer of management of the Facility to the Joint Directed Energy Program Office (JDEPO), as redesignated by section 216(b); and

(B) modifications of funding for the Joint Directed Energy Program Office in order to provide adequate financial resources for the Facility.

(2) **REPORT.**—Under the agreement entered into pursuant to paragraph (1), the entity conducting the evaluation and assessment required pursuant to that paragraph shall, by not later than January 31, 2017, submit to the Secretary, and to the congressional defense committees, a report setting forth the results of the evaluation and assessment, including such recommendations for legislative and administrative action with respect to the financial resources and organization of the High Energy Laser Systems Test Facility as the entity considers appropriate.

SA 4452. Mr. HEINRICH (for himself, Mr. HELLER, and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1046 and replace with the following:

SEC. 1046. INDEPENDENT STUDY ON OPERATION OF REMOTELY PILOTED AIRCRAFT BY ENLISTED AIR FORCE PERSONNEL.

(a) **INDEPENDENT STUDY.**—

(1) **IN GENERAL.**—The Secretary of the Air Force shall obtain an independent review and assessment of officer and enlisted pilots and crews in the remotely piloted aircraft (RPA) enterprise that determines the following:

(A) The appropriate future balance of officer and enlisted pilots and crews in the remotely piloted aircraft enterprise.

(B) Any potential impacts on the future structure of the Air Force of incorporating enlisted personnel into the piloting of remotely piloted aircraft.

(2) **CONSIDERATIONS IN DETERMINING BALANCE.**—The balance determined pursuant to the study shall be determined taking into account relevant portions of the defense strategy, critical assumptions, priorities, force-sizing constructs, and costs.

(b) **REPORT.**—Not later than April 14, 2017, the Secretary shall submit to the congressional defense committees a comprehensive report on the results of the study required by subsection (a), including the following:

(1) A detailed discussion of the specific assumptions, observations, conclusions, and recommendations of the study.

(2) A detailed description of the modeling and analysis techniques used for the study.

SA 4453. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. SPECIAL EXPERIENCE INDICATOR FOR AIR FORCE COMMUNICATIONS MAINTENANCE PERSONNEL WHO MAINTAIN REMOTELY PILOTED AIRCRAFT GROUND CONTROL STATIONS.

(a) **ESTABLISHMENT REQUIRED.**—Not later than February 1, 2017, the Secretary of the Air Force shall establish a Special Experience Indicator (SEI) for Air Force communications maintenance personnel who maintain remotely piloted aircraft ground control stations (GCS).

(b) **ASSIGNMENT TO CURRENT PERSONNEL.**—The Secretary shall complete the assignment of the Special Experience Indicator established pursuant to subsection (a) to all current personnel of the Air Force who merit the assignment of the Special Experience Indicator by not later than September 1, 2017.

SA 4454. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1123 and insert the following:

SEC. 1123. DIRECT HIRE AUTHORITY FOR SCIENTIFIC, ENGINEERING, AND OTHER POSITIONS FOR TEST AND EVALUATION FACILITIES OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) **IN GENERAL.**—The Secretary of Defense may, acting through the Director of Operational Test and Evaluation and the Directors of the test and evaluation facilities of the Major Range and Test Facility Base of the Department of Defense, appoint qualified candidates possessing a college degree to scientific, engineering, technical, and key support positions within the Office of the Director of Operational Test and Evaluation and the test and evaluation facilities of the Major Range and Test Facility Base without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title.

(b) **LIMITATION ON NUMBER.**—

(1) **IN GENERAL.**—Authority under this section may not, in any calendar year and with respect to the Office of the Director of Operational Test and Evaluation or any test and evaluation facility, be exercised with respect to a number of candidates greater than the number equal to 5 percent of the total number of positions described in subsection (a)

within the Office or such facility that are filled as of the close of the fiscal year last ending before the start of such calendar year.

(2) NATURE OF APPOINTMENT.—For purposes of this subsection, any candidate appointed to a position under this section shall be treated as appointed on a full-time equivalent basis.

(c) TERMINATION.—The authority to make appointments under this section shall not be available after December 31, 2021.

(d) MAJOR RANGE AND TEST FACILITY BASE DEFINED.—In this section, the term “Major Range and Test Facility Base” means the test and evaluation facilities that are designated by the Secretary as facilities and resources comprising the Major Range and Test Facility Base of the Department.

SA 4455. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. REPORT ON PERFORMANCE OF TRANSISTORS USED BY MISSILE DEFENSE AGENCY.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the performance of transistors used in electronic systems on platforms and systems in radiation-hardened applications of the Agency.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the performance of transistors described in subsection (a) in radiation-hardened applications; and

(2) an identification of emerging transistor technologies with the potential to enhance the performance of electronic systems in radiation-hardened applications.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 4456. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROGRAM TO INCREASE EFFICIENCY IN THE RECRUITMENT AND HIRING BY THE DEPARTMENT OF VETERANS AFFAIRS OF HEALTH CARE WORKERS UNDERGOING SEPARATION FROM THE ARMED FORCES.

(a) PROGRAM.—The Secretary of Veterans Affairs shall, in coordination with the Secretary of Defense, carry out a program to recruit individuals who are undergoing separation from the Armed Forces and who served

in a health care capacity while serving as a member of the Armed Forces. The program shall be known as the “Docs-to-Doctors Program”.

(b) SHARING OF INFORMATION.—

(1) SUBMITTAL OF LIST.—For purposes of carrying out the program, not less frequently than once per year (or a shorter period that the Secretary of Veterans Affairs and the Secretary of Defense may jointly specify), the Secretary of Defense shall submit to the Secretary of Veterans Affairs a list of members of the Armed Forces, including the reserve components, who—

(A) served in a health care capacity while serving as a member of the Armed Forces;

(B) are undergoing or have undergone separation from the Armed Forces during the period covered by the list; and

(C) will be discharged from the Armed Forces under honorable conditions, as determined by the Secretary of Defense, or have been discharged from the Armed Forces under honorable conditions during the period covered by the list.

(2) USE OF OCCUPATIONAL CODES.—Each list submitted under paragraph (1) shall include members of the Armed Forces who were assigned a Military Occupational Specialty code, an Air Force Specialty Code, or a United States Navy rating indicative of service in a health care capacity.

(3) INFORMATION INCLUDED.—Each list submitted under paragraph (1) shall include the following information, to the extent such information is available to the Secretary of Defense, with respect to each member of the Armed Forces included in such list:

(A) Contact information.

(B) Rank upon separation from the Armed Forces.

(C) A description of health care experience while serving as a member of the Armed Forces and other relevant health care experience, including any relevant credential, such as a certificate, certification, or license, including the name of the institution or organization that issued the credential.

(4) CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—In submitting each list under paragraph (1), the Secretary of Defense shall consult with the Secretary of Homeland Security with respect to matters concerning the Coast Guard when it is not operating as a service in the Navy.

(c) RESOLUTION OF BARRIERS TO EMPLOYMENT.—

(1) IN GENERAL.—In carrying out the program, the Secretary of Veterans Affairs shall, in coordination with the Secretary of Defense, work to resolve any barriers relating to credentialing or to specific hiring rules, procedures, and processes of the Department of Veterans Affairs that may delay or prevent the hiring of individuals who are undergoing separation from the Armed Forces and who served in a health care capacity while serving as a member of the Armed Forces, including by reconciling different credentialing processes and standards between the Department of Veterans Affairs and the Department of Defense.

(2) REPORT.—If the Secretary of Veterans Affairs determines that a barrier described in paragraph (1) cannot be resolved under such paragraph, the Secretary shall, not later than 90 days after the discovery of the barrier, submit to Congress a report that includes such recommendations for legislative and administrative action as the Secretary considers appropriate to resolve the barrier, including any barrier imposed by a State.

(d) TREATMENT OF APPLICATIONS FOR EMPLOYMENT.—An application for employment

in the Department of Veterans Affairs in a health care capacity received by the Secretary of Veterans Affairs from a member or former member of the Armed Forces who is on a list submitted to the Secretary under subsection (b) shall not be considered an application from outside the work force of the Department for purposes of section 3330 of title 5, United States Code, and section 335.105 of title 5, Code of Federal Regulations (as in effect on the date of the enactment of this Act), if the application is enacted not later than one year after the separation of the member or former member from the Armed Forces.

SEC. 1097A. UNIFORM CREDENTIALING STANDARDS FOR CERTAIN HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter II of chapter 74 of title 38, United States Code, is amended by inserting after section 7423 the following new section:

“§ 7423A. Personnel administration: uniform credentialing process

“(a) UNIFORM PROCESS.—The Secretary shall implement a uniform credentialing process for employees of the Veterans Health Administration for each position specified in section 7421(b) of this title.

“(b) RECOGNITION THROUGHOUT ADMINISTRATION.—If an employee of the Administration in a position specified in section 7421(b) of this title is credentialed under this section for purposes of practicing in a location within the Administration, such credential shall be deemed to be sufficient for the employee to practice in any location within the Administration.

“(c) RENEWAL.—(1) Except as provided in paragraph (2), the Secretary may provide for the renewal of credentials under this section pursuant to such regulations as the Secretary may prescribe for such purpose.

“(2) Renewal of credentials under this section may not be required solely because an employee moves from one facility of the Department to another.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by inserting after the item relating to section 7423 the following new item:

“7423A. Personnel administration: uniform credentialing process.”.

(c) EFFECTIVE DATE.—The Secretary of Veterans Affairs shall implement the uniform credentialing process required under section 7423A of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

SA 4457. Mr. MERKLEY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. PLAN TO MODERNIZE THE NUCLEAR WEAPONS STOCKPILE.

Section 1043(a)(2) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576), as most recently amended by section 1643 of the National Defense Authorization Act for Fiscal

Year 2015 (Public Law 113-291; 128 Stat. 3650), is further amended—

(1) by redesignating subparagraph (G) as subparagraph (I); and

(2) by inserting after subparagraph (F) the following new subparagraph:

“(G) A detailed description of the plan to modernize the nuclear weapons stockpile of the United States, including an estimate of the costs (including estimated cost ranges if necessary), during the 25-year period following the date of the report to implement planned programs to modernize and sustain all elements of the nuclear security enterprise, including the estimated life cycle costs of modernization programs planned and or in the planning stages as of the date of the report. Such estimates shall include the costs of research and development and production relating to nuclear weapons that are being replaced, modernized, or sustained, including with respect to—

“(i) associated delivery systems or platforms that carry nuclear weapons;

“(ii) nuclear command and control systems; and

“(iii) facilities, infrastructure, and critical skills.”.

SA 4458. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CLOSURE OF ST. MARYS AIRPORT, ST. MARYS, GEORGIA.

(a) **RELEASE OF RESTRICTIONS.**—Subject to subsection (b), the United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Marys, Georgia, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Marys Airport, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) **REQUIREMENTS FOR RELEASE OF RESTRICTIONS.**—The Administrator shall execute the release under subsection (a) once all of the following occurs:

(1) The Secretary of the Navy transfers to the Georgia Department of Transportation the amounts described in subsection (c) and requires as an enforceable condition on such transfer that all funds transferred shall be used only for airport development (as defined in section 47102 of title 49, United States Code) of a regional airport in Georgia, consistent with planning efforts conducted by the Administrator and the Georgia Department of Transportation.

(2) The City of St. Marys, for consideration as provided for in this section, grants to the United States, under the administrative jurisdiction of the Secretary, a restrictive use easement in the real property used for the St. Marys Airport, as determined acceptable by the Secretary, under such terms and conditions that the Secretary considers necessary to protect the interests of the United States and prohibiting the future use of such property for all aviation-related purposes and any other purposes deemed by the Secretary to be incompatible with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia.

(3) The Secretary obtains an appraisal to determine the fair market value of the real property used for the St. Marys Airport in the manner described in subsection (c)(1).

(4) The Administrator fulfills the obligations under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the release under subsection (a). In carrying out such obligations—

(A) the Administrator shall not assume or consider any potential or proposed future redevelopment of the current St. Marys airport property;

(B) any potential new regional airport in Georgia shall be deemed to be not connected with the release noted in subsection (a) nor the closure of St. Marys Airport; and

(C) any environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a potential regional airport in Georgia shall be considered through an environmental review process separate and apart from the environmental review made a condition of release by this section.

(5) The Administrator fulfills the obligations under sections 47107(h) and 46319 of title 49, United States Code.

(6) Any actions required under part 157 of title 14, Code of Federal Regulations, are carried out to the satisfaction of the Administrator.

(c) **TRANSFER OF AMOUNTS DESCRIBED.**—The amounts described in this subsection are the following:

(1) An amount equal to the fair market value of the real property of the St. Marys Airport, as determined by the Secretary and concurred in by the Administrator, based on an appraisal report and title documentation that—

(A) is prepared or adopted by the Secretary, and concurred in by the Administrator, not more than 180 days prior to the transfer described in subsection (b)(1); and

(B) meets all requirements of Federal law and the appraisal and documentation standards applicable to the acquisition and disposal of real property interests of the United States.

(2) An amount equal to the unamortized portion of any Federal development grants (including grants available under a State block grant program established pursuant to section 47128 of title 49, United States Code), other than used for the acquisition of land, paid to the City of St. Marys for use as the St. Marys Airport.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Marys Airport as of the date of the enactment of this Act and as otherwise due to or received by the City of St. Marys after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) **AUTHORIZATION FOR TRANSFER OF FUNDS.**—Using funds available to the Department of the Navy for operation and maintenance, the Secretary may pay the amounts described in subsection (c) to the Georgia Department of Transportation, conditioned as described in subsection (b)(1).

(e) **ADDITIONAL REQUIREMENTS.**—

(1) **SURVEY.**—The exact acreage and legal description of St. Marys Airport shall be determined by a survey satisfactory to the Secretary and concurred in by the Administrator.

(2) **PLANNING OF REGIONAL AIRPORT.**—Any planning effort for the development of a regional airport in southeast Georgia shall be conducted in coordination with the Secretary, and shall ensure that any such re-

gional airport does not interfere with the operations, functions, and missions of Naval Submarine Base, Kings Bay, Georgia. The determination of the Secretary shall be final as to whether the operations of a new regional airport in southeast Georgia would interfere with such military operations.

SA 4459. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 153, strike lines 1 through 16.

SA 4460. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add the following:

SEC. 877. COMPTROLLER GENERAL REPORT ON SOLID ROCKET MOTOR (SRM) INDUSTRIAL BASE FOR TACTICAL MISSILES.

(a) **IN GENERAL.**—Not later than March 31, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the solid rocket motor (SRM) industrial base for tactical missiles.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) A review of all Department of Defense reports that have been published since 2009 on the United States tactical solid rocket motor (SRM) industrial base, together with the analyses underlying such reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, schedule, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SA 4461. Mr. MANCHIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 563 and insert the following:
SEC. 563. ACCESS TO DEPARTMENT OF DEFENSE INSTALLATIONS OF INSTITUTIONS OF HIGHER EDUCATION PROVIDING CERTAIN ADVISING AND STUDENT SUPPORT SERVICES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2012 the following new section:

“§ 2012a. Access to department of defense installations: institutions of higher education providing certain advising and student support services

“(a) ACCESS.—

“(1) ACCESS TO BE PERMITTED.—

“(A) IN GENERAL.—The Secretary of Defense may grant access to Department of Defense installations for the purpose of providing at the installation concerned timely face-to-face student advising and related support services to members of the armed forces and other persons who are eligible for assistance under Department of Defense educational assistance programs and authorities, in accordance with the limitations provided under paragraph (2)(B), to any institution of higher education that—

“(i) has entered into a Voluntary Education Partnership Memorandum of Understanding with the Department;

“(ii) is not in violation of the Department of Defense Voluntary Education Partnership Memorandum of Understanding that governs higher education activities on military installations and complies with the regulations related to substantial misrepresentation promulgated pursuant to section 487(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1094(c)(3)); and

“(iii) has received approval for such access by the educational service office of the installation concerned.

“(B) TRANSITION ASSISTANCE PROGRAM.—The Secretary of Defense may grant access to Department of Defense installations for the purpose of educating members of the armed forces about education and employment after military service as part of the Transition Assistance Program to any institution of higher education that meets the criteria under subparagraph (A) and has received approval for such access by the base transition office of the installation concerned.

“(2) SCOPE OF ACCESS.—

“(A) IN GENERAL.—Access may be granted under paragraph (1) in a nondiscriminatory manner to any institution covered by that paragraph regardless of the particular learning modality offered by that institution.

“(B) STUDENT ADVISING AND RELATED SUPPORT.—Access granted in accordance with paragraph (1)(A) shall be limited to face-to-face student advisement and related support services for such institution's students who are enrolled as of the date of the advisement and provision of related support services.

“(C) TRANSITION ASSISTANCE PROGRAM.—Access granted in accordance with paragraph (1)(B) shall be limited to face-to-face student advisement and related support services for students and members of the armed forces who have elected to participate in the higher education track of the Transition Assistance Program but shall not occur during the Transition Assistance Program.

“(D) PROHIBITIONS.—Any institution of higher education granted installation access under this section shall be prohibited from engaging in any recruitment, marketing, or advertising activities during such access.

“(b) REGULATIONS.—The Secretary shall prescribe in regulations the time and place of access granted pursuant to subsection (a). The regulations shall provide the following:

“(1) The opportunity for institutions of higher education to receive access at times and places that ensure opportunity for students to obtain advising and support services described in subsection (a) as best meets the needs of the military and members of the armed forces.

“(2) The opportunity for institutions of higher education to receive access at times and places that ensure opportunity for members of the armed forces transitioning to life after military service, as determined by the base transition officer concerned to best meet the needs of the military and members of the armed forces, to receive advising, student support services, and education pursuant to this section.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘Department of Defense educational assistance programs and authorities’ has the meaning given the term ‘Department of Defense educational assistance programs and authorities covered by this section’ in section 2006a(c)(1) of this title.

“(2) The term ‘institution of higher education’ has the meaning given that term in section 2006a(c)(2) of this title.

“(3) The term ‘Voluntary Education Partnership Memorandum of Understanding’ has the meaning given that term in Department of Defense Instruction 1322.25, entitled ‘Voluntary Education Programs’, or any successor Department of Defense Instruction.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2012 the following new item:

“2012a. Access to Department of Defense installations: institutions of higher education providing certain advising and student support services.”.

SA 4462. Ms. HEITKAMP (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NORTHERN BORDER THREAT ANALYSIS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Homeland Security of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives; and

(H) the Committee on Armed Services of the House of Representatives.

(2) NORTHERN BORDER.—The term “Northern Border” means the land and maritime

borders between the United States and Canada.

(b) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and pre-inspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (b), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department of Homeland Security facilities, including the physical approaches to such facilities.

(d) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4463. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 128. TESTING AND INTEGRATION OF MINEHUNTING SONARS FOR LITTORAL COMBAT SHIP MINE HUNTING CAPABILITIES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Department of the Navy has determined that the Remote Minehunting system (RMS) has not performed satisfactorily and that the program will be restructured to accelerate a less capable variant on the RMS into the Littoral Combat Ship.

(2) On February 26, 2016, Secretary of the Navy Ray Mabus stated that new testing must be done to find a permanent solution to the mine countermeasures mission package and that the Navy wants to “get it out there as quickly as you can and test it in a more realistic environment”.

(3) Restructuring a program the Department of the Navy has determined will be discontinued is not the best use of taxpayer dollars.

(4) There are several mature unmanned surface vehicle-towed and unmanned underwater vehicle-based synthetic aperture sonars sensors (SAS) in use by navies of allied nations.

(5) SAS sensors are currently in operation and performing well.

(6) SAS sensors provide a technology that is operational and ready to meet the Littoral Combat Ship minehunting area clearance rate sustained requirement.

(b) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than September 30, 2018, the Secretary of the Navy shall—

(A) conduct operational at-sea testing and experimentation of those currently available and deployed United States and allied conventional side-scan sonar and synthetic aperture sonar;

(B) complete an assessment of all minehunting sonar technologies that can meet the mine countermeasures mission package (MCM MP); and

(C) submit to the congressional defense committees a report that contains the findings of the at-sea testing and experimentation and market survey of all capable technologies found suitable for performing the Littoral Combat Ship minehunting mission.

(2) **ELEMENTS.**—The market survey and assessment required under paragraph (1) shall include—

(A) specific details regarding the capabilities of current minehunting sonar and in-production synthetic aperture sonar sensors available for integration on the Littoral Combat Ship;

(B) an assessment of the capabilities achieved by integrating synthetic aperture sonar sensors on the Littoral Combat Ship; and

(C) recommendations to enhance the minehunting capabilities of the Littoral Combat Ship minehunting mission using conventional sonar systems and synthetic aperture sonar systems.

(c) **ASSESSMENT REQUIRED.**—The Secretary of the Navy shall perform at-sea testing of conventional side-scan sonar systems and synthetic aperture sonar systems to determine which systems can meet the requirements of the Navy minehunting countermeasure mission package.

(d) **SONAR SYSTEM DEFINED.**—In this section, the term “sonar system” includes, at a minimum, conventional side-scan sonar technologies and synthetic aperture sonar technologies.

SA 4464. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1027 and insert the following:

SEC. 1027. UNCLASSIFIED NOTICE AND MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES AND THE FOREIGN COUNTRY OR ENTITY CONCERNED BEFORE TRANSFER OF ANY DETAINEE AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO A FOREIGN COUNTRY OR ENTITY.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The detention facilities at United States Naval Station, Guantanamo Bay, Cuba, were established in 2002 for the purpose of detaining those who plan, authorize, commit, or aid in the planning, authorizing, or committing of acts of terrorism against the United States.

(2) The facilities have detained individuals who have killed, maimed, or otherwise harmed innocent civilians and members of the United States Armed Forces, as well as combatants who have received specialized training in the conduct and facilitation of acts of terrorism against the United States, its citizens, and its allies. This includes 9/11 mastermind Khalid Sheik Mohammed and scores of other known terrorists.

(3) The location of the detention facilities at Guantanamo Bay protects the United States, its citizens, and its allies. No prisoner has ever escaped from Guantanamo Bay.

(4) On January 22, 2009, President Barack Obama issued Executive Order 13492 ordering the closure of the detention facilities at Guantanamo Bay, consistent with the national security and foreign policy interests of the United States and the interests of justice.

(5) Executive Order 13492 directs the Department of State to participate in the review of each detainee to determine whether it is possible to transfer or release the individual consistent with the national security and foreign policy interests of the United States.

(6) The Secretary of State is ordered to expeditiously pursue and direct negotiations and diplomatic efforts with foreign governments as are necessary and appropriate to implement Executive Order 13492.

(7) Since 2009, the Department of State has played a substantial role in the review and transfer of enemy combatants from the jurisdiction of the United States to the custody or control of foreign governments through the appointment of a Special Envoy for Guantanamo Closure.

(8) President Obama has released numerous detainees from Guantanamo Bay since taking office, some of whom are known or suspected to have reengaged in terrorist activity.

(9) The transfer of individuals from Guantanamo Bay to foreign countries sharply increased from 2014 to 2016, bringing the number of detainees remaining at Guantanamo Bay to less than 100.

(10) The administration often transfers detainees to countries in close proximity to their countries of origin. In some cases, prisoners have been relocated within blocks of United States diplomatic facilities located in

countries with governments that have publicly stated no intention to monitor or restrict travel of potentially dangerous former detainees or that otherwise lack the capacity to mitigate threat potential.

(11) The administration is required to notify Congress of its intent to transfer individuals detained at Guantanamo pursuant to section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and certify that among other things, the foreign country to which the individual is proposed to be transferred has taken or agreed to take appropriate steps to substantially mitigate any risk the individual could attempt to reengage in terrorist activity or otherwise threaten the United States or its allies or interests.

(12) While not required by law, the administration has classified these notifications so that only a small number of individuals are able to know their contents.

(13) The information contained in such a notice does not warrant classification, given that third-party nations and the detainees themselves possess such information.

(14) The decision to classify the notice and certification results in a process that is not transparent, thereby preventing the American public from knowing pertinent information about the release of these individuals.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the people of the United States deserve to know who is being released from the detention facilities at United States Naval Station, Guantanamo Bay, Cuba, their countries of origin, their destinations, and the ability of the host nation to prevent recidivism; and

(2) the people of the United States deserve transparency in the manner in which the Obama Administration complies with Executive Order 13492.

(c) **NOTICE REQUIRED.**—Not less than 30 days prior to the transfer of any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress an unclassified notice that includes—

(1) the name, country of origin, and country of destination of the individual;

(2) the number of individuals detained at Guantanamo previously transferred to the country to which the individual is proposed to be transferred; and

(3) the number of such individuals who are known or suspected to have reengaged in terrorist activity after being transferred to that country.

(d) **BRIEFING.**—The Secretary of Defense shall brief the appropriate committees of Congress within 5 days of transmitting the notice required by subsection (c). Such briefing shall include an explanation of why the destination country was chosen for the transferee and an overview of countries being considered for future transfers.

(e) **MEMORANDUM OF UNDERSTANDING.**—Section 1034(b) of the National Defense Authorization Act for Fiscal Year 2016 (129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph (4):

“(4) both—

“(A) the United States Government, on the one hand, and the government of the foreign

country or the recognized leadership of the foreign entity, on the other hand, have entered into a written memorandum of understanding (MOU) regarding the transfer of the individual; and

“(B) the memorandum of understanding—

“(i) has been transmitted to the appropriate committees of Congress in unclassified form (unless the Secretary determines that the memorandum of understanding must be transmitted to the appropriate committees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the memorandum of understanding is being kept classified); and

“(ii) includes an assessment of the capacity, willingness, and past practices (if applicable) of the foreign country or foreign entity, as the case may be, with respect to the matters certified by the Secretary pursuant to paragraphs (2) and (3) that has been transmitted to the appropriate committee of Congress in unclassified form (unless the Secretary determines that the assessment must be transmitted to the appropriate committees of Congress in classified form and, upon making such determination, submits to Congress a detailed unclassified report explaining why the assessment is being kept classified); and”.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to be inconsistent with the requirements of section 1034 of the National Defense Authorization Act for Fiscal Year 2016.

(g) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

(2) The term “individual detained at Guantanamo” has the meaning given such term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016.

SA 4465. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CRITICAL INFRASTRUCTURE PROTECTION ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Critical Infrastructure Protection Act of 2016” or the “CIPA”.

(b) **EMP AND GMD PLANNING, RESEARCH AND DEVELOPMENT, AND PROTECTION AND PREPAREDNESS.**—

(1) **IN GENERAL.**—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(A) in section 2 (6 U.S.C. 101)—

(i) by redesignating paragraphs (9) through (18) as paragraphs (11) through (20), respectively;

(ii) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(iii) by inserting after paragraph (6) the following:

“(7) The term ‘EMP’ means an electromagnetic pulse caused by a nuclear device or nonnuclear device, including such a pulse caused by an act of terrorism.”; and

(iv) by inserting after paragraph (9), as so redesignated, the following:

“(10) The term ‘GMD’ means a geomagnetic disturbance caused by a solar storm or another naturally occurring phenomenon.”;

(B) in section 201(d) (6 U.S.C. 121(d)), by adding at the end the following:

“(26)(A) To conduct an intelligence-based review and comparison of the risk and consequence of threats and hazards, including GMD and EMP, facing critical infrastructures, and prepare and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

“(i) a recommended strategy to protect and prepare the critical infrastructure of the American homeland against threats of EMP and GMD, including from acts of terrorism; and

“(ii) not less frequently than every 2 years, updates of the recommended strategy.

“(B) The recommended strategy under subparagraph (A) shall—

“(i) be based on findings of the research and development conducted under section 319;

“(ii) be developed in consultation with the relevant Federal sector-specific agencies (as defined under Presidential Policy Directive–21) for critical infrastructures;

“(iii) be developed in consultation with the relevant sector coordinating councils for critical infrastructures;

“(iv) be informed, to the extent practicable, by the findings of the intelligence-based review and comparison of the risk and consequence of threats and hazards, including GMD and EMP, facing critical infrastructures conducted under subparagraph (A); and

“(v) be submitted in unclassified form, but may include a classified annex.

“(C) The Secretary may, if appropriate, incorporate the recommended strategy into a broader recommendation developed by the Department to help protect and prepare critical infrastructure from terrorism, cyber attacks, and other threats and hazards if, as incorporated, the recommended strategy complies with subparagraph (B).”;

(C) in title III (6 U.S.C. 181 et seq.), by adding at the end the following:

“SEC. 319. GMD AND EMP MITIGATION RESEARCH AND DEVELOPMENT.

“(a) **IN GENERAL.**—In furtherance of domestic preparedness and response, the Secretary, acting through the Under Secretary for Science and Technology, and in consultation with other relevant executive agencies and relevant owners and operators of critical infrastructure, shall, to the extent practicable, conduct research and development to mitigate the consequences of threats of EMP and GMD.

“(b) **SCOPE.**—The scope of the research and development under subsection (a) shall include the following:

“(1) An objective scientific analysis—

“(A) evaluating the risks to critical infrastructures from a range of threats of EMP and GMD; and

“(B) which shall—

“(i) be conducted in conjunction with the Office of Intelligence and Analysis; and

“(ii) include a review and comparison of the range of threats and hazards facing critical infrastructure of the electric grid.

“(2) Determination of the critical utilities and national security assets and infrastruc-

tures that are at risk from threats of EMP and GMD.

“(3) An evaluation of emergency planning and response technologies that would address the findings and recommendations of experts, including those of the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack, which shall include a review of the feasibility of—

“(A) rapidly isolating 1 or more portions of the electrical grid from the main electrical grid; and

“(B) training utility and transmission operators to deactivate transmission lines within seconds of an event constituting a threat of EMP or GMD.

“(4) An analysis of technology options that are available to improve the resiliency of critical infrastructure to threats of EMP and GMD, which shall include an analysis of neutral current blocking devices that may protect high-voltage transmission lines.

“(5) The restoration and recovery capabilities of critical infrastructure under differing levels of damage and disruption from various threats of EMP and GMD, as informed by the objective scientific analysis conducted under paragraph (1).

“(6) An analysis of the feasibility of a real-time alert system to inform electric grid operators and other stakeholders within milliseconds of a high-altitude nuclear explosion.”; and

(D) in title V (6 U.S.C. 311 et seq.), by adding at the end the following:

“SEC. 527. NATIONAL PLANNING AND EDUCATION.

“(a) **IN GENERAL.**—The Secretary shall, to the extent practicable—

“(1) develop an incident annex or similar response and planning strategy that guides the response to a major GMD or EMP event; and

“(2) conduct outreach to educate owners and operators of critical infrastructure, emergency planners, and emergency response providers at all levels of government regarding threats of EMP and GMD.

“(b) **EXISTING ANNEXES AND PLANS.**—The incident annex or response and planning strategy developed under subsection (a)(1) may be incorporated into existing incident annexes or response plans.”.

(2) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(A) The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(i) by inserting after the item relating to section 317 the following:

“Sec. 319. GMD and EMP mitigation research and development.”; and

(ii) by inserting after the item relating to section 525 the following:

“Sec. 526. Integrated Public Alert and Warning System modernization.

“Sec. 527. National planning and education.”.

(B) Section 501(13) of the Homeland Security Act of 2002 (6 U.S.C. 311(13)) is amended by striking “section 2(11)(B)” and inserting “section 2(13)(B)”.

(C) Section 712(a) of title 14, United States Code, is amended by striking “section 2(16) of the Homeland Security Act of 2002 (6 U.S.C. 101(16))” and inserting “section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101)”.

(3) **DEADLINE FOR INITIAL RECOMMENDED STRATEGY.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security shall submit the recommended strategy required under paragraph (26) of section 201(d) of the Homeland

Security Act of 2002 (6 U.S.C. 121(d)), as added by this section.

(4) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to Congress a report describing the progress made in, and an estimated date by which the Department of Homeland Security will have completed—

(A) including threats of EMP and GMD (as those terms are defined in section 2 of the Homeland Security Act of 2002, as amended by this section) in national planning, as described in section 527 of the Homeland Security Act of 2002, as added by this section;

(B) research and development described in section 319 of the Homeland Security Act of 2002, as added by this section;

(C) development of the recommended strategy required under paragraph (26) of section 201(d) of the Homeland Security Act of 2002 (6 U.S.C. 121(d)), as added by this section; and

(D) beginning to conduct outreach to educate emergency planners and emergency response providers at all levels of government regarding threats of EMP and GMD events.

(c) **NO REGULATORY AUTHORITY.**—Nothing in this section, including the amendments made by this section, shall be construed to grant any regulatory authority.

(d) **NO NEW AUTHORIZATION OF APPROPRIATIONS.**—This section, including the amendments made by this section, may be carried out only by using funds appropriated under the authority of other laws.

SA 4466. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1236. ANNUALLY UPDATED ASSESSMENTS ON FUNDING OF POLITICAL PARTIES AND NONGOVERNMENTAL ORGANIZATIONS BY THE RUSSIAN FEDERATION.

Section 502 of the Intelligence Authorization Act for Fiscal Year 2016 (division M of Public Law 114-113; 29 Stat. 2924) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) in subsection (c), as redesignated by paragraph (1), by inserting “and each update required by subsection (b)” after “subsection (a)”; and

(3) by inserting after subsection (a), the following:

“(b) **ANNUAL UPDATE.**—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, and annually thereafter, the Director of National Intelligence shall submit to the appropriate congressional committees an update of the assessment required by subsection (a).”.

SA 4467. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) **PUBLICATION OF INFORMATION.**—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) **ELEMENTS.**—

(1) **HEALTH CARE.**—

(A) **IN GENERAL.**—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to patient appointments.

(B) **ADDITIONAL ELEMENTS.**—The Secretary may include in each publication required by subsection (a) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) **SEARCHABILITY.**—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by State, city, and facility.

(2) **OPIOID ABUSE BY VETERANS.**—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (C), the number treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety.

(E) With respect to veterans receiving treatment for opioid abuse—

(i) the average number of times veterans reported abusing opioids before beginning such treatment; and

(ii) the main reasons reported to the Department by veterans as to how they came to receive such treatment, including self-referral or recommendation by a physician or family member.

(c) **PERSONAL INFORMATION.**—The Secretary shall ensure that personal information con-

nected to information published under subsection (a) is protected from disclosure as required by applicable law.

(d) **COMPTROLLER GENERAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4468. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—WHISTLEBLOWER PROTECTIONS

SEC. 6001. SHORT TITLE.

This division may be cited as the “Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016”.

TITLE LXI—EMPLOYEES GENERALLY

SEC. 6101. DEFINITIONS.

In this title—

(1) the terms “agency” and “personnel action” have the meanings given such terms under section 2302 of title 5, United States Code; and

(2) the term “employee” means an employee (as defined in section 2105 of title 5, United States Code) of an agency.

SEC. 6102. STAYS; PROBATIONARY EMPLOYEES.

(a) **REQUEST BY SPECIAL COUNSEL.**—Section 1214(b)(1) of title 5, United States Code, is amended by adding at the end the following:

“(E) If the Merit Systems Protections Board grants a stay under this subsection, the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(b) **INDIVIDUAL RIGHT OF ACTION FOR PROBATIONARY EMPLOYEES.**—Section 1221 of title 5, United States Code, is amended by adding at the end the following:

“(k) If the Merit Systems Protection Board grants a stay to an employee in probationary status under subsection (c), the head of the agency employing the employee shall give priority to a request for a transfer submitted by the employee.”.

(c) **STUDY REGARDING RETALIATION AGAINST PROBATIONARY EMPLOYEES.**—The Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report discussing retaliation against employees in probationary status.

SEC. 6103. ADEQUATE ACCESS OF SPECIAL COUNSEL TO INFORMATION.

Section 1212(b) of title 5, United States Code, is amended by adding at the end the following:

“(5) The Special Counsel, in carrying out this subchapter, is authorized to—

“(A) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to

the applicable agency which relate to a matter within the jurisdiction or authority of the Special Counsel; and

“(B) request from any agency such information or assistance as may be necessary for carrying out the duties and responsibilities of the Special Counsel under this subchapter.”.

SEC. 6104. PROHIBITED PERSONNEL PRACTICES.

Section 2302(b) of title 5, United States Code, is amended—

(1) in paragraph (12), by striking “or” at the end;

(2) in paragraph (13), by striking the period at the end and inserting “; or”; and

(3) by inserting after paragraph (13) the following:

“(14) access the medical record of another employee for the purpose of retaliation for a disclosure or activity protected under paragraph (8) or (9).”.

SEC. 6105. DISCIPLINE OF SUPERVISORS BASED ON RETALIATION AGAINST WHISTLEBLOWERS.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“§ 7515. Discipline of supervisors based on retaliation against whistleblowers

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ means an entity that is an agency, as defined under section 2302, without regard to whether any other provision of this chapter is applicable to the entity;

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8), (9), or (14) of section 2302(b) against an employee of an agency; and

“(3) the term ‘supervisor’ means an employee of an agency who would be a supervisor, as defined under section 7103(a), if this chapter applied to the agency employing the employee.

“(b) PROPOSED ADVERSE ACTIONS.—

“(1) IN GENERAL.—In accordance with paragraph (2), the head of an agency shall propose against a supervisor whom the head of that agency, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the agency determines committed a prohibited personnel action the following adverse actions:

“(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

“(B) With respect to the second prohibited personnel action, removal.

“(2) PROCEDURES.—

“(A) NOTICE.—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) ANSWER AND EVIDENCE.—

“(i) IN GENERAL.—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) NO EVIDENCE.—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the head of the agency determines that such evidence is not sufficient to reverse the proposed adverse action, the head of the agency shall carry out the adverse action.

“(C) SCOPE OF PROCEDURES.—Paragraphs (1) and (2) of subsection (b) of section 7513, subsection (c) of such section, paragraphs (1)

and (2) of subsection (b) of section 7543, and subsection (c) of such section shall not apply with respect to an adverse action carried out under this subsection.

“(c) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action, if the head of the agency carries out an adverse action against a supervisor under another provision of law, the head of the agency may carry out an additional adverse action under this section based on the same prohibited personnel action.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“7515. Discipline of supervisors based on retaliation against whistleblowers.”.

SEC. 6106. SUICIDE BY EMPLOYEES.

(a) REFERRAL.—The head of an agency shall refer to the Office of Special Counsel, along with any information known to the agency regarding the circumstances described in paragraphs (2) and (3), any instance in which the head of the agency has information indicating—

(1) an employee of the agency committed suicide;

(2) prior to the death of the employee, the employee made any disclosure of information which reasonably evidences—

(A) any violation of any law, rule, or regulation; or

(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; and

(3) after a disclosure described in paragraph (2), a personnel action was taken against the employee.

(b) OFFICE OF SPECIAL COUNSEL REVIEW.—For any referral to the Office of Special Counsel under subsection (a), the Office of Special Counsel shall—

(1) examine whether any personnel action was taken because of any disclosure of information described in subsection (a)(2); and

(2) take any action the Office of Special Counsel determines appropriate under subchapter II of chapter 12 of title 5, United States Code.

SEC. 6107. TRAINING FOR SUPERVISORS.

In consultation with the Office of Special Counsel and the Inspector General of the agency (or senior ethics official of the agency for an agency without an Inspector General), the head of each agency shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections (as defined in section 2307 of title 5, United States Code, as added by this title) available to employees of the agency—

(1) to employees appointed to supervisory positions in the agency who have not previously served as a supervisor; and

(2) on an annual basis, to all employees of the agency serving in a supervisory position.

SEC. 6108. INFORMATION ON WHISTLEBLOWER PROTECTIONS.

(a) EXISTING PROVISION.—

(1) IN GENERAL.—Section 2302 of title 5, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) Section 4505a(b)(2) of title 5, United States Code, is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(B) Section 5755(b)(2) of title 5, United States Code, is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(C) Section 110(b)(2) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note) is amended by striking “section 2303(f)(1) or (2)” and inserting “section 2303(e)(1) or (2)”.

(D) Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 344) is amended by striking “2302(c)” each place it appears and inserting “2307”.

(E) Section 1217(d)(3) of the Panama Canal Act of 1979 (22 U.S.C. 3657(d)(3)) is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(F) Section 1233(b) of the Panama Canal Act of 1979 (22 U.S.C. 3673(b)) is amended by striking “section 2302(d)” and inserting “section 2302(c)”.

(b) PROVISION OF INFORMATION.—Chapter 23 of title 5, United States Code, is amended by adding at the end the following:

“§ 2307. Information on whistleblower protections

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’ has the meaning given that term in section 2302;

“(2) the term ‘new employee’ means an individual—

“(A) appointed to a position as an employee of an agency on or after the date of enactment of the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2016; and

“(B) who has not previously served as an employee; and

“(3) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8), subparagraph (A)(i), (B), (C), or (D) of paragraph (9), or paragraph (14) of section 2302(b).

“(b) RESPONSIBILITIES OF HEAD OF AGENCY.—The head of each agency shall be responsible for the prevention of prohibited personnel practices, for the compliance with and enforcement of applicable civil service laws, rules, and regulations, and other aspects of personnel management, and for ensuring (in consultation with the Special Counsel and the Inspector General of the agency) that employees of the agency are informed of the rights and remedies available to them under this chapter and chapter 12, including—

“(1) information regarding whistleblower protections available to new employees during the probationary period;

“(2) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

“(3) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures.

“(c) TIMING.—The head of each agency shall ensure that the information required to be provided under subsection (b) is provided to each new employee of the agency not later than 6 months after the date the new employee is appointed.

“(d) INFORMATION ONLINE.—The head of each agency shall make available information regarding whistleblower protections applicable to employees of the agency on the public website of the agency, and on any online portal that is made available only to employees of the agency if one exists.

“(e) DELEGATES.—Any employee to whom the head of an agency delegates authority

for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in subsection (b).”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 23 of title 5, United States Code, is amended by adding at the end the following:

“2307. Information on whistleblower protections.”.

TITLE LXII—DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES

SEC. 6201. PREVENTION OF UNAUTHORIZED ACCESS TO MEDICAL RECORDS OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) DEVELOPMENT OF PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) develop a plan to prevent access to the medical records of employees of the Department of Veterans Affairs by employees of the Department who are not authorized to access such records;

(B) submit to the appropriate committees of Congress the plan developed under subparagraph (A); and

(C) upon request, provide a briefing to the appropriate committees of Congress with respect to the plan developed under subparagraph (A).

(2) ELEMENTS.—The plan required under paragraph (1) shall include the following:

(A) A detailed assessment of strategic goals of the Department for the prevention of unauthorized access to the medical records of employees of the Department.

(B) A list of circumstances in which an employee of the Department who is not a health care provider or an assistant to a health care provider would be authorized to access the medical records of another employee of the Department.

(C) Steps that the Secretary will take to acquire new or implement existing technology to prevent an employee of the Department from accessing the medical records of another employee of the Department without a specific need to access such records.

(D) Steps the Secretary will take, including plans to issue new regulations, as necessary, to ensure that an employee of the Department may not access the medical records of another employee of the Department for the purpose of retrieving demographic information if that demographic information is available to the employee in another location or through another format.

(E) A proposed timetable for the implementation of such plan.

(F) An estimate of the costs associated with implementing such plan.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Homeland Security and Governmental Affairs and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Oversight and Government Reform and the Committee on Veterans’ Affairs of the House of Representatives.

SEC. 6202. OUTREACH ON AVAILABILITY OF MENTAL HEALTH SERVICES AVAILABLE TO EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall conduct a program of outreach to employees of the Department of Veterans Affairs to inform those employees of any mental health services, including telemedicine options, that are available to them.

SEC. 6203. PROTOCOLS TO ADDRESS THREATS AGAINST EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs shall ensure protocols are in effect to address threats from individuals receiving health care from the Department of Veterans Affairs directed towards employees of the Department who are providing such health care.

SEC. 6204. COMPTROLLER GENERAL OF THE UNITED STATES STUDY ON ACCOUNTABILITY OF CHIEFS OF POLICE OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS.

The Comptroller General of the United States shall conduct a study to assess the reporting, staffing, accountability, and chain of command structure of the Department of Veterans Affairs police officers at medical centers of the Department.

SA 4469. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1236. SENSE OF THE SENATE REGARDING THE EUROPEAN UNION RENEWING ECONOMIC SANCTIONS ON RUSSIA AS A RESULT OF RUSSIA'S ANNEXATION OF CRIMEA AND ACTIONS DESTABILIZING EASTERN UKRAINE.

(a) FINDINGS.—The Senate makes the following findings:

(1) In July 2014, the European Union imposed economic sanctions against Russia for its annexation of Crimea and destabilizing machinations in the Donbass and Luhansk regions in eastern Ukraine.

(2) In September 2014, the European Union renewed its sanctions against Russia.

(3) In March 2015, the European Council linked the continuation of economic restrictions against Russia to the complete implementation of the Minsk agreements.

(4) The Minsk-2 agreement signed in February 2015 by Russia, Ukraine, France, and Germany has not been implemented.

(b) SENSE OF THE SENATE.—The Senate calls upon the European Union to renew sanctions imposed on Russia as a result of its destabilizing actions in Ukraine if Russia has still not abided by its commitments under the Minsk-2 agreement by the time the European Union conducts its review of its economic sanctions on Russia.

SA 4470. Mr. PETERS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. AUTHORITY TO PROVIDE ASSISTANCE AND TRAINING TO INCREASE MARITIME SECURITY AND DOMAIN AWARENESS OF FOREIGN COUNTRIES BORDERING THE PERSIAN GULF, ARABIAN SEA, OR MEDITERRANEAN SEA.

(a) PURPOSE.—The purpose of this section is to authorize assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, the Arabian Sea, or the Mediterranean Sea in order to deter and counter illicit smuggling and related maritime activity by Iran, including illicit Iranian weapons shipments.

(b) AUTHORITY.—

(1) IN GENERAL.—To carry out the purpose of this section as described in subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, is authorized—

(A) to provide training to the national military or other security forces of Israel, Bahrain, Saudi Arabia, the United Arab Emirates, Oman, Kuwait, and Qatar that have among their functional responsibilities maritime security missions; and

(B) to provide training to ministry, agency, and headquarters level organizations for such forces.

(2) DESIGNATION.—The provision of assistance and training under this section may be referred to as the “Counter Iran Maritime Initiative”.

(c) TYPES OF TRAINING.—

(1) AUTHORIZED ELEMENTS OF TRAINING.—Training provided under subsection (b)(1)(A) may include the provision of de minimis equipment, supplies, and small-scale military construction.

(2) REQUIRED ELEMENTS OF TRAINING.—Training provided under subsection (b) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Respect for legitimate civilian authority within the country to which the assistance is provided.

(d) AVAILABILITY OF FUNDS.—Of the amount authorized to be appropriated for fiscal year 2017 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$50,000,000 shall be available only for the provision of assistance and training under subsection (b).

(e) COST SHARING.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that, given income parity among recipient countries, the Secretary of Defense, with the concurrence of the Secretary of State, should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset any training costs associated with implementation of subsection (b).

(2) COST-SHARING AGREEMENT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall negotiate a cost-sharing agreement with a recipient country regarding the cost of any training provided pursuant to section (b). The agreement shall set forth the terms of cost sharing that the Secretary of Defense determines are necessary and appropriate, but such terms shall not be less than 50 percent of the overall cost of the training.

(3) CREDIT TO APPROPRIATIONS.—The portion of such cost-sharing received by the Secretary of Defense pursuant to this subsection may be credited towards appropriations available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301.

(f) NOTICE TO CONGRESS ON TRAINING.—Not later than 15 days before exercising the authority under subsection (b) with respect to a recipient country, the Secretary of Defense shall submit to the appropriate congressional committees a notification containing the following:

(1) An identification of the recipient country.

(2) A detailed justification of the program for the provision of the training concerned, and its relationship to United States security interests.

(3) The budget for the program, including a timetable of planned expenditures of funds to implement the program, an implementation time-line for the program with milestones (including anticipated delivery schedules for any assistance and training under the program), the military department or component responsible for management of the program, and the anticipated completion date for the program.

(4) A description of the arrangements, if any, to support recipient country sustainment of any capability developed pursuant to the program, and the source of funds to support sustainment efforts and performance outcomes to be achieved under the program beyond its completion date, if applicable.

(5) A description of the program objectives and an assessment framework to be used to develop capability and performance metrics associated with operational outcomes for the recipient force.

(6) Such other matters as the Secretary considers appropriate.

(g) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(h) TERMINATION.—Assistance and training may not be provided under this section after September 30, 2020.

SA 4471. Mr. PETERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON MILITARY TRAINING FOR OPERATIONS IN DENSELY POPULATED URBAN TERRAIN.

(a) IN GENERAL.—Not later than March 31, 2017, the Secretary of Defense shall submit to the congressional defense committees a report on plans and initiatives to enhance existing urban training concepts, capabilities, and facilities that could provide for new training opportunities that would more closely resemble large, dense, heavily populated urban environments. The report shall include specific plans and efforts to provide for a realistic environment for the training of large units with joint assets and recently fielded technologies to exercise new tactics, techniques, and procedures, including con-

sideration of anticipated urban military operations in or near the littoral environment and maritime domain as well as the cyber domain.

(b) FORM.—The report required under subsection (a) may be submitted in classified or unclassified form.

SA 4472. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. SENSE OF CONGRESS REGARDING REIMBURSEMENT OF LOCAL LAW ENFORCEMENT AGENCIES.

It is the sense of Congress that—

(1) the Federal Government often requests emergency assistance from law enforcement agencies of local governments;

(2) in responding to a request for emergency assistance from the Federal Government, law enforcement agencies of local governments often expend considerable resources;

(3) when the Federal Government requests emergency assistance from law enforcement agencies of local governments, the local governments should be reimbursed for the costs incurred in a timely manner;

(4) the intent of Congress in establishing the Emergency Federal Law Enforcement Assistance Program under subtitle B of the Justice Assistance Act of 1984 (42 U.S.C. 10501 et seq.) was to address law enforcement emergencies that require joint action by Federal and local law enforcement agencies;

(5) this intent is demonstrated by the fact that, under the Emergency Federal Law Enforcement Assistance Program in fiscal year 2013, the Federal Government provided—

(A) \$1,918,864 to the State of Massachusetts to assist with law enforcement costs related to the Boston Marathon bombing, which was used to pay overtime costs for law enforcement agencies in the State of Massachusetts that responded to the event; and

(B) \$1,011,443 to the State of Missouri to assist with law enforcement costs related to the civil unrest surrounding the death of Michael Brown, which was used to pay overtime costs for law enforcement agencies in the State of Missouri that responded to those events; and

(6) amounts should continue to be made available to fund the Emergency Federal Law Enforcement Assistance Program in order to reimburse local governments and encourage cooperation with the Federal Government.

SA 4473. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. IMPROVEMENT OF ABILITY OF THE DEPARTMENT OF DEFENSE TO OBTAIN AND MAINTAIN CLEAN AUDIT OPINIONS.

(a) FINANCIAL AUDIT FUND.—The Secretary of Defense shall establish a fund to be known as the “Financial Audit Fund” (in this section referred to as the “Fund”) for the purpose of developing systems, processes, and a well-qualified workforce that will assist the organizations, components, and elements of the Department of Defense in maintaining unmodified audit opinions.

(b) ELEMENTS.—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.

(2) Amounts transferred to the Fund under subsection (d).

(3) Any other amounts authorized for transfer or deposit into the Fund by law.

(c) AVAILABILITY.—

(1) IN GENERAL.—Amounts in the Fund shall be available for the following:

(A) Program and activities for the development of systems, processes, and a workforce described in subsection (a) as approved by the Secretary.

(B) Other missions and activities of the Department, as identified by the Secretary, if the Secretary determines that the use of amounts in the Fund for the programs and activities described in subparagraph (A) will not improve efforts to maintain unmodified audit opinions for organizations, components, and elements of the Department.

(2) TRANSFERS FROM FUND.—Amounts in the Fund may be transferred to any other account of the Department in order to fund programs, activities, and missions described in paragraph (1). Any amounts transferred from the Fund to an account shall be merged with amounts in the account to which transferred and shall be available subject to the same terms and conditions as amounts in such account, except that amounts so transferred shall remain available until expended. The authority to transfer amounts under this paragraph is in addition to any other authority of the Secretary to transfer amounts by law.

(3) LIMITATION.—Amounts in the Fund may be transferred under this subsection only to organizations components, and elements of the Department that have previously obtained unmodified audit opinions for use by such organizations components, and elements for purposes specified in paragraph (1).

(d) TRANSFERS TO FUND IN CONNECTION WITH ORGANIZATIONS NOT HAVING ACHIEVED QUALIFIED AUDIT OPINIONS.—

(1) REDUCTION IN AMOUNT AVAILABLE.—Subject to paragraph (2), if during any fiscal year after fiscal year 2019 the Secretary determines that an organization, component, or element of the Department has not achieved a qualified opinion of its statement of budgetary resources for the calendar year ending during such fiscal year—

(A) the amount available to such organization, component, or element for the fiscal year in which such determination is made shall be equal to—

(i) the amount otherwise authorized to be appropriated for such organization, component, or element for the fiscal year; minus

(ii) the lesser of—

(I) an amount equal to 0.5 percent of the amount described in clause (i); or

(II) \$100,000,000; and

(B) the Secretary shall deposit in the Fund pursuant to subsection (b)(2) all amounts unavailable to organizations, components, and elements of the Department in the fiscal

year pursuant to determinations made under subparagraph (A).

(2) **INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.**—Any reduction applicable to an organization, component, or element of the Department under paragraph (1) for a fiscal year shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.

SA 4474. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1180, strike lines 1 through 5 and insert the following:

(1) in paragraph (1)—

(A) by striking “fiscal year 2016” and inserting “fiscal years 2016 and 2017”; and

(B) by striking “the Government of Pakistan” and all that follows and inserting “any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.”;

(2) in paragraph (2), by striking “the Government of Pakistan” and inserting “a country”;

(3) in paragraph (3), striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) listing each country identified pursuant to paragraph (1);

“(B) specifying any funds transferred to another department or agency of the United States Government pursuant to paragraph (2);

“(C) detailing the amount of funds to be used with respect to each country identified pursuant to paragraph (1) and the training, equipment, supplies, and services to be provided to such country using funds specified pursuant to subparagraph (B);

“(D) evaluating the effectiveness of efforts by each country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices; and

“(E) setting forth the overall plan to increase the counter-improvised explosive device capability of each country identified pursuant to paragraph (1).”;

(4) in paragraph (4), by striking “December 31, 2016” and inserting “December 31, 2017”.

(c) **SENSE OF SENATE.**—It is the sense of the Senate that—

(1) the United States Government should continue and should increase interagency efforts to disrupt the flow of improvised explosive devices (IED), precursor chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

(2) the Department of Defense has made sizeable investments to attack the network, defeat the device, and facilitate protection of United States forces for many years and throughout the relevant theaters of operation; and

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instru-

ments of national power, including engagement and investment from diplomatic, economic, and law enforcement departments and agencies.

SA 4475. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE OPEN SKIES TREATY.

(a) **FINDINGS.**—Congress makes the following findings:

(1) According to the President’s letter of submittal for the Open Skies Treaty provided to Congress by the Secretary of State on August 12, 1992, it is the purpose of the Open Skies Treaty to promote openness and transparency of military forces and activities and to enhance mutual understanding and confidence by giving States Party a direct role in gathering information about military forces and activities of concern to them.

(2) According to the Department of State’s 2016 Compliance Report, the Russian Federation “continues not to meet its obligations [under the Open Skies Treaty] to allow effective observation of its entire territory, raising serious compliance concerns”.

(3) According to the 2016 Compliance Report, Russian conduct giving rise to compliance concerns has continued since the Open Skies Treaty entered into force in 2002 and worsened in 2010, 2014, and 2015.

(4) According to the 2016 Compliance Report, ongoing efforts by the United States and other States Party to the Open Skies Treaty to address these concerns through dialogue with the Russian Federation “have not resolved any of the compliance concerns”.

(5) The Russian Federation has engaged in other activities in coordination with, but outside the scope of, the Open Skies Treaty overflights, which are a cause of concern and should be addressed.

(6) It is a generally accepted principle of customary international law that in the event of a material breach of a multilateral treaty by one of its parties, a party specially affected by that breach may invoke it as a ground for suspending the operation of the treaty in whole or in part in the relations between itself and the defaulting state.

(b) **STATEMENT OF UNITED STATES POLICY.**—It is the policy of the United States that—

(1) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions of the territory of a State Party impede openness and transparency of military forces and activities and undermine mutual understanding and confidence, especially when coupled with an ongoing refusal to address compliance concerns raised by other States Party subject to such restrictions;

(2) it is essential to the accomplishment of the object and purpose of the Open Skies Treaty that Open Skies Treaty aircraft be able to overfly all portions of the territory of a State Party in a timely and reciprocal manner;

(3) restrictions upon the ability of Open Skies Treaty aircraft to overfly all portions

of the territory of the Russian Federation constitute a material breach of the Open Skies Treaty;

(4) in light of the Russian Federation’s material breach of the Open Skies Treaty, the United States is legally entitled to suspend the operation of the Open Skies Treaty in whole or in part for so long as the Russian Federation continues to be in material breach of the Open Skies Treaty;

(5) for so long as the Russian Federation remains in noncompliance with the Open Skies Treaty, the United States should—

(A) suspend certification or operation of new sensors for Russian overflights of the United States pursuant to the Open Skies Treaty;

(B) place restrictions upon Russian overflights of the United States in response to Russian restrictions placed upon United States overflights of the Russian Federation; and

(C) use appropriate additional measures to encourage the Russian Federation’s return to compliance with the Open Skies Treaty; and

(6) during a period of Open Skies Treaty suspension or curtailment, the Director of National Intelligence, in coordination with the Secretary of State and the Secretary of Defense, shall coordinate with parties to Open Skies Treaty that are not the Russian Federation and Belarus, and fulfill imagery requirements of those parties in a manner relative to that provided by Open Skies Treaty collection.

(c) **REPORT REQUIRED.**—Not later than 60 days after the date of the enactment of this Act, and annually thereafter together with the Annual Arms Control and Verification Compliance Report defined in subsection (e), the Secretary of State, with the concurrence of the Secretary of Defense and the Director of National Intelligence, shall submit to the appropriate congressional committees a report that contains the following elements:

(1) A description of all outstanding concerns regarding compliance by the Russian Federation with its obligations under the Open Skies Treaty.

(2) A description of all consistency, counterintelligence, and other intelligence related issues that have arisen over the previous year, including Russian Federation sensor or equipment anomalies, intelligence activities carried out in coordination with Open Skies Treaty overflights, and other intelligence concerns as determined by the Director of National Intelligence.

(3) A description of all compliance dialogue, diplomatic engagement, or other interactions between the United States and the Russian Federation with regard to concerns about actual or potential Russian noncompliance with the Open Skies Treaty, as well as any such dialogue, engagement, or interactions between other Open Skies Treaty parties and the Russian Federation with regard to concerns about Russian actual or potential Russian noncompliance.

(4) A United States strategy for bringing the Russian Federation into full compliance with its obligations under the Open Skies Treaty, including—

(A) an assessment of the tools available to the United States for purposes of enforcing compliance with the Open Skies Treaty, including—

(i) bilateral or multilateral compliance dialogue;

(ii) the imposition of restrictions upon Russian overflights pursuant to the Open Skies Treaty, either by the United States or other States Party; and

(iii) the use of pressures or points of political, economic, or military leverage separate from the Open Skies Treaty.

(B) a description of how United States compliance dialogue with the Russian Federation about the Open Skies Treaty incorporates and integrates the tools described in subparagraph (A); and

(C) an assessment of whether the Russian Federation is expected to return to full compliance with the Open Skies Treaty, and if so, when and under what conditions this is most likely to occur.

(5) An assessment of the benefits the Russian Federation receives from the conduct of Open Skies Treaty overflights over European countries and the United States, including—

(A) The value of such information collection relative to other sources of information available to the Russian Federation; and

(B) A description of the types of United States and European targets over which Russian overflights pursuant to the Open Skies Treaty have flown, how this target set has evolved over the course of the Russian Federation's Open Skies overflights, and how this target set relates to current Russian military doctrine and planning.

(6) An assessment of the intelligence value of Open Skies information to States Party to the Open Skies Treaty, other than the United States or the Russian Federation, relative to other sources of information available to such States Party, including commercially-available satellite imagery.

(7) The impact of Russian noncompliance with the Open Skies Treaty and other international agreements or commitments relating to arms control, international security, or crisis prevention or stability, including the INF Treaty, the Incidents at Sea Agreement, and the Budapest Memorandum, the Biological Weapons Convention, and the CFE Treaty, upon defense and security planning in and among States Party to the Open Skies Treaty, including members of the North Atlantic Treaty Organization.

(d) FORM OF REPORT.—The report required by subsection (c) shall be submitted in an unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) ANNUAL ARMS CONTROL AND VERIFICATION COMPLIANCE REPORT.—The term “Annual Arms Control and Verification Compliance Report” means the annual Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments report required under section 403 of the Arms Control and Disarmament Act (22 U.S.C. 2593a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) BIOLOGICAL WEAPONS CONVENTION.—The term “Biological Weapons Convention” means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on Their Destruction, done at London, Moscow, and Washington April 10, 1972, and entered into force March 26, 1975.

(4) BUDAPEST MEMORANDUM.—The term “Budapest Memorandum” means the Memo-

randum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Budapest December 5, 1994.

(5) CFE TREATY.—The term “CFE Treaty” means the Treaty on Conventional Armed Forces in Europe done at Vienna November 19, 1990, and entered into force November 9, 1992.

(6) 2016 COMPLIANCE REPORT.—The term “2016 Compliance Report” means the Report on Adherence to and Compliance With Arms Control, Nonproliferation, and Disarmament Agreements and Commitments published by the United States Department of State on April 11, 2016.

(7) INCIDENTS AT SEA AGREEMENT.—The term “Incidents at Sea Agreement” means the Agreement Between the Government of The United States and the Government of The Union of Soviet Socialist Republics on the Prevention of Incidents On and Over the High Seas, done at Moscow on May 25, 1972, and entered into force on May 25, 1972.

(8) INF TREATY.—The term “INF Treaty” means the Intermediate-Range Nuclear Forces Treaty, done at Washington December 8, 1987, and entered into force June 1, 1988.

(9) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SA 4476. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1085. REPORT ON LACK OF PROCESS BY WHICH MEMBERS OF THE ARMED FORCES MAY CARRY APPROPRIATE FIREARMS ON MILITARY INSTALLATIONS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that—

(1) describes in detail why the Department of Defense did not meet the December 31, 2015, deadline specified in section 526 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 813; 10 U.S.C. 2672 note) for establishing and implementing a process by which members of the Armed Forces may carry appropriate firearms on military installations; and

(2) sets forth the anticipated date for implementation of that process.

SA 4477. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 15 and all that follows through “(d)” on page 42, line 3, and insert “(c)”.

SA 4478. Mr. HOEVEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 815, between lines 3 and 4, insert the following:

(3) The use of contract services, if necessary, to ensure that enlisted personnel of the Air National Guard and the Air Force Reserve are trained at a rate commensurate with regular enlisted personnel of the Air Force in achieving the transition required by subsection (a) by the date specified in that subsection.

SA 4479. Mr. INHOFE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORIZATION FOR USE OF POST-9/11 EDUCATIONAL ASSISTANCE TO PURSUE INDEPENDENT STUDY PROGRAMS AT CERTAIN EDUCATIONAL INSTITUTIONS THAT ARE NOT INSTITUTIONS OF HIGHER LEARNING.

Paragraph (4) of section 3680A(a) of title 38, United States Code, is amended to read as follows:

“(4) any independent study program except an accredited independent study program (including open circuit television) leading—

“(A) to a standard college degree;

“(B) to a certificate that reflects educational attainment offered by an institution of higher learning; or

“(C) to a certificate that reflects completion of a course of study offered by an educational institution that is not an institution of higher learning, such as an area career and technical education school providing education at the postsecondary level.”.

SA 4480. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that—

“(AA) the defense articles or services are nonlethal; and

“(BB) the end use of the defense articles or services includes civilian purposes; or

“(bb) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4481. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MODIFICATION OF EXCEPTION TO PROHIBITION ON FINANCING OF SALES OF DEFENSE ARTICLES AND DEFENSE SERVICES BY EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(6)(I)(i)(I) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)(I)(i)(I)) is amended to read as follows:

“(I)(aa) the Bank determines that the end use of the defense articles or services includes civilian purposes; or

“(bb) the President determines that the transaction is in the national security interest of the United States; and”.

SA 4482. Mr. NELSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXV add the following:

SEC. _____. APPLICATION OF LAW.

Section 4301 of title 46, United States Code, is amended by adding at the end the following:

“(d) For purposes of any Federal law, except the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), any vessel, including a foreign vessel, being repaired or dismantled is deemed to be a recreational vessel, as defined under section 2101(25) of this title, during such repair or dismantling, if that vessel—

“(1) shares elements of design and construction of traditional recreational vessels; and

“(2) when operating is not normally engaged in a military, commercial, or traditionally commercial undertaking.”.

SA 4483. Mr. COTTON (for himself, Mr. SASSE, Mr. RUBIO, Mr. RISCH, Mr. BURR, Mr. INHOFE, and Mr. CORNYN)

submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1236. LIMITATION ON CERTIFICATION OR APPROVAL OF NEW SENSORS FOR USE BY THE RUSSIAN FEDERATION ON OBSERVATION FLIGHTS UNDER THE OPEN SKIES TREATY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED STATE PARTY.—The term “covered state party” means a foreign country that—

(A) is a state party to the Open Skies Treaty; and

(B) is a United States ally.

(3) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(4) OBSERVATION AIRCRAFT, OBSERVATION FLIGHT, AND SENSOR.—The terms “observation aircraft”, “observation flight”, and “sensor” have the meanings given such terms in Article II of the Open Skies Treaty.

(5) OPEN SKIES TREATY.—The term “Open Skies Treaty” means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor, including to carry out an initial or exhibition observation flight of an observation aircraft, for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President, in consultation with the Secretary of State, the Secretary of Defense, Secretary of Homeland Security, and the Director of National Intelligence, submits to the appropriate committees of Congress the certification described in subsection (c)(1).

(c) CERTIFICATION.—

(1) IN GENERAL.—The certification described in this subsection is a certification for a new sensor referred to in subsection (b) that—

(A) the capabilities of the new sensor do not exceed the capabilities imposed by the Open Skies Treaty, and safeguards are in place to prevent the new sensor, or any information obtained therefrom, from being used in any way not permitted by the Open Skies Treaty;

(B) the Secretary of Defense, the commanders of relevant combatant commands, the directors of relevant elements of the intelligence community, and the Federal Bureau of Investigation have in place mitigation measures with respect to collection against high-value United States assets and critical infrastructure by the new sensor;

(C) each covered state party has been notified and briefed on concerns of the intelligence community regarding upgraded sensors used under the Open Skies Treaty, Russian Federation warfighting doctrine, and intelligence collection in support thereof; and

(D) the Russian Federation is in compliance with all of its obligations under the Open Skies treaty, including the obligation to permit properly-notified covered state party observation flights over all of Moscow, Chechnya, Abkhazia, South Ossetia, and Kaliningrad.

(2) SPECIFIC SENSOR APPROVAL.—The certification described in paragraph (1) shall be required for each sensor and platform for which the Russian Federation has requested approval under to the Open Skies Treaty.

(d) WAIVER AUTHORITY.—

(1) IN GENERAL.—The President may waive the requirements of subparagraph (D) of subsection (c)(1) if, not later than 30 days prior to certifying or approving a new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty, the President submits a certification to the appropriate committees of Congress that the certification or approval of the new sensor is in the national security interest of the United States that includes the following:

(A) A written explanation of the reasons it is in the national security interest of the United States to certify or approve the sensor.

(B) The date that the President expects the Russian Federation to come into full compliance with all of its Open Skies Treaty obligations, including the overflight obligations described in subparagraph (D) of subsection (c)(1).

(C) A detailed description of efforts made by the United States Government to bring the Russian Federation into full compliance with the Open Skies Treaty.

(2) FORM.—Each certification submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 4484. Mrs. ERNST (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. BIODEFENSE STRATEGY.

(a) IN GENERAL.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following: “**SEC. 527. NATIONAL BIODEFENSE STRATEGY.**

“(a) DEFINITIONS.—In this section—

“(1) the term ‘biodefense’ means any involvement in mitigating the risks of major biological incidents and public health emergencies to the United States, including with respect to—

“(A) threat awareness;

“(B) prevention and protection;

“(C) surveillance and detection;

“(D) response and recovery; and

“(E) attribution of an intentional biological incident;

“(2) the term ‘Council’ means the Biodefense Coordination Council established under subsection (b);

“(3) the term ‘Federal biodefense enterprise’ means the programs, projects, activities, and resources across the Federal Government that are involved in biodefense; and

“(4) the term ‘Strategy’ means the National Biodefense Strategy required to be established under subsection (b)(5).

“(b) BIODEFENSE COORDINATION COUNCIL.—

“(1) ESTABLISHMENT.—The President shall establish a Biodefense Coordination Council, which shall be comprised of, at a minimum—

“(A) the Secretary of Health and Human Services;

“(B) the Secretary of Agriculture;

“(C) the Secretary of Defense;

“(D) the Secretary;

“(E) the Secretary of State;

“(F) the Director of National Intelligence; and

“(G) the Administrator of the Environmental Protection Agency.

“(2) DUTIES.—The Council shall—

“(A) provide the expertise necessary to develop the Strategy; and

“(B) in coordination with the Office of Management and Budget, review, prioritize, and align necessary biodefense activities and spending across the Federal Government, in a manner consistent with the Strategy.

“(3) ROTATING CHAIR.—During the 4-year period beginning on the date on which the Council is established, and each 4-year period thereafter, each of the 4 Secretaries described in subparagraphs (A) through (D) of paragraph (1) shall serve as the chairperson for the Council for 1 year. The first chairperson of the Council shall be the Secretary of Health and Human Services.

“(4) PRESIDENT’S ANNUAL BUDGET.—The recommendations of the Council shall inform the budget submitted by the President under section 1105 of title 31, United States Code, with respect to biodefense activities.

“(5) STRATEGY.—The President shall develop a National Biodefense Strategy to direct and align the inter-governmental and multi-disciplinary efforts of the Federal Government towards an effective and continuously improving biodefense enterprise, including threat awareness, prevention and protection, surveillance and detection, and response and recovery to major biological incidents.

“(c) COORDINATION.—

“(1) COUNCIL.—In developing the Strategy, the President shall utilize the Council.

“(2) OTHER AGENCIES.—In developing the Strategy, the President may utilize—

“(A) the Secretary of Commerce;

“(B) the Attorney General; and

“(C) any other Federal department, agency, or interagency body the President determines appropriate, including the Public Health Emergency Medical Countermeasures Enterprise.

“(3) OTHER ENTITIES.—The President may receive input on elements of the Strategy from private sector biodefense entities and State, local, tribal, and territorial governments.

“(4) ACADEMIC INSTITUTIONS.—The President may receive input on elements of the Strategy from academic institutions.

“(d) COORDINATION WITH EXISTING STRATEGIES.—The Strategy shall serve as a comprehensive guide for United States biodefense that directs and harmonizes all other strategies or plans established or maintained by a Federal department or agency with respect to biodefense.

“(e) CONTENTS.—

“(1) REQUIREMENTS.—The Strategy shall include, at a minimum—

“(A) a comprehensive description of the entities and positions of leadership with re-

sponsibility, authority, and accountability for implementing, overseeing, and coordinating Federal biodefense activities described in subsection (b)(5), including a description of how such entities coordinate on each aspect of biodefense;

“(B) 5-year goals, priorities, and metrics to improve and strengthen the ability of the Federal Government to prevent, detect, respond to, and recover from a major biological incident;

“(C) short- and long-term research and development projects or initiatives planned to improve biodefense capability; and

“(D) recommendations for legislative action needed to expedite progression toward the goals identified in the Strategy.

“(2) CONSIDERATIONS.—In developing the Strategy, the President may consider—

“(A) the trade-offs made between differing goals and requirements, due to constraints in expected assets and resources over the time period of such goals and requirements; and

“(B) any other analysis the President determines appropriate.

“(3) ANALYSIS.—The Strategy shall include an appendix, which shall contain—

“(A) a review of current and previous collaborative efforts between the Armed Forces and the civilian sector of the Federal Government on biodefense activities and coordination;

“(B) a detailed analysis of the—

“(i) relevant recommendations issued by external biodefense review panels or commissions, and the extent to which the recommendations have been considered and implemented by Federal departments and agencies;

“(ii) lessons learned from the response of the Federal Government to public health emergencies occurring within the 5 years preceding the submission of the strategy;

“(iii) risks associated with major biological incidents;

“(iv) resources and capabilities needed to address identified risks; and

“(v) resource and capability gaps in the Federal biodefense enterprise, including gaps in—

“(I) each category of biodefense activity described in subsection (a)(1);

“(II) identification and research of emerging biological threats;

“(III) programs, projects, and activities in effect before the date of enactment of this section;

“(IV) strategies and implementation plans related to biodefense activities in effect before the date of enactment of this section;

“(V) the ability to reallocate Federal resources to address risks posed by emerging biological threats; and

“(VI) meeting the needs of vulnerable populations during the response to and recovery from a public health emergency; and

“(C) prioritization and allocation of investment across the Federal biodefense enterprise.

“(f) DEADLINE.—Not later than 24 months after the date of enactment of this section and in accordance with subsection (k), the President shall submit the Strategy to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

“(g) STATUS UPDATES.—Not later than 180 days after the date of enactment of this section, and every 180 days thereafter until the date on which the Strategy is submitted to the congressional committees described in subsection (f), the President shall submit to

such congressional committees an update on the status of the Strategy.

“(h) REQUIREMENT.—In accordance with subsection (k), the Strategy shall be made available on a public Internet website.

“(i) FIVE-YEAR UPDATE.—Beginning 5 years after the date on which the Strategy is submitted to the congressional committees described in subsection (f), and not less frequently than every 5 years thereafter, the President shall update the Strategy.

“(j) ANNUAL BIODEFENSE EXPENDITURES REPORT.—

“(1) IN GENERAL.—Not later than 30 days after the date on which the President submits a budget to Congress under section 1105 of title 31, United States Code, the President shall submit to the appropriate congressional committees a report detailing the total amount of expenditures on biodefense activities by all Federal departments and agencies and how the expenditures relate to the goals and priorities required under subsection (e)(1)(B).

“(2) REQUIREMENT.—The first report submitted under paragraph (1) shall provide historical context by detailing the total amount of expenditures on biodefense for the 3 preceding fiscal years, in addition to the fiscal year requirements for the fiscal year covered by the report.

“(k) CLASSIFIED ANNEX.—To the fullest extent possible, any reports required to be made publicly available under this section shall be unclassified, but may include classified annexes that shall be submitted concurrently to the congressional homeland security committees.”

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 526 the following:

“Sec. 527. National Biodefense Strategy.”

SA 4485. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MEAT OPTIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that, on a daily basis, members of the Armed Forces at Department of Defense dining facilities are provided with meat options that meet or exceed the nutritional standards established in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to establish or enforce “Meatless Monday” or any other program explicitly designed to reduce the amount of animal protein that members of the Armed Forces voluntarily consume.

SA 4486. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IANA FUNCTIONS CONTRACT; UNITED STATES GOVERNMENT OWNERSHIP OF CERTAIN DOMAINS.

(a) FINDINGS.—Congress finds the following:

(1) The Department of Commerce and the National Telecommunications and Information Administration (in this section referred to as the “NTIA”) should be responsible for maintaining the continuity and stability of services related to certain interdependent Internet technical management functions, known collectively as the Internet Assigned Numbers Authority (in this section referred to as the “IANA”), which includes—

(A) the coordination of the assignment of technical Internet protocol parameters;

(B) the administration of certain responsibilities associated with the Internet domain name system root zone management;

(C) the allocation of Internet numbering resources; and

(D) other services related to the management of the Advanced Research Project Agency and INT top-level domains.

(2) The interdependent technical functions described in paragraph (1) were performed on behalf of the Federal Government under a contract between the Defense Advanced Research Projects Agency and the University of Southern California as part of a research project known as the Tera-node Network Technology project. As the Tera-node Network Technology project neared completion and the contract neared expiration in 1999, the Federal Government recognized the need for the continued performance of the IANA functions as vital to the stability and correct functioning of the Internet.

(3) The NTIA may use its contract authority to maintain the continuity and stability of services related to the IANA functions.

(4) If the NTIA uses its contract authority, the contractor, in the performance of its duties, must have or develop a close constructive working relationship with all interested and affected parties to ensure quality and satisfactory performance of the IANA functions. The interested and affected parties include—

(A) the multi-stakeholder, private sector led, bottom-up policy development model for the domain name system that the Internet Corporation for Assigned Names and Numbers represents;

(B) the Internet Engineering Task Force and the Internet Architecture Board;

(C) Regional Internet Registries;

(D) top-level domain operators and managers, such as country codes and generic;

(E) governments; and

(F) the Internet user community.

(5) The IANA functions contract of the Department of Commerce explicitly declares that “[a]ll deliverables provided under this contract become the property of the U.S. Government.” One of the deliverables is the automated root zone.

(6) Former President Bill Clinton’s Internet czar Ira Magaziner stated that “[t]he United States paid for the Internet, the Net was created under its auspices, and most importantly everything [researchers] did was pursuant to government contracts.”

(7) Under section 3 of article IV of the Constitution of the United States, Congress has the exclusive power to “dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States”.

(8) The .gov and .mil top-level domains are the property of the United States Government, and as property, the United States Government should have the exclusive control and use of those domains in perpetuity.

(b) MAINTAINING THE IANA FUNCTIONS CONTRACT.—The Assistant Secretary of Commerce for Communications and Information may not allow the responsibility of the National Telecommunications and Information Administration with respect to the Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the performance of the Internet Assigned Numbers Authority functions, to terminate, lapse, expire, be cancelled, or otherwise cease to be in effect unless a Federal statute enacted after the date of enactment of this Act expressly grants the Assistant Secretary such authority.

(c) EXCLUSIVE UNITED STATES GOVERNMENT OWNERSHIP AND CONTROL OF .GOV AND .MIL DOMAINS.—Not later than 60 days after the date of enactment of this Act, the Assistant Secretary of Commerce for Communications and Information shall provide to Congress a written certification that the United States Government has—

(1) secured sole ownership of the .gov and .mil top-level domains; and

(2) entered into a contract with the Internet Corporation for Assigned Names and Numbers that provides that the United States Government has exclusive control and use of those domains in perpetuity.

SA 4487. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 123. LOW-INCOME SEWER AND WATER ASSISTANCE PILOT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality or a public entity that owns or operates a public water system that is affected by a consent decree relating to compliance with this Act.

“(2) HOUSEHOLD.—The term ‘household’ means any individual or group of individuals who are living together as 1 economic unit.

“(3) LOW-INCOME HOUSEHOLD.—The term ‘low-income household’ means a household—

“(A) in which 1 or more individuals are receiving—

“(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

“(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

“(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

“(iv) payments under—

“(I) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or

“(II) section 306 of the Veterans’ and Survivors’ Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95-588); or

“(B) that has an income determined by the State in which the eligible entity is located to not exceed the greater of—

“(i) an amount equal to 150 percent of the poverty level for that State; or

“(ii) an amount equal to 60 percent of the median income for that State.

“(4) PUBLIC WATER SYSTEM.—The term ‘public water system’ has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

“(5) SANITATION SERVICES.—The term ‘sanitation services’ has the meaning given the term in section 113(g).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Administrator shall establish a pilot program to award grants to not fewer than 10 eligible entities to assist low-income households in maintaining access to sanitation services.

“(2) LOWER INCOME LIMIT.—For purposes of this section, a State may adopt an income limit that is lower than the limit described in subsection (a)(3)(B), except that the State may not exclude a household from eligibility in a fiscal year based solely on household income if that income is less than 110 percent of the poverty level for that State.

“(c) REPORT.—Not later than 1 year after the date of enactment of this section, the Administrator shall submit to Congress a report on the results of the program established under this section.”

SA 4488. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 306. COMPLIANCE OF MILITARY HOUSING WATER SUPPLIES WITH FEDERAL AND STATE DRINKING WATER STANDARDS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study to determine whether members of the Armed Forces and their families who live in military housing in the United States have access to water that complies with State and Federal drinking water standards.

(b) COMPLIANCE MEASURES.—If the Secretary finds that water available to members of the Armed Forces and their families who live in military housing does not meet State or Federal drinking water standards, the Secretary shall—

(1) take immediate steps to bring non-compliant water sources into compliance with State and Federal standards; and

(2) within 30 days of discovering that a water source does not meet State or Federal drinking water standards, provide to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of the affected

State written verification describing the noncompliant water sources, including the location of all affected members of the Armed Forces, and an explanation about how the Secretary will bring the water source into compliance with State and Federal standards.

SA 4489. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NOTIFICATION OF PROPOSED CHANGES TO THE AIR FORCE STRATEGIC BASING PROCESS.

Not later than 30 days after making a determination to change the concept of operations, basing objectives, criteria, policies, programming, planning, or directives of the strategic basing process, the Secretary of the Air Force shall notify Congress of the proposed change. The notification shall include a briefing by the Chair of the Strategic Basing Executive Steering Group and a detailed, written risk assessment and analysis report regarding the change.

SA 4490. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XIV, add the following:

SEC. 1433. TERMINATION OF REDUCTION TO UN-DISTRIBUTED DEFENSE HEALTH PROGRAM RELATING TO FERTILITY TREATMENT BENEFITS.

(a) **TERMINATION OF REDUCTION.**—The reduction in the amount available for undistributed Defense Health Program relating to unauthorized fertility treatment benefits otherwise to be made by reason of the funding table in section 4501 shall not be made.

(b) **INCREASE IN AMOUNT AUTHORIZED FOR DEFENSE HEALTH PROGRAM FOR BENEFITS.**—The amount authorized to be appropriated for fiscal year 2017 for the Defense Health Program by section 1405 is hereby increased by \$38,000,000, with the amount of the increase to be allocated to undistributed Defense Health Program as specified in the funding table in section 4501 and available for unauthorized fertility treatment benefits.

SA 4491. Mr. BENNET (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES.

(a) **PROCUREMENT, DEFENSE-WIDE.**—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by \$290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for the following:

- (1) Iron Dome, \$20,000,000.
- (2) David's Sling Weapon System, \$150,000,000.
- (3) Arrow 3 Upper Tier, \$120,000,000.

(b) **RDT&E, DEFENSE-WIDE.**—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 201 is hereby increased by \$29,900,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for the following:

- (1) David's Sling Weapon System, \$19,300,000.
- (2) Arrow 3 Upper Tier, \$4,100,000.
- (3) Base Arrow, \$6,500,000.

(c) **CONSTRUCTION OF INCREASE.**—Amounts available under subsection (a) for procurement for items specified in subsection (a), and amounts available under subsection (b) for research, development, test, and evaluation for items specified in subsection (b), are in addition to any other amounts available for such purposes for such items in this Act.

(d) **OFFSET.**—Amounts for the aggregate of the increases in subsections (a) and (b) shall be derived as follows:

- (1) From a reduction of \$219,900,000 in the amount of savings otherwise available for fiscal year 2017 in connection with bulk fuel as specified in the funding table in section 4301.
- (2) From a reduction of \$100,000,000 in the amount authorized to be appropriated for fiscal year 2017 for lift and sustain to maintain program affordability as specified in the funding table in section 4302.

SA 4492. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. DURATION OF UTILITY ENERGY SERVICE CONTRACTS.

Section 2913 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(e) **DURATION OF CONTRACTS.**—An utility energy service contract entered into under this section may have a contract period not to exceed 25 years.

“(f) **VERIFICATION REQUIREMENTS.**—The conditions of an utility energy service contract entered into under this section shall

include requirements for measurement, verification, and performance assurances or guaranties of the savings.”.

SA 4493. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 590. ATOMIC VETERANS SERVICE MEDAL.

(a) **SERVICE MEDAL REQUIRED.**—The Secretary of Defense shall design and produce a military service medal, to be known as the “Atomic Veterans Service Medal”, to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) **DISTRIBUTION OF MEDAL.**—

(1) **ISSUANCE TO RETIRED AND FORMER MEMBERS.**—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) **ISSUANCE TO NEXT-OF-KIN.**—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) **APPLICATION.**—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-kin may apply to receive the Atomic Veterans Service Medal.

SA 4494. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXIII, add the following:

SEC. 3308. RULEMAKING ESTABLISHING MINIMUM LIABILITY INSURANCE LEVELS FOR PILOTS.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a rulemaking to establish minimum levels of liability insurance for any pilot covered under this title.

SA 4495. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXIII and insert the following:

TITLE XXXIII—EXEMPTION FROM MEDICAL CERTIFICATION REQUIREMENTS**SEC. 3301. REPORTING BY PILOTS EXEMPT FROM MEDICAL CERTIFICATION REQUIREMENTS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall require any pilot who is exempt from medical certification requirements to submit, not less frequently than once every 180 days, a report to the Department of Transportation that—

- (1) identifies the pilot's status as an active pilot; and
- (2) includes a summary of the pilot's recent flight hours.

SEC. 3302. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ASSESSING EFFECT ON PUBLIC SAFETY OF EXEMPTION FOR SPORT PILOTS FROM REQUIREMENT FOR A MEDICAL CERTIFICATE.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that assesses the effect of section 61.23(c)(ii) of title 14, Code of Federal Regulations (permitting a person to exercise the privileges of a sport pilot certificate without holding a medical certificate), on public safety since 2004.

SA 4496. Mr. KAINE (for himself, Mr. FLAKE, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Authority for the Use of Military Force Against the Islamic State of Iraq and the Levant**SEC. 1281. FINDINGS.**

Congress makes the following findings:

(1) The terrorist organization that has referred to itself as the Islamic State of Iraq and the Levant and various other names (in this subtitle referred to as “ISIL”) poses a grave threat to the people and territorial integrity of Iraq and Syria, regional stability, and the national security interests of the United States and its allies and partners.

(2) ISIL holds significant territory in Iraq and Syria and has stated its intention to seize more territory and demonstrated the capability to do so.

(3) ISIL leaders have stated that they intend to conduct terrorist attacks internationally, including against the United States, its citizens, and interests.

(4) ISIL has committed despicable acts of violence and mass executions against Muslims, regardless of sect, who do not subscribe to ISIL's depraved, violent, and oppressive ideology.

(5) ISIL has threatened genocide and committed vicious acts of violence against religious and ethnic minority groups, including Iraqi Christian, Yezidi, and Turkmen populations.

(6) ISIL has targeted innocent women and girls with horrific acts of violence, including abduction, enslavement, torture, rape, and forced marriage.

(7) ISIL is responsible for the deaths of innocent United States citizens, including James Foley, Steven Sotloff, Abdul-Rahman Peter Kassig, and Kayla Mueller.

(8) The United States is working with regional and global allies and partners to degrade and defeat ISIL, to cut off its funding, to stop the flow of foreign fighters to its ranks, and to support local communities as they reject ISIL.

(9) The announcement of the anti-ISIL Coalition on September 5, 2014, during the NATO Summit in Wales, stated that ISIL poses a serious threat and should be countered by a broad international coalition.

(10) The United States calls on its allies and partners, particularly in the Middle East and North Africa, to join the anti-ISIL Coalition and defeat this terrorist threat.

(11) President Barack Obama, United States military leaders, and United States allies in the region have made clear that it is more effective to use the unique capabilities of the United States Government to support regional partners instead of large-scale deployments of United States ground forces in this mission.

SEC. 1282. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) **AUTHORIZATION.**—The President is authorized to use the Armed Forces of the United States as the President determines necessary and appropriate against ISIL or associated persons or forces as defined in section 1285.

(b) **WAR POWERS RESOLUTION REQUIREMENTS.**—

(1) **SPECIFIC STATUTORY AUTHORIZATION.**—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) **APPLICABILITY OF OTHER REQUIREMENTS.**—Nothing in this subtitle supersedes any requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(c) **PURPOSE.**—The purpose of this authorization is to protect the lives of United States citizens and to provide military support to regional partners in their battle to defeat ISIL. The use of significant United States ground troops in combat against ISIL, except to protect the lives of United States citizens from imminent threat, is not consistent with such purpose.

SEC. 1283. DURATION OF AUTHORIZATION.

The authorization for the use of military force under this subtitle shall terminate three years after the date of the enactment of this Act, unless reauthorized.

SEC. 1284. REPORTS.

The President shall report to Congress at least once every six months on specific actions taken pursuant to this authorization.

SEC. 1285. ASSOCIATED PERSONS OR FORCES DEFINED.

In this subtitle, the term “associated persons or forces”—

(1) means individuals and organizations fighting for, on behalf of, or alongside ISIL or any closely-related successor entity in hostilities against the United States or its coalition partners; and

(2) refers to any individual or organization that presents a direct threat to members of the United States Armed Forces, coalition partner forces, or forces trained by the coalition, in their fight against ISIL.

SEC. 1286. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public

Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SEC. 1287. SOLE STATUTORY AUTHORITY FOR MILITARY ACTION AGAINST ISIL.

This authorization shall constitute the sole statutory authority for United States military action against the Islamic State of Iraq and the Levant and associated persons or forces, and supersedes any prior authorization for the use of military force involving action against ISIL.

SA 4497. Mr. KAINE (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1227. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.

(a) **PURPOSE.**—The purpose of this section is to encourage a new Administration to work with Congress in its first two years to effectively revise the 2001 Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note).

(b) **FINDINGS.**—Congress makes the following findings:

(1) The 2001 Authorization for Use of Military Force is now nearly 15 years old.

(2) A new Administration should determine how the United States continues to fight terrorism in a disciplined way consistent with the authorities provided under Article I and II of the Constitution and the War Powers Resolution (50 U.S.C. 1541 et seq.).

(c) **QUALIFYING LEGISLATION DEFINED.**—In this section, the term “qualifying legislation” means—

(1) proposed legislation submitted by the President under subsection (d) not later than the date specified in such subsection;

(2) in the event the President does not submit such proposed legislation by such date, legislation reported by the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives after such date and not later than November 20, 2017, that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107-40, 155 Stat. 224), enacted on September 18, 2001; or

(3) in the event proposed legislation is not submitted or reported as described under paragraph (1) or (2), respectively, legislation that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107-40, 155 Stat. 224) that is introduced by any member of the Senate or House of Representatives after November 20, 2017.

(d) **REQUIRED PRESIDENTIAL SUBMISSION.**—Not later than September 20, 2017, the President shall submit to Congress proposed legislation that refines, modifies, or repeals the authorization for the use of force provided in the Authorization for Use of Military Force (Public Law 107-40, 155 Stat. 224) (in this section referred to as “qualifying legislation”).

(e) **INTRODUCTION OF QUALIFYING LEGISLATION SUBMITTED BY PRESIDENT.**—Proposed legislation submitted by the President under subsection (d) shall be introduced in the Senate (by request) on the next day on which the

Senate is in session by the majority leader of the Senate or by a member of the Senate designated by the majority leader of the Senate and shall be introduced in the House of Representatives (by request) on the next legislative day by the majority leader of the House or by a member of the House designated by the majority leader of the House.

(f) **EXPEDITED CONSIDERATION OF QUALIFYING LEGISLATION.**—

(1) **CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.**—

(A) **COMMITTEE REFERRAL AND DISCHARGE.**—If a committee of the House to which qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) has been referred has not reported such qualifying legislation within 10 legislative days after such referral, that committee shall be discharged from further consideration thereof.

(B) **FLOOR CONSIDERATION.**—When the committee to which qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) has been referred has reported, or has been deemed to be discharged (under paragraph (1) of this subsection) from further consideration of, such qualifying legislation, or when a committee has reported qualifying legislation described in subsection (c)(2), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the qualifying legislation, and all points of order against the motion to proceed are waived. The motion is highly privileged in the House of Representatives. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qualifying legislation is agreed to, the qualifying legislation shall remain the unfinished business of the House until disposed of.

(2) **CONSIDERATION IN THE SENATE.**—

(A) **COMMITTEE REFERRAL.**—Qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c) that is introduced in the Senate shall be referred to the Committee on Foreign Relations.

(B) **REPORTING AND DISCHARGE.**—If the Committee on Foreign Relations has not reported such qualifying legislation within 10 days upon which the Senate is in session after such referral, that committee shall be discharged from further consideration thereof and such legislation shall be placed on the appropriate calendar.

(C) **FLOOR CONSIDERATION.**—When the Committee on Foreign Relations has reported, or has been discharged (under paragraph (1) of this subsection) from further consideration of, qualifying legislation described in paragraph (1) or paragraph (3) of subsection (c), or when the Committee on Foreign Relations has reported qualifying legislation described in subsection (c)(2), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Senator, notwithstanding Rule XXII of the Standing Rules of the Senate, to move to proceed to the consideration of the qualifying legislation, and all points of order against the motion to proceed are waived. The motion is not subject to a motion to postpone, or to a motion to proceed to the consideration of other business. The motion is not debatable. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the qual-

ifying legislation is agreed to, the qualifying legislation shall remain the unfinished business of the Senate until disposed of.

(3) **RULES OF HOUSE OF REPRESENTATIVES AND SENATE.**—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of legislation described in those sections, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(g) **REPORTS TO CONGRESS.**—

(1) **STRATEGY.**—Not later than September 20, 2017, the President shall submit to the appropriate congressional committees and leadership a written report setting forth a comprehensive strategy of the United States, encompassing military, economic, humanitarian, and diplomatic efforts, to protect Americans from al Qaeda, the Taliban, the Islamic State of Iraq and the Levant (ISIS), and transnational terrorist organizations that the President has determined threaten the national security of United States and to support international partners in their fight to defeat such organizations.

(2) **IMPLEMENTATION OF STRATEGY.**—

(A) **IN GENERAL.**—Not later than September 20, 2017, and every 180 days thereafter, the President shall submit to the appropriate congressional committees and leadership a description and assessment of the implementation of the strategy set forth in the report required by paragraph (1), including a description of any substantive change to the comprehensive strategy, including the reason for the change and the change's effect on the rest of the comprehensive strategy.

(B) **REQUIRED ELEMENTS OF THE REPORT.**—The report required under subparagraph (A) shall include the specific military actions taken to address the threat posed by transnational terrorist organizations and associated persons or forces, including—

(i) the persons and forces targeted by such actions;

(ii) the nature and location of such actions;

(iii) an evaluation of the effectiveness of such actions; and

(iv) a description of and justification for the specific authorities relied upon for such actions.

(3) **REPORT ON ACTIONS IN FOREIGN COUNTRIES.**—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees and leadership a report detailing all foreign countries in which the United States government is conducting, or is preparing to conduct, specific actions described in paragraph (2)(B), and shall update this report no less than 48 hours before such actions take place in a new country, unless exigent circumstances exist.

(4) **COVERED PERSONS AND FORCES.**—Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress a list of the organizations, persons, or forces against which the United States is conducting military operations pursuant to the 2001 Authorization for Use of Military Force (Public Law 107-40, 155 Stat. 224) or the Authorization for Use of Military

Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note), or Article II of the Constitution of the United States, respectively, along with a justification for the inclusion of such organizations, persons, or forces, and classified information relating thereto. The list shall be updated at least every 90 days.

(5) **APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP DEFINED.**—In this subsection, the term “appropriate congressional committees and leadership” means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Appropriations, and the Majority and Minority Leaders of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Speaker, Majority Leader, and Minority Leader of the House of Representatives.

(h) **REPEAL.**—The Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) shall terminate on January 1, 2019.

SA 4498. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Treatment of Employees of Department of Veterans Affairs and Protection of Whistleblowers

SEC. 1097. REMOVAL OR DEMOTION OF EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS BASED ON PERFORMANCE OR MISCONDUCT.

(a) **IN GENERAL.**—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 714. Employees: removal or demotion based on performance or misconduct

“(a) **IN GENERAL.**—(1) The Secretary may remove or demote an individual who is an employee of the Department if the Secretary determines the performance or misconduct of the individual warrants such removal or demotion.

“(2) A determination under paragraph (1) that the performance or misconduct of an individual warrants removal or demotion may consist of a determination of any of the following:

“(A) The individual neglected a duty of the position in which the individual was employed.

“(B) The individual engaged in malfeasance.

“(C) The individual failed to accept a directed reassignment or to accompany a position in a transfer of function.

“(D) The individual violated a policy of the Department.

“(E) The individual violated a provision of law.

“(F) The individual engaged in insubordination.

“(G) The individual over prescribed medication.

“(H) The individual contributed to the purposeful omission of the name of one or more veterans waiting for health care from an electronic wait list for a medical facility of the Department.

“(I) The individual was the supervisor of an employee of the Department, or was a supervisor of the supervisor, at any level, who contributed to a purposeful omission as described in subparagraph (H) and knew, or reasonably should have known, that the employee contributed to such purposeful omission.

“(J) Such other performance or misconduct as the Secretary determines warrants the removal or demotion of the individual under paragraph (1).

“(3) If the Secretary removes or demotes an individual as described in paragraph (1), the Secretary may—

“(A) remove the individual from the civil service (as defined in section 2101 of title 5); or

“(B) demote the individual by means of—

“(i) a reduction in grade for which the individual is qualified and that the Secretary determines is appropriate; or

“(ii) a reduction in annual rate of pay that the Secretary determines is appropriate.

“(b) PAY OF CERTAIN DEMOTED INDIVIDUALS.—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (a)(3)(B)(i) shall, beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

“(2) An individual so demoted may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an individual so demoted does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

“(c) NOTICE TO CONGRESS.—Not later than 30 days after removing or demoting an individual under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or demotion and the reason for such removal or demotion.

“(d) PROCEDURE.—(1) The procedures under section 7513(b) of title 5 and chapter 43 of such title shall not apply to a removal or demotion under this section.

“(2)(A) Subject to subparagraph (B) and subsection (e), any removal or demotion under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

“(B) An appeal under subparagraph (A) of a removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

“(e) EXPEDITED REVIEW BY ADMINISTRATIVE LAW JUDGE.—(1) Upon receipt of an appeal under subsection (d)(2)(A), the Merit Systems Protection Board shall refer such appeal to an administrative law judge pursuant to section 7701(b)(1) of title 5. The administrative law judge shall expedite any such appeal under such section and, in any such case, shall issue a decision not later than 45 days after the date of the appeal.

“(2) Notwithstanding any other provision of law, including section 7703 of title 5, the decision of an administrative judge under paragraph (1) shall be final and shall not be subject to any further appeal.

“(3) In any case in which the administrative judge cannot issue a decision in accordance with the 45-day requirement under paragraph (1), the removal or demotion is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or demotion is final,

submit to Congress and the Committees on Veterans' Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

“(4) The Merit Systems Protection Board or administrative judge may not stay any removal or demotion under this section.

“(5) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the administrative judge issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

“(6) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board, and to any administrative law judge to whom an appeal under this section is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

“(f) RELATION TO OTHER PROVISIONS OF LAW.—(1) The authority provided by this section is in addition to the authority provided by subchapter V of chapter 75 of title 5 and chapter 43 of such title.

“(2) Subchapter V of chapter 74 of this title shall not apply to any action under this section.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘individual’ means an individual occupying a position at the Department of Veterans Affairs but does not include—

“(A) an individual, as that term is defined in section 713(g)(1) of this title; or

“(B) a political appointee.

“(2) The term ‘grade’ has the meaning given such term in section 7511(a) of title 5.

“(3) The term ‘misconduct’ includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

“(4) The term ‘political appointee’ means an individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5, (relating to the Executive Schedule);

“(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

“(C) is employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 713 the following new item:

“714. Employees: removal or demotion based on performance or misconduct.”.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting “, or”; and

(C) by adding at the end the following:

“(4) any removal or demotion under section 714 of title 38.”.

SEC. 1097A. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097, is further amended by adding at the end the following new section:

“§ 715. Probationary period for employees

“(a) IN GENERAL.—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of 540 days. The Secretary may extend a probationary period under this subsection at the discretion of the Secretary.

“(b) COVERED EMPLOYEE.—In this section, the term ‘covered employee’—

“(1) means any individual—

“(A) appointed to a permanent position within the competitive service at the Department; or

“(B) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department; and

“(2) does not include any individual with a probationary period prescribed by section 7403 of this title.

“(c) PERMANENT HIRES.—Upon the expiration of a covered employee's probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply to any covered employee (as that term is defined in section 715 of title 38, United States Code, as added by such subsection) appointed after the date of the enactment of this Act.

(c) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097, is further amended by inserting after the item relating to section 714 the following new item:

“715. Probationary period for employees.”.

(2) CONFORMING.—Title 5, United States Code, is amended—

(A) in section 3321(c), by—

(i) striking “Service or” and inserting “Service.”; and

(ii) inserting at the end before the period the following: “, or any individual covered by section 715 of title 38”; and

(B) in section 3393(d), by adding at the end after the period the following: “The preceding sentence shall not apply to any individual covered by section 715 of title 38.”.

SEC. 1097B. OFFICE OF ACCOUNTABILITY AND WHISTLEBLOWER PROTECTION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 323. Office of Accountability and Whistleblower Protection

“(a) ESTABLISHMENT.—There is established in the Department an office to be known as the Office of Accountability and Whistleblower Protection (in this section referred to as the ‘Office’).

“(b) HEAD OF OFFICE.—(1) The head of the Office shall be responsible for the functions of the Office and shall be appointed by the President pursuant to section 308(a) of this title.

“(2) The head of the Office shall be known as the ‘Assistant Secretary for Accountability and Whistleblower Protection’.

“(3) The Assistant Secretary shall report directly to the Secretary on all matters relating to the Office.

“(4) Notwithstanding section 308(b) of this title, the Secretary may only assign to the Assistant Secretary responsibilities relating to the functions of the Office set forth in subsection (c).

“(c) FUNCTIONS.—(1) The functions of the Office are as follows:

“(A) Advising the Secretary on all matters of the Department relating to accountability, including accountability of employees of the Department, retaliation against whistleblowers, and such matters as the Secretary considers similar and affect public trust in the Department.

“(B) Issuing reports and providing recommendations related to the duties described in subparagraph (A).

“(C) Receiving whistleblower disclosures.

“(D) Referring whistleblower disclosures received under subparagraph (C) for investigation to the Office of the Medical Inspector, the Office of Inspector General, or other investigative entity, as appropriate, if the Assistant Secretary has reason to believe the whistleblower disclosure is evidence of a violation of a provision of law, mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to public health and safety.

“(E) Receiving and referring disclosures from the Special Counsel for investigation to the Medical Inspector of the Department, the Inspector General of the Department, or such other person with investigatory authority, as the Assistant Secretary considers appropriate.

“(F) Recording, tracking, reviewing, and confirming implementation of recommendations from audits and investigations carried out by the Inspector General of the Department, the Medical Inspector of the Department, the Special Counsel, and the Comptroller General of the United States, including the imposition of disciplinary actions and other corrective actions contained in such recommendations.

“(G) Analyzing data from the Office and the Office of Inspector General telephone hotlines, other whistleblower disclosures, disaggregated by facility and area of health care if appropriate, and relevant audits and investigations to identify trends and issue reports to the Secretary based on analysis conducted under this subparagraph.

“(H) Receiving, reviewing, and investigating allegations of misconduct, retaliation, or poor performance involving—

“(i) an individual in a senior executive position (as defined in section 713(d) of this title) in the Department;

“(ii) an individual employed in a confidential, policy-making, policy-determining, or policy-advocating position in the Department; or

“(iii) a supervisory employee, if the allegation involves retaliation against an employee for making a whistleblower disclosure.

“(I) Making such recommendations to the Secretary for disciplinary action as the Assistant Secretary considers appropriate after substantiating any allegation of misconduct or poor performance pursuant to an investigation carried out as described in subparagraph (F) or (H).

“(2) In carrying out the functions of the Office, the Assistant Secretary shall ensure that the Office maintains a toll-free telephone number and Internet website to receive anonymous whistleblower disclosures.

“(3) In any case in which the Assistant Secretary receives a whistleblower disclosure from an employee of the Department under paragraph (1)(C), the Assistant Secretary may not disclose the identity of the employee without the consent of the employee, except in accordance with the provisions of section 552a of title 5, or as required by any other applicable provision of Federal law.

“(d) STAFF AND RESOURCES.—The Secretary shall ensure that the Assistant Secretary has such staff, resources, and access to information as may be necessary to carry out the functions of the Office.

“(e) RELATION TO OFFICE OF GENERAL COUNSEL.—The Office shall not be established as an element of the Office of the General Counsel and the Assistant Secretary may not report to the General Counsel.

“(f) REPORTS.—(1)(A) Not later than June 30 of each calendar year, beginning with June 30, 2017, the Assistant Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the activities of the Office during the calendar year in which the report is submitted.

“(B) Each report submitted under subparagraph (A) shall include, for the period covered by the report, the following:

“(i) A full and substantive analysis of the activities of the Office, including such statistical information as the Assistant Secretary considers appropriate.

“(ii) Identification of any issues reported to the Secretary under subsection (c)(1)(G), including such data as the Assistant Secretary considers relevant to such issues and any trends the Assistant Secretary may have identified with respect to such issues.

“(iii) Identification of such concerns as the Assistant Secretary may have regarding the size, staffing, and resources of the Office and such recommendations as the Assistant Secretary may have for legislative or administrative action to address such concerns.

“(iv) Such recommendations as the Assistant Secretary may have for legislative or administrative action to improve—

“(I) the process by which concerns are reported to the Office; and

“(II) the protection of whistleblowers within the Department.

“(v) Such other matters as the Assistant Secretary considers appropriate regarding the functions of the Office or other matters relating to the Office.

“(2) If the Secretary receives a recommendation for disciplinary action under subsection (c)(1)(I) and does not take or initiate the recommended disciplinary action before the date that is 60 days after the date on which the Secretary received the recommendation, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a detailed justification for not taking or initiating such disciplinary action.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘supervisory employee’ means an employee of the Department who is a supervisor as defined in section 7103(a) of title 5.

“(2) The term ‘whistleblower’ means one who makes a whistleblower disclosure.

“(3) The term ‘whistleblower disclosure’ means any disclosure of information by an employee of the Department or individual applying to become an employee of the Department which the employee or individual reasonably believes evidences—

“(A) a violation of a provision of law; or

“(B) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.”

(b) CONFORMING AMENDMENT.—Section 308(b) of such title is amended by adding at the end the following new paragraph:

“(12) The functions set forth in section 323(c) of this title.”

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by inserting after the item relating to section 322 the following new item:

“323. Office of Accountability and Whistleblower Protection.”

SEC. 1097C. PROTECTION OF WHISTLEBLOWERS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097A, is further amended by adding at the end the following new sections:

“§ 716. Protection of whistleblowers as criteria in evaluation of supervisors

“(a) DEVELOPMENT AND USE OF CRITERIA REQUIRED.—The Secretary, in consultation with the Assistant Secretary of Accountability and Whistleblower Protection, shall develop criteria that—

“(1) the Secretary shall use as a critical element in any evaluation of the performance of a supervisory employee; and

“(2) promotes the protection of whistleblowers.

“(b) PRINCIPLES FOR PROTECTION OF WHISTLEBLOWERS.—The criteria required by subsection (a) shall include principles for the protection of whistleblowers, such as the degree to which supervisory employees respond constructively when employees of the Department report concerns, take responsible action to resolve such concerns, and foster an environment in which employees of the Department feel comfortable reporting concerns to supervisory employees or to the appropriate authorities.

“(c) SUPERVISORY EMPLOYEE AND WHISTLEBLOWER DEFINED.—In this section, the terms ‘supervisory employee’ and ‘whistleblower’ have the meanings given such terms in section 323 of this title.

“§ 717. Training regarding whistleblower disclosures

“(a) TRAINING.—Not less frequently than once every two years, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower disclosures, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower disclosure;

“(2) the right of the employee to petition Congress regarding a whistleblower disclosure in accordance with section 7211 of title 5;

“(3) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(4) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(5) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure, to the maximum extent practicable, that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once every two years, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to make a whistleblower disclosure, including the information described in paragraphs (1) through (5) of subsection (a).

“(e) WHISTLEBLOWER DISCLOSURE DEFINED.—In this section, the term ‘whistleblower disclosure’ has the meaning given such term in section 323 of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097A, is further amended by inserting after the item relating to section 715 the following new items:

“716. Protection of whistleblowers as criteria in evaluation of supervisors.

“717. Training regarding whistleblower disclosures.”.

SEC. 1097D. TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 1097C, is further amended by adding at the end the following new section:

“§ 718. Congressional testimony by employees: treatment as official duty

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title, as amended by section 1097C, is further amended by inserting after the item relating to section 717 the following new item:

“718. Congressional testimony by employees: treatment as official duty.”.

SEC. 1097E. REPORT ON METHODS USED TO INVESTIGATE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) REPORT REQUIRED.—Not later than 540 days after the date of the enactment of this Act, the Assistant Secretary for Accountability and Whistleblower Protection shall submit to the Secretary of Veterans Affairs, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report on methods used to investigate employees of the Department of Veterans Affairs and whether such methods are used to retaliate against whistleblowers.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the use of administrative investigation boards, peer review, searches of medical records, and other methods for investigating employees of the Department.

(2) A determination of whether and to what degree the methods described in paragraph (1) are being used to retaliate against whistleblowers.

(3) Recommendations for legislative or administrative action to implement safeguards to prevent the retaliation described in paragraph (2).

(c) WHISTLEBLOWER DEFINED.—In this section, the term “whistleblower” has the meaning given such term in section 323 of title 38, United States Code, as added by section 1097B.

SA 4499. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title VI, add the following:

SEC. 647. EQUAL BENEFITS UNDER SURVIVOR BENEFIT PLAN FOR SURVIVORS OF RESERVE COMPONENT MEMBERS WHO DIE IN THE LINE OF DUTY DURING INACTIVE-DUTY TRAINING.

(a) TREATMENT OF INACTIVE-DUTY TRAINING IN SAME MANNER AS ACTIVE DUTY.—

(1) IN GENERAL.—Section 1451(c)(1)(A) of title 10, United States Code, is amended—

(A) in clause (i)—

(i) by inserting “or 1448(f)” after “section 1448(d)”; and

(ii) by inserting “or (iii)” after “clause (ii)”; and

(B) in clause (iii)—

(i) by striking “section 1448(f) of this title” and inserting “section 1448(f)(1)(A) of this title by reason of the death of a member or former member not in line of duty”; and

(ii) by striking “active”.

(2) APPLICATION OF AMENDMENTS.—No annuity benefit under the Survivor Benefit Plan shall accrue to any person by reason of the amendments made by paragraph (1) for any period before the date of the enactment of this Act. With respect to an annuity under the Survivor Benefit Plan for a death occurring on or after September 10, 2001, and before the date of the enactment of this Act, the Secretary concerned shall recompute the benefit amount to reflect such amendments, effective for months beginning after the date of the enactment of this Act.

(b) CONSISTENT TREATMENT OF DEPENDENT CHILDREN.—Section 1448(f) of such title is amended by adding at the end the following new paragraph:

“(5) DEPENDENT CHILDREN ANNUITY.—

“(A) ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a person described in paragraph (1), the Secretary concerned shall pay an annuity under this subchapter to the dependent children of that person under section 1450(a)(2) of this title as applicable.

“(B) OPTIONAL ANNUITY WHEN THERE IS AN ELIGIBLE SURVIVING SPOUSE.—The Secretary may pay an annuity under this subchapter to the dependent children of a person described in paragraph (1) under section 1450(a)(3) of this title, if applicable, instead of paying an annuity to the surviving spouse under paragraph (1), if the Secretary concerned, in consultation with the surviving spouse, determines it appropriate to provide an annuity for the dependent children under this paragraph instead of an annuity for the surviving spouse under paragraph (1).”.

(c) DEEMED ELECTIONS.—

(1) IN GENERAL.—Section 1448(f) of title 10, United States Code, as amended by subsection (b), is further amended by adding at the end the following new paragraph:

“(6) DEEMED ELECTION TO PROVIDE AN ANNUITY FOR DEPENDENT.—In the case of a person described in paragraph (1) who dies after November 23, 2003, the Secretary concerned may, if no other annuity is payable on behalf of that person under this subchapter, pay an annuity to a natural person who has an insurable interest in such person as if the annuity were elected by the person under subsection (b)(1). The Secretary concerned may pay such an annuity under this paragraph only in the case of a person who is a dependent of that deceased person (as defined in section 1072(2) of this title). An annuity under this paragraph shall be computed in the same manner as provided under subparagraph (B) of subsection (d)(6) for an annuity under that subsection.”.

(2) EFFECTIVE DATE.—No annuity payment under paragraph (6) of section 1448(f) of title 10, United States Code, as added by paragraph (1) of this subsection, may be made for any period before the date of the enactment of this Act.

(d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY ALLOWANCE.—

(1) AVAILABILITY.—Section 1450(m)(1)(B) of title 10, United States Code, is amended by inserting “or (f)” after “subsection (d)”.

(2) EFFECTIVE DATE.—No payment under section 1450(m) of title 10, United States Code, by reason of the amendment made by paragraph (1) may be made for any period before the date of the enactment of this Act.

SA 4500. Mr. JOHNSON (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION F—DHS ACCOUNTABILITY

SECTION 6001. SHORT TITLE.

This division may be cited as the “DHS Accountability Act of 2016”.

SEC. 6002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL HOMELAND SECURITY COMMITTEES.—The term “congressional homeland security committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

(D) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.

(2) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(3) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

TITLE LXXI—DEPARTMENT MANAGEMENT AND COORDINATION

SEC. 6101. MANAGEMENT AND EXECUTION.

(a) IN GENERAL.—Section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (F) and inserting the following:

“(F) An Under Secretary for Management, who shall be first assistant to the Deputy Secretary of Homeland Security for purposes of subchapter III of chapter 33 of title 5, United States Code.”; and

(B) by adding at the end the following:

“(K) An Under Secretary for Strategy, Policy, and Plans.”; and

(2) by adding at the end the following:

“(g) VACANCIES.—

“(1) ABSENCE, DISABILITY, OR VACANCY OF SECRETARY OR DEPUTY SECRETARY.—Notwithstanding chapter 33 of title 5, United States Code, the Under Secretary for Management shall serve as the Acting Secretary if by reason of absence, disability, or vacancy in office, neither the Secretary nor Deputy Secretary is available to exercise the duties of the Office of the Secretary.

“(2) FURTHER ORDER OF SUCCESSION.—Notwithstanding chapter 33 of title 5, United States Code, the Secretary may designate such other officers of the Department in further order of succession to serve as Acting Secretary.

“(3) NOTIFICATION OF VACANCIES.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of any vacancies that require notification under sections 3345 through 3349d of title 5, United States Code (commonly known as the ‘Federal Vacancies Reform Act of 1998’).”

(b) UNDER SECRETARY FOR MANAGEMENT.—Section 701 of the Homeland Security Act of 2002 (6 U.S.C. 341) is amended—

(1) in subsection (a)—

(A) by striking paragraph (9) and inserting the following:

“(9) The management integration and transformation within each functional management discipline of the Department, including information technology, financial management, acquisition management, and human capital management, to ensure an efficient and orderly consolidation of functions and personnel in the Department, including—

“(A) the development of centralized data sources and connectivity of information systems to the greatest extent practicable to enhance program visibility, transparency, and operational effectiveness and coordination;

“(B) the development of standardized and automated management information to manage and oversee programs and make informed decisions to improve the efficiency of the Department;

“(C) the development of effective program management and regular oversight mechanisms, including clear roles and processes for program governance, sharing of best practices, and access to timely, reliable, and evaluated data on all acquisitions and investments; and

“(D) the overall supervision, including the conduct of internal audits and management analyses, of the programs and activities of the Department, including establishment of oversight procedures to ensure a full and effective review of the efforts by components of the Department to implement policies and procedures of the Department for management integration and transformation.”;

(B) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively; and

(C) by inserting after paragraph (9) the following:

“(10) The development of a transition and succession plan, before December 1 of each year in which a Presidential election is held, to guide the transition of Department functions to a new Presidential administration, and making such plan available to the next Secretary and Under Secretary for Management and to the congressional homeland security committees.

“(11) Reporting to the Government Accountability Office every 6 months to demonstrate measurable, sustainable progress made in implementing the corrective action plans of the Department to address the designation of the management functions of the Department on the bi-annual high risk list of the Government Accountability Office, until the Comptroller General of the United States submits to the appropriate congressional committees written notification of removal of the high-risk designation.”;

(2) by striking subsection (b) and inserting the following:

“(b) WAIVERS FOR CONDUCTING BUSINESS WITH SUSPENDED OR DEBARRED CONTRACTORS.—Not later than 5 days after the date on which the Chief Procurement Officer or Chief Financial Officer of the Department issues a waiver of the requirement that an agency not engage in business with a contractor or other recipient of funds listed as a party suspended or debarred from receiving contracts, grants, or other types of Federal assistance in the System for Award Management maintained by the General Services Administration, or any successor thereto, the Under Secretary for Management shall submit to the congressional homeland security committees and the Inspector General of the Department notice of the waiver and an explanation of the finding by the Under Secretary that a compelling reason exists for the waiver.”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following:

“(d) SYSTEM FOR AWARD MANAGEMENT CONSULTATION.—The Under Secretary for Management shall require that all Department contracting and grant officials consult the System for Award Management (or successor system) as maintained by the General Services Administration prior to awarding a contract or grant or entering into other transactions to ascertain whether the selected contractor is excluded from receiving Federal contracts, certain subcontracts, and certain types of Federal financial and non-financial assistance and benefits.”.

SEC. 6102. DEPARTMENT COORDINATION.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.) is amended by adding at the end the following:

“SEC. 708. DEPARTMENT COORDINATION.

“(a) DEFINITIONS.—In this section—

“(1) the term ‘joint duty training program’ means the training program established under subsection (e)(9)(A);

“(2) the term ‘joint requirement’ means a condition or capability of a Joint Task Force, or of multiple operating components of the Department, that is required to be met or possessed by a system, product, service, result, or component to satisfy a contract, standard, specification, or other formally imposed document;

“(3) the term ‘Joint Task Force’ means a Joint Task Force established under subsection (e) when the scope, complexity, or other factors of the crisis or issue require capabilities of two or more components of the Department operating under the guidance of a single Director; and

“(4) the term ‘situational awareness’ means knowledge and unified understanding of unlawful cross-border activity, including—

“(A) threats and trends concerning illicit trafficking and unlawful crossings;

“(B) the ability to forecast future shifts in such threats and trends;

“(C) the ability to evaluate such threats and trends at a level sufficient to create actionable plans; and

“(D) the operational capability to conduct continuous and integrated surveillance of the air, land, and maritime borders of the United States.

“(b) DEPARTMENT LEADERSHIP COUNCILS.—

“(1) ESTABLISHMENT.—The Secretary may establish such Department leadership councils as the Secretary determines necessary to ensure coordination among leadership in the Department.

“(2) FUNCTION.—Department leadership councils shall—

“(A) serve as coordinating forums;

“(B) advise the Secretary and Deputy Secretary on Department strategy, operations, and guidance; and

“(C) consider and report on such other matters as the Secretary or Deputy Secretary may direct.

“(3) CHAIRPERSON; MEMBERSHIP.—

“(A) CHAIRPERSON.—The Secretary or a designee may serve as chairperson of a Department leadership council.

“(B) MEMBERSHIP.—The Secretary shall determine the membership of a Department leadership council.

“(4) RELATIONSHIP TO OTHER FORUMS.—The Secretary or Deputy Secretary may delegate the authority to direct the implementation of any decision or guidance resulting from the action of a Department leadership council to any office, component, coordinator, or other senior official of the Department.

“(c) JOINT REQUIREMENTS COUNCIL.—

“(1) ESTABLISHMENT.—There is established within the Department a Joint Requirements Council.

“(2) MISSION.—In addition to other matters assigned to it by the Secretary and Deputy Secretary, the Joint Requirements Council shall—

“(A) identify, assess, and validate joint requirements (including existing systems and associated capability gaps) to meet mission needs of the Department;

“(B) ensure that appropriate efficiencies are made among life-cycle cost, schedule, and performance objectives, and procurement quantity objectives, in the establishment and approval of joint requirements; and

“(C) make prioritized capability recommendations for the joint requirements validated under subparagraph (A) to the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary to review decisions of the Joint Requirements Council.

“(3) CHAIR.—The Secretary shall appoint a chairperson of the Joint Requirements Council, for a term of not more than 2 years, from among senior officials from components of the Department or other senior officials as designated by the Secretary.

“(4) COMPOSITION.—The Joint Requirements Council shall be composed of senior officials representing components of the Department and other senior officials as designated by the Secretary.

“(5) RELATIONSHIP TO FUTURE YEARS HOMELAND SECURITY PROGRAM.—The Secretary shall ensure that the Future Years Homeland Security Program required under section 874 is consistent with the recommendations of the Joint Requirements Council

under paragraph (2)(C) of this subsection, as affirmed by the Secretary, the Deputy Secretary, or the chairperson of a Department leadership council designated by the Secretary under that paragraph.

“(d) JOINT OPERATIONAL PLANS.—

“(1) PLANNING AND GUIDANCE.—The Secretary may direct the development of Joint Operational Plans for the Department and issue planning guidance for such development.

“(2) COORDINATION.—The Secretary shall ensure coordination between requirements derived from Joint Operational Plans and the Future Years Homeland Security Program required under section 874.

“(3) LIMITATION.—Nothing in this subsection shall be construed to affect the national emergency management authorities and responsibilities of the Administrator of the Federal Emergency Management Agency under title V.

“(e) JOINT TASK FORCES.—

“(1) ESTABLISHMENT.—The Secretary may establish and operate Departmental Joint Task Forces to conduct joint operations using personnel and capabilities of the Department.

“(2) JOINT TASK FORCE DIRECTORS.—

“(A) DIRECTOR.—Each Joint Task Force shall be headed by a Director appointed by the Secretary for a term of not more than 2 years, who shall be a senior official of the Department.

“(B) EXTENSION.—The Secretary may extend the appointment of a Director of a Joint Task Force for not more than 2 years if the Secretary determines that such an extension is in the best interest of the Department.

“(3) JOINT TASK FORCE DEPUTY DIRECTORS.—For each Joint Task Force, the Secretary shall appoint a Deputy Director who shall be an official of a different component or office of the Department than the Director of the Joint Task Force.

“(4) RESPONSIBILITIES.—The Director of a Joint Task Force, subject to the oversight, direction, and guidance of the Secretary, shall—

“(A) maintain situational awareness within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(B) provide operational plans and requirements for standard operating procedures and contingency operations;

“(C) plan and execute joint task force activities within the areas of responsibility of the Joint Task Force, as determined by the Secretary;

“(D) set and accomplish strategic objectives through integrated operational planning and execution;

“(E) exercise operational direction over personnel and equipment from components and offices of the Department allocated to the Joint Task Force to accomplish the objectives of the Joint Task Force;

“(F) establish operational and investigative priorities within the operating areas of the Joint Task Force;

“(G) coordinate with foreign governments and other Federal, State, and local agencies, as appropriate, to carry out the mission of the Joint Task Force; and

“(H) carry out other duties and powers the Secretary determines appropriate.

“(5) PERSONNEL AND RESOURCES.—

“(A) IN GENERAL.—The Secretary may, upon request of the Director of a Joint Task Force, and giving appropriate consideration of risk to the other primary missions of the Department, allocate on a temporary basis personnel and equipment of components and

offices of the Department to a Joint Task Force.

“(B) COST NEUTRALITY.—A Joint Task Force may not require more personnel, equipment, or resources than would be required by components of the Department in the absence of the Joint Task Force.

“(C) LOCATION OF OPERATIONS.—In establishing a location of operations for a Joint Task Force, the Secretary shall, to the extent practicable, use existing facilities that integrate efforts of components of the Department and State, local, tribal, or territorial law enforcement or military entities.

“(D) REPORT.—The Secretary shall, at the time the budget of the President is submitted to Congress for a fiscal year under section 1105(a) of title 31, United States Code, submit to the congressional homeland security committees a report on the total funding, personnel, and other resources that each component of the Department allocated to each Joint Task Force to carry out the mission of the Joint Task Force during the fiscal year immediately preceding the report.

“(6) COMPONENT RESOURCE AUTHORITY.—As directed by the Secretary—

“(A) each Director of a Joint Task Force shall be provided sufficient resources from relevant components and offices of the Department and the authority necessary to carry out the missions and responsibilities required under this section;

“(B) the resources referred to in subparagraph (A) shall be under the operational authority, direction, and control of the Director of the Joint Task Force to which the resources are assigned; and

“(C) the personnel and equipment of each Joint Task Force shall remain under the administrative direction of the executive agent for the Joint Task Force.

“(7) JOINT TASK FORCE STAFF.—Each Joint Task Force shall have a staff, composed of officials from relevant components, to assist the Director in carrying out the mission and responsibilities of the Joint Task Force.

“(8) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary shall—

“(A) establish outcome-based and other appropriate performance metrics to evaluate the effectiveness of each Joint Task Force;

“(B) not later than 120 days after the date of enactment of this section, submit the metrics established under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

“(C) not later than January 31, 2017, and each year thereafter, submit to each committee described in subparagraph (B) a report that contains the evaluation described in subparagraph (A).

“(9) JOINT DUTY TRAINING PROGRAM.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a joint duty training program in the Department for the purposes of—

“(I) enhancing coordination within the Department; and

“(II) promoting workforce professional development; and

“(ii) tailor the joint duty training program to improve joint operations as part of the Joint Task Forces.

“(B) ELEMENTS.—The joint duty training program established under subparagraph (A) shall address, at a minimum, the following topics:

“(i) National security strategy.

“(ii) Strategic and contingency planning.

“(iii) Command and control of operations under joint command.

“(iv) International engagement.

“(v) The homeland security enterprise.

“(vi) Interagency collaboration.

“(vii) Leadership.

“(viii) Specific subject matter relevant to the Joint Task Force to which the joint duty training program is assigned.

“(C) TRAINING REQUIRED.—

“(i) DIRECTORS AND DEPUTY DIRECTORS.—Except as provided in clauses (iii) and (iv), an individual shall complete the joint duty training program before being appointed Director or Deputy Director of a Joint Task Force.

“(ii) JOINT TASK FORCE STAFF.—Each official serving on the staff of a Joint Task Force shall complete the joint duty training program within the first year of assignment to the Joint Task Force.

“(iii) EXCEPTION.—Clause (i) shall not apply to the first Director or Deputy Director appointed to a Joint Task Force on or after the date of enactment of this section.

“(iv) WAIVER.—The Secretary may waive clause (i) if the Secretary determines that such a waiver is in the interest of homeland security.

“(10) ESTABLISHING JOINT TASK FORCES.—Subject to paragraph (13), the Secretary may establish Joint Task Forces for the purposes of—

“(A) coordinating and directing operations along the land and maritime borders of the United States;

“(B) cybersecurity; and

“(C) preventing, preparing for, and responding to other homeland security matters, as determined by the Secretary.

“(11) NOTIFICATION OF JOINT TASK FORCE FORMATION.—

“(A) IN GENERAL.—Not later than 90 days before establishing a Joint Task Force under this subsection, the Secretary shall submit a notification to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

“(B) WAIVER AUTHORITY.—The Secretary may waive the requirement under subparagraph (A) in the event of an emergency circumstance that imminently threatens the protection of human life or the protection of property.

“(12) REVIEW.—

“(A) IN GENERAL.—The Inspector General of the Department shall conduct a review of the Joint Task Forces established under this subsection.

“(B) CONTENTS.—The review required under subparagraph (A) shall include—

“(i) an assessment of the effectiveness of the structure of each Joint Task Force; and

“(ii) recommendations for enhancements to that structure to strengthen the effectiveness of the Joint Task Force.

“(C) SUBMISSION.—The Inspector General of the Department shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives—

“(i) an initial report that contains the evaluation described in subparagraph (A) by not later than January 31, 2018; and

“(ii) a second report that contains the evaluation described in subparagraph (A) by not later than January 31, 2021.

“(13) LIMITATION ON JOINT TASK FORCES.—

“(A) IN GENERAL.—The Secretary may not establish a Joint Task Force for any major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)

or an incident for which the Federal Emergency Management Agency has primary responsibility for management of the response under title V of this Act, including section 504(a)(3)(A), unless the responsibilities of the Joint Task Force—

“(i) do not include operational functions related to incident management, including coordination of operations; and

“(ii) are consistent with the requirements of paragraphs (3) and (4)(A) of section 503(c) and section 509(c) of this Act and section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143).

“(B) RESPONSIBILITIES AND FUNCTIONS NOT REDUCED.—Nothing in this section shall be construed to reduce the responsibilities or functions of the Federal Emergency Management Agency or the Administrator thereof under title V of this Act and any other provision of law, including the diversion of any asset, function, or mission from the Federal Emergency Management Agency or the Administrator thereof pursuant to section 506.

“(f) JOINT DUTY ASSIGNMENT PROGRAM.—The Secretary may establish a joint duty assignment program within the Department for the purposes of enhancing coordination in the Department and promoting workforce professional development.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 707 the following:

“Sec. 708. Department coordination.”.

SEC. 6103. NATIONAL OPERATIONS CENTER.

Section 515 of the Homeland Security Act of 2002 (6 U.S.C. 321d) is amended—

(1) in subsection (a)—

(A) by striking “emergency managers and decision makers” and inserting “emergency managers, decision makers, and other appropriate officials”; and

(B) by inserting “and steady-state activity” before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “and tribal governments” and inserting “tribal, and territorial governments, the private sector, and international partners”; and

(ii) by striking “in the event of” and inserting “for events, threats, and incidents involving”; and

(iii) by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.”;

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (b) the following:

“(c) REPORTING REQUIREMENTS.—Each Federal agency shall provide the National Operations Center with timely information—

“(1) relating to events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

“(2) concerning the status and potential vulnerability of the critical infrastructure and key resources of the United States;

“(3) relevant to the mission of the Department; or

“(4) as may be requested by the Secretary under section 202.”; and

(5) in subsection (d), as so redesignated—

(A) in the subsection heading, by striking “FIRE SERVICE” and inserting “EMERGENCY RESPONDER”;

(B) by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT OF POSITIONS.—The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.”;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2).

SEC. 6104. HOMELAND SECURITY ADVISORY COUNCIL.

(a) IN GENERAL.—Section 102(b) of the Homeland Security Act of 2002 (6 U.S.C. 112(b)) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(4) shall establish a Homeland Security Advisory Council to provide advice and recommendations on homeland security and homeland security-related matters.”.

SEC. 6105. STRATEGY, POLICY, AND PLANS.

(a) IN GENERAL.—Title VII of the Homeland Security Act of 2002 (6 U.S.C. 341 et seq.), as amended by this Act, is amended by adding at the end the following:

“SEC. 709. OFFICE OF STRATEGY, POLICY, AND PLANS.

“(a) IN GENERAL.—There is established in the Department an Office of Strategy, Policy, and Plans.

“(b) HEAD OF OFFICE.—The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary and be appointed by the President, by and with the advice and consent of the Senate.

“(c) FUNCTIONS.—The Office of Strategy, Policy, and Plans shall—

“(1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;

“(2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, offices, and activities across the Department;

“(3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including leading and conducting the quadrennial homeland security review under section 707;

“(4) manage Department leadership councils and provide analytics and support to such councils;

“(5) manage international coordination and engagement for the Department;

“(6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and

“(7) carry out such other responsibilities as the Secretary determines appropriate.

“(d) COORDINATION BY DEPARTMENT COMPONENTS.—To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance.

“(e) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

“(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Strategy, Policy, and Plans shall—

“(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

“(B) be provided with statistical data maintained by the Department regarding the operations of the Department;

“(C) conduct or oversee analysis and reporting of such data by the Department as required by law or directed by the Secretary; and

“(D) ensure the accuracy of metrics and statistical data provided to Congress.

“(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled ‘Yearbook of Immigration Statistics’ prepared by the Office of Immigration Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 708 the following:

“Sec. 709. Office of Strategy, Policy, and Plans.”.

SEC. 6106. AUTHORIZATION OF THE OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by inserting after section 801 the following:

“SEC. 802. OFFICE FOR PARTNERSHIPS AGAINST VIOLENT EXTREMISM.

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.

“(2) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary for Partnerships Against Violent Extremism designated under subsection (c).

“(3) COUNTERING VIOLENT EXTREMISM.—The term ‘countering violent extremism’ means proactive and relevant actions to counter recruitment, radicalization, and mobilization to violence and to address the immediate factors that lead to violent extremism and radicalization.

“(4) DOMESTIC TERRORISM; INTERNATIONAL TERRORISM.—The terms ‘domestic terrorism’ and ‘international terrorism’ have the meanings given those terms in section 2331 of title 18, United States Code.

“(5) RADICALIZATION.—The term ‘radicalization’ means the process by which an individual chooses to facilitate or commit domestic terrorism or international terrorism.

“(6) VIOLENT EXTREMISM.—The term ‘violent extremism’ means international or domestic terrorism.

“(b) ESTABLISHMENT.—There is in the Department an Office for Partnerships Against Violent Extremism.

“(c) HEAD OF OFFICE.—The Office for Partnerships Against Violent Extremism shall be headed by an Assistant Secretary for Partnerships Against Violent Extremism, who shall be designated by the Secretary and report directly to the Secretary.

“(d) DEPUTY ASSISTANT SECRETARY; ASSIGNMENT OF PERSONNEL.—The Secretary shall—

“(1) designate a career Deputy Assistant Secretary for Partnerships Against Violent Extremism; and

“(2) assign or hire, as appropriate, permanent staff to the Office for Partnerships Against Violent Extremism.

“(e) RESPONSIBILITIES.—

“(1) IN GENERAL.—The Assistant Secretary shall be responsible for the following:

“(A) Leading the efforts of the Department to counter violent extremism across all the components and offices of the Department that conduct strategic and supportive efforts to counter violent extremism. Such efforts shall include the following:

“(i) Partnering with communities to address vulnerabilities that can be exploited by violent extremists in the United States and explore potential remedies for government and nongovernment institutions.

“(ii) Working with civil society groups and communities to counter violent extremist propaganda, messaging, or recruitment.

“(iii) In coordination with the Office for Civil Rights and Civil Liberties of the Department, managing the outreach and engagement efforts of the Department directed toward communities at risk for radicalization and recruitment for violent extremist activities.

“(iv) Ensuring relevant information, research, and products inform efforts to counter violent extremism.

“(v) Developing and maintaining Department-wide strategy, plans, policies, and programs to counter violent extremism. Such plans shall, at a minimum, address each of the following:

“(I) The Department's plan to leverage new and existing Internet and other technologies and social media platforms to improve nongovernment efforts to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, and foreign partners engaged in similar counter-messaging efforts.

“(II) The Department's countering violent extremism-related engagement efforts.

“(III) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism.

“(vi) Coordinating with the Office for Civil Rights and Civil Liberties of the Department to ensure all of the activities of the Department related to countering violent extremism fully respect the privacy, civil rights, and civil liberties of all persons.

“(vii) In coordination with the Under Secretary for Science and Technology and in consultation with the Under Secretary for Intelligence and Analysis, identifying and recommending new empirical research and analysis requirements to ensure the dissemination of information and methods for Federal, State, local, tribal, and territorial countering violent extremism practitioners, officials, law enforcement personnel, and nongovernmental partners to utilize such research and analysis.

“(viii) Assessing the methods used by violent extremists to disseminate propaganda and messaging to communities at risk for recruitment by violent extremists.

“(B) Developing a digital engagement strategy that expands the outreach efforts of the Department to counter violent extremist messaging by—

“(i) exploring ways to utilize relevant Internet and other technologies and social media platforms; and

“(ii) maximizing other resources available to the Department.

“(C) Serving as the primary representative of the Department in coordinating countering violent extremism efforts with other Federal departments and agencies and nongovernmental organizations.

“(D) Serving as the primary Department-level representative in coordinating with the Department of State on international countering violent extremism issues.

“(E) In coordination with the Administrator, providing guidance regarding the use of grants made to State, local, and tribal governments under sections 2003 and 2004 under the allowable uses guidelines related to countering violent extremism.

“(F) Developing a plan to expand philanthropic support for domestic efforts related to countering violent extremism, including by identifying viable community projects and needs for possible philanthropic support.

“(2) COMMUNITIES AT RISK.—For purposes of this subsection, the term ‘communities at risk’ shall not include a community that is determined to be at risk solely on the basis of race, religious affiliation, or ethnicity.

“(f) STRATEGY TO COUNTER VIOLENT EXTREMISM IN THE UNITED STATES.—

“(1) STRATEGY.—Not later than 90 days after the date of enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a comprehensive Department strategy to counter violent extremism in the United States.

“(2) CONTENTS OF STRATEGY.—The strategy required under paragraph (1) shall, at a minimum, address each of the following:

“(A) The Department's digital engagement effort, including a plan to leverage new and existing Internet, digital, and other technologies and social media platforms to counter violent extremism, as well as the best practices and lessons learned from other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners engaged in similar counter-messaging activities.

“(B) The Department's countering violent extremism-related engagement and outreach activities.

“(C) The use of cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for activities relating to countering violent extremism.

“(D) Ensuring all activities related to countering violent extremism adhere to relevant Department and applicable Department of Justice guidance regarding privacy, civil rights, and civil liberties, including safeguards against discrimination.

“(E) The development of qualitative and quantitative outcome-based metrics to evaluate the Department's programs and policies to counter violent extremism.

“(F) An analysis of the homeland security risk posed by violent extremism based on the threat environment and empirical data assessing terrorist activities and incidents, and violent extremist propaganda, messaging, or recruitment.

“(G) Information on the Department's near-term, mid-term, and long-term risk-based goals for countering violent extremism, reflecting the risk analysis conducted under subparagraph (F).

“(3) STRATEGIC CONSIDERATIONS.—In drafting the strategy required under paragraph (1), the Secretary shall consider including the following:

“(A) Departmental efforts to undertake research to improve the Department's understanding of the risk of violent extremism and to identify ways to improve countering violent extremism activities and programs, including outreach, training, and information sharing programs.

“(B) The Department's nondiscrimination policies as they relate to countering violent extremism.

“(C) Departmental efforts to help promote community engagement and partnerships to counter violent extremism in furtherance of the strategy.

“(D) Departmental efforts to help increase support for programs and initiatives to counter violent extremism of other Federal, State, local, tribal, territorial, nongovernmental, and foreign partners that are in furtherance of the strategy, and which adhere to all relevant constitutional, legal, and privacy protections.

“(E) Departmental efforts to disseminate to local law enforcement agencies and the general public information on resources, such as training guidance, workshop reports, and the violent extremist threat, through multiple platforms, including the development of a dedicated webpage, and information regarding the effectiveness of those efforts.

“(F) Departmental efforts to use cooperative agreements with State, local, tribal, territorial, and other Federal departments and agencies responsible for efforts relating to countering violent extremism, and information regarding the effectiveness of those efforts.

“(G) Information on oversight mechanisms and protections to ensure that activities and programs undertaken pursuant to the strategy adhere to all relevant constitutional, legal, and privacy protections.

“(H) Departmental efforts to conduct oversight of all countering violent extremism training and training materials and other resources developed or funded by the Department.

“(I) Departmental efforts to foster transparency by making, to the extent practicable, all regulations, guidance, documents, policies, and training materials publicly available, including through any webpage developed under subparagraph (E).

“(4) STRATEGIC IMPLEMENTATION PLAN.—

“(A) IN GENERAL.—Not later than 90 days after the date on which the Secretary submits the strategy required under paragraph (1), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives an implementation plan for each of the components and offices of the Department with responsibilities under the strategy.

“(B) CONTENTS.—The implementation plan required under subparagraph (A) shall include an integrated master schedule and cost estimate for activities and programs contained in the implementation plan, with specificity on how each such activity and program aligns with near-term, mid-term, and long-term goals specified in the strategy required under paragraph (1).

“(g) ANNUAL REPORT.—Not later than April 1, 2017, and annually thereafter, the Assistant Secretary shall submit to Congress an annual report on the Office for Partnerships Against Violent Extremism, which shall include the following:

“(1) A description of the status of the programs and policies of the Department for

countering violent extremism in the United States.

“(2) A description of the efforts of the Office for Partnerships Against Violent Extremism to cooperate with and provide assistance to other Federal departments and agencies.

“(3) Qualitative and quantitative metrics for evaluating the success of such programs and policies and the steps taken to evaluate the success of such programs and policies.

“(4) An accounting of—

“(A) grants and cooperative agreements awarded by the Department to counter violent extremism; and

“(B) all training specifically aimed at countering violent extremism sponsored by the Department.

“(5) An analysis of how the Department's activities to counter violent extremism correspond and adapt to the threat environment.

“(6) A summary of how civil rights and civil liberties are protected in the Department's activities to counter violent extremism.

“(7) An evaluation of the use of section 2003 and section 2004 grants and cooperative agreements awarded to support efforts of local communities in the United States to counter violent extremism, including information on the effectiveness of such grants and cooperative agreements in countering violent extremism.

“(8) A description of how the Office for Partnerships Against Violent Extremism incorporated lessons learned from the countering violent extremism programs and policies of foreign, State, local, tribal, and territorial governments and stakeholder communities.

“(h) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of this section, and every year thereafter, the Office for Civil Rights and Civil Liberties of the Department shall—

“(1) conduct a review of the Office for Partnerships Against Violent Extremism activities to ensure that all of the activities of the Office related to countering violent extremism respect the privacy, civil rights, and civil liberties of all persons; and

“(2) make publicly available on the website of the Department a report containing the results of the review conducted under paragraph (1).”; and

(2) in section 2008(b)(1)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(C) to support any organization or group which has knowingly or recklessly funded domestic terrorism or international terrorism (as those terms are defined in section 2331 of title 18, United States Code) or organization or group known to engage in or recruit to such activities, as determined by the Assistant Secretary for Partnerships Against Violent Extremism in consultation with the Administrator and the heads of other appropriate Federal departments and agencies.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 801 the following:

“Sec. 802. Office for Partnerships Against Violent Extremism.”.

(c) SUNSET.—Effective on the date that is 7 years after the date of enactment of this Act—

(1) section 802 of the Homeland Security Act of 2002, as added by subsection (a), is repealed; and

(2) the table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 802.

TITLE LXXII—DEPARTMENT ACCOUNTABILITY, EFFICIENCY, AND WORKFORCE REFORMS

SEC. 6201. DUPLICATION REVIEW.

(a) IN GENERAL.—The Secretary shall—

(1) not later than 1 year after the date of enactment of this Act, complete a review of the international affairs offices, functions, and responsibilities of the Department to identify and eliminate areas of unnecessary duplication; and

(2) not later than 30 days after the date on which the Secretary completes the review under paragraph (1), provide the results of the review to the congressional homeland security committees.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the congressional homeland security committees an action plan, including corrective steps and an estimated date of completion, to address areas of duplication, fragmentation, and overlap and opportunities for cost savings and revenue enhancement, as identified by the Government Accountability Office based on the annual report of the Government Accountability Office entitled “Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits”.

(c) EXCLUSION.—This section shall not apply to international activities related to the protective mission of the United States Secret Service, or to the Coast Guard when operating under the direct authority of the Secretary of Defense or the Secretary of the Navy.

SEC. 6202. INFORMATION TECHNOLOGY STRATEGIC PLAN.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended by adding at the end the following:

“(c) STRATEGIC PLANS.—Consistent with the timing set forth in section 306(a) of title 5, United States Code, and the requirements under section 3506 of title 44, United States Code, the Chief Information Officer shall develop, make public, and submit to the congressional homeland security committees an information technology strategic plan, which shall include how—

“(1) information technology will be leveraged to meet the priority goals and strategic objectives of the Department;

“(2) the budget of the Department aligns with priorities specified in the information technology strategic plan;

“(3) unnecessarily duplicative, legacy, and outdated information technology within and across the Department will be identified and eliminated, and an estimated date for the identification and elimination of duplicative information technology within and across the Department;

“(4) the Chief Information Officer will coordinate with components of the Department to ensure that information technology policies are effectively and efficiently implemented across the Department;

“(5) a list of information technology projects, including completion dates, will be made available to the public and Congress;

“(6) the Chief Information Officer will inform Congress of high risk projects and cybersecurity risks; and

“(7) the Chief Information Officer plans to maximize the use and purchase of commercial off-the-shelf information technology products and services.”.

“(d) SOFTWARE LICENSING.—

SEC. 6203. SOFTWARE LICENSING.

(a) IN GENERAL.—Section 703 of the Homeland Security Act of 2002 (6 U.S.C. 343), as amended by section 6202 of this Act, is amended by adding at the end the following:

“(d) SOFTWARE LICENSING.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, and every 2 years thereafter, the Chief Information Officer, in consultation with Chief Information Officers of components of the Department, shall—

“(A) conduct a Department-wide inventory of all existing software licenses held by the Department, including utilized and unutilized licenses;

“(B) assess the needs of the Department for software licenses for the subsequent 2 fiscal years;

“(C) assess the actions that could be carried out by the Department to achieve the greatest possible economies of scale and cost savings in the procurement of software licenses;

“(D) determine how the use of technological advancements will impact the needs for software licenses for the subsequent 2 fiscal years;

“(E) establish plans and estimated costs for eliminating unutilized software licenses for the subsequent 2 fiscal years; and

“(F) consult with the Federal Chief Information Officer to identify best practices in the Federal Government for purchasing and maintaining software licenses.

“(2) EXCESS SOFTWARE LICENSING.—

“(A) PLAN TO REDUCE SOFTWARE LICENSES.—If the Chief Information Officer determines through the inventory conducted under paragraph (1)(A) that the number of software licenses held by the Department exceed the needs of the Department as assessed under paragraph (1)(B), the Secretary, not later than 90 days after the date on which the inventory is completed, shall establish a plan for bringing the number of such software licenses into balance with such needs of the Department.

“(B) PROHIBITION ON PROCUREMENT OF EXCESS SOFTWARE LICENSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), upon completion of a plan established under subparagraph (A), no additional budgetary resources may be obligated for the procurement of additional software licenses of the same types until such time as the needs of the Department equals or exceeds the number of used and unused licenses held by the Department.

“(ii) EXCEPTION.—The Chief Information Officer may authorize the purchase of additional licenses and amend the number of needed licenses as necessary.

“(3) SUBMISSION TO CONGRESS.—The Chief Information Officer shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a copy of each inventory conducted under paragraph (1)(A), each plan established under paragraph (2)(A), and each exception exercised under paragraph (2)(B)(ii).”.

(b) GAO REVIEW.—Not later than 1 year after the date on which the results of the first inventory are submitted to Congress under subsection 703(d) of the Homeland Security Act of 2002, as added by subsection (a), the Comptroller General of the United States shall assess whether the Department complied with the requirements under paragraphs (1) and (2)(A) of such section 703(d)

and provide the results of the review to the congressional homeland security committees.

SEC. 6204. WORKFORCE STRATEGY.

Section 704 of the Homeland Security Act of 2002 (6 U.S.C. 343) is amended to read as follows:

“SEC. 704. CHIEF HUMAN CAPITAL OFFICER.

“(a) **IN GENERAL.**—There is a Chief Human Capital Officer of the Department, who shall report directly to the Under Secretary for Management.

“(b) **RESPONSIBILITIES.**—In addition to the responsibilities set forth in chapter 14 of title 5, United States Code, and other applicable law, the Chief Human Capital Officer of the Department shall—

“(1) develop and implement strategic workforce planning policies that are consistent with Government-wide leading principles and in line with Department strategic human capital goals and priorities;

“(2) develop performance measures to provide a basis for monitoring and evaluating Department-wide strategic workforce planning efforts;

“(3) develop, improve, and implement policies, including compensation flexibilities available to Federal agencies where appropriate, to recruit, hire, train, and retain the workforce of the Department, in coordination with all components of the Department;

“(4) identify methods for managing and overseeing human capital programs and initiatives, in coordination with the head of each component of the Department;

“(5) develop a career path framework and create opportunities for leader development in coordination with all components of the Department;

“(6) lead the efforts of the Department for managing employee resources, including training and development opportunities, in coordination with each component of the Department;

“(7) work to ensure the Department is implementing human capital programs and initiatives and effectively educating each component of the Department about these programs and initiatives;

“(8) identify and eliminate unnecessary and duplicative human capital policies and guidance;

“(9) provide input concerning the hiring and performance of the Chief Human Capital Officer or comparable official in each component of the Department; and

“(10) ensure that all employees of the Department are informed of their rights and remedies under chapters 12 and 23 of title 5, United States Code.

“(c) COMPONENT STRATEGIES.

“(1) **IN GENERAL.**—Each component of the Department shall, in coordination with the Chief Human Capital Officer of the Department, develop a 5-year workforce strategy for the component that will support the goals, objectives, and performance measures of the Department for determining the proper balance of Federal employees and private labor resources.

“(2) **STRATEGY REQUIREMENTS.**—In developing the strategy required under paragraph (1), each component shall consider the effect on human resources associated with creating additional Federal full-time equivalent positions, converting private contractors to Federal employees, or relying on the private sector for goods and services, including—

“(A) hiring projections, including occupation and grade level, as well as corresponding salaries, benefits, and hiring or retention bonuses;

“(B) the identification of critical skills requirements over the 5-year period, any cur-

rent or anticipated deficiency in critical skills required at the Department, and the training or other measures required to address those deficiencies in skills;

“(C) recruitment of qualified candidates and retention of qualified employees;

“(D) supervisory and management requirements;

“(E) travel and related personnel support costs;

“(F) the anticipated cost and impact on mission performance associated with replacing Federal personnel due to their retirement or other attrition; and

“(G) other appropriate factors.

“(d) **ANNUAL SUBMISSION.**—Not later than 90 days after the date on which the Secretary submits the annual budget justification for the Department, the Secretary shall submit to the congressional homeland security committees a report that includes a table, delineated by component with actual and enacted amounts, including—

“(1) information on the progress within the Department of fulfilling the workforce strategies developed under subsection (c); and

“(2) the number of on-board staffing for Federal employees from the prior fiscal year;

“(3) the total contract hours submitted by each prime contractor as part of the service contract inventory required under section 743 of the Financial Services and General Government Appropriations Act, 2010 (division C of Public Law 111-117; 31 U.S.C. 501 note) with respect to—

“(A) support service contracts;

“(B) federally funded research and development center contracts; and

“(C) science, engineering, technical, and administrative contracts; and

“(4) the number of full-time equivalent personnel identified under the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.).”

SEC. 6205. WHISTLEBLOWER PROTECTIONS.

(a) **IN GENERAL.**—Section 883 of the Homeland Security Act of 2002 (6 U.S.C. 463) is amended to read as follows:

“SEC. 883. WHISTLEBLOWER PROTECTIONS.

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘new employee’ means an individual—

“(A) appointed to a position as an employee of the Department on or after the date of enactment of the DHS Accountability Act of 2016; and

“(B) who has not previously served as an employee of the Department;

“(2) the term ‘prohibited personnel action’ means taking or failing to take an action in violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, against an employee of the Department;

“(3) the term ‘supervisor’ means a supervisor, as defined under section 7103(a) of title 5, United States Code, who is employed by the Department; and

“(4) the term ‘whistleblower protections’ means the protections against and remedies for a prohibited personnel practice described in paragraph (8) or subparagraph (A)(i), (B), (C), or (D) of paragraph (9) of section 2302(b) of title 5, United States Code.

“(b) **ADVERSE ACTIONS.**—

“(1) **PROPOSED ADVERSE ACTIONS.**—In accordance with paragraph (2), the Secretary shall propose against a supervisor whom the Secretary, an administrative law judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action the following adverse actions:

“(A) With respect to the first prohibited personnel action, an adverse action that is not less than a 12-day suspension.

“(B) With respect to the second prohibited personnel action, removal.

“(2) **PROCEDURES.**—

“(A) **NOTICE.**—A supervisor against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B) **ANSWER AND EVIDENCE.**—

“(i) **IN GENERAL.**—A supervisor who is notified under subparagraph (A) that the supervisor is the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) **NO EVIDENCE.**—After the end of the 14-day period described in clause (i), if a supervisor does not furnish evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the proposed adverse action, the Secretary shall carry out the adverse action.

“(C) **SCOPE OF PROCEDURES.**—Paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7513 of title 5, United States Code, and paragraphs (1) and (2) of subsection (b) and subsection (c) of section 7543 of title 5, United States Code, shall not apply with respect to an adverse action carried out under this subsection.

“(3) **NO LIMITATION ON OTHER ADVERSE ACTIONS.**—With respect to a prohibited personnel action, if the Secretary carries out an adverse action against a supervisor under another provision of law, the Secretary may carry out an additional adverse action under this subsection based on the same prohibited personnel action.

“(c) **TRAINING FOR SUPERVISORS.**—In consultation with the Special Counsel and the Inspector General of the Department, the Secretary shall provide training regarding how to respond to complaints alleging a violation of whistleblower protections available to employees of the Department—

“(1) to employees appointed to supervisory positions in the Department who have not previously served as a supervisor; and

“(2) on an annual basis, to all employees of the Department serving in a supervisory position.

“(d) **INFORMATION ON WHISTLEBLOWER PROTECTIONS.**—

“(1) **RESPONSIBILITIES OF SECRETARY.**—The Secretary shall be responsible for—

“(A) the prevention of prohibited personnel practices;

“(B) the compliance with and enforcement of applicable civil service laws, rules, and regulations and other aspects of personnel management; and

“(C) ensuring (in consultation with the Special Counsel and the Inspector General of the Department) that employees of the Department are informed of the rights and remedies available to them under chapters 12 and 23 of title 5, United States Code, including—

“(i) information regarding whistleblower protections available to new employees during the probationary period;

“(ii) the role of the Office of Special Counsel and the Merit Systems Protection Board with regard to whistleblower protections; and

“(iii) how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept classified in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of the Department, Congress, or other Department

employee designated to receive such disclosures.

“(2) **TIMING.**—The Secretary shall ensure that the information required to be provided under paragraph (1) is provided to each new employee not later than 6 months after the date the new employee is appointed.

“(3) **INFORMATION ONLINE.**—The Secretary shall make available information regarding whistleblower protections applicable to employees of the Department on the public website of the Department, and on any online portal that is made available only to employees of the Department.

“(4) **DELEGATES.**—Any employee to whom the Secretary delegates authority for personnel management, or for any aspect thereof, shall, within the limits of the scope of the delegation, be responsible for the activities described in paragraph (1).

“(e) **RULES OF CONSTRUCTION.**—Nothing in this section shall be construed to exempt the Department from requirements applicable with respect to executive agencies—

“(1) to provide equal employment protection for employees of the Department (including pursuant to section 2302(b)(1) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)); or

“(2) to provide whistleblower protections for employees of the Department (including pursuant to paragraphs (8) and (9) of section 2302(b) of title 5, United States Code, and the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note)).”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 883 and inserting the following:

“Sec. 883. Whistleblower protections.”

SEC. 6206. COST SAVINGS AND EFFICIENCY REVIEWS.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Under Secretary for Management, shall submit to the congressional homeland security committees a report, which may include a classified or other appropriately controlled annex containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable, that—

(1) provides a detailed accounting of the management and administrative expenditures and activities of each component of the Department and identifies potential cost savings, avoidances, and efficiencies for those expenditures and activities;

(2) examines major physical assets of the Department, as defined by the Secretary;

(3) reviews the size, experience level, and geographic distribution of the operational personnel of the Department;

(4) makes recommendations for adjustments in the management and administration of the Department that would reduce deficiencies in the capabilities of the Department, reduce costs, and enhance efficiencies; and

(5) examines—

(A) how employees who carry out management and administrative functions at Department headquarters coordinate with employees who carry out similar functions at—

(i) each component of the Department;

(ii) the Office of Personnel Management; and

(iii) the General Services Administration; and

(B) whether any unnecessary duplication, overlap, or fragmentation exists with respect to those functions.

SEC. 6207. ABOLISHMENT OF CERTAIN OFFICES.

(a) **ABOLISHMENT OF THE DIRECTOR OF SHARED SERVICES.**—The position of Director of Shared Services in the Department is abolished.

(b) **ABOLISHMENT OF THE OFFICE OF COUNTERNARCOTICS ENFORCEMENT.**—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) in section 843(b)(1)(B) (6 U.S.C. 413(b)(1)(B)), by striking “by—” and all that follows through the end and inserting “by the Secretary; and”;

(2) by repealing section 878 (6 U.S.C. 458); and

(3) in the table of contents in section 1(b) (Public Law 107-296; 116 Stat. 2135), by striking the item relating to section 878.

**TITLE LXXIII—DEPARTMENT
TRANSPARENCY AND ASSESSMENTS**

SEC. 6301. HOMELAND SECURITY STATISTICS.

Section 478(a) of the Homeland Security Act of 2002 (6 U.S.C. 298(a)) is amended—

(1) in paragraph (1), by striking “to the Committees on the Judiciary and Government Reform of the House of Representatives, and to the Committees on the Judiciary and Government Affairs of the Senate,” and inserting “the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, and the congressional homeland security committees”; and

(2) in paragraph (2), by adding at the end the following:

“(I) The number of persons known to have overstayed the terms of their visa, by visa type.

“(J) An estimated percentage of persons believed to have overstayed their visa, by visa type.

“(K) A description of immigration enforcement actions.”

SEC. 6302. ANNUAL HOMELAND SECURITY ASSESSMENT.

(a) **IN GENERAL.**—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

“SEC. 210G. ANNUAL HOMELAND SECURITY ASSESSMENT.

“(a) **DEPARTMENT ANNUAL ASSESSMENT.**—

“(1) **IN GENERAL.**—Not later than March 31 of each year beginning in the year after the date of enactment of this section, and each year thereafter for 7 years, the Under Secretary for Intelligence and Analysis shall prepare and submit to the congressional homeland security committees a report assessing the current threats to homeland security and the capability of the Department to address those threats.

“(2) **FORM OF REPORT.**—In carrying out paragraph (1), the Under Secretary for Intelligence and Analysis shall submit an unclassified report, and as necessary, a classified annex.

“(b) **OFFICE OF INSPECTOR GENERAL ANNUAL ASSESSMENT.**—Not later than 90 days after the date on which a report required under subsection (a) is submitted to the congressional homeland security committees, the Inspector General of the Department shall prepare and submit to the congressional homeland security committees a report, which shall include an assessment of the capability of the Department to address the threats identified in the report required

under subsection (a) and recommendations for actions to mitigate those threats.

“(c) **MITIGATION PLAN.**—Not later than 90 days after the date on which a report required under subsection (b) is submitted to the congressional homeland security committees, the Secretary shall submit to the congressional homeland security committees a plan to mitigate the threats to homeland security identified in the report.”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 210F the following:

“Sec. 210G. Annual homeland security assessment.”

SEC. 6303. DEPARTMENT TRANSPARENCY.

(a) **FEASIBILITY STUDY.**—The Administrator of the Federal Emergency Management Agency shall initiate a study to determine the feasibility of gathering data and providing information to Congress on the use of Federal grant awards, for expenditures of more than \$5,000, by entities that receive a Federal grant award under the Urban Area Security Initiative and the State Homeland Security Grant Program under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605), respectively.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to the congressional homeland security committees a report on the results of the study required under subsection (a).

SEC. 6304. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

(a) **IN GENERAL.**—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following: “SEC. 319. TRANSPARENCY IN RESEARCH AND DEVELOPMENT.

“(a) **REQUIREMENT TO PUBLICLY LIST UNCLASSIFIED RESEARCH & DEVELOPMENT PROGRAMS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary shall maintain a detailed list, accessible on the website of the Department, of—

“(A) each research and development project that is not classified, and all appropriate details for each such project, including the component of the Department responsible for the project;

“(B) each task order for a Federally Funded Research and Development Center not associated with a research and development project; and

“(C) each task order for a University-based center of excellence not associated with a research and development project.

“(2) **EXCEPTIONS.**—

“(A) **OPERATIONAL SECURITY.**—The Secretary, or a designee of the Secretary with the rank of Assistant Secretary or above, may exclude a project from the list required under paragraph (1) if the Secretary or such designee provides to the appropriate congressional committees—

“(i) the information that would otherwise be required to be publicly posted under paragraph (1); and

“(ii) a written certification that—

“(I) the information that would otherwise be required to be publicly posted under paragraph (1) is controlled unclassified information, the public dissemination of which would jeopardize operational security; and

“(II) the publicly posted list under paragraph (1) includes as much information about the program as is feasible without jeopardizing operational security.

“(B) COMPLETED PROJECTS.—Paragraph (1) shall not apply to a project completed or otherwise terminated before the date of enactment of this section.

“(3) DEADLINE AND UPDATES.—The list required under paragraph (1) shall be—

“(A) made publicly accessible on the website of the Department not later than 1 year after the date of enactment of this section; and

“(B) updated as frequently as possible, but not less frequently than once per quarter.

“(4) DEFINITION OF RESEARCH AND DEVELOPMENT.—For purposes of the list required under paragraph (1), the Secretary shall publish a definition for the term ‘research and development’ on the website of the Department.

“(b) REQUIREMENT TO REPORT TO CONGRESS ON CLASSIFIED PROJECTS.—Not later than January 1, 2017, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report that lists each ongoing classified project at the Department, including all appropriate details of each such project.

“(c) INDICATORS OF SUCCESS OF TRANSITIONED PROJECTS.—

“(1) IN GENERAL.—For each project that has been transitioned from research and development to practice, the Under Secretary for Science and Technology shall develop and track indicators to demonstrate the uptake of the technology or project among customers or end-users.

“(2) REQUIREMENT.—To the fullest extent possible, the tracking of a project required under paragraph (1) shall continue for the 3-year period beginning on the date on which the project was transitioned from research and development to practice.

“(3) INDICATORS.—The indicators developed and tracked under this subsection shall be included in the list required under subsection (a).

“(d) DEFINITIONS.—In this section:

“(1) ALL APPROPRIATE DETAILS.—The term ‘all appropriate details’ means—

“(A) the name of the project, including both classified and unclassified names if applicable;

“(B) the name of the component carrying out the project;

“(C) an abstract or summary of the project;

“(D) funding levels for the project;

“(E) project duration or timeline;

“(F) the name of each contractor, grantee, or cooperative agreement partner involved in the project;

“(G) expected objectives and milestones for the project; and

“(H) to the maximum extent practicable, relevant literature and patents that are associated with the project.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Homeland Security of the House of Representatives; and

“(C) the Committee on Oversight and Government Reform of House of Representatives.

“(3) CLASSIFIED.—The term ‘classified’ means anything containing—

“(A) classified national security information as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order;

“(B) Restricted Data or data that was formerly Restricted Data, as defined in section 11y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y));

“(C) material classified at the Sensitive Compartmented Information (SCI) level as defined in section 309 of the Intelligence Authorization Act for Fiscal Year 2001 (50 U.S.C. 3345); or

“(D) information relating to a special access program, as defined in section 6.1 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor order.

“(4) CONTROLLED UNCLASSIFIED INFORMATION.—The term ‘controlled unclassified information’ means information described as ‘Controlled Unclassified Information’ under Executive Order 13556 (50 U.S.C. 3501 note) or any successor order.

“(5) PROJECT.—The term ‘project’ means a research or development project, program, or activity administered by the Department, whether ongoing, completed, or otherwise terminated.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 318 the following:

“Sec. 319. Transparency in research and development.”

SEC. 6305. REPORTING ON NATIONAL BIO AND AGRO-DEFENSE FACILITY.

(a) IN GENERAL.—Section 310 of the Homeland Security Act of 2002 (6 U.S.C. 190) is amended by adding at the end the following:

“(e) SUCCESSOR FACILITY.—The National Bio and Agro-Defense Facility, the planned successor facility to the Plum Island Animal Disease Center as of the date of enactment of this subsection, shall be subject to the requirements under subsections (b), (c), and (d) in the same manner and to the same extent as the Plum Island Animal Disease Center.

“(f) CONSTRUCTION OF THE NATIONAL BIO AND AGRO-DEFENSE FACILITY.—

“(1) REPORT REQUIRED.—Not later than September 30, 2016, and not less frequently than twice each year thereafter, the Secretary of Homeland Security and the Secretary of Agriculture shall submit to the congressional homeland security committees a report on the National Bio and Agro-Defense Facility that includes—

“(A) a review of the status of the construction of the National Bio and Agro-Defense Facility, including—

“(i) current cost and schedule estimates;

“(ii) any revisions to previous estimates described in clause (i); and

“(iii) total obligations to date;

“(B) a description of activities carried out to prepare for the transfer of research to the facility and the activation of that research; and

“(C) a description of activities that have occurred to decommission the Plum Island Animal Disease Center.

“(2) SUNSET.—The reporting requirement under paragraph (1) shall terminate on the date that is 1 year after the date on which the Secretary of Homeland Security certifies to the congressional homeland security committees that construction of the National Bio and Agro-Defense Facility has been completed.”

(b) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of and submit to Congress a report on the construction and future planning of the National Bio and Agro-Defense Facility, which shall include—

(1) the extent to which cost and schedule estimates for the project conform to capital planning leading practices as determined by the Comptroller General;

(2) the extent to which the project’s planning, budgeting, acquisition, and proposed management in use conform to capital planning leading practices as determined by the Comptroller General; and

(3) the extent to which disposal of the Plum Island Animal Disease Center conforms to capital planning leading practices as determined by the Comptroller General.

SEC. 6306. INSPECTOR GENERAL OVERSIGHT OF SUSPENSION AND DEBARMENT.

Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall—

(1) audit the award of grants and procurement contracts to identify—

(A) instances in which a grant or contract was improperly awarded to a suspended or debarred entity; and

(B) whether corrective actions were taken following such instances to prevent recurrence; and

(2) review the suspension and debarment program throughout the Department to assess whether—

(A) suspension and debarment criteria are consistently applied throughout the Department; and

(B) disparities exist in the application of the criteria, particularly with respect to business size and category.

SEC. 6307. FUTURE YEARS HOMELAND SECURITY PROGRAM.

(a) IN GENERAL.—Section 874 of the Homeland Security Act of 2002 (6 U.S.C. 454) is amended—

(1) in the section heading, by striking “YEAR” and inserting “YEARS”;

(2) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105(a) of title 31, United States Code, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives (referred to in this section as the ‘appropriate committees’) a Future Years Homeland Security Program that covers the fiscal year for which the budget is submitted and the 4 succeeding fiscal years.”; and

(3) by striking subsection (c) and inserting the following:

“(c) PROJECTION OF ACQUISITION ESTIMATES.—On and after February 1, 2018, each Future Years Homeland Security Program shall project—

“(1) acquisition estimates for the fiscal year for which the budget is submitted and the 4 succeeding fiscal years, with specified estimates for each fiscal year, for all major acquisitions by the Department and each component of the Department; and

“(2) estimated annual deployment schedules for all physical asset major acquisitions over the 5-fiscal-year period described in paragraph (1) and the full operating capability for all information technology major acquisitions.

“(d) SENSITIVE AND CLASSIFIED INFORMATION.—The Secretary may include with each Future Years Homeland Security Program a classified or other appropriately controlled document containing any information required to be submitted under this section that is restricted from public disclosure in accordance with Federal law or any Executive Order.

“(e) AVAILABILITY OF INFORMATION TO THE PUBLIC.—The Secretary shall make available

to the public in electronic form the information required to be submitted to the appropriate committees under this section, other than information described in subsection (d)."

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 874 and inserting the following:

"Sec. 874. Future Years Homeland Security Program."

(c) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to each fiscal year beginning after the date of enactment of this Act.

SEC. 6308. QUADRENNIAL HOMELAND SECURITY REVIEW.

(a) **IN GENERAL.**—Section 707 of the Homeland Security Act of 2002 (6 U.S.C. 347) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period and inserting "and"; and

(C) by adding at the end the following:

"(7) review available capabilities and capacities across the homeland security enterprise and identify redundant, wasteful, or unnecessary capabilities and capacities from which resources can be redirected to better support other existing capabilities and capacities."; and

(2) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

"(1) **IN GENERAL.**—Not later than 60 days after the date on which the budget of the President is submitted to Congress under section 1105 of title 31, United States Code, for the fiscal year after the fiscal year in which a quadrennial homeland security review is conducted under subsection (a)(1), the Secretary shall submit to Congress a report on the quadrennial homeland security review."; and

(B) in paragraph (2)—

(i) in subparagraph (H), by striking "and" at the end;

(ii) by redesignating subparagraph (I) as subparagraph (L); and

(iii) by inserting after subparagraph (H) the following:

"(I) a description of how the conclusions under the quadrennial homeland security review will inform efforts to develop capabilities and build capacity of States, local governments, Indian tribes, territories, and private entities, and of individuals, families, and communities;

"(J) proposed changes to the authorities, organization, governance structure, or business processes (including acquisition processes) of the Department in order to better fulfil responsibilities of the Department;

"(K) if appropriate, a classified or other appropriately controlled document containing any information required to be submitted under this paragraph that is restricted from public disclosure in accordance with Federal law, including information that is not publicly releasable; and"

SEC. 6309. REPORTING REDUCTION.

(a) **OFFICE OF COUNTERNARCOTICS SEIZURE REPORT.**—Section 705(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(a)) is amended by striking paragraph (3).

(b) **ANNUAL REPORT ON ACTIVITIES OF THE NATIONAL NUCLEAR DETECTION OFFICE.**—Section 1902(a)(13) of the Homeland Security Act of 2002 (6 U.S.C. 592(a)(13)) is amended by

striking "an annual" and inserting "a biennial".

(c) **JOINT ANNUAL INTERAGENCY REVIEW OF GLOBAL NUCLEAR DETECTION ARCHITECTURE.**—Section 1907 of the Homeland Security Act of 2002 (6 U.S.C. 596a) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNIAL";

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking "once each year—" and inserting "once every other year—"; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking "the previous year" and inserting "the previous 2 years"; and

(II) in clause (iii), by striking "the previous year." and inserting "the previous 2 years."; and

(C) in paragraph (2), by striking "once each year," and inserting "once every other year."; and

(2) in subsection (b)—

(A) in the subsection heading, by striking "ANNUAL" and inserting "BIENNIAL";

(B) in paragraph (1), by striking "of each year," and inserting "of every other year."; and

(C) in paragraph (2), by striking "annual" and inserting "biennial".

SEC. 6310. ADDITIONAL DEFINITIONS.

Section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended—

(1) by redesignating paragraphs (13) through (18) as paragraphs (17) through (22), respectively;

(2) by redesignating paragraphs (9) through (12) as paragraphs (12) through (15), respectively;

(3) by redesignating paragraphs (4) through (8) as paragraphs (6) through (10), respectively;

(4) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(5) by inserting before paragraph (1) the following:

"(1) The term 'acquisition' has the meaning given the term in section 131 of title 41, United States Code.";

(6) in paragraph (3), as so redesignated—

(A) by inserting "(A)" after "(3)"; and

(B) by adding at the end the following:

"(B) The term 'congressional homeland security committees' means—

"(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(ii) the Committee on Homeland Security of the House of Representatives;

"(iii) the Subcommittee on Homeland Security of the Committee on Appropriations of the Senate; and

"(iv) the Subcommittee on Homeland Security of the Committee on Appropriations of the House of Representatives.";

(7) by inserting after paragraph (4), as so redesignated, the following:

"(5) The term 'best practices', with respect to acquisition, means a knowledge-based approach to capability development that includes—

"(A) identifying and validating needs;

"(B) assessing alternatives to select the most appropriate solution;

"(C) clearly establishing well-defined requirements;

"(D) developing realistic cost assessments and schedules;

"(E) planning stable funding that matches resources to requirements;

"(F) demonstrating technology, design, and manufacturing maturity;

"(G) using milestones and exit criteria or specific accomplishments that demonstrate progress;

"(H) adopting and executing standardized processes with known success across programs;

"(I) establishing an adequate workforce that is qualified and sufficient to perform necessary functions; and

"(J) integrating capabilities into the mission and business operations of the Department.";

(8) by inserting after paragraph (10), as so redesignated, the following:

"(11) The term 'homeland security enterprise' means all relevant governmental and nongovernmental entities involved in homeland security, including Federal, State, local, tribal, and territorial government officials, private sector representatives, academics, and other policy experts."; and

(9) by inserting after paragraph (15), as so redesignated, the following:

"(16) The term 'management integration and transformation'—

"(A) means the development of consistent and consolidated functions for information technology, financial management, acquisition management, logistics and material resource management, asset security, and human capital management; and

"(B) includes governing processes and procedures, management systems, personnel activities, budget and resource planning, training, real estate management, and provision of security, as they relate to functions cited in subparagraph (A)."

TITLE LXXIV—MISCELLANEOUS

SEC. 6401. ADMINISTRATIVE LEAVE.

(a) **SHORT TITLE.**—This section may be cited as the "Administrative Leave Act of 2016".

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) agency use of administrative leave, and leave that is referred to incorrectly as administrative leave in agency recording practices, has exceeded reasonable amounts—

(A) in contravention of—

(i) established precedent of the Comptroller General of the United States; and

(ii) guidance provided by the Office of Personnel Management; and

(B) resulting in significant cost to the Federal Government;

(2) administrative leave should be used sparingly;

(3) prior to the use of paid leave to address personnel issues, an agency should consider other actions, including—

(A) temporary reassignment;

(B) transfer; and

(C) telework;

(4) an agency should prioritize and expeditiously conclude an investigation in which an employee is placed in administrative leave so that, not later than the conclusion of the leave period—

(A) the employee is returned to duty status; or

(B) an appropriate personnel action is taken with respect to the employee;

(5) data show that there are too many examples of employees placed in administrative leave for 6 months or longer, leaving the employees without any available recourse to—

(A) return to duty status; or

(B) challenge the decision of the agency;

(6) an agency should ensure accurate and consistent recording of the use of administrative leave so that administrative leave can be managed and overseen effectively; and

(7) other forms of excused absence authorized by law should be recorded separately from administrative leave, as defined by the amendments made by this section.

(c) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

“§ 6329a. Administrative leave

“(a) DEFINITIONS.—In this section—

“(1) the term ‘administrative leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service; and

“(B) that is not authorized under any other provision of law;

“(2) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office; and

“(3) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

“(b) ADMINISTRATIVE LEAVE.—

(1) IN GENERAL.—An agency may place an employee in administrative leave for a period of not more than 5 consecutive days.

(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed to limit the use of leave that is—

“(A) specifically authorized under law; and

“(B) not administrative leave.

(3) RECORDS.—An agency shall record administrative leave separately from leave authorized under any other provision of law.

“(c) REGULATIONS.—

(1) OPM REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall—

“(A) prescribe regulations to carry out this section; and

“(B) prescribe regulations that provide guidance to agencies regarding—

“(i) acceptable agency uses of administrative leave; and

“(ii) the proper recording of—

“(I) administrative leave; and

“(II) other leave authorized by law.

(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director of the Office of Personnel Management prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

(d) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”.

(2) OPM STUDY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with Federal agencies, groups representing Federal employees, and other relevant stakeholders, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report identifying agency practices, as of the date of enactment of this Act, of placing an employee in administrative leave for more than 5 consecutive days when the placement was not specifically authorized by law.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329 the following:

“6329a. Administrative leave.”.

(d) INVESTIGATIVE LEAVE AND NOTICE LEAVE.—

(1) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

“§ 6329b. Investigative leave and notice leave

“(a) DEFINITIONS.—In this section—

“(1) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office;

“(2) the term ‘Chief Human Capital Officer’ means—

“(A) the Chief Human Capital Officer of an agency designated or appointed under section 1401; or

“(B) the equivalent;

“(3) the term ‘committees of jurisdiction’, with respect to an agency, means each committee in the Senate and House of Representatives with jurisdiction over the agency;

“(4) the term ‘Director’ means the Director of the Office of Personnel Management;

“(5) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include—

“(i) an intermittent employee who does not have an established regular tour of duty during the administrative workweek; or

“(ii) the Inspector General of an agency;

“(6) the term ‘investigative leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service;

“(B) that is not authorized under any other provision of law; and

“(C) in which an employee who is the subject of an investigation is placed;

“(7) the term ‘notice leave’ means leave—

“(A) without loss of or reduction in—

“(i) pay;

“(ii) leave to which an employee is otherwise entitled under law; or

“(iii) credit for time or service;

“(B) that is not authorized under any other provision of law; and

“(C) in which an employee who is in a notice period is placed; and

“(8) the term ‘notice period’ means a period beginning on the date on which an employee is provided notice required under law of a proposed adverse action against the employee and ending on the date on which an agency may take the adverse action.

“(b) LEAVE FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

(1) AUTHORITY.—An agency may, in accordance with paragraph (2), place an employee in—

“(A) investigative leave if the employee is the subject of an investigation;

“(B) notice leave if the employee is in a notice period; or

“(C) notice leave following a placement in investigative leave if, not later than the day after the last day of the period of investigative leave—

“(i) the agency proposes or initiates an adverse action against the employee; and

“(ii) the agency determines that the employee continues to meet 1 or more of the criteria described in subsection (c)(1).

“(2) REQUIREMENTS.—An agency may place an employee in leave under paragraph (1) only if the agency has—

“(A) made a determination with respect to the employee under subsection (c)(1);

“(B) considered the available options for the employee under subsection (c)(2); and

“(C) determined that none of the available options under subsection (c)(2) is appropriate.

“(c) EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—

(1) DETERMINATIONS.—An agency may not place an employee in investigative leave or notice leave under subsection (b) unless the continued presence of the employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

“(A) pose a threat to the employee or others;

“(B) result in the destruction of evidence relevant to an investigation;

“(C) result in loss of or damage to Government property; or

“(D) otherwise jeopardize legitimate Government interests.

(2) AVAILABLE OPTIONS FOR EMPLOYEES UNDER INVESTIGATION OR IN A NOTICE PERIOD.—After making a determination under paragraph (1) with respect to an employee, and before placing an employee in investigative leave or notice leave under subsection (b), an agency shall consider taking 1 or more of the following actions:

“(A) Assigning the employee to duties in which the employee is no longer a threat to—

“(i) safety;

“(ii) the mission of the agency;

“(iii) Government property; or

“(iv) evidence relevant to an investigation.

“(B) Allowing the employee to take leave for which the employee is eligible.

“(C) Requiring the employee to telework under section 6502(c).

“(D) If the employee is absent from duty without approved leave, carrying the employee in absence without leave status.

“(E) For an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed.

“(3) DURATION OF LEAVE.—

“(A) INVESTIGATIVE LEAVE.—Subject to extensions of a period of investigative leave for which an employee may be eligible under subsections (d) and (e), the initial placement of an employee in investigative leave shall be for a period not longer than 10 days.

“(B) NOTICE LEAVE.—Placement of an employee in notice leave shall be for a period not longer than the duration of the notice period.

“(4) EXPLANATION OF LEAVE.—

“(A) IN GENERAL.—If an agency places an employee in leave under subsection (b), the agency shall provide the employee a written explanation of the leave placement and the reasons for the leave placement.

“(B) EXPLANATION.—The written notice under subparagraph (A) shall describe the limitations of the leave placement, including—

“(i) the applicable limitations under paragraph (3); and

“(ii) in the case of a placement in investigative leave, an explanation that, at the conclusion of the period of leave, the agency shall take an action under paragraph (5).

“(5) AGENCY ACTION.—Not later than the day after the last day of a period of investigative leave for an employee under subsection (b)(1), an agency shall—

“(A) return the employee to regular duty status;

“(B) take 1 or more of the actions authorized under paragraph (2), meaning—

“(i) assigning the employee to duties in which the employee is no longer a threat to—

“(I) safety;

“(II) the mission of the agency;

“(III) Government property; or

“(IV) evidence relevant to an investigation;

“(ii) allowing the employee to take leave for which the employee is eligible;

“(iii) requiring the employee to telework under section 6502(c);

“(iv) if the employee is absent from duty without approved leave, carrying the employee in absence without leave status; or

“(v) for an employee subject to a notice period, curtailing the notice period if there is reasonable cause to believe the employee has committed a crime for which a sentence of imprisonment may be imposed;

“(C) propose or initiate an adverse action against the employee as provided under law; or

“(D) extend the period of investigative leave under subsections (d) and (e).

“(6) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed to prevent the continued investigation of an employee, except that the placement of an employee in investigative leave may not be extended for that purpose except as provided in subsections (d) and (e).

“(d) INITIAL EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—Subject to paragraph (4), if the Chief Human Capital Officer of an agency, or the designee of the Chief Human Capital Officer, approves such an extension after consulting with the investigator responsible for conducting the investigation to which an employee is subject, the agency may extend the period of investigative leave for the employee under subsection (b) for not more than 30 days.

“(2) MAXIMUM NUMBER OF EXTENSIONS.—The total period of additional investigative leave for an employee under paragraph (1) may not exceed 110 days.

“(3) DESIGNATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Chief Human Capital Officers Council shall issue guidance to ensure that if the Chief Human Capital Officer of an agency delegates the authority to approve an extension under paragraph (1) to a designee, the designee is at a sufficiently high level within the agency to make an impartial and independent determination regarding the extension.

“(4) EXTENSIONS FOR OIG EMPLOYEES.—

“(A) APPROVAL.—In the case of an employee of an Office of Inspector General—

“(i) the Inspector General or the designee of the Inspector General, rather than the Chief Human Capital Officer or the designee of the Chief Human Capital Officer, shall approve an extension of a period of investigative leave for the employee under paragraph (1); or

“(ii) at the request of the Inspector General, the head of the agency within which the Office of Inspector General is located shall designate an official of the agency to approve an extension of a period of investigative leave for the employee under paragraph (1).

“(B) GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency shall issue guidance to ensure that if the Inspector General or the head of an agency, at the request of the Inspector General, delegates the authority to approve an extension under subparagraph (A) to a designee, the designee is at a sufficiently high level within the Office of Inspector General or the agency, as applicable, to make an impartial and independent determination regarding the extension.

“(e) FURTHER EXTENSION OF INVESTIGATIVE LEAVE.—

“(1) IN GENERAL.—After reaching the limit under subsection (d)(2), an agency may further extend a period of investigative leave for an employee for a period of not more than 60 days if, before the further extension begins, the head of the agency or, in the case of an employee of an Office of Inspector General, the Inspector General submits a notification that includes the reasons for the further extension to the—

“(A) committees of jurisdiction;

“(B) Committee on Homeland Security and Governmental Affairs of the Senate; and

“(C) Committee on Oversight and Government Reform of the House of Representatives.

“(2) NO LIMIT.—There shall be no limit on the number of further extensions that an agency may grant to an employee under paragraph (1).

“(3) OPM REVIEW.—An agency shall request from the Director, and include with the notification required under paragraph (1), the opinion of the Director—

“(A) with respect to whether to grant a further extension under this subsection, including the reasons for that opinion; and

“(B) which shall not be binding on the agency.

“(4) SUNSET.—The authority provided under this subsection shall expire on the date that is 6 years after the date of enactment of this section.

“(f) CONSULTATION GUIDANCE.—Not later than 1 year after the date of enactment of this section, the Council of the Inspectors General on Integrity and Efficiency, in consultation with the Attorney General and the Special Counsel, shall issue guidance on best practices for consultation between an investigator and an agency on the need to place an employee in investigative leave during an investigation of the employee, including during a criminal investigation, because the continued presence of the employee in the workplace during the investigation may—

“(1) pose a threat to the employee or others;

“(2) result in the destruction of evidence relevant to an investigation;

“(3) result in loss of or damage to Government property; or

“(4) otherwise jeopardize legitimate Government interests.

“(g) REPORTING AND RECORDS.—

“(1) IN GENERAL.—An agency shall keep a record of the placement of an employee in investigative leave or notice leave by the agency, including—

“(A) the basis for the determination made under subsection (c)(1);

“(B) an explanation of why an action under subsection (c)(2) was not appropriate;

“(C) the length of the period of leave;

“(D) the amount of salary paid to the employee during the period of leave;

“(E) the reasons for authorizing the leave, including, if applicable, the recommendation made by an investigator under subsection (d)(1); and

“(F) the action taken by the agency at the end of the period of leave, including, if applicable, the granting of any extension of a period of investigative leave under subsection (d) or (e).

“(2) AVAILABILITY OF RECORDS.—An agency shall make a record kept under paragraph (1) available—

“(A) to any committee of Congress, upon request;

“(B) to the Office of Personnel Management; and

“(C) as otherwise required by law, including for the purposes of the Administrative Leave Act of 2016 and the amendments made by that Act.

“(h) REGULATIONS.—

“(1) OPM ACTION.—Not later than 1 year after the date of enactment of this section, the Director shall prescribe regulations to carry out this section, including guidance to agencies regarding—

“(A) acceptable purposes for the use of—

“(i) investigative leave; and

“(ii) notice leave;

“(B) the proper recording of—

“(i) the leave categories described in subparagraph (A); and

“(ii) other leave authorized by law;

“(C) baseline factors that an agency shall consider when making a determination that the continued presence of an employee in the workplace may—

“(i) pose a threat to the employee or others;

“(ii) result in the destruction of evidence relevant to an investigation;

“(iii) result in loss of or damage to Government property; or

“(iv) otherwise jeopardize legitimate Government interests; and

“(D) procedures and criteria for the approval of an extension of a period of investigative leave under subsection (d) or (e).

“(2) AGENCY ACTION.—Not later than 1 year after the date on which the Director prescribes regulations under paragraph (1), each agency shall revise and implement the internal policies of the agency to meet the requirements of this section.

“(i) RELATION TO OTHER LAWS.—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”

(2) PERSONNEL ACTION.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (xi), by striking “and” at the end;

(B) by redesignating clause (xii) as clause (xiii); and

(C) by inserting after clause (xi) the following:

“(xii) a determination made by an agency under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may—

“(I) pose a threat to the employee or others;

“(II) result in the destruction of evidence relevant to an investigation;

“(III) result in loss of or damage to Government property; or

“(IV) otherwise jeopardize legitimate Government interests; and”.

(3) GAO REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and

Government Reform of the House of Representatives on the results of an evaluation of the implementation of the authority provided under sections 6329a and 6329b of title 5, United States Code, as added by subsection (c)(1) and paragraph (1) of this subsection, respectively, including—

(A) an assessment of agency use of the authority provided under subsection (e) of such section 6329b, including data regarding—

(i) the number and length of extensions granted under that subsection; and

(ii) the number of times that the Director of the Office of Personnel Management, under paragraph (3) of that subsection—

(I) concurred with the decision of an agency to grant an extension; and

(II) did not concur with the decision of an agency to grant an extension, including the bases for those opinions of the Director;

(B) recommendations to Congress, as appropriate, on the need for extensions beyond the extensions authorized under subsection (d) of such section 6329b; and

(C) a review of the practice of agency placement of an employee in investigative or notice leave under subsection (b) of such section 6329b because of a determination under subsection (c)(1)(D) of that section that the employee jeopardized legitimate Government interests, including the extent to which such determinations were supported by evidence.

(4) **TELEWORK.**—Section 6502 of title 5, United States Code, is amended by adding at the end the following:

“(c) **REQUIRED TELEWORK.**—If an agency determines under section 6329b(c)(1) that the continued presence of an employee in the workplace during an investigation of the employee or while the employee is in a notice period, if applicable, may pose 1 or more of the threats described in that section and the employee is eligible to telework under subsections (a) and (b) of this section, the agency may require the employee to telework for the duration of the investigation or the notice period, if applicable.”.

(5) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329a, as added by this section, the following:

“6329b. Investigative leave and notice leave.”.

(e) **LEAVE FOR WEATHER AND SAFETY ISSUES.**—

(1) **IN GENERAL.**—Subchapter II of chapter 63 of title 5, United States Code, as amended by this section, is further amended by adding at the end the following:

“§ 6329c. Weather and safety leave

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘agency’—

“(A) means an Executive agency (as defined in section 105 of this title); and

“(B) does not include the Government Accountability Office; and

“(2) the term ‘employee’—

“(A) has the meaning given the term in section 2105; and

“(B) does not include an intermittent employee who does not have an established regular tour of duty during the administrative workweek.

“(b) **LEAVE FOR WEATHER AND SAFETY ISSUES.**—An agency may approve the provision of leave under this section to an employee or a group of employees without loss of or reduction in the pay of the employee or employees, leave to which the employee or employees are otherwise entitled, or credit to the employee or employees for time or

service only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location due to—

“(1) an act of God;

“(2) a terrorist attack; or

“(3) another condition that prevents the employee or group of employees from safely traveling to or performing work at an approved location.

“(c) **RECORDS.**—An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

“(d) **REGULATIONS.**—Not later than 1 year after the date of enactment of this section, the Director of the Office of Personnel Management shall prescribe regulations to carry out this section, including—

“(1) guidance to agencies regarding the appropriate purposes for providing leave under this section; and

“(2) the proper recording of leave provided under this section.

“(e) **RELATION TO OTHER LAWS.**—Notwithstanding subsection (a) of section 7421 of title 38, this section shall apply to an employee described in subsection (b) of that section.”.

(2) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by inserting after the item relating to section 6329b, as added by this section, the following:

“6329c. Weather and safety leave.”.

(f) **ADDITIONAL OVERSIGHT.**—

(1) **IN GENERAL.**—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Personnel Management shall complete a review of agency policies to determine whether agencies have complied with the requirements of this section and the amendments made by this section.

(2) **REPORT TO CONGRESS.**—Not later than 90 days after completing the review under paragraph (1), the Director shall submit to Congress a report evaluating the results of the review.

SEC. 6402. UNITED STATES GOVERNMENT REVIEW OF CERTAIN FOREIGN FIGHTERS.

(a) **REVIEW.**—Not later than 30 days after the date of enactment of this Act, the President shall initiate a review of known instances since 2011 in which a person has traveled or attempted to travel to a conflict zone in Iraq or Syria from the United States to join or provide material support or resources to a terrorist organization.

(b) **SCOPE OF REVIEW.**—The review under subsection (a) shall—

(1) include relevant unclassified and classified information held by the United States Government related to each instance described in subsection (a);

(2) ascertain which factors, including operational issues, security vulnerabilities, systemic challenges, or other issues, which may have undermined efforts to prevent the travel of persons described in subsection (a) to a conflict zone in Iraq or Syria from the United States, including issues related to the timely identification of suspects, information sharing, intervention, and interdiction; and

(3) identify lessons learned and areas that can be improved to prevent additional travel by persons described in subsection (a) to a conflict zone in Iraq or Syria, or other terrorist safe haven abroad, to join or provide material support or resources to a terrorist organization.

(c) **INFORMATION SHARING.**—The President shall direct the heads of relevant Federal agencies to provide the appropriate information that may be necessary to complete the review required under this section.

(d) **SUBMISSION TO CONGRESS.**—Not later than 120 days after the date of enactment of this Act, the President, consistent with the protection of classified information, shall submit a report to the appropriate congressional committees that includes the results of the review required under this section, including information on travel routes of greatest concern, as appropriate.

(e) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this section.

(f) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Select Committee on Intelligence of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Foreign Relations of the Senate;

(F) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(G) the Committee on Appropriations of the Senate;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Permanent Select Committee on Intelligence of the House of Representatives;

(J) the Committee on the Judiciary of the House of Representatives;

(K) the Committee on Armed Services of the House of Representatives;

(L) the Committee on Foreign Affairs of the House of Representatives;

(M) the Committee on Appropriations of the House of Representatives; and

(N) the Committee on Financial Services of the House of Representatives.

(2) **MATERIAL SUPPORT OR RESOURCES.**—The term “material support or resources” has the meaning given such term in section 2339A of title 18, United States Code.

SEC. 6403. NATIONAL STRATEGY TO COMBAT TERRORIST TRAVEL.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that it should be the policy of the United States—

(1) to continue to regularly assess the evolving terrorist threat to the United States;

(2) to catalog existing Federal Government efforts to obstruct terrorist and foreign fighter travel into, out of, and within the United States, and overseas;

(3) to identify such efforts that may benefit from reform or consolidation, or require elimination;

(4) to identify potential security vulnerabilities in United States defenses against terrorist travel; and

(5) to prioritize resources to address any such security vulnerabilities in a risk-based manner.

(b) **NATIONAL STRATEGY AND UPDATES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the President shall submit a national strategy to combat terrorist travel to the appropriate congressional committees. The strategy shall address efforts to intercept terrorists

and foreign fighters and constrain the domestic and international travel of such persons. Consistent with the protection of classified information, the strategy shall be submitted in unclassified form, including, as appropriate, a classified annex.

(2) **UPDATED STRATEGIES.**—Not later than 180 days after the date on which a new President is inaugurated, the President shall submit an updated version of the strategy described in paragraph (1) to the appropriate congressional committees.

(3) **CONTENTS.**—The strategy required under this subsection shall—

(A) include an accounting and description of all Federal Government programs, projects, and activities designed to constrain domestic and international travel by terrorists and foreign fighters;

(B) identify specific security vulnerabilities within the United States and outside of the United States that may be exploited by terrorists and foreign fighters;

(C) delineate goals for—

(i) closing the security vulnerabilities identified under subparagraph (B); and

(ii) enhancing the ability of the Federal Government to constrain domestic and international travel by terrorists and foreign fighters; and

(D) describe the actions that will be taken to achieve the goals delineated under subparagraph (C) and the means needed to carry out such actions, including—

(i) steps to reform, improve, and streamline existing Federal Government efforts to align with the current threat environment;

(ii) new programs, projects, or activities that are requested, under development, or undergoing implementation;

(iii) new authorities or changes in existing authorities needed from Congress;

(iv) specific budget adjustments being requested to enhance United States security in a risk-based manner; and

(v) the Federal departments and agencies responsible for the specific actions described in this subparagraph.

(4) **SUNSET.**—The requirement to submit updated national strategies under this subsection shall terminate on the date that is 7 years after the date of enactment of this Act.

(c) **DEVELOPMENT OF IMPLEMENTATION PLANS.**—For each national strategy required under subsection (b), the President shall direct the heads of relevant Federal agencies to develop implementation plans for each such agency.

(d) **IMPLEMENTATION PLANS.**—

(1) **IN GENERAL.**—The President shall submit an implementation plan developed under subsection (c) to the appropriate congressional committees with each national strategy required under subsection (b). Consistent with the protection of classified information, each such implementation plan shall be submitted in unclassified form, but may include a classified annex.

(2) **ANNUAL UPDATES.**—The President shall submit an annual updated implementation plan to the appropriate congressional committees during the 10-year period beginning on the date of enactment of this Act.

(e) **PROHIBITION ON ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this section.

(f) **DEFINITION.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Select Committee on Intelligence of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Committee on Foreign Relations of the Senate;

(6) the Committee on Appropriations of the Senate;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on Armed Services of the House of Representatives;

(9) the Permanent Select Committee on Intelligence of the House of Representatives;

(10) the Committee on the Judiciary of the House of Representatives;

(11) the Committee on Foreign Affairs of the House of Representatives; and

(12) the Committee on Appropriations of the House of Representatives.

SEC. 6404. NORTHERN BORDER THREAT ANALYSIS.

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) **NORTHERN BORDER.**—The term “Northern Border” means the land and maritime borders between the United States and Canada.

(b) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a Northern Border threat analysis that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, and anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and pre-inspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(c) **ANALYSIS REQUIREMENTS.**—For the threat analysis required under subsection (b), the Secretary shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.

(d) **CLASSIFIED THREAT ANALYSIS.**—To the extent possible, the Secretary shall submit the threat analysis required under subsection (b) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 4501. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR GRANTS TO VETERANS SERVICE ORGANIZATIONS FOR TRANSPORTATION OF HIGHLY RURAL VETERANS.

Section 307(d) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by striking “2016” and inserting “2017”.

SA 4502. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) **IN GENERAL.**—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(10) Any individual—

“(A) who—

“(i) was naturalized pursuant to section 2(1) of the Hmong Veterans’ Naturalization Act of 2000 (Public Law 106-207; 8 U.S.C. 1423 note); and

“(ii) at the time of the individual’s death resided in the United States; or

“(B) who—

“(i) the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

“(ii) at the time of the individual’s death—
“(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and
“(II) resided in the United States.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4503. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE’S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require, or provide instruction or guidance to, an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People’s Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4504. Mr. HOEVEN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XVI, add the following:

SEC. 1655. IDENTIFICATION AND CORRECTION OF CAPABILITIES SHORTFALLS WITH RESPECT TO ENSURING THE SECURITY OF UNITED STATES INTERCONTINENTAL BALLISTIC MISSILE SITES.

(a) IDENTIFICATION OF CAPABILITIES SHORTFALLS.—Not later than 15 days after the date of the enactment of this Act, the Commander of the United States Strategic Command shall submit to the congressional defense committees a classified report that includes the following:

(1) A description of extant and potential threats to the security of United States intercontinental ballistic missile sites.

(2) A list of requirements for capabilities to ensure the security of all United States intercontinental ballistic missile sites.

(3) A description of capabilities shortfalls within the forces assigned, allocated, or otherwise provided to the United States Strategic Command as of the date of the report to ensure the security of all United States intercontinental ballistic missile sites.

(4) An assessment of the severity of risk associated with any shortfalls identified under paragraph (3).

(b) CORRECTION OF CAPABILITIES SHORTFALLS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) take action to mitigate any capabilities shortfalls identified in the report required by subsection (a);

(B) begin a process, pursuant to section 2304 of title 10, United States Code, to procure UH-1N replacement aircraft for which contracts can be entered into by fiscal year 2018; and

(C) obtain a certification from the Commander of the United States Strategic Command that the action described in subparagraph (A) will effectively mitigate any capabilities shortfalls identified in the report required by subsection (a) until the helicopters described in subparagraph (B) can be procured and fielded.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the actions taken pursuant to paragraph (1).

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

SA 4505. Mr. DONNELLY (for himself, Mr. INHOFE, Mr. KAINE, Mr. HATCH, and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 663. REPORT ON MODIFICATION OF BASIC ALLOWANCE FOR SUBSISTENCE IN LIGHT OF AUTHORITY FOR VARIABLE PRICING OF GOODS AT COMMISSARY STORES.

Not later than March 31, 2017, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of modifying the amounts payable for basic allowance for subsistence (BAS) for members of the Armed Forces in light of potential changes in prices of goods and services at commissary stores pursuant to the authority granted by the amendments made by section 661. The report shall include the following:

(1) An assessment of the potential for increases in prices of goods and services at commissary stores by reason of such authority, set forth by locality.

(2) An assessment of the feasibility and advisability of modifications in the amounts payable for basic allowance for subsistence in light of such potential increases in prices, including paying basic allowance for subsistence at different rates in different locations.

SA 4506. Ms. WARREN (for herself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mr. MURPHY, Mr. LEAHY, Mrs. MURRAY, Mr. MERKLEY, Mr. CASEY, Ms. CANTWELL, Mr. SANDERS, Ms. STABENOW, and Ms. HIRONO) submitted an

amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

Subtitle J—SAVE Benefits Act

SEC. 1097. ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.

(a) ONE-TIME SUPPLEMENTARY PAYMENT TO SOCIAL SECURITY BENEFICIARIES AND VETERANS.—

(1) ELIGIBILITY.—

(A) IN GENERAL.—Subject to paragraph (4)(C), the Secretary of the Treasury shall disburse a payment equal to the amount described in subsection (e) to each individual who, for any month during the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of this Act, is entitled to a benefit payment described in clause (i), (ii), or (iii) of subparagraph (B), or is eligible for a SSI cash benefit described in subparagraph (C).

(B) BENEFIT PAYMENT DESCRIBED.—For purposes of subparagraph (A):

(i) TITLE II BENEFIT.—A benefit payment described in this clause is a monthly insurance benefit payable (without regard to sections 202(j)(1) and 223(b) of the Social Security Act (42 U.S.C. 402(j)(1), 423(b))) under—

(I) section 202(a) of such Act (42 U.S.C. 402(a));

(II) section 202(b) of such Act (42 U.S.C. 402(b));

(III) section 202(c) of such Act (42 U.S.C. 402(c));

(IV) section 202(d)(1)(B)(ii) of such Act (42 U.S.C. 402(d)(1)(B)(ii));

(V) section 202(e) of such Act (42 U.S.C. 402(e));

(VI) section 202(f) of such Act (42 U.S.C. 402(f));

(VII) section 202(g) of such Act (42 U.S.C. 402(g));

(VIII) section 202(h) of such Act (42 U.S.C. 402(h));

(IX) section 223(a) of such Act (42 U.S.C. 423(a));

(X) section 227 of such Act (42 U.S.C. 427);

or

(XI) section 228 of such Act (42 U.S.C. 428).

(ii) RAILROAD RETIREMENT BENEFIT.—A benefit payment described in this clause is a monthly annuity or pension payment payable (without regard to section 5(a)(ii) of the Railroad Retirement Act of 1974 (45 U.S.C. 231d(a)(ii))) under—

(I) section 2(a)(1) of such Act (45 U.S.C. 231a(a)(1));

(II) section 2(c) of such Act (45 U.S.C. 231a(c));

(III) section 2(d)(1)(i) of such Act (45 U.S.C. 231a(d)(1)(i));

(IV) section 2(d)(1)(ii) of such Act (45 U.S.C. 231a(d)(1)(ii));

(V) section 2(d)(1)(iii)(C) of such Act to an adult disabled child (45 U.S.C. 231a(d)(1)(iii)(C));

(VI) section 2(d)(1)(iv) of such Act (45 U.S.C. 231a(d)(1)(iv));

(VII) section 2(d)(1)(v) of such Act (45 U.S.C. 231a(d)(1)(v)); or

(VIII) section 7(b)(2) of such Act (45 U.S.C. 231f(b)(2)) with respect to any of the benefit

payments described in clause (i) of this subparagraph.

(iii) **VETERANS BENEFIT.**—A benefit payment described in this clause is a compensation or pension payment payable under—

(I) section 1110, 1117, 1121, 1131, 1141, or 1151 of title 38, United States Code;

(II) section 1310, 1312, 1313, 1315, 1316, or 1318 of title 38, United States Code;

(III) section 1513, 1521, 1533, 1536, 1537, 1541, 1542, or 1562 of title 38, United States Code; or

(IV) section 1805, 1815, or 1821 of title 38, United States Code,

to a veteran, surviving spouse, child, or parent as described in paragraph (2), (3), (4)(A)(ii), or (5) of section 101, title 38, United States Code, who received that benefit during any month within the 3-month period ending with the month which ends prior to the month that includes the date of the enactment of this Act.

(C) **SSI CASH BENEFIT DESCRIBED.**—A SSI cash benefit described in this subparagraph is a cash benefit payable under section 1611 (other than under subsection (e)(1)(B) of such section) or 1619(a) of the Social Security Act (42 U.S.C. 1382, 1382h).

(2) **NO DOUBLE PAYMENTS.**—An individual shall be paid only 1 payment under this section, regardless of whether the individual is entitled to, or eligible for, more than 1 benefit payment described in paragraph (1).

(3) **LIMITATION.**—A payment under this section shall not be made—

(A) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(i) or paragraph (1)(B)(ii)(VIII) if, for the most recent month of such individual's entitlement in the 3-month period described in paragraph (1), such individual's benefit under such paragraph was not payable by reason of subsection (x) or (y) of section 202 of the Social Security Act (42 U.S.C. 402) or section 1129A of such Act (42 U.S.C. 1320a–8a);

(B) in the case of an individual entitled to a benefit specified in paragraph (1)(B)(iii) if, for the most recent month of such individual's entitlement in the 3-month period described in paragraph (1), such individual's benefit under such paragraph was not payable, or was reduced, by reason of section 1505, 5313, or 5313B of title 38, United States Code;

(C) in the case of an individual entitled to a benefit specified in paragraph (1)(C) if, for such most recent month, such individual's benefit under such paragraph was not payable by reason of subsection (e)(1)(A) or (e)(4) of section 1611 (42 U.S.C. 1382) or section 1129A of such Act (42 U.S.C. 1320a–8);

(D) in the case of an individual who has been penalized under section 1129(a) of the Social Security Act (42 U.S.C. 1320–8(a)); or

(E) in the case of any individual whose date of death occurs before the date on which the individual is certified under subsection (b) to receive a payment under this section.

(4) **TIMING AND MANNER OF PAYMENTS.**—

(A) **IN GENERAL.**—The Secretary of the Treasury shall commence disbursing payments under this section at the earliest practicable date but in no event later than 120 days after the date of enactment of this Act. The Secretary of the Treasury may disburse any payment electronically to an individual in such manner as if such payment was a benefit payment to such individual under the applicable program described in subparagraph (B) or (C) of paragraph (1).

(B) **NOTICE.**—

(i) **IN GENERAL.**—The Secretary of the Treasury shall provide written notice, sent by mail to each individual receiving a pay-

ment under this section, explaining that the payment represents a one-time benefit increase to the benefit payment described in paragraph (1) to which the individual is entitled.

(ii) **PUBLIC NOTICE.**—The Secretary of the Treasury, in consultation with the Commissioner of Social Security and the Secretary of Veterans Affairs, shall publish on a public website information about the payments authorized under this subsection, including—

(I) information on eligibility for such payments;

(II) information on the timeframe in which such payments will be distributed; and

(III) other relevant information.

(C) **DEADLINE.**—No payments shall be disbursed under this section after September 30, 2017, regardless of any determinations of entitlement to, or eligibility for, such payments made after such date.

(b) **IDENTIFICATION OF RECIPIENTS.**—The Commissioner of Social Security, the Railroad Retirement Board, and the Secretary of Veterans Affairs shall certify the individuals entitled to receive payments under this section and provide the Secretary of the Treasury with the information needed to disburse such payments. A certification of an individual shall be unaffected by any subsequent determination or redetermination of the individual's entitlement to, or eligibility for, a benefit specified in subparagraph (B) or (C) of subsection (a)(1).

(c) **TREATMENT OF PAYMENTS.**—

(1) **PAYMENT TO BE DISREGARDED FOR PURPOSES OF ALL FEDERAL AND FEDERALLY ASSISTED PROGRAMS.**—A payment under subsection (a) shall not be regarded as income and shall not be regarded as a resource for the month of receipt and the following 9 months, for purposes of determining the eligibility of the recipient (or the recipient's spouse or family) for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

(2) **PAYMENT NOT CONSIDERED INCOME FOR PURPOSES OF TAXATION.**—A payment under subsection (a) shall not be considered as gross income for purposes of the Internal Revenue Code of 1986.

(3) **PAYMENTS PROTECTED FROM ASSIGNMENT.**—The provisions of section 207 of the Social Security Act (42 U.S.C. 407) and section 14(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231m(a)) shall apply to any payment made under subsection (a) as if such payment was a benefit payment to such individual under the applicable program described in subsection (a)(1)(B).

(4) **TREATMENT UNDER SOCIAL SECURITY ACT.**—

(A) **NO EFFECT ON FAMILY MAXIMUM.**—For purposes of section 203(a) of the Social Security Act (42 U.S.C. 403(a)), a payment under subsection (a) shall be disregarded in determining reductions in benefits under such section.

(B) **PAYMENT NOT A GENERAL BENEFIT INCREASE.**—For purposes of section 215(i) of the Social Security Act (42 U.S.C. 415(i)), a payment under subsection (a) shall not be regarded as a general benefit increase.

(5) **PAYMENTS SUBJECT TO RECLAMATION.**—Any payment made under this section shall, in the case of a payment by direct deposit which is made after the date of the enactment of this Act, be subject to the reclamation provisions under subpart B of part 210 of title 31, Code of Federal Regulations (relating to reclamation of benefit payments).

(d) **PAYMENT TO REPRESENTATIVE PAYEES AND FIDUCIARIES.**—

(1) **IN GENERAL.**—In any case in which an individual who is entitled to a payment under subsection (a) and whose benefit payment or cash benefit described in paragraph (1) of that subsection is paid to a representative payee or fiduciary, the payment under subsection (a) shall be made to the individual's representative payee or fiduciary and the entire payment shall be used only for the benefit of the individual who is entitled to the payment.

(2) **APPLICABILITY.**—

(A) **PAYMENT ON THE BASIS OF A TITLE II BENEFIT OR SSI BENEFIT.**—Section 1129(a)(3) of the Social Security Act (42 U.S.C. 1320a–8(a)(3)) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(i) or (1)(C) of subsection (a) in the same manner as such section applies to a payment under title II or XVI of such Act.

(B) **PAYMENT ON THE BASIS OF A RAILROAD RETIREMENT BENEFIT.**—Section 13 of the Railroad Retirement Act (45 U.S.C. 231l) shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(ii) of subsection (a) in the same manner as such section applies to a payment under such Act.

(C) **PAYMENT ON THE BASIS OF A VETERANS BENEFIT.**—Sections 5502, 6106, and 6108 of title 38, United States Code, shall apply to any payment made on the basis of an entitlement to a benefit specified in paragraph (1)(B)(iii) of subsection (a) in the same manner as those sections apply to a payment under that title.

(e) **PAYMENT AMOUNT.**—The amount described in this subsection is the amount that is equal to 3.9 percent of the average amount of annual benefits received by an individual entitled to benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) in calendar year 2015, as determined by the Commissioner of Social Security, rounded to the next lowest multiple of \$1.

(f) **APPROPRIATION.**—Out of any sums in the Treasury of the United States not otherwise appropriated, the following sums are appropriated for the period of fiscal years 2016 through 2017, to remain available until expended, to carry out this section:

(1) For the Secretary of the Treasury, such sums as may be necessary for administrative costs incurred in carrying out this section.

(2) For the Commissioner of Social Security—

(A) such sums as may be necessary for payments to individuals certified by the Commissioner of Social Security as entitled to receive a payment under this section; and

(B) such sums as may be necessary to the Social Security Administration's Limitation on Administrative Expenses for costs incurred in carrying out this section.

(3) For the Railroad Retirement Board—

(A) such sums as may be necessary for payments to individuals certified by the Railroad Retirement Board as entitled to receive a payment under this section; and

(B) such sums as may be necessary to the Railroad Retirement Board's Limitation on Administration for administrative costs incurred in carrying out this section.

(4)(A) For the Secretary of Veterans Affairs—

(i) such sums as may be necessary for the Compensation and Pensions account, for payments to individuals certified by the Secretary of Veterans Affairs as entitled to receive a payment under this section; and

(ii) such sums as may be necessary for the Information Systems Technology account and the General Operating Expenses account

for administrative costs incurred in carrying out this section.

(B) The Department of Veterans Affairs Compensation and Pensions account shall hereinafter be available for payments authorized under subsection (a)(1)(A) to individuals entitled to a benefit payment described in subsection (a)(1)(B)(iii).

SEC. 1098. SPECIAL CREDIT FOR CERTAIN GOVERNMENT RETIREES.

(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for the first taxable year beginning in 2016 an amount equal to \$581 (\$1,162 in the case of a joint return where both spouses are eligible individuals).

(b) ELIGIBLE INDIVIDUAL.—

(1) IN GENERAL.—For purposes of this section, the term “eligible individual” means any individual—

(A) who receives during the first taxable year beginning in 2016 any amount as a pension or annuity for service performed in the employ of the United States or any State, or any instrumentality thereof, which is not considered employment for purposes of sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986, and

(B) who does not receive a payment under section 1097 during such taxable year.

(2) IDENTIFICATION NUMBER REQUIREMENT.—

(A) IN GENERAL.—The term “eligible individual” shall not include any individual who does not include on the return of tax for the taxable year—

(i) such individual’s social security account number, and

(ii) in the case of a joint return, the social security account number of one of the taxpayers on such return.

(B) EXCLUSION OF TIN.—For purposes of subparagraph (A), the social security account number shall not include a TIN (as defined in section 7701(a)(41) of the Internal Revenue Code of 1986) issued by the Internal Revenue Service. Any omission of a correct social security account number required under this paragraph shall be treated as a mathematical or clerical error for purposes of applying section 6213(g)(2) of such Code to such omission.

(c) TREATMENT OF CREDIT.—

(1) REFUNDABLE CREDIT.—

(A) IN GENERAL.—The credit allowed by subsection (a) shall be treated as allowed by subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986.

(B) APPROPRIATIONS.—For purposes of section 1324(b)(2) of title 31, United States Code, the credit allowed by subsection (a) shall be treated in the same manner as a refund from the credit allowed under section 36A of the Internal Revenue Code of 1986.

(2) DEFICIENCY RULES.—For purposes of applying section 6211(b)(4)(A) of the Internal Revenue Code of 1986, the credit allowable by subsection (a) shall be treated in the same manner as the credits listed in subparagraph (A) of section 6211(b)(4).

(d) REFUNDS DISREGARDED IN THE ADMINISTRATION OF FEDERAL PROGRAMS AND FEDERALLY ASSISTED PROGRAMS.—Any credit or refund allowed or made to any individual by reason of this section shall not be taken into account as income and shall not be taken into account as resources for the month of receipt and the following 2 months, for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program

financed in whole or in part with Federal funds.

SEC. 1099. MODIFICATION OF LIMITATION ON EXCESSIVE REMUNERATION.

(a) REPEAL OF PERFORMANCE-BASED COMPENSATION AND COMMISSION EXCEPTIONS FOR LIMITATION ON EXCESSIVE REMUNERATION.—

(1) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986 is amended by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) through (G) as subparagraphs (B) through (E), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 162(m)(5) of such Code is amended—

(i) by striking “subparagraphs (B), (C), and (D) thereof” in subparagraph (E) and inserting “subparagraph (B) thereof”, and

(ii) by striking “subparagraphs (F) and (G)” in subparagraph (G) and inserting “subparagraphs (D) and (E)”.

(B) Section 162(m)(6) of such Code is amended—

(i) by striking “subparagraphs (B), (C), and (D) thereof” in subparagraph (D) and inserting “subparagraph (B) thereof”, and

(ii) by striking “subparagraphs (F) and (G)” in subparagraph (G) and inserting “subparagraphs (D) and (E)”.

(b) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

“(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term ‘publicly held corporation’ means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

“(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

“(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).”.

(c) APPLICATION TO ALL CURRENT AND FORMER OFFICERS, DIRECTORS, AND EMPLOYEES.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986, as amended by subsection (a), is amended—

(A) by striking “covered employee” each place it appears in paragraphs (1) and (4) and inserting “covered individual”, and

(B) by striking “such employee” each place it appears in subparagraphs (A) and (E) of paragraph (4) and inserting “such individual”.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

“(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term ‘covered individual’ means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.”.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting “(as in effect for taxable years beginning before January 1, 2017)” after “section 162(m)(3)”.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting “(as in effect for taxable years beginning before January 1, 2017)” after “section 162(m)(3)”.

(d) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Paragraph (4) of section 162(m), as amended by subsection (a), is amended by adding at the end the following new subparagraph:

“(F) SPECIAL RULE FOR REMUNERATION PAID TO BENEFICIARIES, ETC.—Remuneration shall not fail to be applicable employee remuneration merely because it is includible in the in-

come of, or paid to, a person other than the covered individual, including after the death of the covered individual.”.

(e) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.”.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(f) TRANSFER TO SOCIAL SECURITY TRUST FUNDS.—For purposes of the amount of any increase in revenue to the Treasury by reason of the amendments made by this section, any such amount that is in excess of the total amount appropriated under section 1097(f) of this Act shall be, at such times and in such manner as determined appropriate by the Secretary of the Treasury (or the Secretary’s delegate), deposited in the Trust Funds (as defined in subsection (c) of section 201 of the Social Security Act (42 U.S.C. 401)), with—

(1) 50 percent of such amount to be deposited in the Federal Old-Age and Survivors Insurance Trust Fund (as defined in subsection (a) of such section); and

(2) 50 percent of such amount to be deposited in the Federal Disability Insurance Trust Fund (as defined in subsection (b) of such section).

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2016.

SA 4507. Mr. HATCH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 764. REPORT ON HEARING LOSS, TINNITUS, AND NOISE POLLUTION DUE TO SMALL ARMS FIRE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that hearing loss, tinnitus, and noise pollution due to small arms fire has a detrimental impact on the readiness and budget of the Department of Defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives (and the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives upon the request of either committee) and the President pro tempore of the Senate, a report on hearing loss, tinnitus, and noise pollution due to small arms fire.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A verification and validation of the results included in published findings on hearing loss and tinnitus due to small arms fire (including the “Clinical Study Design of Noise-Induced Hearing Loss in Marine Recruits” published by E.A. Williams (née Edelstein)).

(B) A description of the impact on the Department of Defense of noise pollution and noise ordinance requirements, as set forth under title IV of the Clean Air Act (relating to noise pollution) (42 U.S.C. 7641 et seq.), for small arms fire (including the impact on training ranges, training schedules, operational readiness, and mission parameters).

(C) Data on the severity and rates of noise-induced hearing loss and tinnitus experienced by personnel of the Department due to small arms fire in training and operational environments, including costs currently incurred by the health care systems of the Department of Defense and the Department of Veterans Affairs to treat noise-induced hearing loss and tinnitus.

(D) A description of alternative methods and strategies currently being employed by the Department of Defense, as well as alternative methods, technologies, and techniques being considered, for the mitigation of hearing loss, tinnitus, and noise pollution due to small arms fire.

(E) A description of current mitigation strategies available to reduce hearing loss, tinnitus, and noise pollution as a whole and not as separate issues.

SA 4508. Mr. BROWN (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MAXIMUM RATE OF INTEREST ON DEBTS INCURRED BEFORE MILITARY SERVICE.

Section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937) is amended—

(1) in subsection (a)(1)(A), by inserting “student loan,” after “nature of a mortgage”; and

(2) in subsection (d), by adding at the end the following:

“(3) **STUDENT LOAN.**—The term ‘student loan’ means—

“(A) a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

“(B) a student loan made pursuant to title VII or VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); or

“(C) a private education loan, as defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).”

SA 4509. Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) **IN GENERAL.**—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) **AWARD OF CONTRACTS.**—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4510. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 399C. MANAGEMENT OF CERTAIN LITIGATION ON BEHALF OF INDEMNIFIED PRIVATE CONTRACTORS.

(a) **IN GENERAL.**—In cases where litigation between an indemnified Department of Defense contractor and a member of the Armed Forces exceeds a period of two years without final judgement or settlement, and where the Department has a contractual right to take charge of the litigation on behalf of the contractor, the Department shall exercise that right. In doing so, the Department shall ensure the fiscal burden on taxpayers is minimized by avoiding lengthy and expensive litigation, while simultaneously resolving the claim in a way that meets the Department's obligations to members of the Armed Forces and their families in a fair and timely manner.

(b) **INDEMNIFIED DEPARTMENT OF DEFENSE CONTRACTOR DEFINED.**—In this section, the term “indemnified Department of Defense contractor” means a contractor that has been indemnified by the Department of Defense against civil judgments or liability for injuries, sickness, or death of members of the Armed Forces related to their work with the contractor.

SA 4511. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ENHANCED PENALTIES AND OTHER TOOLS RELATED TO MARITIME OFFENSES AND ACTS OF NUCLEAR TERRORISM.

(a) **PENALTIES FOR MARITIME OFFENSES.**—

(1) **PENALTIES FOR VIOLENCE AGAINST MARITIME NAVIGATION.**—Section 2280a(a)(1) of title 18, United States Code, is amended, in the undesignated matter following subparagraph (E), by inserting “punished by death or” before “imprisoned for any term”.

(2) **PENALTIES FOR OFFENSES AGAINST MARITIME FIXED PLATFORMS.**—Section 2281a(a)(1) of such title is amended, in the undesignated matter following subparagraph (C), by inserting “punished by death or” before “imprisoned for any term”.

(b) **PENALTIES FOR ACTS OF NUCLEAR TERRORISM.**—Section 2332i(c) of title 18, United States Code, is amended to read as follows:

“(c) **PENALTIES.**—Any person who violates this section shall be punished as provided under section 2332a(a).”

(c) **PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATES.**—

(1) **MARITIME OFFENSES.**—Section 2339A(a) of title 18, United States Code, is amended—

(A) by inserting “2280a,” after “2280,”; and

(B) by inserting “2281a,” after “2281.”

(2) **ACTS OF NUCLEAR TERRORISM.**—Section 2339A(a) of such title, as amended by subsection (a), is further amended by inserting “2332i,” after “2332f.”

(d) **WIRETAP AUTHORIZATION PREDICATES.**—

(1) **MARITIME OFFENSES.**—Section 2516(1) of title 18, United States Code, is amended—

(A) in paragraph (p), by striking “or” at the end; and

(B) in paragraph (q), by inserting “, section 2280, 2280a, 2281, or 2281a (relating to maritime safety),” after “weapons”).

(2) **ACTS OF NUCLEAR TERRORISM.**—Section 2516(1)(q) of such title, as amended by subsection (a)(2), is further amended by inserting “, 2332i,” after “2332h”.

SA 4512. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IMPROVING MEDICAL REHABILITATION RESEARCH AT THE NATIONAL INSTITUTES OF HEALTH.

(a) **IN GENERAL.**—Section 452 of the Public Health Service Act (42 U.S.C. 285g-4) is amended—

(1) in subsection (b), by striking “conduct and support” and inserting “conduct, support, and coordination”; and

(2) in subsection (c)(1)(C), by striking “of the Center” and inserting “within the Center”;

(3) in subsection (d)—

(A) by striking paragraph (1) and inserting the following: “(1) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory

board established under subsection (f), shall develop a comprehensive plan (referred to in this section as the ‘Research Plan’) for the conduct, support, and coordination of medical rehabilitation research.”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “; and” and inserting a semicolon;

(ii) in subparagraph (B), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(C) include goals and objectives for conducting, supporting, and coordinating medical rehabilitation research, consistent with the purpose described in subsection (b).”;

(C) by striking paragraph (4) and inserting the following:

“(4) The Director of the Center, in consultation with the Director of the Institute, the coordinating committee established under subsection (e), and the advisory board established under subsection (f), shall revise and update the Research Plan periodically, as appropriate, or not less than every 5 years. Not later than 30 days after the Research Plan is so revised and updated, the Director of the Center shall transmit the revised and updated Research Plan to the President, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives.”; and

(D) by adding at the end the following:

“(5) The Director of the Center, in consultation with the Director of the Institute, shall, prior to revising and updating the Research Plan, prepare a report for the coordinating committee established under subsection (e) and the advisory board established under subsection (f) that describes and analyzes the progress during the preceding fiscal year in achieving the goals and objectives described in paragraph (2)(C) and includes expenditures for rehabilitation research at the National Institutes of Health. The report shall include recommendations for revising and updating the Research Plan, and such initiatives as the Director of the Center and the Director of the Institute determine appropriate. In preparing the report, the Director of the Center and the Director of the Institute shall consult with the Director of NIH.”;

(4) in subsection (e)—

(A) in paragraph (2), by inserting “periodically host a scientific conference or workshop on medical rehabilitation research and” after “The Coordinating Committee shall”; and

(B) in paragraph (3), by inserting “the Director of the Division of Program Coordination, Planning, and Strategic Initiatives within the Office of the Director of NIH,” after “shall be composed of”;

(5) in subsection (f)(3)(B)—

(A) by redesignating clauses (ix) through (xi) as clauses (x) through (xii), respectively; and

(B) by inserting after clause (viii) the following:

“(ix) The Director of the Division of Program Coordination, Planning, and Strategic Initiatives.”; and

(6) by adding at the end the following:

“(g)(1) The Secretary and the heads of other Federal agencies shall jointly review the programs carried out (or proposed to be carried out) by each such official with respect to medical rehabilitation research and, as appropriate, enter into agreements preventing duplication among such programs.

“(2) The Secretary shall, as appropriate, enter into interagency agreements relating to the coordination of medical rehabilitation

research conducted by agencies of the National Institutes of Health and other agencies of the Federal Government.

“(h) For purposes of this section, the term ‘medical rehabilitation research’ means the science of mechanisms and interventions that prevent, improve, restore, or replace lost, underdeveloped, or deteriorating function.”.

(b) REQUIREMENTS OF CERTAIN AGREEMENTS FOR ENHANCING COORDINATION AND PREVENTING DUPLICATIVE PROGRAMS OF MEDICAL REHABILITATION RESEARCH.—Section 3 of the National Institutes of Health Amendments of 1990 (42 U.S.C. 285g–4 note) is amended—

(1) in subsection (a), by striking “(a) IN GENERAL.—”; and

(2) by striking subsection (b).

SA 4513. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 538. MODIFICATION OF DISCRETIONARY AUTHORITY TO AUTHORIZE CERTAIN ENLISTMENTS IN THE ARMED FORCES.

Section 504(b)(2) of title 10, United States Code, is amended by striking “if the Secretary” and all that follows and inserting “if—

“(A) the person is lawfully present in the United States at the time of enlistment; and

“(B) the Secretary determines that such enlistment is vital to the national interest.”.

SA 4514. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN’S NUCLEAR PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, the Director of National Intelligence, and the heads and other relevant officials of agencies with responsibilities under section 1078 or 1226, submit to Congress a joint assessment report detailing existing inadequacies in the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within—

(1) the September 26, 2006, Government Accountability Office report entitled, “Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed”;

(2) the May 16, 2013, Government Accountability Office report entitled, “IAEA Has

Made Progress in Implementing Critical Programs but Continues to Face Challenges”;

(3) the Defense Science Board Study entitled, “Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies”;

(4) the report of the International Atomic Energy Agency (in this section referred to as the “IAEA”) entitled, “The Safeguards System of the International Atomic Energy Agency” and the IAEA Safeguards Statement for 2010;

(5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols;

(6) the IAEA Model Additional Protocol;

(7) the IAEA February 2015 Director General Report to the Board of Governors; and

(8) other related reports on Iranian safeguard challenges.

(b) RECOMMENDATIONS.—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters:

(1) The nuclear program of Iran.

(2) Development of a plan for—

(A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran’s nuclear program;

(B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran’s nuclear program; and

(C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities of Iran.

(3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program.

(4) The limitations of IAEA actors.

(5) Challenges in the region that may be too large to anticipate under applicable treaties or agreements or the national technical means monitoring regimes alone.

(6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran’s proxies for—

(A) ongoing abuses of human rights;

(B) actions in support of the regime of Bashar al-Assad in Syria;

(C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and

(D) continuing sponsorship of international terrorism.

(c) FORM OF REPORT.—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) PRESIDENTIAL CERTIFICATION.—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify to Congress that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements.

SA 4515. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. TERMINATION OF LAWFUL PERMANENT RESIDENT STATUS OF CERTAIN ALIENS WHO RETURN TO AFGHANISTAN WITHOUT ADVANCE PERMISSION.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) by redesignating paragraphs (10) through (16) as paragraphs (11) through (17), respectively;

(2) by inserting after paragraph (9), the following:

“(10) TERMINATION OF LAWFUL PERMANENT RESIDENCE UPON UNAUTHORIZED RETURN TO AFGHANISTAN.—

“(A) IN GENERAL.—The Secretary of Homeland Security shall terminate the lawful permanent resident status of any alien granted such status under paragraph (9) who is outside the United States if the Secretary determines that the alien has visited Afghanistan without obtaining advance permission to travel pursuant to subparagraph (D)(ii).

“(B) SERVICE.—The termination of lawful permanent residence status under subparagraph (A) shall be effective on the date that is 3 days after the date on which the Secretary serves notice of such termination—

“(i) by publishing such notice in the Federal Register;

“(ii) by mailing such notice to the alien’s most recent United States address, as provided to the Secretary under section 265 of the Immigration and Nationality Act (8 U.S.C. 1305) or otherwise under the immigration laws; or

“(iii) through personal service on the alien abroad in accordance with applicable law.

“(C) CHALLENGE TO NOTICE OF TERMINATION.—

“(i) IN GENERAL.—An alien whose status is terminated pursuant to subparagraph (A) may challenge such termination by seeking admission as an immigrant at a designated United States port of entry not later than 180 days after the effective date of such termination.

“(ii) REMOVAL PROCEEDING.—If an alien challenges a termination in accordance with clause (i), the Secretary shall place the alien in a removal proceeding under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a). For the purpose of such removal proceeding, the alien shall be considered to be an alien lawfully admitted for permanent residence who is seeking an admission into the United States. If the alien prevails in the removal proceeding, or on a petition for review of such proceeding under section 242 of such Act (8 U.S.C. 1252), the alien shall be admitted to the United States for lawful permanent residence. If the alien does not prevail in the removal proceeding, or on a petition for review of such proceeding, the alien shall be removed from the United States.

“(D) TRAVEL.—The Secretary of Homeland Security—

“(i) upon receiving a request from an alien challenging a notice of termination under

subparagraph (C), shall authorize travel of the alien to a designated United States port of entry for the purpose of the removal proceeding described in subparagraph (C)(i); and

“(ii) shall establish a process through which an alien granted lawful permanent residence under this section may apply in advance for permission to travel to Afghanistan.

“(E) JUDICIAL REVIEW.—Except as specifically provided under subparagraph (C), and notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review any determination made by the Secretary under this paragraph.

“(F) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed—

“(i) to authorize any alien whose status has not been terminated under this paragraph to travel to or to be admitted to the United States;

“(ii) to require the Secretary to terminate the status of an alien under this subsection so that the alien may travel to the United States for the purpose of a removal proceeding or for any other reason; or

“(iii) to limit the applicability of any no-fly list or other travel security or public health measure otherwise authorized by law.”; and

(3) in paragraph (14), as redesignated, by striking “paragraph (12)(B)” and inserting “paragraph (13)(B)”.

SA 4516. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 945.

SA 4517. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 973.

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1049.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1052.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1194, line 24, strike “committees” and insert “committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives”.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1606.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1633 and insert the following:

SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS ALSO DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ending of the arrangement (commonly referred to as a “dual-hat arrangement”) under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and

(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director’s service of national requirements.

(b) PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) until—

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national requirements.

(c) CONDITIONS-BASED CRITERIA.—The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall develop criteria for assessing the military and intelligence necessity and benefit of the arrangement described in subsection (a). The criteria shall be based on measures of the operational dependence of the United States Cyber Command on the National Security Agency and the ability of each organization to accomplish their roles and responsibilities independent of the other. The conditions to be evaluated shall include the following:

(1) The sufficiency of operational infrastructure.

(2) The sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects.

(3) Technical intelligence collection and operational preparation of the environment capabilities.

(4) The ability to train personnel, test capabilities, and rehearse missions.

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1207, line 13, strike “LIMITATION ON” and insert “PROCESS FOR”.

On page 1207, line 18, insert “ending of the” after “that the”.

On page 1207, beginning on line 21, strike “is in the national security interests of the United States.” and insert “needs to be carefully considered and done through conditions-based criteria and, until such arrangement is ended, it is important to ensure such arrangement does not impede the Director's service of national intelligence requirements.”.

On page 1207, line 23, strike “LIMITATION ON” and insert “PROCESS FOR”.

On page 1207, line 25, strike “until” and insert “until—”.

Beginning on page 1207, line 25, strike “the Secretary” and all that follows through page 1208, line 6, and insert the following:

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

On page 1208, beginning on line 7, strike “Secretary and the Chairman” and insert “Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence”.

On page 1209, strike lines 3 through 12, and insert the following:

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) REPORTS.—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) NATIONAL INTELLIGENCE.—The term “national intelligence” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1633 and insert the following:

SEC. 1633. PROCESS FOR ENDING OF ARRANGEMENT IN WHICH THE COMMANDER OF THE UNITED STATES CYBER COMMAND IS ALSO DIRECTOR OF THE NATIONAL SECURITY AGENCY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ending of the arrangement (commonly referred to as a “dual-hat arrangement”) under which the Commander of the United States Cyber Command also serves as the Director of the National Security Agency needs to be carefully considered and done through conditions-based criteria; and

(2) until such arrangement is ended, it is important to ensure such arrangement does not impede the Director's service of national intelligence requirements.

(b) PROCESSES FOR ENDING OF CURRENT ARRANGEMENT.—The Secretary of Defense may not take action to end the arrangement described in subsection (a) until—

(1) the Secretary and the Chairman of the Joint Chiefs of Staff jointly determine and certify to the appropriate committees of Congress that the end of that arrangement will not pose risks to the military effectiveness of the United States Cyber Command that are unacceptable in the national security interests of the United States; or

(2) the Director of National Intelligence determines and certifies to the appropriate committees of Congress that the continuation of that arrangement poses risks and impedes the appropriate prioritization of national intelligence requirements.

(c) CONDITIONS-BASED CRITERIA.—The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence shall develop criteria for assessing the military and intelligence necessity and benefit of the arrangement described in subsection (a). The criteria shall be based on measures of the operational dependence of the United States Cyber Command on the National Security Agency and the ability of each organization to accomplish their roles and responsibilities independent of the other. The conditions to be evaluated shall include the following:

(1) The sufficiency of operational infrastructure.

(2) The sufficiency of command and control systems and processes for planning, deconflicting, and executing military cyber operations, tools and weapons for achieving required effects.

(3) Technical intelligence collection and operational preparation of the environment capabilities.

(4) The ability to train personnel, test capabilities, and rehearse missions.

(5) The ability to meet national intelligence requirements.

(6) The ability to correctly and impartially conduct intelligence gain and loss assessments in scenarios with competing requirements.

(d) **REPORTS.**—Not later than 90 days of the date of the enactment of this Act and annually thereafter until a certification is made in accordance with subsection (b)—

(1) the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall submit to the appropriate committees of Congress a report that describes which of the conditions set out under subsection (c) have not been met; and

(2) the Director of National Intelligence shall submit to the appropriate committees of Congress an assessment of the Director's continuing ability to meet national intelligence requirements and appropriately conduct intelligence gain and loss assessments in scenarios with competing requirements.

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **NATIONAL INTELLIGENCE.**—The term “national intelligence” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1242, line 4, strike “committees” and insert “committees, the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives.”.

SA 4526. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as “STEM” disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

(7) attracts and retains faculty involved in scientific disciplines critical to the functions of the Department of Defense;

(8) conducts recruitment activities at universities and community colleges, including HBCUs, or offers internships or apprenticeships; or

(9) establishes programs and outreach efforts to strengthen STEM.

SA 4527. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1180, strike lines 1 through 5 and insert the following:

(1) in paragraph (1)—

(A) by striking “fiscal year 2016” and inserting “fiscal years 2016 and 2017”; and

(B) by striking “the Government of Pakistan” and all that follows and inserting “any country that the Secretary of Defense, with the concurrence of the Secretary of State, has identified as critical for countering the movement of precursor materials for improvised explosive devices into Syria, Iraq, or Afghanistan.”;

(2) in paragraph (2), by striking “the Government of Pakistan” and inserting “a country”;

(3) in paragraph (3), striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) listing each country identified pursuant to paragraph (1);

“(B) detailing the amount of funds to be used with respect to each country identified pursuant to paragraph (1) and the training, equipment, supplies, and services to be provided to such country;

“(C) evaluating the effectiveness of efforts by each country identified pursuant to paragraph (1) to counter the movement of precursor materials for improvised explosive devices; and

“(D) setting forth the overall plan to increase the counter-improvised explosive device capability of each country identified pursuant to paragraph (1).”;

(4) in paragraph (4), by striking “December 31, 2016” and inserting “December 31, 2017”.

(c) **SENSE OF SENATE.**—It is the sense of the Senate that—

(1) the United States Government should continue and should increase interagency efforts to disrupt the flow of improvised explosive devices (IED), precursor chemicals, and components into conflict areas such as Syria, Iraq, and Afghanistan;

(2) the Department of Defense has made sizeable investments to attack the network, defeat the device, and facilitate protection of United States forces for many years and throughout the relevant theaters of operation; and

(3) it is essential that the continuing efforts of the United States to counter improvised explosive devices leverage all instruments of national power, including engagement and investment from diplomatic, economic, and law enforcement departments and agencies.

SA 4528. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle D of title V, add the following:

SEC. 554. REPORTS ON INCIDENTS OF SEXUAL ASSAULT MADE BY MEMBERS OF THE ARMED FORCES TO HEALTH CARE PERSONNEL OF THE DEPARTMENT OF VETERANS AFFAIRS TREATABLE AS DEPARTMENT OF DEFENSE RESTRICTED REPORTS.

(a) **TREATMENT AT ELECTION OF MEMBERS.**—Under procedures established by the Secretary of Veterans Affairs, a report on an incident of sexual assault made by a member of the Armed Forces while undergoing a Separation History and Physical Examination to such health care personnel of the Department of Veterans Affairs performing the examination as the Secretary shall specify for purposes of such procedures may, at the election of the member, be treated as a Restricted Report on the incident for Department of Defense purposes.

(b) **TRANSMITTAL TO DEPARTMENT OF DEFENSE.**—Under procedures jointly established by the Secretary of Veterans Affairs and the Secretary of Defense, a report on an incident of sexual assault treated as a Restricted Report pursuant to subsection (a) shall be transmitted by the Department of Veterans Affairs to such personnel of the Department of Defense who are authorized to access Restricted Reports on incidents of sexual assault as the Secretary of Defense shall specify for purposes of such procedures. The transmittal shall be made in a manner that preserves for all purposes the confidential nature of the report as a Restricted Report.

SA 4529. Mrs. MURRAY (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 562 and insert the following:
SEC. 562. MODIFICATION OF PROGRAM TO ASSIST MEMBERS OF THE ARMED FORCES IN OBTAINING PROFESSIONAL CREDENTIALS.

(a) **SCOPE OF PROGRAM.**—Subsection (a)(1) of section 2015 of title 10, United States Code, is amended by striking “incident to the performance of their military duties”.

(b) **QUALITY ASSURANCE OF CERTIFICATION PROGRAMS AND STANDARDS.**—Subsection (c) of such section is amended—

(1) in paragraph (1), by striking “under subsection (a) is accredited by” and all that follows and inserting “under subsection (a)—
 “(A) is accredited by an accreditation body that meets the requirements in paragraph (2); or
 “(B) meets requirements in paragraph (3) or (4).”; and

(2) by adding at the end the following new paragraphs:
 “(3) A credentialing program meets the requirements in this paragraph if—
 “(A) the program results in a recognized postsecondary credential, including—
 “(i) an industry recognized certificate or certification, including a credential recognized by employers within an industry or sector to meet employment requirements, or where appropriate, a credential endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;
 “(ii) a certificate of completion of a registered apprenticeship; or
 “(iii) a license recognized by a State or the Federal Government; or
 “(B) the credential granted by the program meets standards established by a Federal agency.
 “(4) A credentialing program meets the requirements in this paragraph if the program is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128).”

(c) **REGULATIONS.**—Subsection (d)(3) of such section is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and
 (2) by inserting after subparagraph (C) the following new subparagraph (D):
 “(D) With respect to the provision of credentials under this section that are accepted or preferred by employers within an industry or sector, mechanisms to verify that—
 “(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and
 “(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

“(A) the program results in a recognized postsecondary credential, including—
 “(i) an industry recognized certificate or certification, including a credential recognized by employers within an industry or sector to meet employment requirements, or where appropriate, a credential endorsed by a nationally-recognized trade association or organization representing a significant part of the industry or sector;
 “(ii) a certificate of completion of a registered apprenticeship; or
 “(iii) a license recognized by a State or the Federal Government; or
 “(B) the credential granted by the program meets standards established by a Federal agency.

“(4) A credentialing program meets the requirements in this paragraph if the program is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128).”

(c) **REGULATIONS.**—Subsection (d)(3) of such section is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and
 (2) by inserting after subparagraph (C) the following new subparagraph (D):
 “(D) With respect to the provision of credentials under this section that are accepted or preferred by employers within an industry or sector, mechanisms to verify that—
 “(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and
 “(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

“(D) With respect to the provision of credentials under this section that are accepted or preferred by employers within an industry or sector, mechanisms to verify that—
 “(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and
 “(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

“(i) such credentials are in fact required or preferred for such employment (or advancement in such employment); and
 “(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

“(ii) the provider of such credentialing programs meet quality assurance criteria as the Secretary concerned, in consultation with the Secretary of Labor, considers appropriate necessary to safeguard the integrity of the credentialing program and provide effective stewardship of Federal resources.”.

“(iii) a license recognized by a State or the Federal Government; or
 “(B) the credential granted by the program meets standards established by a Federal agency.
 “(4) A credentialing program meets the requirements in this paragraph if the program is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128).”

“(4) A credentialing program meets the requirements in this paragraph if the program is provided by an eligible training provider under section 122 of the Workforce Innovation and Opportunity Act (Public Law 113-128).”

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) **COMPENSATION.**—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including its territorial seas)” after “served in the Republic of Vietnam” each place such phrase appears.

(b) **HEALTH CARE.**—Section 1710(e)(4) of such title is amended by inserting “(including its territorial seas)” after “served on active duty in the Republic of Vietnam”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

SEC. 1098. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) **IN GENERAL.**—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114-113), is amended—

(1) by amending to section heading to read as follows: “**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**”; and
 (2) by striking subsections (a) and (b) and inserting the following:

“(a) **TEMPORARY L VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by \$4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

“(b) **TEMPORARY H-1B VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”.

“(b) **TEMPORARY H-1B VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”.

“(b) **TEMPORARY H-1B VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”.

(b) **EFFECTIVE DATES.**—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and
 (2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4531. Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mr. SCHUMER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year

2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. IMPLEMENTATION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

Not later than 6 months after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete sections 1512 and 1517 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1162 and 1167).

SA 4532. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add the following:

SEC. 877. COMPTROLLER GENERAL REPORT ON SOLID ROCKET MOTOR (SRM) INDUSTRIAL BASE FOR TACTICAL MISSILES.

(a) **IN GENERAL.**—Not later than March 31, 2017, the Comptroller General of the United States shall submit to the congressional defense committees a report on the solid rocket motor (SRM) industrial base for tactical missiles.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) A review of all Department of Defense reports that have been published since 2009 on the United States tactical solid rocket motor (SRM) industrial base, together with the analyses underlying such reports.

(2) An examination of the factors the Department uses in awarding SRM contracts and that Department of Defense contractors use in awarding SRM subcontracts, including cost, schedule, technical qualifications, supply chain diversification, past performance, and other evaluation factors, such as meeting offset obligations under foreign military sales agreements.

(3) An assessment of the foreign-built portion of the United States SRM market and of the effectiveness of actions taken by the Department to address the declining state of the United States tactical SRM industrial base.

SA 4533. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle J—Open Government Data

SEC. 1097. SHORT TITLE.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

SEC. 1098. FINDINGS; AGENCY DEFINED.

(a) **FINDINGS.**—Congress finds the following:

(1) Federal Government data is a valuable national resource. Managing Federal Government data to make it open, available, discoverable, and useable to the general public, businesses, journalists, academics, and advocates promotes efficiency and effectiveness in Government, creates economic opportunities, promotes scientific discovery, and most importantly, strengthens our democracy.

(2) Maximizing the usefulness of Federal Government data that is appropriate for release rests upon making it readily available, discoverable, and usable—in a word: open. Information presumptively should be available to the general public unless the Federal Government reasonably foresees that disclosure could harm a specific, articulable interest protected by law or the Federal Government is otherwise expressly prohibited from releasing such data due to statutory requirements.

(3) The Federal Government has the responsibility to be transparent and accountable to its citizens.

(4) Data controlled, collected, or created by the Federal Government should be originated, transmitted, and published in modern, open, and electronic format, to be as readily accessible as possible, consistent with data standards imbued with authority under this subtitle and to the extent permitted by law.

(5) The effort to inventory Government data will have additional benefits, including identifying opportunities within agencies to reduce waste, increase efficiencies, and save taxpayer dollars. As such, this effort should involve many types of data, including data generated by applications, devices, networks, and equipment, which can be harnessed to improve operations, lower energy consumption, reduce costs, and strengthen security.

(6) Communication, commerce, and data transcend national borders. Global access to Government information is often essential to promoting innovation, scientific discovery, entrepreneurship, education, and the general welfare.

(b) **AGENCY DEFINED.**—In this subtitle, the term “agency” has the meaning given that term in section 3502 of title 44, United States Code, and includes the Federal Election Commission.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle, or the amendments made by this subtitle, shall be construed to require the disclosure of information or records that are exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

SEC. 1099A. FEDERAL INFORMATION POLICY DEFINITIONS.

Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking “; and” at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

“(16) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;

“(17) the term ‘Enterprise Data Inventory’ means the data inventory developed and maintained pursuant to section 3523;

“(18) the term ‘machine-readable’ means a format in which information or data can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

“(19) the term ‘metadata’ means structural or descriptive information about data such as content, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

“(20) the term ‘nonpublic data asset’—

“(A) means a data asset that may not be made available to the public for privacy, security, confidentiality, regulation, or other reasons as determined by law; and

“(B) includes data provided by contractors that is protected by contract, license, patent, trademark, copyright, confidentiality, regulation, or other restriction;

“(21) the term ‘open format’ means a technical format based on an underlying open standard that is—

“(A) not encumbered by restrictions that would impede use or reuse; and

“(B) based on an underlying open standard that is maintained by a standards organization;

“(22) the term ‘open Government data’ means a Federal Government public data asset that is—

“(A) machine-readable;

“(B) available in an open format; and

“(C) part of the worldwide public domain or, if necessary, published with an open license;

“(23) the term ‘open license’ means a legal guarantee applied to a data asset that is made available to the public that such data asset is made available—

“(A) at no cost to the public; and

“(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting; and

“(24) the term ‘public data asset’ means a collection of data elements or a data set maintained by the Government that—

“(A) may be released; or

“(B) has been released to the public in an open format and is discoverable through a search of Data.gov.”.

SEC. 1099B. REQUIREMENT FOR MAKING OPEN AND MACHINE-READABLE THE DEFAULT FOR GOVERNMENT DATA.

(a) **AMENDMENT.**—Subchapter I of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

“§ 3522. Requirements for Government data

“(a) **MACHINE-READABLE DATA REQUIRED.**—Government data assets made available by an agency shall be published as machine-readable data.

“(b) **OPEN BY DEFAULT.**—When not otherwise prohibited by law, and to the extent practicable, Government data assets shall—

“(1) be available in an open format; and

“(2) be available under open licenses.

“(c) **OPEN LICENSE OR WORLDWIDE PUBLIC DOMAIN DEDICATION REQUIRED.**—When not otherwise prohibited by law, and to the extent practicable, Government data assets published by or for an agency shall be made available under an open license or, if not made available under an open license and appropriately released, shall be considered to be published as part of the worldwide public domain.

“(d) **INNOVATION.**—Each agency may engage with nongovernmental organizations, citizens, non-profit organizations, colleges and universities, private and public companies, and other agencies to explore opportunities to leverage the agency’s public data asset in a manner that may provide new opportunities for innovation in the public and private sectors in accordance with law and regulation.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after the item relating to section 3521 the following:

“3522. Requirements for Government data.”.

(c) **EFFECTIVE DATE.**—Notwithstanding section 1099G, the amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act and shall apply with respect to any contract entered into by an agency on or after such effective date.

(d) **USE OF OPEN DATA ASSETS.**—Not later than 1 year after the date of enactment of this Act, the head of each agency shall ensure that any activities by the agency or any new contract entered into by the agency meet the requirements of section 3522 of title 44, United States Code, as added by subsection (a).

SEC. 1099C. RESPONSIBILITIES OF THE OFFICE OF ELECTRONIC GOVERNMENT.

(a) **COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.**—Section 3503 of title 44, United States Code, is amended by adding at the end the following:

“(c) **COORDINATION OF FEDERAL INFORMATION RESOURCES MANAGEMENT POLICY.**—The Federal Chief Information Officer shall work in coordination with the Administrator of the Office of Information and Regulatory Affairs and with the heads of other offices within the Office of Management and Budget to oversee and advise the Director on Federal information resources management policy.”.

(b) **AUTHORITY AND FUNCTIONS OF DIRECTOR.**—Section 3504(h) of title 44, United States Code, is amended—

(1) in paragraph (1), by inserting “, the Federal Chief Information Officer,” after “the Director of the National Institute of Standards and Technology”; and

(2) in paragraph (4)—

(A) in subparagraph (A), by striking “; and” and inserting a semicolon; and

(B) by adding at the end the following:

“(C) oversee the completeness of the Enterprise Data Inventory and the extent to which the agency is making all data collected and generated by the agency available to the public in accordance with section 3523;”;

(3) in paragraph (5), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(6) coordinate the development and review of Federal information resources management policy by the Administrator of the Office of Information and Regulatory Affairs and the Federal Chief Information Officer.”.

(c) **CHANGE OF NAME OF THE OFFICE OF ELECTRONIC GOVERNMENT.**—

(1) **DEFINITIONS.**—Section 3601 of title 44, United States Code, is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively; and

(C) by inserting after paragraph (3), as so redesignated, the following:

“(4) ‘Federal Chief Information Officer’ means the Federal Chief Information Officer of the Office of the Federal Chief Information Officer established under section 3602;”.

(2) OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking “**Electronic Government**” and inserting “**the Federal Chief Information Officer**”;

(B) in subsection (a), by striking “Office of Electronic Government” and inserting “Office of the Federal Chief Information Officer”;

(C) in subsection (b), by striking “an Administrator” and inserting “a Federal Chief Information Officer”;

(D) in subsection (c), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(E) in subsection (d), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(F) in subsection (e), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking “the Administrator shall” and inserting “the Federal Chief Information Officer shall”;

(ii) in paragraph (16), by striking “the Office of Electronic Government” and inserting “the Office of the Federal Chief Information Officer”; and

(H) in subsection (g), by striking “the Office of Electronic Government” and inserting “the Office of the Federal Chief Information Officer”.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”;

(B) in subsection (c)(1), by striking “The Administrator of the Office of Electronic Government” and inserting “The Federal Chief Information Officer”; and

(C) in subsection (f)(3), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(4) E-GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in subsection (a)(2), by striking “the Administrator of the Office of Electronic Government” and inserting “the Federal Chief Information Officer”;

(B) in subsection (b), by striking “Administrator” each place it appears and inserting “Federal Chief Information Officer”; and

(C) in subsection (c), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended—

(A) in subsection (a), by striking “The Administrator” and inserting “The Federal Chief Information Officer”;

(B) in subsection (b), by striking “, the Administrator,” and inserting “, the Federal Chief Information Officer,”; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking “The Administrator” and inserting “The Federal Chief Information Officer”; and

(II) by striking “proposals submitted to the Administrator” and inserting “proposals submitted to the Federal Chief Information Officer”;

(ii) in paragraph (2), by striking “the Administrator” and inserting “the Federal Chief Information Officer”; and

(iii) in paragraph (4), by striking “the Administrator” and inserting “the Federal Chief Information Officer”.

(6) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 36 of title 44, United States Code, is amended by striking the item relating to section 3602 and inserting the following:

“3602. Office of the Federal Chief Information Officer.”.

(B) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking “Administrator of the Office of Electronic Government” and inserting “Federal Chief Information Officer”.

(C) OFFICE OF ELECTRONIC GOVERNMENT.—Section 507 of title 31, United States Code, is amended by striking “The Office of Electronic Government” and inserting “The Office of the Federal Chief Information Officer”.

(D) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—Section 305 of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” and inserting “Federal Chief Information Officer”.

(E) CAPITAL PLANNING AND INVESTMENT CONTROL.—Section 11302(c)(4) of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”.

(F) RESOURCES, PLANNING, AND PORTFOLIO MANAGEMENT.—The second subsection (c) of section 11319 of title 40, United States Code, is amended by striking “Administrator of the Office of Electronic Government” each place it appears and inserting “Federal Chief Information Officer”.

(G) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—

(i) Section 2222(i)(6) of title 10, United States Code, is amended by striking “section 3601(4)” and inserting “section 3601(3)”.

(ii) Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3100(k)(1)) is amended by striking “section 3601(4)” and inserting “section 3601(3)”.

(7) RULE OF CONSTRUCTION.—The amendments made by this subsection are for the purpose of changing the name of the Office of Electronic Government and the Administrator of such office and shall not be construed to affect any of the substantive provisions of the provisions amended or to require a new appointment by the President.

SEC. 1099D. DATA INVENTORY AND PLANNING.

(a) ENTERPRISE DATA INVENTORY.—

(1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, as amended by section 1099B, is amended by adding at the end the following:

“§ 3523. Enterprise data inventory

“(a) AGENCY DATA INVENTORY REQUIRED.—

“(1) IN GENERAL.—In order to develop a clear and comprehensive understanding of the data assets in the possession of an agency, the head of each agency, in consultation with the Director of the Office of Management and Budget, shall develop and maintain an enterprise data inventory (in this section referred to as the ‘Enterprise Data Inventory’) that accounts for any data asset created, collected, under the control or direction of, or maintained by the agency after the effective date of this section, with the ultimate goal of including all data assets, to the extent practicable.

“(2) CONTENTS.—The Enterprise Data Inventory shall include each of the following:

“(A) Data assets used in agency information systems, including program administration, statistical, and financial activity.

“(B) Data assets shared or maintained across agency programs and bureaus.

“(C) Data assets that are shared among agencies or created by more than 1 agency.

“(D) A clear indication of all data assets that can be made publicly available under section 552 of title 5 (commonly referred to as the ‘Freedom of Information Act’).

“(E) A description of whether the agency has determined that an individual data asset may be made publicly available and whether the data asset is currently available to the public.

“(F) Non-public data assets.

“(G) Government data assets generated by applications, devices, networks, and equipment, categorized by source type.

“(b) PUBLIC AVAILABILITY.—The Chief Information Officer of each agency shall use the guidance provided by the Director issued pursuant to section 3504(a)(1)(C)(ii) to make public data assets included in the Enterprise Data Inventory publicly available in an open format and under an open license.

“(c) NON-PUBLIC DATA.—Non-public data included in the Enterprise Data Inventory may be maintained in a non-public section of the inventory.

“(d) AVAILABILITY OF ENTERPRISE DATA INVENTORY.—The Chief Information Officer of each agency—

“(1) shall make the Enterprise Data Inventory available to the public on Data.gov;

“(2) shall ensure that access to the Enterprise Data Inventory and the data contained therein is consistent with applicable law and regulation; and

“(3) may implement paragraph (1) in a manner that maintains a non-public portion of the Enterprise Data Inventory.

“(e) REGULAR UPDATES REQUIRED.—The Chief Information Officer of each agency shall—

“(1) to the extent practicable, complete the Enterprise Data Inventory for the agency not later than 1 year after the date of enactment of this section; and

“(2) add additional data assets to the Enterprise Data Inventory for the agency not later than 90 days after the date on which the data asset is created or identified.

“(f) USE OF EXISTING RESOURCES.—When practicable, the Chief Information Officer of each agency shall use existing procedures and systems to compile and publish the Enterprise Data Inventory for the agency.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by section 5, is amended by inserting after the item relating to section 3522 the following:

“3523. Enterprise data inventory.”.

(b) STANDARDS FOR ENTERPRISE DATA INVENTORY.—Section 3504(a)(1) of title 44, United States Code, is amended—

(1) in subparagraph (A), by striking “; and” and inserting a semicolon;

(2) in subparagraph (B)(vi), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) issue standards for the Enterprise Data Inventory described in section 3523, including—

“(i) a requirement that the Enterprise Data Inventory include a compilation of metadata about agency data assets; and

“(ii) criteria that the head of each agency shall use in determining whether to make a particular data asset publicly available in a manner that takes into account—

“(I) the expectation of confidentiality associated with an individual data asset;

“(II) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(III) the cost and value to the public of converting the data into a manner that could be understood and used by the public;

“(IV) the expectation that all data assets that would otherwise be made available under section 552 of title 5 (commonly referred to as the ‘Freedom of Information Act’) be disclosed; and

“(V) any other considerations that the Director determines to be relevant.”.

(c) **FEDERAL AGENCY RESPONSIBILITIES.**—Section 3506 of title 44, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking “security,” and inserting the following: “security by—

“(i) using open format for any new Government data asset created or obtained on the date that is 1 year after the date of enactment of this clause; and

“(ii) to the extent practicable, encouraging the adoption of open form for all open Government data created or obtained before the date of enactment of this clause;”.

(B) in paragraph (4), by striking “subchapter; and” and inserting “subchapter and a review of each agency’s Enterprise Data Inventory described in section 3523;”;

(C) in paragraph (5), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(6) in consultation with the Director, develop an open data plan as a part of the requirement for a strategic information resources management plan described in paragraph (2) that, at a minimum and to the extent practicable—

“(A) requires the agency to develop processes and procedures that—

“(i) require each new data collection mechanism to use an open format; and

“(ii) allow the agency to collaborate with non-Government entities, researchers, businesses, and private citizens for the purpose of understanding how data users value and use open Government data;

“(B) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability, recommendations for improvements, and complaints about adherence to open data requirements in accordance with subsection (d)(2);

“(C) develops and implements a process to evaluate and improve the timeliness, completeness, accuracy, usefulness, and availability of open Government data;

“(D) requires the agency to update the plan at an interval determined by the Director;

“(E) includes requirements for meeting the goals of the agency open data plan including technology, training for employees, and implementing procurement standards, in accordance with existing law, that allow for the acquisition of innovative solutions from the public and private sector; and

“(F) prohibits the dissemination and accidental disclosure of nonpublic data assets.”;

(2) in subsection (c), by striking “With respect to” and inserting “Except as provided under subsection (j), with respect to”;

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “shall”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “shall” before “ensure”;

(ii) in subparagraph (A), by striking “sources” and inserting “sources and uses”; and

(iii) in subparagraph (C), by inserting “, including providing access to open Government data online” after “economical manner”;

(C) in paragraph (2), by inserting “shall” before “regularly”;

(D) in paragraph (3)—

(i) by inserting “shall” before “provide”; and

(ii) by striking “; and” and inserting a semicolon;

(E) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “may” before “not”; and

(ii) by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

“(5) shall take the necessary precautions to ensure that the agency maintains the production and publication of data assets which are directly related to activities that protect the safety of human life or property, as identified by the open data plan of the agency required by subsection (b)(6); and

“(6) may engage the public in using open Government data and encourage collaboration by—

“(A) publishing information on open Government data usage in regular, timely intervals, but not less than annually;

“(B) receiving public input regarding priorities for the analysis and disclosure of data assets to be published;

“(C) assisting civil society groups and members of the public working to expand the use of open Government data; and

“(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from open Government data.”; and

(4) by adding at the end the following:

“(j) **COLLECTION OF INFORMATION EXCEPTION.**—Notwithstanding subsection (c), an agency is not required to meet the requirements of paragraphs (2) and (3) of such subsection if—

“(1) the waiver of those requirements is approved by the head of the agency;

“(2) the collection of information is—

“(A) online and electronic;

“(B) voluntary and there is no perceived or actual tangible benefit to the provider of the information;

“(C) of an extremely low burden that is typically completed in 5 minutes or less; and

“(D) focused on gathering input about the performance of, or public satisfaction with, an agency providing service; and

“(3) the agency publishes representative summaries of the collection of information under subsection (c).”.

(d) **REPOSITORY.**—The Director of the Office of Management and Budget shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices. The repository shall—

(1) include definitions, regulation and policy, checklists, and case studies related to open data, this subtitle, and the amendments made by this subtitle; and

(2) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices.

(e) **SYSTEMATIC AGENCY REVIEW OF OPERATIONS.**—Section 305 of title 5, United States Code, is amended—

(1) in subsection (b), by adding at the end the following: “To the extent practicable, each agency shall use existing data to support such reviews if the data is accurate and complete.”;

(2) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) determining the status of achieving the mission, goals, and objectives of the agency as described in the strategic plan of the agency published pursuant to section 306;”;

(3) by adding at the end the following:

“(d) **OPEN DATA COMPLIANCE REPORT.**—Not later than 1 year after the date of enactment of this subsection, and every 2 years thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with the Open, Public, Electronic, and Necessary Government Data Act and the amendments made by that Act.”.

(f) **GAO REPORT.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies—

(1) the value of information made available to the public as a result of this subtitle and the amendments made by this subtitle;

(2) whether it is valuable to expand the publicly available information to any other data assets; and

(3) the completeness of the Enterprise Data Inventory at each agency required under section 3523 of title 44, United States Code, as added by this section.

SEC. 8. TECHNOLOGY PORTAL.

(a) **AMENDMENT.**—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting after section 3511 the following:

“§ 3511A. Technology portal

“(a) **DATA.GOV REQUIRED.**—The Administrator of General Services shall maintain a single public interface online as a point of entry dedicated to sharing open Government data with the public.

“(b) **COORDINATION WITH AGENCIES.**—The Director of the Office of Management and Budget shall determine, after consultation with the head of each agency and the Administrator of General Services, the method to access any open Government data published through the interface described in subsection (a).”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for subchapter I of chapter 35 of title 44, United States Code, as amended by this subtitle, is amended by inserting after the item relating to section 3511 the following:

“3511A. Technology portal.”.

(c) **DEADLINE.**—Not later than 180 days after the date of enactment of this Act, the Administrator of General Services shall meet the requirements of section 3511A(a) of title 44, United States Code, as added by subsection (a).

SEC. 1099E. ENHANCED RESPONSIBILITIES FOR CHIEF INFORMATION OFFICERS AND CHIEF INFORMATION OFFICERS COUNCIL DUTIES.

(a) **AGENCY CHIEF INFORMATION OFFICER GENERAL RESPONSIBILITIES.**—

(1) GENERAL RESPONSIBILITIES.—Section 11315(b) of title 40, United States Code, is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(4) data asset management, format standardization, sharing of data assets, and publication of data assets;

“(5) the compilation and publication of the Enterprise Data Inventory for the agency required under section 3523 of title 44;

“(6) ensuring that agency data conforms with open data best practices;

“(7) ensuring compliance with the requirements of subsections (b), (c), (d), and (f) of section 3506 of title 44;

“(8) engaging agency employees, the public, and contractors in using open Government data and encourage collaborative approaches to improving data use;

“(9) supporting the agency Performance Improvement Officer in generating data to support the function of the Performance Improvement Officer described in section 1124(a)(2) of title 31;

“(10) reviewing the information technology infrastructure of the agency and the impact of such infrastructure on making data assets accessible to reduce barriers that inhibit data asset accessibility;

“(11) ensuring that, to the extent practicable, the agency is maximizing its own use of data, including data generated by applications, devices, networks, and equipment owned by the Government and such use is not otherwise prohibited, to reduce costs, improve operations, and strengthen security and privacy protections; and

“(12) identifying points of contact for roles and responsibilities related to open data use and implementation as required by the Director of the Office of Management and Budget.”.

(2) ADDITIONAL DEFINITIONS.—Section 11315 of title 40, United States Code, is amended by adding at the end the following:

“(d) ADDITIONAL DEFINITIONS.—In this section, the terms ‘data’, ‘data asset’, ‘Enterprise Data Inventory’, and ‘open Government data’ have the meanings given those terms in section 3502 of title 44.”.

(b) AMENDMENT.—Section 3603(f) of title 44, United States Code, is amended by adding at the end the following:

“(8) Work with the Office of Government Information Services and the Director of the Office of Science and Technology Policy to promote data interoperability and comparability of data assets across the Government.”.

SEC. 1099F. EVALUATION OF AGENCY ANALYTICAL CAPABILITIES.

(a) AGENCY REVIEW OF EVALUATION AND ANALYSIS CAPABILITIES; REPORT.—Not later than 3 years after the date of enactment of this Act, the Chief Operating Officer of each agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Director of the Office of Management and Budget a report on the review described in subsection (b).

(b) REQUIREMENTS OF AGENCY REVIEW.—The report required under subsection (a) shall assess the coverage, quality, methods, effectiveness, and independence of the agency’s evaluation research and analysis efforts, including each of the following:

(1) A list of the activities and operations of the agency that are being evaluated and ana-

lyzed and the activities and operations that have been evaluated and analyzed during the previous 5 years.

(2) The extent to which the evaluations research and analysis efforts and related activities of the agency support the needs of various divisions within the agency.

(3) The extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, interagency and private sector coordination, internal and external oversight, and accountability.

(4) The extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches.

(5) The extent to which evaluation and research capacity is present within the agency to include personnel, agency process for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback.

(6) The extent to which the agency has the capacity to assist front-line staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.

(c) GAO REVIEW OF AGENCY REPORTS.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that summarizes agency findings and highlights trends from the reports submitted pursuant to subsection (a) and, if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

SEC. 1099G. EFFECTIVE DATE.

This subtitle, and the amendments made by this subtitle, shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 4534. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1086, between lines 18 and 19, insert the following:

“(D) Comprehensive evaluations of the short-term, medium-term, and, when appropriate, long-term effectiveness of initiatives to build partner capacities informed by the perspectives of the recipient countries on such effectiveness of such programs and activities, including regular evaluations of such initiatives in the geographic area of responsibility of each geographic combatant command, where applicable.

SA 4535. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MEAT OPTIONS.

(a) IN GENERAL.—Dining facilities of the Department of Defense and the Department of Homeland Security, in the case of the Coast Guard when it is not operating as a service in the Navy, shall provide members of the Armed Forces on a daily basis with meat options that meet or exceed the nutritional standards established in the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341).

(b) PROHIBITION.—None of the funds authorized to be appropriated by this Act may be obligated or expended to establish or enforce “Meatless Monday” or any other program explicitly designed to reduce the amount of animal protein that members of the Armed Forces voluntarily consume.

SA 4536. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. EXTENSION OF DEADLINE FOR MILITARY TRAINING STATES.

(a) DESIGNATION SUBMISSION.—Notwithstanding any other provision of law, not later than October 26, 2024, in the case of a State in which an installation or activity of the Department of Defense (as defined in section 101(a)(6) of title 10, United States Code) is located, with respect to the final rule entitled “National Ambient Air Quality Standards for Ozone” (80 Fed. Reg. 65292 (October 26, 2015)) (referred to in this section as the “2015 ozone standards”), the Governor of each State, in accordance with section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) shall designate all areas, or portions of areas, of the State as attainment, nonattainment, or unclassified with respect to the 2015 ozone standards.

(b) DESIGNATION PROMULGATION.—Notwithstanding any other provision of law, not later than October 26, 2025, in the case of a State in which an installation or activity of the Department of Defense is located, the Administrator of the Environmental Protection Agency shall promulgate final designations under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) for all areas of the State with respect to the 2015 ozone standards, including any modification to a designation submitted under subsection (a).

(c) STATE IMPLEMENTATION PLANS.—Notwithstanding the deadline described in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), not later than October 26, 2026, in the case of a State in which an installation or activity of the Department of Defense is located, the State shall submit to the Administrator of the Environmental Protection Agency an implementation plan required under that section with respect to the 2015 ozone standards.

(d) PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—In the case of a State in which an installation or activity of the Department of Defense is located, the 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) if the Administrator or the State, local, or tribal permitting authority, as applicable—

(A) determines that the preconstruction permit application is complete before the date on which final designations are promulgated; or

(B) publishes a public notice of a preliminary determination or draft permit before the date that is 60 days after the date on which final designations are promulgated.

(2) GUIDANCE FOR IMPLEMENTATION.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish final regulations and guidance for implementing the national ambient air quality standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised national ambient air quality standard.

(3) APPLICABILITY OF NATIONAL AMBIENT AIR QUALITY STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish the final regulations and guidance referred to in paragraph (2) that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with the national ambient air quality standard, the new or revised national ambient air quality standard shall not apply to the review and disposition of a preconstruction permit application until the date on which the Administrator publishes the final regulations and guidance.

SA 4537. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. MITIGATION OF RISKS POSED BY ZIKA VIRUS.

(a) INSECT REPELLENT AND OTHER MEASURES TO PROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.—Funds authorized to be appropriated by this Act or otherwise made available for operation and maintenance, Defense-wide, shall be made available for the deployment of insect repellent and other appropriate measures for members of the Armed Forces and Department of Defense civilian personnel stationed in or deployed to areas affected by the Zika virus, as well as the treatment for insects at military installations located in areas affected by the Zika virus inside and outside the United States. The Department shall provide support as appropriate to foreign governments to counter insects at foreign military installations where members of the Armed Forces and Department of Defense civilian personnel are stationed in areas affected by the Zika virus.

(b) REPORT ON EFFORTS TO MITIGATE RISK TO SERVICE MEMBERS POSED BY THE ZIKA VIRUS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the risk members of the Armed Forces face of contracting the Zika virus and the mitigation efforts being taken by the Department of Defense in response. The report shall include a strategy to counter the virus should it become a long-term issue.

(c) AREAS AFFECTED BY THE ZIKA VIRUS DEFINED.—In this section, the term “areas affected by the Zika virus” means areas under a level 2 or level 3 travel advisory notice issued by the Centers for Disease Control and Prevention related to the Zika virus.

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 862.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII of division A, insert the following:

SEC. 829K. PROHIBITION ON CONTRACTING WITH EMPLOYERS THAT ENGAGE IN WAGE THEFT BY STEALING EMPLOYEES' WAGES.

(a) IN GENERAL.—Notwithstanding section 829H, the Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Labor Compliance Advisor of the Department of Defense determines to have owed, during the 3-year period preceding the request for proposals for the contract, employees, or individuals who are former employees, a cumulative amount of more than \$100,000 in unpaid wages and associated damages resulting from violations of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.) as determined by the Secretary of Labor or a court of competent jurisdiction.

(b) APPLICABLE CONTRACT.—A contract described in this subsection is any procurement contract for goods and services, including construction, in which the estimated value of the supplies acquired and services required exceeds \$500,000.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for

fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII of division A, insert the following:

SEC. 829K. PROHIBITION ON CONTRACTING WITH DISCRIMINATORY CONTRACTORS.

(a) IN GENERAL.—Notwithstanding section 829H, the Secretary of Defense may not enter into any contract described in subsection (b) with any person or business that the Labor Compliance Advisor of the Department of Defense determines to have engaged, during the 3-year period preceding the request for proposals for the contract, in serious, repeated, willful, or pervasive discrimination (as defined under Executive Order 13673 (79 Fed. Reg. 45309; relating to Fair Pay and Safe Workplaces)) on the basis of sex in the payment of wages in violation of section 6(d) of the Fair Labor Standards Act of 1938 (commonly known as the “Equal Pay Act of 1963”) (29 U.S.C. 206(d)) or of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(b) APPLICABLE CONTRACT.—A contract described in this subsection is any procurement contract for goods and services, including construction, in which the estimated value of the supplies acquired and services required exceeds \$500,000.

SA 4541. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE DEMOGRAPHIC COMPOSITION OF THE SERVICE ACADEMIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the demographic composition of the service academies.

(b) ELEMENTS.—The report required by subsection (a) shall include, for each service academy, the following:

(1) The gender and ethnic group (in this subsection referred as the “demographic composition”) of the recruits in the four most recent matriculating classes.

(2) The demographic composition of the nominees in the four most recent matriculating classes.

(3) The demographic composition of the applicants in the four most recent matriculating classes.

(4) The demographic composition of the four most recent graduating classes.

(5) The number, demographic composition, and current grades of graduates on active duty of each graduating class that graduated 10 years, 20 years, and 25 years before the current graduating class.

(c) SERVICE ACADEMIES DEFINED.—In this section, the term “services academies” means the following:

- (1) The United States Military Academy.
- (2) The Naval Academy.
- (3) The Air Force Academy.
- (4) The Coast Guard Academy.
- (5) The Merchant Marine Academy.

SA 4542. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. WATER RESOURCE AGREEMENTS WITH FOREIGN ALLIES AND ORGANIZATIONS IN SUPPORT OF CONTINGENCY OPERATIONS.

The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of allied countries and organizations described in section 2350(a)(2) of title 10, United States Code, to develop land-based water resources in support of and in preparation for contingency operations, including water efficiency, reuse, selection, pumping, purification, storage, research and development, distribution, cooling, consumption, water source intelligence, training, acquisition of water support equipment, and water support operations.

SA 4543. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. NATIONAL LANGUAGE SERVICE CORPS.

Section 813(a)(1) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1913(a)(1)) is amended by striking “may” and inserting “shall”.

SA 4544. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 538. ACCOMMODATIONS FOR THE WEARING OF ARTICLES OF FAITH ALONG WITH THE UNIFORM FOR MEMBERS OF THE ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, in order to increase the effi-

ciency of the process by which the Armed Forces address religious accommodation requests, the Department of Defense should—

(1) expeditiously and clearly define and publish a list of religious apparel considered “neat and conservative” for purposes of section 774 of title 10, United States Code, which list should include uniform standards for articles of faith such as those worn by observant Sikhs, orthodox Jews, and Muslims;

(2) modify the process for addressing religious accommodation requests in order to provide that decisions on such requests of current members of the Armed Forces are issued not later than 30 calendar days after the filing of the requests;

(3) for individuals accessing into the Armed Forces, provide that decisions on religious accommodation requests are made not later than the earlier of—

(A) 30 calendar days after the filing of the requests; or

(B) the date on which such individuals access into the Armed Forces;

(4) provide that—

(A) any approval of a religious accommodation request of a member applies to the member throughout the member’s service in the Armed Forces; and

(B) a new religious accommodation request be required of a member only if there is a significant change in the member’s duties that raises issues of health and welfare;

(5) provide that members not be required to violate their religious beliefs while a religious accommodation request is pending in a manner such that—

(A) while a request is pending, the member concerned be permitted to wear articles of faith consistent with the member’s beliefs; and

(B) individuals accessing into the Armed Forces be permitted to observe religious requirements, including requirements for religious apparel, grooming, and appearance, during the pendency of their requests;

(6) provide that religious accommodation requests be approved at the lowest level possible of command and, as appropriate, forwarded to the Secretary of the military department; and

(7) not require any unnecessary testing in connection with resolving religious accommodation requests.

(b) ANNUAL REPORTS ON RELIGIOUS ACCOMMODATION PROCESSES OF THE ARMED FORCES.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the next seven years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A description of the current process of each Armed Force for addressing religious accommodation requests.

(2) The number of religious accommodation requests submitted to each Armed Force during the one-year period ending on the date of such report.

(3) The average processing time of each Armed Force for religious accommodation requests during such period.

(4) A comparison of the number and nature of religious accommodation requests approved during such period with the number and description of grooming standard exemptions approved during such period, set forth by Armed Force.

(5) A description of the impact, if any, on members of the need for renewed religious accommodation requests in connection with promotion, new duties, or transition through commands during such period, set forth by Armed Force.

(c) RELIGIOUS ACCOMMODATION REQUEST DEFINED.—In this section, the term “religious accommodation request” means the request of a member of the Armed Forces to wear articles of faith consistent with the member’s beliefs along with the uniform.

SA 4545. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT ON SUPPLIES OF HEAVY WATER FOR SCIENTIFIC AND COMMERCIAL RESEARCH.

Not later than 60 days after the date of enactment of this Act, the Secretary of Energy shall submit to the appropriate committees of Congress a report that addresses the options available to the Federal Government for meeting domestic requirements for supplies of heavy water for scientific and commercial research.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. LIMITATION ON FUNDING FOR UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE.

None of the funds authorized to be appropriated by this Act or any other Act may be obligated or expended for the United Nations Framework Convention on Climate Change, or subsidiary entities including the Green Climate Fund, as long as Palestine is recognized as a party to the Convention, as required by—

(1) section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 22 U.S.C. 287e note); and

(2) section 414 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 22 U.S.C. 287e note).

SA 4547. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROHIBITION ON DISCRIMINATION AGAINST CERTAIN SERVICE-MEMBERS WITH RESPECT TO CREDIT TRANSACTIONS.

(a) IN GENERAL.—Title II of the Servicemembers Civil Relief Act (50 U.S.C.

3931 et seq.) is amended by adding at the end the following:

“SEC. 209. PROHIBITION ON DISCRIMINATION IN CREDIT TRANSACTIONS.

“(a) **PROHIBITION.**—It shall be unlawful for any creditor to discriminate against a covered servicemember with respect to any aspect of a credit transaction because of the status of the covered servicemember as a covered servicemember.

“(b) **ENFORCEMENT.**—In addition to the enforcement authority under title VIII, the Bureau of Consumer Financial Protection shall be authorized to enforce the requirements of this section.

“(c) **DEFINITIONS.**—In this section:

“(1) The term ‘covered servicemember’ means a service member as follows:

“(A) A servicemember on active duty, as defined in section 101(d)(1) of title 10, United States Code.

“(B) A servicemember on active duty for a period of more than 30 days, as defined in section 101(d)(2) of title 10, United States Code.

“(C) A servicemember on active Guard and Reserve duty, as defined in section 101(d)(6) of title 10, United States Code.

“(2) The term ‘creditor’ has the meaning given that term in section 702 of the Equal Credit Opportunity Act (15 U.S.C. 1691a).”

(b) **CLERICAL AMENDMENT.**—The table of contents in section 1(b) of the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) is amended by inserting after the item relating to section 208 the following new item:

“Sec. 209. Prohibition on discrimination in credit transactions.”

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. MCCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXV, add the following:

SEC. 3503. FIRE-RETARDANT MATERIALS EXEMPTION.

Section 3503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “2008, this section does not” and inserting “2028, this subsection shall not”; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A), by striking “of this section” and inserting “under subsection (a)”;;

(B) in subparagraph (A), by inserting “and crew” after “prospective passengers”;

(C) in subparagraph (B), by inserting “or crew member” after “passenger”;

(D) in subparagraph (C), by striking “and” at the end; and

(E) by striking subparagraph (D) and inserting the following:

“(D) the owner or managing operator of the vessel shall—

“(i) make annual structural alterations to at least 10 percent of the areas of the vessel that are not constructed of fire-retardant materials;

“(ii) provide advance notice to the Coast Guard regarding the alterations made pursuant to clause (i); and

“(iii) comply with any noncombustible material requirements prescribed by the Coast Guard; and

“(E) the requirements referred to in subparagraph (D)(iii) shall be consistent, to the extent practicable, with the preservation of the historic integrity of the vessel in areas carrying or accessible to passengers or generally visible to the public.”

SA 4549. Mr. REED (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. MCCAIN to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end, add the following:

SEC. 1513. OTHER OVERSEAS CONTINGENCY OPERATIONS MATTERS.

(a) **ADJUSTMENTS.**—Section 101(d) of the Bipartisan Budget Act of 2015 (Public Law 114-74; 129 Stat. 587) is amended—

(1) by striking paragraph (2)(B) and inserting the following:

“(B) for fiscal year 2017, \$76,798,000,000.”; and

(2) by inserting after paragraph (2) the following:

“(3) For purposes authorized by section 1513(b) of the National Defense Authorization Act of 2017, \$18,000,000,000.”

(b) **ADDITIONAL PURPOSES.**—In addition to amounts already authorized to be appropriated or made available under an appropriation Act making appropriations for fiscal year 2017, there are authorized to be appropriated for fiscal year 2017—

(1) \$2,000,000,000 to address cybersecurity vulnerabilities, which shall be allocated by the Director of the Office of Management and Budget among nondefense agencies;

(2) \$1,100,000,000 to address the heroin and opioid crisis, including funding for law enforcement, treatment, and prevention;

(3) \$1,900,000,000 for budget function 150 to implement the integrated campaign plan to counter the Islamic State of Iraq and the Levant, for assistance under the Food for Peace Act (7 U.S.C. 1721 et seq.), for assistance for Israel, Jordan, and Lebanon, and for embassy security;

(4) \$1,400,000,000 for security and law enforcement needs, including funding for—

(A) the Department of Homeland Security—

(i) for the Transportation Security Administration to reduce wait times and improve security;

(ii) to hire 2,000 new Customs and Border Protection Officers; and

(iii) for the Coast Guard;

(B) law enforcement at the Department of Justice, such as the Federal Bureau of Investigation and hiring under the Community Oriented Policing Services program; and

(C) the Federal Emergency Management Agency for grants to State and local first responders;

(5) \$3,200,000,000 to meet the infrastructure needs of the United States, including—

(A) funding for the transportation investment generating economic recovery grant program carried out by the Secretary of Transportation (commonly known as “TIGER grants”); and

(B) funding to address maintenance, construction, and security-related backlogs for—

(i) medical facilities and minor construction projects of the Department of Veterans Affairs;

(ii) the Federal Aviation Administration;

(iii) rail and transit systems;

(iv) the National Park System; and

(v) the HOME Investment Partnerships Program authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.);

(6) \$1,900,000,000 for water infrastructure, including grants and loans for rural water systems, State revolving funds, and funds to mitigate lead contamination, including a grant to Flint, Michigan;

(7) \$3,498,000,000 for science and technology, including—

(A) \$2,000,000,000 for the National Institutes of Health; and

(B) \$1,498,000,000 for the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy research, including ARPA-E, and Department of Agriculture research;

(8) \$1,900,000,000 for Zika prevention and treatment;

(9) \$202,000,000 for wildland fire suppression; and

(10) \$900,000,000 to fully implement the FDA Food Safety Modernization Act (Public Law 111-353; 124 Stat. 3885) and protect food safety, the Every Student Succeeds Act (Public Law 114-95; 129 Stat. 1802), the Individuals with Disabilities Education Act (20 U.S.C. 1400), the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), and for college affordability.

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 575, after line 25, add the following:

(C) **INAPPLICABILITY TO BERRY AMENDMENT.**—Section 2533a(i) of title 10, United States Code, is amended by inserting “and section 2375 of this title” after “title 41”.

SA 4551. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 709. EXCEPTION TO INCREASE IN COST-SHARING REQUIREMENTS FOR TRICARE PHARMACY BENEFITS PROGRAM FOR BENEFICIARIES WHO LIVE MORE THAN 40 MILES FROM A MILITARY TREATMENT FACILITY.

(a) **IN GENERAL.**—Notwithstanding paragraph (6) of section 1074g(a) of title 10, United States Code, as amended by section 702(a), the Secretary of Defense may not increase after the date of the enactment of this

Act any cost-sharing amounts under such paragraph with respect to covered beneficiaries described in subsection (b).

(b) COVERED BENEFICIARIES DESCRIBED.—Covered beneficiaries described in this subsection are eligible covered beneficiaries (as defined in section 1074g(g) of title 10, United States Code) who live more than 40 miles driving distance from the closest military treatment facility to the residence of the beneficiary.

(c) REPORT ON EFFECT OF INCREASE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the potential effect, without regard to subsection (a), of the increase in cost-sharing amounts under section 1074g(a)(6) of title 10, United States Code, on covered beneficiaries described in subsection (b).

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of how much additional costs would be required of covered beneficiaries described in subsection (b) per year as a result of increases in cost-sharing amounts described in such paragraph, including the average amount per individual and the aggregate amount.

SA 4552. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1008. REPORT ON EFFORTS OF THE UNITED STATES MILITARY TO DETECT AND MONITOR ILLEGAL DRUG TRAFFICKING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Commander of the United States Southern Command and the Commander of the United States Northern Command, submit to the congressional defense committees a report setting forth the following:

(1) An assessment of the effectiveness of the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States.

(2) An identification of gaps in capabilities that may hinder the efforts of the United States military to detect and monitor the aerial and maritime transit of illegal drugs into the United States, and a description of any plans to address and mitigate such gaps.

(3) A description of any trends in the aerial and maritime transit of illegal drugs into the United States, include trafficking routes, methods of transportation, and types and quantities of illegal drugs being trafficked.

(4) An identification of opportunities and challenges relating to enabling or building the capacity of partner countries in the region to detect, monitor, and interdict trafficking in illegal drugs.

(5) Such other matters relating to the efforts of the United States military to detect and monitor illegal drug trafficking as the Secretary considers appropriate.

SA 4553. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN)

submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:
SEC. 1277. SAVINGS PROVISION RELATING TO STATIONING PERSONNEL AT UNITED STATES EMBASSIES.

Nothing in this title may be construed to prohibit or restrict the Secretary of Defense, the Secretary of State, or the head of any other United States Government department or agency from stationing personnel at any United States embassy for the purpose of carrying out their official duties.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 7, 2016, at 10 a.m., to conduct a hearing entitled “Bank Capital and Liquidity Regulation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 7, 2016, at 2:30 p.m., to conduct a hearing entitled “Russian Violations of Borders, Treaties, and Human Rights.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 7, 2016, at 10 a.m., to conduct a hearing entitled “Frustrated Travelers: Rethinking TSA Operations to Improve Passenger Screening and Address Threats to Aviation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 7, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Deadly Synthetic Drugs: The Need to Stay Ahead of the Poison Peddlers.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 7, 2016, at 2:30 p.m., in room SH-216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION AND SUBCOMMITTEE OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS AND FEDERAL COURTS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, and Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts, be authorized to meet during the session of the Senate, on June 7, 2016, at 1 p.m., in room SD-106 of the Dirksen Senate Office Building, to conduct a hearing entitled “S. 2763, the Holocaust Expropriated Art Recovery Act—Reuniting Victims with Their Lost Heritage.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

Mr. THUNE. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 7, 2016, at 2:30 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Oversight of EPA Unfunded Mandates on State, Local, and Tribal Governments.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Jessica Armstrong, a legislative fellow from the Department of Defense and my military legislative assistant, be allowed floor privileges during the consideration of S. 2943, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I ask unanimous consent that Leah Rubin Shen, a science fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Elise Brown be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEMALE VETERAN SUICIDE PREVENTION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 2487 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2487) to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2487) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2487

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Female Veteran Suicide Prevention Act".

SEC. 2. SPECIFIC CONSIDERATION OF WOMEN VETERANS IN EVALUATION OF DEPARTMENT OF VETERANS AFFAIRS MENTAL HEALTH CARE AND SUICIDE PREVENTION PROGRAMS.

Section 1709B(a)(2) of title 38, United States Code, is amended—

(1) in subparagraph (A), by inserting before the semicolon the following: “, including metrics applicable specifically to women”;

(2) in subparagraph (D), by striking “and” at the end;

(3) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following new subparagraph:

“(F) identify the mental health care and suicide prevention programs conducted by the Secretary that are most effective for women veterans and such programs with the highest satisfaction rates among women veterans.”.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 119, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 119) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to recon-

sider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 119) was agreed to.

ORDERS FOR WEDNESDAY, JUNE 8, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the Senate recess subject to the call of the Chair at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:43 p.m., adjourned until Wednesday, June 8, 2016, at 9:30 a.m.

EXTENSIONS OF REMARKS

HONORING MIKE SUGRUE

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HENSARLING. Mr. Speaker, it is an honor to recognize Mr. Mike Sugrue for his service to our country. Hospital Corpsman 3rd Class Mike Sugrue served at Bethesda National Medical Center in the early to mid 1960s.

As a Hospital Corpsman, Mike Sugrue was an enlisted medical specialist in the United States Navy/Marine Corps who also trained for battlefield conditions. During Corpsman Sugrue's tenure he became an instructor in the Cardio Pulmonary Lab where he trained numerous other corpsmen and doctors in arterial blood gas studies, bronchograms, bronchoscopes, as well as pulmonary blood gas studies. Corpsman Sugrue's service no doubt saved countless lives and prepared others to do the same.

Humbly, I echo the words of President Ronald Reagan, "We will always remember. We will always be proud. We will always be prepared, so we will always be free." And humbly, I offer my sincere gratitude to Hospital Corpsman 3rd Class Mike Sugrue for his service and dedication that allow us the freedoms we enjoy today.

RECOGNIZING WARREN KRECH ON HIS RETIREMENT AFTER 40 YEARS IN THE RADIO INDUSTRY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mr. Warren Krech. "Mr. Jefferson City", has retired after 30 years in Jefferson City radio and over 40 years in the radio industry. Warren most recently spent his time entertaining listeners as the morning news and talk host on KWOS News Radio 950.

A native of South Dakota and graduate from the University of Minnesota, Mr. Krech found his love of radio while serving in the United States Army—specifically with the American Forces Radio & TV in East Africa. Warren and his family moved from Wisconsin to Jefferson City, Missouri in 1984. When Mr. Krech moved to Missouri, he worked for Frank Newell at KJMO. While some consider broadcasting to be a nomadic business, Warren wanted to settle his then young family in the Jefferson City community.

Throughout his radio years, Mr. Krech sat in the DJ chair, but found his niche when he was

able to enter talk radio format. For 23 years, Warren has worked with John Marsh at KJMO and KWOS. During Operation Desert Storm, Mr. Krech and John Marsh, hosted a "Tape from Home" at the local mall where people could come record their comments for friends and family who were serving in the military.

Mr. Krech is the current and three time winner of the News Tribune's "Readers' Choice" award for favorite local radio personality. Additionally, Warren is an active local emcee and speaker for charities including: Samaritan Center, Special Olympics, and Heart Association. Mr. Krech has been host of the Jerry Lewis MDA Telethon for 13 years on KOMU-TV.

With this retirement, Mr. Krech will now be able to spend more time with his wife, Marcia, who is a retired Jefferson City teacher. He has a daughter, Sarah, who lives in St. Louis and a son, Ben, who lives in Washington, DC. Warren also enjoys the St. Louis Cardinals, running, cycling, gardening, and his two cats.

I ask you in joining me in recognizing Mr. Warren Krech on his retirement. His commitment to the radio industry and his local community makes this a commendable accomplishment.

HONORING THE LIFE OF REAR ADMIRAL KEVIN FRANCIS DELANEY, USN (RET.)

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. CRENSHAW. Mr. Speaker, I rise today to honor the service and life of Rear Admiral Kevin Francis Delaney, USN (Ret.), who defended our nation with distinction for 34 years as a member of the United States Navy. He died on April 7, 2015, but on June 10, 2016 we have yet another occasion to honor his service to our country and community. On that day, Hangar 1122 at Naval Air Station Jacksonville (NAS Jacksonville) will be named in Kevin's honor for his outstanding airmanship and courage, his exceptional stewardship of natural resources, and his leadership and concern for the sailors of the United States Navy.

I'd like to take a moment to share some of Kevin's accomplishments through the course of his career both in and out of uniform. His commitment to our country did not end with retirement: He used his quality leadership skills, infectious charismatic spirit, and deep-seated care for his fellow citizens and worked hard in our Jacksonville, Florida community to make it a better place.

Kevin was a proud Vietnam Veteran. He flew helicopter gunships on 686 combat missions in support of the Navy riverine forces and SEAL units in the Mekong Delta. For con-

spicuous gallantry and intrepidity in action on one of those missions, Kevin was awarded the Silver Star. In all, Kevin received 98 awards and decorations of which 64 were for combat action and also included the Distinguished Flying Cross, 11 Single Action Air Medals, 26 Strike/Fight Air Medals, and six Republic of Vietnam Gallantry Crosses.

Kevin served in six operational aircraft squadrons, had multiple major staff assignments, and was air boss on the USS *Guadalcanal* off the coast of Beirut. His naval career included six command tours including two aviation squadrons, an aircraft wing, and NAS Jacksonville. Under his command, the base was selected as the Navy's top shore installation in 1991. Kevin was awarded the Legion of Merit as Commanding Officer of NAS Jacksonville for, among other things, enhancing the quality of life for all personnel and improving the profitability of morale, welfare, and recreation programs by 107 percent by utilizing a unique Treat Everyone As Myself (TEAM) approach.

Kevin's final command, headquartered at NAS Jacksonville, was as the Navy's Regional Commander for the Southeastern United States and the Caribbean. Rear Admiral Delaney was responsible for over 40 commands, including 17 major naval installations. He received the Navy Distinguished Service Medal for his work as the Commander. The accompanying citation says: A brilliant visionary, he built solid and ambitious professional partnerships with local community agencies.

Kevin came to our town in the military, but he remained as a veteran and became a great civic leader. He was recognized as one of Jacksonville's 10 Most Influential Business Leaders of the Decade in 2000. The list of volunteer activities of Kevin Delaney is both long and varied. He served on the boards of 19 area non-profit organizations and was past chairman or president of the following organizations: the Ronald McDonald House Advisory Board, Florida State College of Jacksonville Foundation, Rotary Club of Jacksonville, Northeast Florida Safety Council, United Way of Northeast Florida, and Jacksonville Beaches Chamber of Commerce. Kevin was appointed by the Governor of Florida to serve on the Florida Defense Support Task Force and also served on the U.S. Small business Administration's National Advisory council, and on the National Board of Directors of The Wounded Warrior Project.

In 2014, Kevin was honored by the SBA as the Veteran Small Business Champion of the Year for Florida, by the Jacksonville Business Journal as a Veteran of Influence, and by the Jacksonville Regional Chamber of Commerce as the first member of its Military Hall of Fame. It was later named in his honor. Mr. Speaker, I ask you and Members of the House to join me in saluting the life and service of Rear Admiral Kevin F. Delaney, USN (Ret.).

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING THE GARY CRUSADER ON ITS 55TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I recognize The Gary Crusader, as the company celebrates its 55th anniversary, 55 Years Highlighting our Past and Crusading for our Future. In honor of this special occasion, an anniversary gala will be held in the Hangar at B. Coleman Aviation, located at the Gary/Chicago International Airport, on June 3, 2016. The keynote speaker for the event is critically acclaimed author and renowned scholar, Michael Eric Dyson.

The Gary Crusader is a weekly publication serving the City of Gary and the community of Northwest Indiana. Since its founding in 1961, by the late Balm L. Leavell Jr. and Joseph H. Jefferson, at the invitation of Kelly and Samuel Polk, the Crusader successfully upheld its mission, using its news pages to reflect on justice and equality for all people. In 1968, Mrs. Dorothy Leavell took over as editor and publisher of The Gary Crusader, after the passing of her husband, Balm Leavell. Throughout the years, Dorothy has been a strong, accomplished, and innovative business leader. The Gary Crusader is an active member of the National Newspaper Publishers Association (NNPA), a federation of the more than 200 African American-owned community newspapers throughout the United States. In 1995, Dorothy became the second female in history to become president of the NNPA for a two-year term and served at its president from 1995 to 1999. She also served as chairperson of the NNPA Foundation from 2006 to 2011. In August 2016, Mrs. Leavell will be inducted into the Hall of Fame of the National Association of Black Journalists. For her dedication to the City of Gary and the community of Northwest Indiana, Dorothy is worthy of the highest praise.

I would like to take the time to mention some of the inspiring leaders in Northwest Indiana who have worked with The Gary Crusader to bring about positive change and to inspire the community. They include former mayor of Gary Richard Hatcher, the late Lake County Commissioner Roosevelt Allen, The Gary Crusader's first female editor, the late Dolly Millender, State Senator Earline Rogers, and Mayor Karen Freeman-Wilson, who is the honorary chairperson of the 55th anniversary gala. I would also be remiss if I do not mention the respect my father John Visclosky had for Balm Leavell and the importance he attached to their wonderful friendship.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating The Gary Crusader on its 55th anniversary. For the past 55 years, the staff and leadership have touched the lives of countless individuals through their unwavering commitment to the community of Gary and throughout Northwest Indiana.

JACK KNIGHT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jack Knight for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Jack Knight is a 9th grader at Stanley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jack Knight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jack Knight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

TRIBUTE TO ELIZABETH (LISA) JOYCE FREEMAN ON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF THE VETERANS AFFAIRS PALO ALTO HEALTH CARE SYSTEM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. FARR. Mr. Speaker, I rise today to celebrate the hard work and dedication of Lisa Freeman who retires today after many years of service to our nation's veterans.

For the last five years Lisa Freeman served as the Director of the Veterans Health Care System in Palo Alto, one of the largest, busiest veterans health centers in our country. She did the job with enthusiasm, efficiency and compassion. As director she was responsible for overseeing the complex needs of thousands of veterans, administering an annual budget of more than \$1 billion, a capital budget of \$2.67 billion, and organizing upwards of 7,000 staff and volunteers. She was so expert in doing her job that when the sad news of mismanagement at the veterans system in Arizona became public, it was Lisa Freeman that the Secretary of the VA tapped to make corrections in reforming the Arizona shortfalls. In the end, the entire VA health care system learned from her competence and management prowess.

But I best know Lisa Freeman from the yeoman's work she did to help create the first from-the-ground-up joint DOD-VA health clinic in my district.

For years the military community—veterans, active and retired military and their families—all knew options for health care were limited on the Central Coast in general and on the Monterey Peninsula, where there are numerous military installations, in particular. Under

the leadership of the late Maj. Gen. William "Bill" Gourley, slowly a plan took shape to create a clinic that would serve the dual purposes of our active and retired military servicemen as well as our veterans. Lisa Freeman became an integral part of this effort and took over leadership of the effort as time went along, helping to coordinate the many federal sub-agencies necessary to make the dream of this clinic a reality.

I am happy to say the ribbon cutting for that clinic will be this October, in no short measure due to the perseverance of Lisa Freeman.

Mr. Speaker, Lisa Freeman will be missed by all of us who interact with the Palo Alto Veterans Health Care System. I am especially grateful to her for all she's done for the veterans in my district and across all of California. I commend her to you and to our colleagues in the House and hope you will all wish her well as she leaves government service for a well-deserved retirement.

HONORING ERIN HURLEY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Erin Hurley of Marin County, California, for her selection as the Classified Employee of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations. An occupational therapist, Ms. Hurley has dedicated more than two decades to improving the health and welfare of students in Marin County.

For the past 15 years, Ms. Hurley has worked at Marindale Early Intervention, where she serves more than 100 students facing a critical time in their development. A student-centered professional, she advocates for appropriate placements and the implementation of strategies specific for each child. She also works to educate staff and parents on body mechanics and ergonomics for themselves and for their students and children.

Ms. Hurley works hard to develop relationships with each of the young people she works with. Along with understanding students' specific motor abilities and behavioral and communication goals, she makes an effort to create a comfortable and safe environment where students feel comfortable challenging themselves.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Erin Hurley for her contributions to students and public education in Marin County and California.

VALERIE GRASSO

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. LARSEN of Washington. Mr. Speaker, I rise today to recognize the extraordinary career of Valerie Bailey Grasso. Ms. Grasso retired earlier this year, concluding a remarkable 32 years of federal civil service with the Department of the Navy, the Library of Congress, and the Congressional Research Service (CRS). For the last 18 years, she has served as a defense acquisition policy analyst in the Foreign Affairs, Defense, and Trade Division of the CRS, rising to Specialist, the highest grade attainable. While at the CRS, she supplied Members of Congress, their personal staffs, and the staffs of congressional committees with consistently high quality insights, policy analysis, and historical context. I personally relied on reports she authored on topics including rare earth elements, veterans employment, and surplus military equipment.

Ms. Grasso joined the CRS as a permanent staff member in 1998. She is the author or co-author of more than 30 CRS reports on a wide array of defense-related topics associated with weapon systems acquisition, defense contracting, the evolving defense industrial base, outsourcing of defense functions, contract competition, domestic material sourcing, and sealfit. Her works were widely read by congressional clients and contributed directly to the CRS' mission of informing the legislative debate. I served as co-chair on the House Armed Services Committee's 2012 Panel on Business Challenges within the Defense Industry. Valerie provided direct support to that panel and her insights and analysis were essential to the panel's work.

Valerie was also a long-time member and officer of the Congressional Research Employee Association (CREA), the collective bargaining organization representing the interests of those working at the CRS. She served on the CREA board for nearly a decade, from 2004–2013, where she was a member of the telework committee and the CREA bargaining team. In 2013, she was elected Vice-President of CREA, and for the last two years of her career she served as CREA's President. She has also been recognized for her work with the Library of Congress chapter of Blacks in Government.

I ask my fellow Members to join me in applauding Valerie Bailey Grasso for her lifelong commitment to supporting the nation and this body and in wishing her a long and enjoyable retirement.

HONORING LGBTQ LEADERS IN
THE TWIN CITIES

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. ELLISON. Mr. Speaker, I rise today to honor the transgender, queer, lesbian, bisexual, and gay members of my community as

we begin celebrating Pride. Every year, Twin Cities Pride selects outstanding leaders to helm the celebration. The 2016 Grand Marshals are Roxanne Anderson and D Rojas, and the Lifetime Champions of Pride are Minnesota Representative Karen Clark and Minnesota Senator Scott Dibble.

Both Grand Marshals have a long history of LGBTQ advocacy in the Twin Cities. Roxanne's dedication spans four organizations noted for their dedication to the most underserved segments of the community. Through providing healthcare access to trans individuals at the Minnesota Transgender Health Coalition, leading trans and racial justice initiatives at OutFront Minnesota, organizing trans and queer musicians of color at RARE Productions, and employing and serving the queer community at Café SouthSide Roxanne is one of the hardest-working and most effective trans advocates anywhere in the country. D Rojas is the president of Dykes on Bikes Minneapolis, a lesbian motorcycle club noted for its inclusivity. The group hosts dozens of events throughout the Twin Cities annually, attracting hundreds of LGBTQ participants. In recent years, D has escorted Minneapolis Mayors Betsy Hodges and R.T. Rybak on her motorcycle at the Pride Parade.

The 2016 Lifetime Champions of Pride are highly effective leaders in the Minnesota Legislature who have worked extensively on equality. When Representative Karen Clark was first elected to the Legislature in 1980, there were only a few out elected officials nationwide. Throughout her time in office, she has achieved countless successes for the LGBTQ community: including "Sexual Orientation" in the Minnesota Human Rights Act, expanding housing and healthcare for HIV positive individuals, and promoting social and economic justice. She is the longest-serving lesbian Legislator in the U.S. Senator Scott Dibble became involved in politics in the mid-1980s, inspired to fight for the civil rights of the LGBTQ community. Since his election to the Senate in 2002, Senator Dibble has helped pass the Runaway and Homeless Youth Act, the Safe and Supportive Schools Act, and numerous transportation and transit plans. Representative Clark and Senator Dibble were instrumental in gathering popular support to defeat the anti-marriage ballot amendment in 2012. Their tireless advocacy to engage Minnesotans culminated in the successful effort to legalize marriage equality statewide in 2013.

Twin Cities Pride also recognizes the contributions of organizations that are creating a more equitable and inclusive world. The Community Champions of Pride are the Minnesota Transgender Health Coalition, TransForming Families, and Out & Sober Minnesota.

Since marriage equality has become the law statewide and nationwide, some people hung up their coats and thought, "We're done!" As almost anyone in the community can tell you, that is absolutely not the case. LGBTQ individuals, and especially trans folks and people of color, face disproportionately high rates of homelessness, health issues, discrimination, and income insecurity. In order to achieve true LGBTQ equality, we need to continue focusing on the intersections of gender, sexual orientation, race, ethnicity, income, immigration sta-

tus, and other identities that highlight the despicable disparities in our state. I am proud these honorees have continued to fight on behalf of communities routinely excluded from advocacy or glossed over in public policy. They each demonstrate that when we stay engaged, when we turn out—we win. In the era of bathroom bills and legalized discrimination, it's more important than ever to make our voices heard—in the ballot boxes, in the halls of Congress, and beyond.

HONORING MR. GARY HARRISON
FREER

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HENSARLING. Mr. Speaker, it is an honor to recognize Mr. Gary Harrison Freer for his courageous service to our country. Commander Gary Harrison Freer joined the United States Navy on March 12, 1967 after graduating from the University of Tennessee, Knoxville.

After completing Aviation Officer Candidate School and earning the Navy "Wings of Gold," Commander Freer was designated a naval aviator and qualified pilot of military aircraft. He requested training in the A-4 Skyhawk and in August of 1969 joined the attack squadron, VA-22, also known as the Fighting Redcocks aboard the aircraft carrier USS *Bonhomme Richard*. Commander Freer had an impressive flight record that logged 2,397 hours of military flight, carried out 103 missions in Vietnam and recorded 212 day and night carrier takeoffs and landings. Commander Freer finished his active duty in April of 1972, but served fifteen more years in the Reserves before transferring to Retired Reserves in December of 1989. Commander Freer was awarded the National Defense Service Medal, Meritorious Unit Commendation, Vietnam Service Medal, Armed Forces Expeditionary Medal (Korea) and the Vietnam Campaign Air Medal S/F-9.

Humbly, I echo the words of President Ronald Reagan, "We will always remember. We will always be proud. We will always be prepared, so we will always be free." And humbly, I offer my sincere gratitude to Commander Gary Harrison Freer for his service and acts of bravery that allow us the freedoms we enjoy today.

KYLEE VALDEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kiyee Valdez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kiyee Valdez is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kiyee Valdez is exemplary of the type of achievement that can be attained with hard work and

perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kiyee Valdez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CELEBRATING BENTLEYVILLE
BOROUGH'S BICENTENNIAL

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Bentleyville Borough in Pennsylvania on its momentous achievement of reaching 200 years of existence.

Beginnings were humble for Bentleyville 200 years ago, when Sheshbazzar Bentley started selling lots of land in the beautiful Monongahela Valley for as little as 45 dollars. His original posting advertised "Bentleysville" as being surrounded by rich country, and having on site three wool machines, one gristmill, and one sawmill, along with some building materials. Local rumor has it that George Washington once passed down the main road of this Washington County town, and two centuries later, Bentleyville has blossomed into a borough with unique character and beauty—a place I am proud to have in Pennsylvania's 9th Congressional District.

The borough of Bentleyville has benefitted greatly from its location in a strong coal mining region, and as such I am proud to highlight the borough's contribution to the rich history and heritage associated with coal mining. Over the past 200 years, Bentleyville has produced many generations of exceptional citizens, all adding their unique spirit, character, and successes to the Commonwealth of Pennsylvania.

It is thus with great pride that I represent the remarkable citizens of past and present of the Bentleyville Borough and congratulate them on this significant milestone.

HONORING THE CAREER OF
ROGER E. MILLER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HIGGINS. Mr. Speaker, I rise today to honor the career and legacy of service of Mr. Roger E. Miller, who is celebrating his retirement from the post as Deputy Assistant Secretary for Healthcare Programs. After 26 years of tirelessly serving the United States Department of Housing and Urban Development, he leaves a legacy of incomparable dedication to communities across the country.

Roger Miller began his career as HUD's first staff member with a background in healthcare, holding a Master of Hospital Administration

degree from the University of Minnesota. Prior to his role at HUD, Miller was Senior Vice President of York Hospital, a large teaching hospital where patient care costs were among the lowest in the nation.

Throughout his career, Roger E. Miller has maintained his devotion to healthcare through assisting in the expansion of Millard Fillmore Suburban Hospital, and the construction of multiple healthcare facilities around Western New York, such as the Gates Vascular Institute, HighPointe on Michigan and the new Oishei Children's Hospital.

Roger Miller has been an integral part of the HUD Office of Healthcare Programs which administers the Section 232 Residential Care Facilities Program and the Section 242 Hospitals Program, together comprising a \$31 billion FHA portfolio of insured mortgages. Miller has led the OHP to improve its abilities to serve more communities across the nation while maintaining very low claim rates in both programs. In recent years, he has spearheaded a vigorous effort to implement Office-wide Lean Processing quality improvements and process reengineering, enabling OHP to better respond to emergent industry needs. Other notable career and personal achievements by Roger Miller include the launch of a large assisted living facility, a system of community health centers, a preferred provider health insurance company, and becoming a Fellow in the American College of Healthcare Executives. Additionally, Roger has chaired state hospital association committees and served as an adjunct faculty member at York College.

Mr. Speaker, thank you for allowing me a few moments to honor the career of Roger E. Miller. I ask that my colleagues join me in expressing our congratulations on an accomplished career and to commend his dedication to his profession and improving the health of our communities.

RECOGNIZING CAN DO UPON THE
OCCASION OF ITS 60TH ANNIVERSARY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize the Community Area New Development Organization (CAN DO) upon the occasion of its 60th Anniversary. CAN DO is a private, non-profit, industrial and economic development corporation operating in Northeastern Pennsylvania. CAN DO has been doing great work in my hometown of Hazleton, and in fact my office back home is in the CAN DO building at 1 South Church Street. With a mission of improving the quality of life in the Greater Hazleton area through the creation and retention of employment opportunities, CAN DO's presence in Northeastern Pennsylvania has provided my constituents with the resources they need to secure meaningful employment and engagement in their communities.

In 1956, a small group of merchants and professional men believed that they could turn the tide on Hazleton's post-coal mining eco-

nomie troubles. It was this spirit that fueled Dr. Edgar L. Dessen, the Greater Hazleton Chamber of Commerce, and a group of local civic and business leaders to create a community economic development organization, known as CAN DO. The organization's first fundraising initiative encouraged residents to donate a "dime-a-week," which they hoped would raise enough money to invest in new industries across the city. Growing up, I remember hearing stories of red lunch pails displayed around town to promote their fundraising effort, as well as the "Miles of Dimes" event, which saw men, women, and children place their dimes onto a strip of tape on Broad Street in downtown Hazleton. After this successful fundraiser and starting with the purchase of one industrial park, CAN DO now operates one corporate center and three industrial parks in Northeastern Pennsylvania, including Humboldt Industrial Park, which is one of the largest parks in Pennsylvania and an employer for over 10,000 constituents in my district. As mayor, I saw firsthand how CAN DO continued to grow throughout the region. They now offer a wide range of services to the community, such as infrastructure development, financial assistance, and resources for entrepreneurs.

CAN DO's commitment to the community in which they operate is evident through their receipt of numerous awards throughout the years. In 2006, CAN DO won a Best of Class Award for its 50th Anniversary video and commemorative book, and an Excellence Award for the marketing department's print advertisement placed in *Attaché* magazine. Also in 2006, CAN DO won the U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Award for a property in the CAN DO Corporate Center. In 2008, CAN DO was named Large Agency of the Year by the Pennsylvania Economic Development Association. These various accolades exemplify the superior service and community advancement provided by CAN DO, and I am confident that their continued engagement will be recognized for years to come.

Mr. Speaker, it is with gratitude and admiration that I honor the Community Area New Development Organization (CAN DO) upon the occasion of its 60th Anniversary. Time and again, CAN DO has exemplified the bond between private enterprise and community service through targeted initiatives and a commitment to excellence in Northeastern Pennsylvania. I wish to congratulate CAN DO on 60 years of meaningful community engagement, and look forward to witnessing the continued service provided by such a selfless and strategic organization.

TRIBUTE TO RABBI MARVIN M.
GROSS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SCHIFF. Mr. Speaker, I rise today to honor Rabbi Marvin M. (Marv) Gross, who will be retiring as Chief Executive Officer of Union Station Homeless Services in June 2016.

Born in 1947, Marvin M. Gross was raised in Evanston, Illinois. He received his education from Amherst College, Hebrew University in Jerusalem, Hebrew Union College-Jewish Institute of Religion and the Stanford University Graduate School of Business.

In the late 1960's, Marv began his lifelong service to the community by volunteering at the dairy of Kibbutz Givat Chaim, Israel for one year. He worked as an organizer for various political campaigns and the Vietnam Veterans Against the War, and as an organizer for the Jewish Council of Urban Affairs in Chicago, where he organized a ground-breaking conference on the mortgage and insurance industry and low-income and minority neighborhoods.

Mr. Gross began his studies at the Hebrew Union College-Jewish Institute of Religion in New York in the 1970's to become a Reform rabbi, and after his graduation, moved to California. He began serving as a congregational rabbi, leading congregations at Temple Sherith Israel in San Francisco, and later at Temple Sinai of Glendale. In his volunteer capacity, Rabbi Gross served as Social Action Chair of the Board of Rabbis of Southern California, as Co-Chair of Clergy United for Prophetic Action, a Black-Jewish clergy alliance, and played a key role in the organization of religious congregations in California to support California's Bilateral Nuclear Weapons Freeze Initiative. In addition, Marv was asked by the Government of Israel, along with a fellow rabbinical student, to visit the Soviet Union for one month in an effort to promote solidarity and contact with Soviet Jews who had submitted applications to emigrate to Israel.

In 1995, Marv Gross accepted the position of Executive Director of Union Station (now called Union Station Homeless Services (USHS) in Pasadena, California, becoming Chief Executive Officer in 2008. USHS is dedicated to helping homeless and low-income families through their outstanding service programs operating throughout the San Gabriel Valley. The programs provide food, shelter, medical care, rehabilitation and job training for homeless and low-income families and individuals, assisting them through each step of the process, so they can become thriving members of society. Under Rabbi Gross' stellar leadership, USHS has expanded from a 36-bed shelter on Raymond Avenue to a successful homeless service institution that serves over 2,200 people each year.

In his more recent volunteer capacity, Marv has served on many boards and committees, including Flintridge Preparatory School, the Pasadena Police Foundation, and he is a staunch member of the Pasadena Rotary Club. A longtime Sierra Madre resident, Marv has three children: Becky, Daniel, and Tara.

Rabbi Gross has tirelessly committed his working life to profoundly improve the lives of the homeless community. His generosity, compassion and leadership have deeply benefited the lives of thousands of homeless individuals and families.

I ask all members of Congress to join me today in honoring Rabbi Marvin M. Gross for over two decades of extraordinary and unparalleled service to Union Station Homeless Services.

HONORING EILEEN SMITH

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Eileen Smith of Marin County, California, for her selection as the Educator of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations. Director of a California Math and Science Partnership (CaMSP) project that works with teachers across the county, Ms. Smith has nearly two decades of experience that have greatly benefited the preparedness and success of Marin County's students.

Ms. Smith has served in a variety of leadership roles in our community. As principal of Loma Verde Elementary School in the Novato United School District, she was recognized by several awards, including Principal of the Year in 2010 by the Marin County School Administrators' Association. In her current role as director of a CaMSP project, "Marin's Next Generation Collaborative for Science & Math," she has worked with more than six dozen teachers from 8 districts countywide, coordinating and providing intensive, ongoing professional development in math and science. The project is set to expand next year.

Throughout her career, Ms. Smith has been known and respected as an effective leader with a gift for educating teachers. She has pushed for increased and improved STEM education at an early age, and has fostered relationships with leading scientific and educational institutions including the Exploratorium, Dominican University, the College of Marin, the University of California, Berkeley, and more.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Eileen Smith for her contributions to students and public education in Marin County and California.

IN MEMORY OF GREG CONNELL

HON. MARK SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SANFORD. Mr. Speaker, I rise today in remembrance of Greg Connell, a stunt pilot from South Carolina, who unfortunately passed before his time while performing several weeks back in the Good Neighbor Day Airshow in Atlanta. Accordingly, I want to take a moment to offer my condolences to his wife, Ginger, as well as the host of additional family and friends he leaves behind.

It was the inventor Leonardo da Vinci who once said, "Once you have tasted flight, you

will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return."

Greg's eyes indeed always looked up. The heavens were his domain, and it is to them that he has returned.

He followed in his father's footsteps and started flying back in 1989 at the young age of 13, and his love of flight was obvious in the way that he lived life. Indeed, he flew at the Annual Water Festival down in Beaufort, South Carolina on numerous occasions, and my brother, John, flew with him many times. At a personal level, I spent New Year's down at the farm watching him do what he loved best: fly.

And that he could. He made the impossible look all too easy. With grace and flair, he was mesmerizing in the way he took to the sky.

Greg's story is that of pursuing with passion a quest for excellence, and I think there is a lesson all of us can learn from within those pages. In his memory, I would ask that we take a moment today for reflection, and pause in asking how we live up to his model of excellence in all we do. For those of us who knew him, we will miss him. I look forward to our reunion in the heavens above.

A FAIR PROCESS FOR ALL: VOTER INEQUALITY IS A PROBLEM

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. SEWELL of Alabama. Mr. Speaker, I rise to acknowledge today as Restoration Tuesday and once again, to speak on behalf of those whose voices have been silenced by the refusal of Congress to fully restore the federal protections of the Voting Rights Act of 1965. Two weeks ago, I was honored to stand beside fellow colleagues Rep. MARC VEASEY of Texas and Rep. BOBBY SCOTT of Virginia and other Members of Congress to launch the Congressional Voting Rights Caucus. The Caucus is committed to restoring the Voting Rights Act of 1965 to its original state and restoring the vote to all the suppressed voices in this great nation. We will continue to stand together until we achieve our goal and make our election process fair for everyone once again. The right to vote should be easy for all eligible voters and not made more difficult for some of this country's most disenfranchised members.

It is a sad day in this nation when there are eligible Americans who cannot take part in the democratic process that we as Americans are all promised, just because they are unable to attain a photo ID. To some, this may not seem like a hard request or even a major problem. However, to the people in rural Alabama and in many rural areas all over the country—it is a tough request and it is a big problem. When your district closes over 30 DMVs—the most common location to receive a photo ID—this is a problem. When the nearest courthouse or DMV is 20 miles away and you don't have gas money, a car, or any public transport—this is a problem. When you do not have a birth certificate because you were delivered by a midwife and are told you are not able to vote,

even though you are an American, born and raised—this is a problem. What is crystal clear is that these new suppressive voting laws are crippling the democratic process. This is an election year and the right to vote is under attack. An essential element of our democracy is corroding, and we indeed have a problem.

When a county systematically shuts down voting polls from 400 in 2008 to 200 in 2012 and then plummets to only 60 in 2016, the problem is clear. Maricopa County in Arizona forced voters to endure long lines and an arduous process to simply have their vote counted—to have their voices heard. To my fellow colleagues, I say maybe your district doesn't have long lines wrapped around the streets and maybe your elderly constituents can easily access their birth certificates. But my district and so many others do have real problems accessing the ballot box. If one person is denied the right to vote, it undermines the integrity of the entire voting process. We cannot forget about the millions of Americans who suffer from new suppressive voting laws around the country. We cannot sit back and simply say, "This is not my problem." When Americans are being suppressed and silenced, it is an American problem. This is still the United States of America, and we cannot stand strong when a significant portion of our country suffers in silence. A democracy means inclusion, not exclusion—America stands for equality, fairness and justice for all.

It is time we make the democratic process, democratic once again. Until every voice in this great nation is allowed to speak freely, without suppression, I will stand on this floor and speak in support of our Constitutional right to vote. I urge my colleagues to join me and 168 other members in support of H.R. 2867, the Voting Rights Advancement Act. It is time Congress restores the VRA.

HONORING MR. DOUGLAS WAYNE
SATTERFIELD

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HENSARLING. Mr. Speaker, it is an honor to recognize Mr. Douglas Wayne Satterfield for his courageous service to our country. A resident of Palestine, Texas, Corporal Douglas Wayne Satterfield was honorably discharged from the United States Marine Corps on May 3, 1968.

Corporal Satterfield enlisted in the USMC out of high school and served in at least a dozen operations in the unfamiliar terrain of South Vietnam. Corporal Satterfield participated in one of the first major offensive campaigns, Operation Hickory, by the Marines in "Leatherneck Square." Satterfield was badly injured in combat during the assault at Con Thien as he crawled along the ground to their targets. Quick response and actions from his squadron leader and corpsman probably saved his life as they stabilized him before he was taken by Chinook to a medevac station to undergo emergency surgery. Corporal Satterfield received decorations that included the National Defense Service Medal, Vietnam

Service Medal, Vietnam Campaign Medal with device, M-14 Rifle Sharpshooter Badge and the Purple Heart Medal.

Humbly, I echo the words of President Ronald Reagan, "We will always remember. We will always be proud. We will always be prepared, so we will always be free." And humbly, I offer my sincere gratitude to Corporal Douglas Wayne Satterfield for his service and acts of bravery that allow us the freedoms we enjoy today.

LUCY LEE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lucy Lee for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lucy Lee is a 12th grader at Pomona High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lucy Lee is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lucy Lee for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

IN MEMORY OF MR. GENE
BECKSTEIN

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, today I rise to honor the life of Mr. Gene Beckstein of Gainesville, Ga. Mr. Beckstein, also commonly known as 'Mr. B', was an inspiration to the people of our community. In 1989, he founded a mission for the homeless known as "Good News at Noon". Good News at Noon provides meals for dozens of men, women, and children, while also providing beds for 20 homeless men in our community. This mission also operates as a food pantry, providing more than 100 boxes of food a week, and offers summer school programs for children. This faith based ministry depends purely on the generosity of others, and 'Mr. B' was a great servant of the Lord. He was a Christ-like man who loved everyone equally. His work with the homeless community inspired people across Gainesville and Hall County to volunteer. Mr. Beckstein creates a meals program, such as Good News at Noon, because he was once homeless himself. He turned his life around when his high school baseball coach convinced him to use the GI Bill to fund his college education. 'Mr. B' went

on to attend New York University, where he earned two master's degrees and spent the next 37 years teaching in the public school system. After retiring from his teaching career, Mr. Beckstein and his wife Margie began serving food to the homeless and later founded Good News at Noon. 'Mr. B' will be remembered for his humble-spirit, his inviting loving personality, and his ability to fulfill people with hope.

RECOGNIZING THE BLUE SKY
FOUNDATION

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SMITH of Texas. Mr. Speaker, today I want to recognize the Blue Sky Foundation and their President and Executive Director, Dick Stockton, on behalf of the work they are doing for our nation's veterans and servicemembers.

Drawing on his background in tennis, Mr. Stockton started a program within the Blue Sky Foundation called Thanking our Troops through Tennis or "T3". The idea behind the program was to thank the members of the United States Military and their families for the sacrifices they make on a daily basis, using the game of tennis as the vehicle to do so. Blue Sky has been taking the T3 program to various military bases over the last four years and has offered free tennis clinics to active personnel, spouses, children, Veterans and Wounded Warriors.

The program has been well received, averaging 100 participants per event. Since July of 2013, Blue Sky Foundation has hosted seventeen events at different bases around the country, including Andrews Air Force Base, Fort Bragg, Fort Benning, Camp Lejeune, Randolph Air Force Base and Fort Jackson, among others. It has been a successful program and has the ability to continue to grow and benefit many more members of the military and their families.

In appreciation of all they have done, Mr. Speaker, I ask that my colleagues join me in thanking them for their efforts.

RECOGNIZING THE GARY NAACP'S
51ST ANNUAL LIFE MEMBERSHIP
BANQUET

HON. PETER J. VISCLOSKEY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. VISCLOSKEY. Mr. Speaker, it is my distinct pleasure to stand before you today to recognize and commend the members of the Gary, Indiana, branch of the National Association for the Advancement of Colored People (NAACP). On Saturday, June 4, 2016, the Gary NAACP held its 51st Annual Life Membership Banquet at the Genesis Convention Center in Gary, Indiana.

This annual event is a major fundraiser for the Gary NAACP. The funds generated

through this event directly support the organization's many outstanding programs and advocacy efforts. Through its membership and the support of the community, the Gary NAACP is able to serve the people of Northwest Indiana and continue the mission started by the national organization in 1909 by working diligently to combat injustice, discrimination, and unfair treatment for all people in today's society. In addition, the banquet serves to update and keep the community aware of the NAACP's activities and to formally honor its new life members.

This year, the Gary NAACP honored the following outstanding civil, community, and religious leaders who have been recognized as life members. The Diamond Life members include: Father Pat Gaza, Cynthia Powers, and Mamon Powers Jr. The Gold Life members include: Stephen Mays, Nate Cain, Claude Powers, Charlie Brown, Dr. Stephen Simpson, and Gerri Simpson. The Silver Life members include: Charles Alexander, Sharon Chambers, James Muhammad, Larry Dillon, Sandra Dillon, Reverend Curtis Whittaker, Dr. LaShawn Whittaker, Reverend Anita Marshall, Rinzor Williams III, Esq., Alfred Holmes, Sharon Haney, Jeana Laurie Payne, Darian Collins, Braden Wilson, James Powell, Thomas Newsome, Ron Brewer, Linda Barnes-Caldwell, Marissa McDermott, Edward Lumpkin, Reverend Edward Turner, Roosevelt Haywood III, MacArthur Drake, Gordon Biffle, Richard Hardaway, Dolena Mack, Willie Miller Jr., Raymond Grady, Dr. Vincent Sevier, Dr. Angelique Brown, Shelly Majors, Matthew Doyle, Jana Bonds, Judge Clarence Murray, Vance Kenney, Tim Ceasar, Barbara Taliaferro, Minnie Carter, Wendell Price, Faye Barnes, Reverend Dr. Virgil Woods, Florita Brown, Roy Hamilton, Dr. Marlon Mitchell, Milton Thaxton, and Reverend Regan Robinson. The Youth Life members include: Bryce Carter, Brooklyn Carter, Justin Cain, Julian Powers, Nadia Baria, Isaac Baria, Willie Miller III, Valencia Miller, Curtis Whittaker Jr., Imani Powers, Michael Ayden Walden, Kendall Jackson, Deondra Ann Briggs, Jazmine Neal, Amya Myanna Luz Aviles, Marrell Tyler II, and Kelechi Greene.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in paying tribute to the newest life members of the Gary branch of the NAACP, as well as Stephen Mays, the current Gary NAACP president, Cynthia and Mamon Powers Jr., who are Honorary Chairs, and all members of the organization for their extraordinary efforts and tremendous leadership. These outstanding men and women have worked tirelessly to improve the quality of life for all residents of Indiana's First Congressional District, and for that they are to be commended.

HONORING ANDREW "ANDY"
HYMAN

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Andrew "Andy" Hyman of Marin

County, California, for his selection as the Trustee of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and other local civic organizations. A member of the Dixie School District Board of Trustees, Mr. Hyman has spent more than a decade advocating for and advising the district and its students.

As a member who served two terms as president of the Dixie School Board, Mr. Hyman has devoted thousands of hours on vital committees and efforts. He led a district-wide transportation committee to lower home-to-school transportation costs, and helped initiate green purchasing and recycling policies. Additionally, he led efforts to create the first district-wide anti-bullying policy, and has worked to improve nutrition in school lunches.

Mr. Hyman has been a consistent leader in our community across a range of issues affecting our schools. From organizing rallies to working with local legislators, he has been a consistent and effective voice for our students and their opportunities for success.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Andrew "Andy" Hyman for his contributions to students and public education in Marin County and California.

HONORING THE LIFE OF
MIKE PONTIUS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to mourn the passing of Michael "Mike" Pontius, who served the city of Freeport, Illinois, as a firefighter for nearly 14 years before retiring due to injuries sustained on the job.

A dedicated firefighter and a loving husband and father, Mike had a warm and outgoing presence in his community. In addition to serving as a firefighter, he gave back to his alma mater, Aquin High School, throughout his life. When Mike wasn't cheering for the Aquin Bulldogs, he was rooting on the Chicago Cubs and the Chicago Bears. He is survived by his wife, Dawn, and his children, Josh, Jerek, Jordan, and Kirsten.

Mr. Speaker, as the wife of a sheriff, I know how important it is to support our first responders, and I am forever grateful for the service Mike provided to the Freeport community. While we commemorate Mike's life, and his dedication to his family and community, my thoughts and prayers are with his loved ones during this difficult time.

TRIBUTE TO CALVIN W. McELVAIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Calvin W. McElvain of Des Moines, Iowa for earning the Gold Medal of Achievement Award of Iowa's Royal Ranger Outpost Number 35. The Gold Medal of Achievement designation is the highest advancement rank in the Royal Ranger Outpost based at Christian Life Assembly of Des Moines.

To earn this Gold Medalist rank, Calvin McElvain completed 47 skill merits, 213 Bible lessons, and 35 hours of community service. Beyond those opportunities, Calvin also completed a service project by transforming the Christian Life Assembly Church's modest fire ring into a first rate campsite with a mason fire ring and anchored benches.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Calvin McElvain and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Gold Medal of Achievement ranking, and I wish him continued success in his future education and career.

PERSONAL EXPLANATION

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, on Roll Call No. 229 on motion to suspend the rules and pass H.R. 4889, the Kelsey Smith Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted NO.

Mr. Speaker, on Roll Call No. 230 on motion to suspend the rules and pass H.R. 3998, the Securing Access to Networks in Disasters Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 231 on ordering the Previous Question on H. Res. 743, the rule providing for consideration of H.R. 5055, Energy and Water Development and Related Agencies Appropriations Act, 2017; I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 232, on adoption of H. Res. 743, the rule providing for consideration of H.R. 5055, Energy and Water Development and Related Agencies Appropriations Act, 2017; I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 233, Ordering the Previous Question on H. Res. 742, the rule providing for consideration of House Amendment to Senate Amendment to H.R. 2576, TSCA Modernization Act of 2015 and

H.R. 897, Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 234 Adoption of H. Res. 742, the rule providing for consideration of House Amendment to Senate Amendment to H.R. 2576, TSCA Modernization Act of 2015 and H.R. 897, Zika Vector Control Act I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 235 on motion to suspend the rules and pass H.R. 5077, the Intelligence Authorization Act for Fiscal Year 2017, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 236 on Motion to Recommit with Instructions H.R. 897, the Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted NO.

Mr. Speaker, on Roll Call No. 237 on passage of H.R. 897, the Zika Vector Control Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

Mr. Speaker, on Roll Call No. 238, on concurring in the Senate Amendment with an Amendment to H.R. 2576, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, I am not recorded because I was unavoidably detained. Had I been present, I would have voted YES.

HONORING REVEREND PHARIS D.
EVANS

HON. PETER J. VISCLOSKY
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. VISCLOSKY. Mr. Speaker, I am honored to stand before you and my colleagues today to congratulate Reverend Pharis D. Evans on his 55th anniversary as Pastor of Clark Road Missionary Baptist Church in Gary, Indiana. For his lifetime of leadership and tireless dedication to his congregation and to the community in Gary and beyond, he is worthy of the highest praise. In his honor, a celebratory banquet hosted by Clark Road Missionary Baptist Church will take place on June 13, 2016.

Pharis Evans graduated from Haywood High School in Brownsville, Tennessee. As a young boy, his passion for theology grew from the church services he attended, and he knew early on that he was destined to be a preacher. He studied theology at Chicago Baptist Institute and continued his studies at Calumet College of Saint Joseph in Whiting. It was on the first Sunday in April 1961, when Pharis D. Evans was first selected to lead Clark Road Missionary Baptist Church. For the past 55 years, he has administered spiritual guidance to a congregation that presently serves more than 800 parishioners. Pastor Evans's impact through his spiritual teaching has been immeasurable, and those he has mentored can all attest to his generous nature. Throughout the years, he has been a tireless advocate for

his church and the community. Since 1963, Pastor Evans has coordinated and maintained Radio Broadcast Outreach Ministry. From 2009 to the present, he has also served as "Spiritual Advisor" for the Baptist Ministers Conference of Gary and Vicinity, and in 2008, he was awarded the prestigious community service Drum Major Award by the Gary Frontiers Service Club. Additionally, Pastor Evans has served as President and Vice President of the Progressive National Baptist Convention for the state of Indiana and been a chaplain for the Gary Police Department. A passionate and proven leader, Pastor Evans has provided counsel for many young ministers in search of guidance and direction. For his selfless devotion to aiding those in need of spiritual guidance, Pastor Evans is to be commended.

Reverend Evans's exceptional dedication to the church and to his community is exceeded only by his devotion to his wonderful family. He and his beloved late wife, Ann, raised five wonderful children (one deceased), and have nine grandchildren (one deceased), and three great-grandchildren.

I am privileged and honored to call Pastor Evans my friend. More importantly, Reverend Pharis D. Evans has been a friend to all, the epitome of what we consider a Man of God. A man who has led a life we should all seek to emulate. His vision, his work, and his spirit have provided all of us with a guide to an improved and gentler future.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Pastor Evans on his 55th anniversary as Pastor of Clark Road Missionary Baptist Church. For his lifetime of leadership and selfless service to others, he is to be truly an inspiration to us all.

JOE ANDERSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Joe Anderson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Joe Anderson is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Joe Anderson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Joe Anderson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN CELEBRATION OF THE 50 YEAR
REUNION OF THE DILLARD HIGH
SCHOOL CLASS OF 1966

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to commemorate 50 years since the Class of 1966 graced the halls of Dillard High School in Fort Lauderdale, Florida.

Dillard has a storied past and a bright future. Originally established in 1907 as Colored School Number Eleven, its opening marked the beginning of monumental African American achievements in South Florida. At that time, Fort Lauderdale was a farming region where locals found it unnecessary to educate African Americans past the sixth grade.

Two decades later the school progressed under Principal Dr. Joseph A. Ely, who added more classes and sought to educate African American students past the sixth grade. He was also responsible for the school's current name, a nod to James Harvey Dillard, a white educator from Virginia, who was a black education advocate.

In 1948, Dillard's well-known jazz program was led by Julian Edwin "Cannonball" Adderley, who later became one of the best known jazz musicians in America. Adderley brought new life to the school and helped instill the importance of jazz in the students. He taught jazz when it had not yet been accepted as a classical art form, and while he was teaching jazz he was also teaching Bach and Beethoven.

Due to an expanding community, the high school grades were moved to a new facility at 2501 N.W. 11th Street in 1950, where the Class of '66 attended and graduated. Dillard High School is now one of 62 high schools in the Broward County Public Schools and has become a magnet school open to all of Broward County, hosting three programs:

Performing & Visual Arts where students collaborate and work with artists-in-residence, and have the privilege of working side-by-side with the professionals at the Broward Center for the Performing Arts, the Fort Lauderdale Museum of Art and other local arts organizations.

Emerging Computer Technology which offers a state-of-the-art technology curriculum that complements students' core academic requirements utilizing computers and the latest technologies to develop higher level thinking skills, critical research and study, communication, and problem solving.

Digital Entrepreneurship Academy where students understand the essentials for successful business plan development, start-up and operation using digital arts, and using technology to create art, music, multimedia and animation.

Mr. Speaker, clearly all Panthers can be proud of the history and future of Dillard High School. It is my absolute pleasure to wish those Panthers celebrating their 50th high school reunion on June 18, 2016, a joyous and spirited reunion.

IN RECOGNITION OF JIM PROCE
ON EARNING THE AMERICAN
PUBLIC WORKS ASSOCIATION
PUBLIC WORKS LEADER AWARD

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SESSIONS. Mr. Speaker, I rise today to congratulate Jim Proce on earning the American Public Works Association Public Works Leader Award.

Each year the American Public Works Association recognizes 10 outstanding individuals who have made an indelible mark on their communities through their commitment to public service. This year, I have the distinct honor of representing one of the recipients, Jim Proce, the Assistant City Manager of Rowlett.

Jim's commitment to his community and dedication to service has not gone unnoticed throughout his 32 years of service. During his career, he has earned many honors and awards including the National Community Involvement Award by the American Public Works Association, was named the State Public Works Employee of the Year by FACERS in 2010, is a Designated Public Works Leadership Fellow by the Donald C. Stone Center for Leadership through the American Public Works Association, and is a member of the International City Management Association.

In his role as Assistant City Manager of Rowlett, Jim has excelled as a community leader and worked to implement strategic goals to strengthen the city and best serve the citizens of Rowlett. Throughout Jim's years of service he has displayed an unwavering commitment to community and proved to be a distinguished leader in all of his endeavors.

I would like to offer Jim my heartiest congratulations on this immense accomplishment and thank him for his dedication to serving the great people of Rowlett, Texas.

TRIBUTE TO MEGAN ROBERTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Megan Roberts of Atlantic, Iowa, for her selection by the Young Professionals of Atlantic for the Young Professional Entrepreneur Award. Megan is associated with the Megan Roberts State Farm Agency.

Megan's entrepreneurial spirit and involvement in a new start-up enterprise led to her selection for the award. Megan Roberts has a vision for leadership, highlighting community and civic responsibilities, a center of her business and personal life. She is focused on giving back to her community, offering her life experience and resources to assist with the improvement of Atlantic, all the while focusing on her future and career goals.

I applaud and congratulate Megan Roberts for earning this award. She is a shining exam-

ple of how hard work and dedication can affect the future of a community and business. I urge my colleagues in the U.S. House of Representatives to join me in congratulating Megan for her many accomplishments and for her service to the Atlantic community. I wish her continued success in all her future endeavors.

HONORING JILL MCGEE

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. O'ROURKE. Mr. Speaker, I rise today to honor and recognize Jill McGee for her dedication and service to the El Paso community. As an elementary school teacher, Ms. McGee has stood out among her peers for her innovative teaching methods that empower and challenge her students.

A native of Lincoln, Nebraska, Jill McGee earned her Spanish undergraduate degree from North Park University in Chicago, Illinois and her Master's degree in Bilingual Education from the University of Texas at El Paso. After graduating, Ms. McGee began her career as a teacher in the colonias of our sister city Ciudad Juarez, Mexico. Through her work in Ciudad Juarez, Ms. McGee has become fluent in Spanish and realized the importance of dual-language education. To this day, Ms. McGee often finds herself back in Ciudad Juarez where she continues to work several days a week with students from areas of extreme poverty.

More recently, Ms. McGee has worked over the past five years as a second grade elementary school teacher at Mesita Elementary, a dual-language elementary school in El Paso, Texas. At Mesita, she has incorporated the use of cutting edge technology in the classroom, such as computer coding and live broadcasting of her classes online, while also crafting a syllabus that challenges her students through problem-based learning.

To honor Jill McGee's decade-plus teaching career and dedication to dual-language learning, the El Paso Independent School District recently recognized her as the 2016 Elementary School Teacher of the Year.

Jill McGee is an inspiration to the El Paso community, and I am honored to represent her.

HONORING KARRIE COULTER

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Karrie Coulter of Marin County, California, for her selection as the Teacher of the Year at the 2016 Golden Bell Awards Ceremony, presented by the Marin County Office of Education in collaboration with the Marin County School Board Association and

other local civic organizations. Ms. Coulter has dedicated more than 15 years to educating students in San Rafael City Schools and is currently a 2nd grade teacher at Short Elementary School in San Rafael.

A skilled teacher and proven leader, Ms. Coulter helped shape the direction of Short when it reopened in 2012. The school uses the Guided Language Acquisition Design (GLAD) model to serve its students, an innovative approach that Ms. Coulter championed to better serve its multilingual students.

Ms. Coulter believes in the potential of each child, and works hard so they can achieve success. She sets a high bar in her classroom, while ensuring students feel respected and heard. Along with responding to individuals' needs in the classroom, she also employs data analysis and evaluates patterns outside of class to better track and promote students' progress.

The Golden Bell Awards celebrate public education in Marin County by recognizing outstanding teachers and supportive community partners. Each year, they select an exemplary educator, classified employee, teacher, and trustee for recognition.

Mr. Speaker, it is therefore fitting that we honor and thank Karrie Coulter for her contributions to students and public education in Marin County and California.

IN HONOR OF H.R. 4425, THE DESIGNATION OF THE "EUGENE J. MCCARTHY POST OFFICE" IN COLLEGEVILLE, MINNESOTA

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. MCCOLLUM. Mr. Speaker, I rise to support H.R. 4425 and honor the late Senator Eugene McCarthy, from Minnesota. H.R. 4425 will rename the postal facility located at 110 East Powerhouse Road in Collegeville, Minnesota, as the "Eugene J. McCarthy Post Office."

Before becoming a two-term Senator for the great state of Minnesota, Senator McCarthy was one of my predecessors, representing the people of the 4th District of Minnesota. In both the House and the Senate, Senator McCarthy took pride in representing Minnesota and was widely recognized for his collegiality and passion for good governance. Perhaps President Lyndon B. Johnson said it best when he referred to Senator McCarthy as "one of those uncommon men who puts his courage in the service of his country, and whose eloquence and energy are at the side of what is right and good."

As a graduate of both Saint John's Preparatory School and Saint John's University in Collegeville, Minnesota, I am sure Senator McCarthy would be happy to know that the Collegeville Post Office will now forever bear his name.

LEAH VOLZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Leah Volz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Leah Volz is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Leah Volz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Leah Volz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

OUR UNCONSCIONABLE NATIONAL DEBT**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,214,514,064,181.20. We've added \$8,587,637,015,268.12 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO KATHLEEN RICKER**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Kathleen Ricker of Des Moines, Iowa on the very special occasion of her retirement after 48 years of championing for students, with many of those years as principal of Bergman Academy in Des Moines, Iowa. She will retire in June 2016 and her impact will be reverberating for generations to come.

Mrs. Ricker came to the Des Moines Jewish Academy in 1977 to develop the school because of her proven track record for recognizing and nurturing academic excellence in young Iowans. In 2004, the Des Moines Jewish Academy merged with another private school to form The Academy, teaching 65 students. Years later, the Academy outgrew its home at the Tifereth Israel Synagogue in Des

Moines, relocating and taking on the new name of Bergman Academy. The Bergman Academy now educates over 250 students.

Kathleen Ricker has guided students to become well-rounded citizens, telling her students, "To whom much is given, much is expected." This spirit of philanthropy has been realized in school service projects, with students and their families contributing to organizations such as the Ronald McDonald House, the Animal Rescue League of Iowa, Food Bank of Iowa, UNICEF, Meals from the Heartland and many more charitable and philanthropic organizations. Academically, her pupils have reached their potential during their Bergman Academy years, with the school scoring in the 99th percentile on standardized assessments each year. Learning is also enriched through programs such as archery, chess club, Odyssey of the Mind, the arts, and numerous class trips.

I commend Kathleen Ricker for shaping the hearts and minds of so many central Iowans. I wish her a lifetime of joy, prosperity, happiness and faith as she embarks on her next journey. I know that my colleagues in the United States House of Representatives will join me in congratulating Kathleen Ricker on this celebratory milestone.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY ACT (H.R. 2576)**HON. KEITH ELLISON**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. ELLISON. Mr. Speaker, I support the Frank R. Lautenberg Chemical Safety for the 21st Century Act because it offers Americans meaningful protection from exposure to dangerous, unregulated chemicals found in the products we use every day. This bill represents a substantive step in favor of public health, but it's far from what's needed.

Today, the status quo isn't working. Industries can release hundreds of chemicals each year into our homes and workplaces without any federal requirement to consider their safety. Researchers have linked chemicals used in things like household cleaners, clothing, and furniture, to serious illnesses like cancer, infertility, diabetes and Parkinson's. The current law, the Toxic Substances Control Act (TSCA), isn't up to the job. It restricts the Environmental Protection Agency (EPA) from doing much of anything about these dangers. Under TSCA, only a small fraction of the thousands of chemicals used in our products have ever been reviewed for safety.

The current law is so weak that the EPA couldn't even regulate asbestos. In 1989, after 10 years of research and more than 100,000 pages of administrative record supporting action, the EPA issued a rule under TSCA to ban most uses of asbestos. But two years later, the EPA's regulation was overturned by the Fifth Circuit Court of Appeals; while acknowledging that "asbestos is a potential carcinogen at all levels of exposure," the Court ruled that the agency's administrative record failed to demonstrate that the regulation was

the "least burdensome alternative," as required under the law. Since the court's ruling, the burden to regulate most toxic substances under TSCA has been insurmountable.

The Frank R. Lautenberg Chemical Safety for the 21st Century Act is an important improvement over TSCA. It would require reviews for chemicals in use today, mandating greater scrutiny of new chemicals, and removing barriers that have prevented the EPA from regulating highly toxic substances in the past, such as asbestos.

This reform is necessary, but it's not adequate. The Frank R. Lautenberg Chemical Safety Act doesn't do everything public health and safety demand. Unfortunately, it bows to chemical industry, which stood in the way of reform for so long, in key provisions. For example, the chemical industry demanded and got unprecedented state preemption standards in the bill. It also imposes limitations on the EPA's ability to monitor chemicals in imported products. Federal policy should be a floor, not a ceiling, for public health and safety. States, like my Minnesota, have led the way in creating chemical safety standards that protect their residents. Last year in Minnesota, we took an important step toward protecting children and firefighters' health when the legislature passed a law to prohibit toxic flame retardants.

For my part, I will continue to be an advocate for reform that protects public health, not special interests like the chemical industry.

HONORING THE ROTARY CLUB OF ALBUQUERQUE**HON. MICHELLE LUJAN GRISHAM**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to acknowledge the 100th Anniversary of the Rotary Club of Albuquerque, which was chartered on July 1, 1916, with 31 charter members embracing the Rotary International motto of Service Above Self.

Community service projects have been a central theme throughout the club's history. Among the first efforts of the Albuquerque Club was "boosting" the climate and health facilities of the city, at a time when tuberculosis sanatoriums were a leading industry. Rotarians promoted and supported good roads for Albuquerque when it became apparent that the automobile was imperative to future growth. The Club helped direct attention to the recurring problem of flooding from the Rio Grande, and generated local support for the institution of the Middle Rio Grande Conservancy District, which continues to deal with a variety of critical water issues today.

Over the years, the Club has played an important role in the expansion of cultural life in Albuquerque. Members launched the Symphony Orchestra in 1932, which is now the New Mexico Philharmonic that has delighted and inspired audiences for over half a century. The Club also helped sustain the Albuquerque Little Theater for nearly as long.

In more recent years, the Rotary Club co-sponsored the Grand Opening of the New

Mexico Natural History Museum and provided major sponsorship for the "Children's Fantasy Garden" at the Albuquerque Biological Park. Members are currently leading a Signature Centennial Project to provide \$500,000 to the Explora! Museum for the "Working Together to Build a Village" project, which will lead participants to experiment with science, engineering, architecture and the daily application of the construction process, encouraging an appreciation for STEM.

As it completes its first century of service in our city, the Rotary Club of Albuquerque will continue to play a leading role in helping solve problems and improve the community. The moral and ethical foundation of Rotary is timeless, and will continue to inspire members with a sense of civic pride and service for many years to come.

RECOGNIZING BRYAN "SCOTTIE"
IRVING AND BLUE SKYE DEVELOPMENT AND CONSTRUCTION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing and commending Bryan "Scottie" Irving, president of Blue Skye Development and Construction as our 2016 D.C. Small Business of the Year. The D.C. Small Business of the Year is named annually at our D.C. Small Business Fair, and serves as an example to inspire D.C. small businesses on what can be accomplished by small businesses here.

We selected Blue Skye Development and Construction not only because of its successes as a small business in the highly competitive construction field, but also because of the company's work in providing affordable housing in the District. No area of entrepreneurship for businesses of every size today is more difficult than affordable housing. Blue Skye is working in southeast D.C. to provide affordable condominium units for District residents. Blue Skye is experienced in local construction, and has worked on Marleyridge Condominiums, Arena Condominiums, Terrell Jr. High School, the Office of Public Education Facilities Modernization, Tewkesbury Condominiums, Washington Highlands Neighborhood Library, Rosedale Recreation Center, Park 7, Hayes Street Apartments, and Bald Eagle Recreation Center.

Bryan "Scottie" Irving is a fifth generation Washingtonian with very strong ties to the District of Columbia. Mr. Irving is a graduate of Cardozo High School and Central State University in Ohio. Before founding Blue Skye Development and Construction, Bryan was a D.C. public school teacher and also had a successful career as vice president of basketball and football recruitment with Business Arena Inc., a sports marketing firm. Today, Blue Skye serves government, residential, and commercial clients across the national capital region. The company is an example and a role model for D.C. residents and small businesses who seek to succeed in business by providing outstanding service.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Bryan "Scottie" Irving of Blue Skye Development and Construction, this year's D.C. Small Business of the Year, for his noteworthy accomplishments in the construction of affordable housing and numerous government and other projects.

MARIAH GREEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariah Green for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mariah Green is a 12th grader at Pomona High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariah Green is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariah Green for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

DEATH OF JOHN MULLINIX

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. COLLINS of Georgia. Mr. Speaker, I rise today with great sorrow as Georgia's Ninth District mourns the loss of one of its great leaders.

John Mullinix epitomized the North Georgia values of my district. His passing on May 22nd robbed us of a man who truly valued patriotism and the well-being of our great nation.

John loved the Constitution as much as he loved the beautiful mountains of Fannin County that he called home. It was in those mountains that John showed what service to your community truly means.

John never hesitated to give his time when his community was in need. He served as a volunteer firefighter, a guest columnist for his local newspaper, and Chairman of the Fannin County Tea Party Patriots.

In our time of divisive partisanship and vicious personal attacks, John provided a refreshing return to positive politics. His motto was that you could disagree without being disagreeable.

John held to his political beliefs with the same sincerity with which he lived his life. His ideal time to discuss politics was over some good Georgia barbeque.

I join the people of Fannin County and the Ninth District of Georgia in offering our

thoughts and prayers to his wife, Janet, mother, Elizabeth, and siblings; Patricia, Stephen, Michael, and Mark. We have lost a man that will never be replaced.

TRIBUTE TO ALEXANDER REED

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alexander Reed of Des Moines, Iowa for earning the Gold Medal of Achievement award of Iowa's Royal Ranger Outpost Number 35. The Gold Medal of Achievement designation is the highest advancement rank in the Royal Ranger Outpost based at Christian Life Assembly of Des Moines.

To earn this Gold Medalist rank, Alexander Reed completed 56 skill merits, 212 Bible lessons, and over 58 hours of community service. Beyond those opportunities, Alexander also completed a service project by honoring the community and spirit of patriotism by hosting a U.S. flag retirement ceremony and replacing those retired U.S. flags with new U.S. flags which were given to local organizations.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Alexander Reed and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating Alex on obtaining the Gold Medal of Achievement ranking, and I wish him continued success in his future education and career.

HONORING THE 100TH ANNIVERSARY OF KIWANIS CLUB OF AURORA

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. FOSTER. Mr. Speaker, I rise today in honor of the 100th anniversary of the Kiwanis Club of Aurora. Since 1916, Kiwanis Club of Aurora has been dedicated to serving children locally and globally. Kiwanis Club of Aurora was the first club in the Illinois-Eastern Iowa District and the twenty-first club chartered in the world.

With their motto, "Serving the Children of the World," Kiwanis Club of Aurora has done just that, improving the lives of children across the world, one child and one community at a time. Kiwanis Club of Aurora's largest service project, the annual Coats for Kids drive, provides over 2,000 winter coats to needy children in the Aurora area.

Mr. Speaker, I ask my colleagues to join me in commemorating the 100th anniversary of Kiwanis Club of Aurora as they continue their long tradition of fellowship and service.

INTRODUCTION OF THE "QUADRENNIAL HOMELAND SECURITY REVIEW TECHNICAL CORRECTION ACT OF 2016"

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mrs. WATSON COLEMAN. Mr. Speaker, I am proud to introduce legislation today titled the "Quadrennial Homeland Security Review Technical Correction Act of 2016."

In 2007, the Committee on Homeland Security passed Public Law 110-53, the Implementing Recommendations of the 9/11 Commission Act. Under this Act, the Department of Homeland Security is required to produce every four years a unified, strategic framework for homeland security missions and goals, known as the Quadrennial Homeland Security Review (QHSR). The goal of the QHSR is to provide a comprehensive assessment and analysis of the threats facing the homeland. Thus far, the Department has produced two reviews, in 2010 and 2014. The Government Accountability Office assessed each review extensively and determined that stakeholder engagement and documentation were among the areas for improvement in future QHSRs.

The Quadrennial Homeland Security Review Technical Correction Act of 2016 addresses GAO findings and offers critical improvements to the QHSR. Among the key provisions are more specificity on outreach to stakeholders and requirements for supporting documentation on stakeholder engagement and risk assessments.

Specifically, my legislation enhances stakeholder engagement, by further specifying appropriate stakeholders to consult with during the preparation of the QHSR including the Homeland Security Advisory Council, the Homeland Security Science and Technology Advisory Committee, and the Aviation Security Advisory Committee.

Additionally, my bill requires the Department to use a risk assessment when determining the homeland security missions and threats. When interacting with outside agencies to gather information on sources and strategies, the Department must do so to the extent practical for the Department to gather the information needed.

Finally, the Quadrennial Homeland Security Review Technical Correction Act of 2016 requires DHS to retain all written communications through technology, online communication, in-person discussions and the inter-agency process and all information on how the communications and feedback informed the development of the review. The Secretary should also retain information regarding the risk assessment including data used to generate the risk results, sources of information to generate the risk assessment, and information on assumptions, weighing factors, and subjective judgments used to generate the risk assessment.

I urge support of this legislation to ensure that future Quadrennial Homeland Security Reviews provide homeland security decision-makers inside DHS and across the country with the analysis they need to help protect the United States.

EXPRESSING GRATITUDE TO THE INDIVIDUALS WHO ORGANIZE AND RUN KANSAS HONOR FLIGHT

HON. MIKE POMPEO

OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. POMPEO. Mr. Speaker, in May of 2012 the Kansas Honor Flight took its first group of the Greatest Generation to Washington, D.C. Now, four years later, almost 950 World War II and Korean War Veterans have been able to visit the nation's capital to see their memorials and honor friends who made the ultimate sacrifice. This month, on May 4th, the 35th Kansas Honor Flight touched down in Washington, D.C.

These flights would not happen without amazing volunteers. The work Mike and Connie VanCampen have done to honor these veterans is an exceptional example of the admiration Kansans, and all Americans, have for the men and women who serve. The VanCampens are not alone in this effort. A network of dedicated patriots whose selfless sacrifice on behalf of fellow Kansans mirrors that of the veterans they serve has worked on arranging these flights. These volunteers include another husband and wife team, Lowell and Joyce Downey, whose devotion to our Kansas veterans is truly inspiring.

In addition to volunteers, I would like to thank the family members that accompany these veterans to Washington. I have met many of these family members as they escort their hero around the World War II memorial. The pure joy and admiration on the faces of these family members as they experience the memorial for the first time reassures me that generations to come will understand and venerate the sacrifices of our nation's military members past and present. From the bottom of my heart I say thank you. Thank you for the long hours. Thank you for your dedication. Thank you Kansas Honor Flight.

TRIBUTE TO PERCIVAL SCIENTIFIC, INC.

HON. DAVID YOUNG

OF IOWA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate an exemplary Iowa company, Percival Scientific, Inc. as they are recognized with an "E" Award, the United States Government's highest honor to an American exporter and export service provider.

The United States Department of Commerce notified Percival Scientific, Inc. of the award, citing the company's "economic dynamism and leadership," and acknowledging that Percival Scientific, Inc.'s officials "recognize the importance exports have on creating jobs and strengthening the United States economy." Percival Scientific, Inc. is only one of 123 recipients of the President's "E" Award.

In 1961, President John F. Kennedy, Jr. created this award to recognize companies who

support the expansion of U.S. exports. Percival Scientific, Inc. has been in business for over 125 years, established in 1886 in Des Moines, Iowa, starting as Percival Manufacturing. The company manufactured and sold butcher tools, machinery and fixtures. As refrigeration came into being, Percival Manufacturing received a patent to manufacture a complete line of refrigerated display units. Since 2000, the company remains housed in a 60,000-square foot facility in Perry, Iowa, employing hundreds of central Iowans and contributing to the local and global economy.

Mr. Speaker, over the last century, Percival Scientific, Inc. has left an indelible mark on the manufacturing export industry in Iowa and around the world. Their innovation and forward thinking in the creation of state-of-the-art refrigeration chambers is recognized and admired worldwide among their peers. I commend Percival Scientific, Inc. and their employees for a job well done. I also ask that my colleagues in the United States House of Representatives join me in honoring this company for their unwavering commitment to manufacturing and to the state of Iowa. I wish Percival Scientific, Inc. and their employees nothing but continued success in their future endeavors.

RECOGNIZING NORTHWEST INDIANA'S NEWLY NATURALIZED CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate thirty-one individuals who will take their oath of citizenship on Friday, June 10, 2016. This memorable occasion, presided over by Magistrate Judge Andrew Rodovich, will be held at the United States Courthouse and Federal Building in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. Oath ceremonies are a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On June 10, 2016, the following people, representing many nations throughout the world, will take their oaths of citizenship in Hammond, Indiana: Joseph Nderito Ndungu, Kareema Abbas Khazaal, Waqar Hikmat Mahmood Jbara, Guadalupe Garcilazo Coria, Joseph Githae Njoroge, Lawrence George Cartwright, Sridhar Meda, Hellen Wangari Gathesha, Isabela Patena Pascua, Haopeng Xie, Leslie Sorayda Lopez, Mario Vazquez Sanchez, Michelle Patena Santarromana, Verica Prentoska, Esmerelda Ortiz, Sridhar Punukollu, Marina Gramosli, Tasuli Gramosli, Maria Delgado, Bharath Ganesh Babu, Maria Angelica Garcia, Juvenal Gonzalez, Fabiola

Guerra Alocilla, John Donghyun Kim, Ivy Cong Lu, Madhuri Punukollu, Emilio Soria, Alicia Tapia, Ernesto Abraham Velazquez, and Joseph Kamau Njoroge Venanzio.

Although each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country “. . . of the people, by the people, and for the people.” They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Constitution, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals who will become citizens of the United States of America on June 10, 2016. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

IN RECOGNITION OF JIM AND SUZIE CONNORS FOR THEIR SERVICE TO THE JEWISH FAMILY SERVICE OF NORTHEASTERN PENNSYLVANIA

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Jim and Suzie Connors, who will be recognized at the Jewish Family Service of Northeastern Pennsylvania's Inaugural Community Recognition Event on June 8, 2016. Mr. and Mrs. Connors will be honored for their work with Jewish Family Service and their long history of service to the Greater Scranton Community.

The Jewish Family Service of Northeastern Pennsylvania is a human service organization, which reflects the Jewish tradition of caring and compassion for all people in need. Through professional counseling, advocacy, and educational programming, its services seek to enhance and strengthen the quality of individual, family, and community life.

Mr. and Mrs. Connors are well known as community leaders committed to helping others throughout Northeastern Pennsylvania. Jim served as Mayor of Scranton from 1990 to 2002. Suzie was an educator in the Scranton school district for over thirty years and is a former board president for Jewish Family Service. Today, they both serve as members on the board of directors for Jewish Family Service.

It is an honor to recognize Mr. and Mrs. Connors. I wish them the best as they continue to work to improve the lives of Pennsylvanians.

MORGAN RASMUSSEN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Morgan Rasmussen for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Morgan Rasmussen is a 12th grader at Stanley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Morgan Rasmussen is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Morgan Rasmussen for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

RECOGNIZING THE 20TH ANNIVERSARY OF VOICE-BUFFALO

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HIGGINS. Mr. Speaker, I stand before you today to celebrate the 20th Anniversary of VOICE-Buffalo, a faith-based community of urban and suburban congregations throughout the County of Erie that has more than exceeded its mission to be the “Voice of the Voiceless.”

In 1996 VOICE-Buffalo Clergy identified congregation-based organization as the strategy for breaking down the barriers that divide neighborhoods, our city and region. Tirelessly dedicated to creating a culture of responsibility and accountability for what happens in our community, VOICE-Buffalo continues to build the capacity of people to act on their concerns and to strengthen and connect institutions to individuals.

Today, 55 interfaith and diverse congregations, unions and other community organizations that share common values, focus on bringing local issues that profoundly impact the lives of residents to the forefront. VOICE-Buffalo members believe in the positive progress that can be achieved through rallying local leaders, congregations and the private sector together to hold those in power accountable for making decisions that are in the best interest of the community.

For two decades, VOICE's mission has taken root in those committed to the cause of social and economic justice and whose training enhances engagement in the public life of their congregations and communities. This committed membership acts locally to connect people, build public relationships, address issues in their church neighborhoods and has

built a regional organization with the capacity to address policies that impact individuals, families and communities.

Committed to long term systemic change, VOICE-Buffalo has achieved tangible and transformative success with its push to increase health and public safety with the development of a city-wide uniform garbage tote system, the implementation of Project Holy Ground to strengthen congregations, engage and connect people to the community and bring stability to neighborhoods. In 2004, VOICE-Buffalo called for targeted demolition of unsafe properties that led to collaboration with the city of Buffalo to develop a user friendly manual on housing inspections and procedures.

Recent successes have been made in public transportation and in bringing methods of Restorative Justice to Erie County. Voice sponsorship has boosted training for more than 50 “peace circle keepers” and the establishment of faith-based peace center “hubs.”

In March of this year, I had the privilege of working with VOICE-Buffalo, NOAH (Niagara Organizing Alliance for Hope) and its joint federation, Gamaliel WNY (Western New York) in welcoming U.S. Labor Secretary Thomas Perez back to his hometown of Buffalo, New York. Secretary Perez accepted the invitation extended by VOICE-Buffalo President Pastor James Giles, NOAH President Rev. JoAnne Scott and Paul Vukelic, CEO of Try-It Distributing, for a public dialogue on workforce diversity and training strategies.

Secretary Perez addressed a packed auditorium at Bennett High School outlining the Federal Government's plan to provide resources to fill the existing gaps by connecting people in need to the pipeline of opportunity and employment. The challenge to develop innovative approaches has been embraced by VOICE-Buffalo and its community partners who continue to use their expertise to identify the underlying issues that prevent hiring and advocate for sustainability measures.

There is well-deserved national acclaim for Buffalo's renaissance but the true measure of success will be when all residents are able to participate in the rebuilding of Western New York. VOICE-Buffalo has accepted that challenge and is leading the way to ensure that a pathway to participation is in place and that it is sustainable.

The process of creating positive social change is never easy; it takes courage, faith, patience and vision. And that is why I rise today in the House of Representatives to acknowledge with admiration and appreciation the courage, faith, patience and vision of VOICE-Buffalo. More than 400 others joined together in the Golden Ballroom of Statler City to celebrate the 20th Anniversary of VOICE-Buffalo on June 2, 2016 and to give thanks for the contributions of Father Harry Grace, Rev. Will Brown (posthumously), Marianne Rathman, Murray Holman, Robert Spicer and Amy Vossen Vukelic.

Thank you for this opportunity to congratulate VOICE-Buffalo for its accomplishments. I would like to extend my best wishes for continued success. By standing together, we can “be the people we've been waiting for” that make a difference in our community and set “Our Path to Power.”

HONORING JIMMY SMITH

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. HUFFMAN. Mr. Speaker, I rise today along with Representative MIKE THOMPSON in memory of our friend, Jimmy Smith, who passed away on May 24, 2016, at the age of 67. A third generation Humboldt County native, Jimmy was woven into the fabric of California's North Coast as a commercial fisherman, avid outdoorsman, dedicated public servant, and community leader.

Born in Eureka on July 11, 1948, to James L. Smith and Jean Withey, Jimmy graduated from Eureka High in 1966. In 1972, Jimmy bought a salmon and crab fishing boat, which he operated out of Humboldt Bay for 30 years. He became a respected and expert fisherman known for his uncanny ability to locate salmon. Jimmy was also a lifelong hunter with a passion for ducks and geese, especially black brant.

During his time as a commercial fisherman, Jimmy also volunteered and worked on numerous fisheries and wildlife surveys throughout the area with the U.S. Forest Service, U.S. Fish & Wildlife Service, National Marine Fisheries Service, California Department of Fish & Game, California Waterfowl Association, and Humboldt Fish Action Council. He co-chaired the Task Force for the Humboldt Bay Management Plan, served as the fishing industry representative to the Klamath River Basin Fisheries Technical Work Group, and was appointed by Interior Secretary Babbitt to the Trinity Task Force.

In 1995, Jimmy was elected to the Humboldt Bay Harbor, Recreation and Conservation District and served until 2000, where he worked with the U.S. Army Corps of Engineers to deepen Humboldt Bay to improve safety and accommodate deep-draft ships. Jimmy was then elected to the Humboldt County Board of Supervisors in 2000, a position he served in for 12 years. His achievements, which he always credited to those he worked with, are too many to record. Among them were working tirelessly to clean up the South Spit of Humboldt Bay—now the Mike Thompson Wildlife Area; helping broker agreements meant to tear out the Klamath River's fish-blocking dams; and efforts to improve flows on the Eel River and protect fisheries on the Klamath, Trinity and Eel rivers. During his term as supervisor, Jimmy was a primary visionary and co-founder of the seven-county North Coast Integrated Regional Water Management Plan (now the North Coast Resource Partnership) and the Five-Counties Salmonid Conservation Program.

Jimmy was named National Fisherman Magazine Highliner of the Year in 1983 and received numerous other recognitions, including the John Pelnar Commercial Fisherman Award in 1984 and awards from the U.S. Fish & Wildlife Service, California Waterfowl Association, U.S. Coast Guard, Eureka Chamber of Commerce, Elks Club, and the Humboldt County League of Women Voters. He was a member and the chair of the Commercial Salmon Trollers Advisory Committee and California Salmon Stamp Committee.

Jimmy Smith was a champion of the North Coast and the conservation of its natural resources. He had a profound impact on so many people, often serving as a valued friend, partner, and mentor. He quietly led by example and earned his reputation as a true gentleman known for creating partnerships, responsive leadership, treating everyone with respect, generosity of spirit, kindness, and integrity. Those who knew him best appreciated his witty sense of humor and love for teasing those he liked.

Jimmy is survived by his soul mate and wife of more than 40 years, Jacque; his son Gary; his granddaughters Shawni Chrislock and her husband Kohl, and McKayla Smith; his sisters Laurie Smith and Marrie Carr; and nieces, nephews and cousins. He also leaves behind many friends who loved him and will miss him dearly.

Few are as beloved and widely respected as Jimmy Smith, who made such a difference in the lives of so many and in his community. We both considered him a friend and relied on him for his wise counsel, as did our staffs and our colleagues in state and local government. Mr. Speaker, it is fitting that we honor Jimmy today for his decades of commitment to the North Coast, and we express our deepest appreciation for his friendship and service. His presence will be sorely missed and his legacy not soon forgotten.

HONORING DIRECTOR ELIZABETH JOYCE FREEMAN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. DENHAM. Mr. Speaker, I rise today with Congressman MCNERNEY and Congressman SWALWELL to acknowledge and honor Director Elizabeth Joyce Freeman for her many years of service to the Palo Alto Veteran Affairs health care system. Director Freeman has worked nobly in serving veterans since 1983, and after 33 years of honorable service to the VA she has announced her retirement on June 7, 2016.

Graduating from the University of Notre Dame in 1983, Ms. Freeman obtained her Bachelor of Science degree in Civil Engineering. She returned to school in 1987 at Louisiana Tech University where she graduated with her Master's Degree in Business Administration.

In 1983, Ms. Freeman began her extensive career with the VA as a Resident Engineer at the VA Medical Center in Oklahoma City. She moved up the ranks quickly and became the Senior Resident Engineer in Oklahoma City and later moved to Shreveport, Louisiana. Other positions she held with the VA include the following: Project Manager of the VA Central Office Southern Region; Health System Administrator Trainee of the VA Palo Alto Health Care System; Chief Operating Officer of the VA Sierra Pacific Network Office in San Francisco, California; Associate Director of the VA Palo Alto Health Care System; and Director of the VA Palo Alto Health Care System.

In 2001, Ms. Freeman was appointed to Director of the VA Palo Alto Health Care Sys-

tem, and since then has efficiently and successfully overseen the complex organization. In her capacity as Director she is tasked with overseeing an annual budget of over \$1 billion, a capital portfolio of \$2.6 billion, and more than 7,000 staff and volunteers.

In addition to Ms. Freeman's numerous professional achievements, we would like to highlight some of the work that Ms. Freeman did outside the VA Office. She served on many boards and committees, such as the Palo Alto Veterans Institute for Research and the Quality Board, Patient Care, and Patient Experience Committee of the El Camino Hospital Board. She was a member of the California Hospital Association's Santa Clara County Section, and served on the Board of Directors for the Hospital Council in 2006. She should be commended for her outstanding involvement in the community.

The abundance of awards Ms. Freeman has received demonstrates her exceptional leadership and proven work ethic. Ms. Freeman received the Presidential Rank Award at the meritorious level in 2005 and the distinguished level in 2009, she was a recipient of the Leadership VA Senior Executive Leadership Award, she received the VA Alumni Association's Honorary Leadership Award in 2005, and was named one of the top 100 influential women in Silicon Valley.

Mr. Speaker, please join me in honoring and recognizing Director Elizabeth Freeman's leadership that brought invaluable institutional knowledge to the VA Palo Alto Health Care System. We thank her for her unwavering leadership, devoted service and contributions on behalf of the community and the Nation.

TRIBUTE TO EAGLE SCOUT BRYCE NORMAN BERTHUSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bryce Norman Berthusen of Wauke, Iowa for achieving the rank of Eagle Scout. Bryce is a member of Boy Scout Troop 178. The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. For Bryce's project, he designed and constructed outdoor fitness stations at the local Wauke Y.M.C.A. Bryce is a freshman at Wauke High School with a great interest in science, engineering and music. He is also on the Wauke High School baseball team and spends time with his church's youth group.

The work ethic Bryce has shown in his Eagle Scout Project and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to serving a

cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Bryce Norman Berthussen and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE FELLOWSHIP CHAPEL

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Fellowship Chapel on their 50th anniversary. The accomplishments of this long-standing institution exemplify the importance and strength of community, fellowship, and service.

Founded in 1966 by Reverend James E. Wadsworth Jr. and around one-hundred founding members, Fellowship Chapel came from humble beginnings at a small funeral home. Through tireless service, its membership and ministries have continued to grow, making it necessary to repeatedly expand. In January of 2002, members and friends of Fellowship Chapel fulfilled Reverend Dr. Wendell Anthony's vision of a new village with the historic groundbreaking for the present church building on West Outer Drive. The building was dedicated on June 5th, 2005, as thousands marched from the old location to the new, demonstrating the significance of Fellowship Chapel within the community.

Fellowship Chapel has a strong and growing congregation built on a foundation of faith and trust which has been built through the years under the visionary leadership of Rev. Dr. Wendell Anthony. Along with faithfully leading his congregation, Reverend Anthony is a powerful voice for positive change in Metro Detroit. As the President of the Detroit Branch NAACP, Reverend Anthony has led the fight for civil rights, good jobs, and safe communities in Detroit. As Reverend Anthony has fought hard for social change, Fellowship Chapel has become a place where members of the community gather to discuss the important issues whether they are on a local, state, or national level, to ensure members of the community have a better understanding of what is happening and how to engage to make our world a better place. In that way, Fellowship Chapel is a powerful symbol for what we believe and what we should strive for as a people.

Fellowship Chapel's leaders and volunteers have continued to faithfully provide much-needed services to the local community, including full-time outreach ministry programs, computer programming, adult education, Narcotics and Alcoholics anonymous, homeless

assistance, and standardized test-coaching for college-bound students. For 50 years, Fellowship Chapel has held itself to the highest standards to ensure that local residents would always have somewhere to turn during both good times and bad. As a sanctuary of spiritual and social progress, it has served as a pillar of the local community for half a century, and will continue to do so for many years to come.

Mr. Speaker, I ask my colleagues to join me today to honor Fellowship Chapel on their 50th anniversary and wish them many more years of success.

MARIYA PEREZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariya Perez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mariya Perez is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariya Perez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariya Perez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

TRIBUTE TO JIM O'BRIEN

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember a wonderful neighbor and friend, Jim O'Brien, who passed away over the weekend after a brave battle with cancer.

For many years, Jim and his wife Barb lived in Taylorville, always bringing smiles to the faces in town. My daughter, Toryn, loved the pink house he and Barb lived in with their Yorkie, Maggie.

What I will remember most about Jim is his kindness and generosity. Driven by faith, family, and community, Jim spent nearly all of his time serving others. He was an active member of Trinity Lutheran Church in Taylorville, coached Little League, delivered Meals on Wheels, and served as an after-school mentor for children. When Taylorville opened its SHADOW home, a residential faith-based program for women and children, Jim dedicated

much of his time making the home a comfortable place for those in need.

In his free time, Jim served as the president of the park district board and frequently attended high school basketball and football games, cheering on the Tornadoes whenever he could.

There is no doubt that Jim made Taylorville a wonderful place to call home. His love for the community and his service to others will always be remembered. He will be greatly missed by me, my family, and by all those who knew him. My thoughts and prayers are with his wife, Barb, and their family.

HONORING THE NOMINEES FOR KANE COUNTY CHIEFS OF POLICE ASSOCIATION'S 2015 LOUIS SPUHLER OFFICER OF THE YEAR FOR KANE COUNTY AWARD

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. FOSTER. Mr. Speaker, I rise today to recognize the nominees for the 2015 Kane County Chiefs of Police Association's Louis Spuhler Officer of the Year for Kane County Award.

The award, presented by the Batavia Moose Lodge Number 682 and the Kane County Chiefs of Police Association, recognizes the outstanding achievements of police officers who protect our community. The men and women who wear the badge provide our families with security while putting their own lives on the line and deserve our admiration and thanks.

I would like to congratulate the winner of the 2015 Louis Spuhler Officer of the Year for Kane County, Officer Dean M. Tucker, as well as his fellow nominees: Sergeant Elizabeth Palko, Lieutenant Brian McCarty, Lieutenant Anthony Gorski, Officer Ronald F. McNeff, Sergeant Eric Blowers, Officer Erika Stover, Officer Justin Howe, Officer Chris Potthoff, Officer Mark Skorup, Trooper Gregory Melzer, and Detective Andrew Houghton.

Mr. Speaker, I ask my colleagues to join me in congratulating the nominees for the 2015 Louis Spuhler Officer of the Year for Kane County Award and thanking them for their continued dedication to the safety and security of our community.

TRIBUTE TO DOROTHY AND BILL HARPER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Dorothy and Bill Harper of Peru, Iowa, on the very special occasion of their 60th wedding anniversary.

Bill and Dorothy's lifelong commitment to each other truly embodies Iowa values. As

they reflect on their 60th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 60th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF GREGORY STEVENS, A DISTINGUISHED MEMBER OF THE GARLAND POLICE DEPARTMENT

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SESSIONS. Mr. Speaker, I rise today to recognize a distinguished member of the Garland Police Department, Officer Gregory Stevens, for receiving the Medal of Valor at the White House. On May 3, 2015, two gunmen opened fire at an event in Garland with the sole intent of harming and taking the lives of every single person inside. Luckily, Officer Stevens was standing guard that night. As the shooters opened fire on the auditorium, Officer Stevens swiftly acted to protect the people of Garland from what could have been a devastating situation. His actions not only saved countless innocent lives, they also sent a clear message that Texans will not stand down in the face of terror.

I am extremely proud to have such exceptional men and women who faithfully serve and protect our communities. Officer Stevens, thank you for your selfless service and your unwavering commitment to protect the wonderful people of North Texas. God Bless our Police Officers, God Bless Texas, and God Bless America.

HONORING MICHAEL P. REESE

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. O'ROURKE. Mr. Speaker, today I rise to recognize and honor Michael P. Reese for his extraordinary contributions to the community of El Paso and honorable service to our nation. Mr. Reese stands apart for his distinguished service as a teacher in the El Paso community and soldier for the United States Army.

Born in Omaha, Nebraska, in 1979, Michael P. Reese has dedicated both his life and career to the service of others. After graduating from the Texas Lutheran University in 2001, Mr. Reese worked as a counselor to troubled youth at a therapeutic wilderness camp in Lockhart, Texas. In 2003, he joined the United States Army, where he served honorably through 2005. During his service, Mr. Reese was stationed at Fort Hood in Killeen, Texas and deployed to Iraq from 2004 to 2005 with the First Brigade Combat Team of the First

Cavalry Division. While deployed, Mr. Reese earned the Combat Medical Badge for satisfactorily performing medical duties while his unit was engaged in ground combat.

After completing his term of enlistment, Michael Reese moved to El Paso when he was accepted into the University of Texas at El Paso's History Graduate Program. Since graduating in 2009, Mr. Reese has worked as a high school teacher in El Paso and earned several awards for his refusal to dumb down challenging issues and ability to bring out the best in his students, including Campus Teacher of the Year at Andress High School. Michael P. Reese's creative use of technology to inspire his students and encourage discussion, exemplifies the vision required to educate the youth of El Paso in the 21st century. This year, the El Paso Independent School District named Mr. Reese Secondary Teacher of the Year for his work as a Social Studies and Broadcast Journalism teacher at El Paso High School.

Michael P. Reese's commitment to helping others is an inspiration to the El Paso community. I am honored to recognize him for his service to our country both in the military and classroom.

HONORING ROMAN MAZUR ON HIS COMPANY'S ANNUAL DANCE FESTIVAL

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. DOLD. Mr. Speaker, I am honored today to recognize Roman Mazur on bringing his dance company's annual dance festival, this year entitled, "Melodies from My Grandmother's Chest" to the Theatre of Buffalo Grove Community Art Center on the weekend of May 28th. I'm excited to convey my support for a vibrant cultural event hosted in the center of my district.

The tenth congressional district is a hub of cultural diversity, and events like Mr. Mazur's Dance Festival encapsulate this. The Festival highlights the hard work, creative endurance, and dedication of veteran dancers as they bring the rich tradition of 1930s and '40s dancing and music to the audience.

It is truly my pleasure to commend Mr. Mazur on many years of outstanding work with the Mazur Dance School. I congratulate him and his company on the Festival, and wish him the best of luck in all of his future endeavors.

TRIBUTE TO DARLENE AND DWAYNE HENRICHS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Darlene and Dwayne Henrichs of Thayer, Iowa, on the very special occasion of their 65th wedding anniversary. They were married on June 3, 1951.

Dwayne and Darlene's lifelong commitment to each other, their children, and their grandchildren truly embodies Iowa values. As they reflect on their 65th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 65th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

ROBYN COLAO-MORGAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Robyn Colao-Morgan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Robyn Colao-Morgan is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Robyn Colao-Morgan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Robyn Colao-Morgan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

CONGRATULATIONS TO THE 2016 UNITED HEALTH FOUNDATIONS DIVERSE SCHOLARS

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PAULSEN. Mr. Speaker, continuing to modernize the health care system requires improving the quality and delivery of health care, the backbone of which is the health care workforce. I am pleased to have the opportunity today to talk about a group of students from across the country who represent some of the brightest individuals preparing to enter the health care workforce. This year's United Health Foundation Diverse Scholars Initiative scholarship recipients represent 36 states.

They are working hard in their undergraduate and graduate programs—whether they are studying to be doctors, nurses, dentists, pharmacists, public health specialists, or technicians—to increase the number of skilled professionals entering the health care workforce.

Beyond their academic achievements, I would also like to recognize their commitment to making the health care system more culturally relevant and their dedication to improving the health outcomes of the individuals they

will one day serve. Research shows that when people are treated by health professionals who share their language, culture, and ethnicity, they are more likely to accept and receive medical treatment. This will be a great asset to our nation's health care system.

Next week, these scholars will be joining us in Washington, DC to examine some of the nation's most pressing health care problems and potential solutions as part of the United Health Foundation's Annual Diverse Scholars Forum. Since 2007, the United Health Foundation has helped more than 1,850 multicultural students from across the country realize their dream of pursuing careers in health while focusing on the needs of local communities through the Diverse Scholars Initiative. This year, these scholars also include a group of military spouses and dependents pursuing health care careers who have received scholarships, and I'd like to recognize their commitment to becoming part of the future health workforce and their support for those who have served.

To these exceptional scholars, congratulations and best wishes for success in all of your future endeavors. I know that our nation's health care system will benefit from your hard work and talent.

Jean Abac, Miranda Adcock, Sainfer Aliyu, Cadijah Allen, Jose Alonso, Toni Aluko, Evelyn Ambush, Felicia Andrew, Jesse Andrews, Brie Antonas, Kwame Awuku, Luriana Bailon, Kane Banner, Sophia Barrios, Christina Batarse, Anya Bazzell, Shanell Becenti, Ashleigh Bennett, Carlene Black, Ashley Blackwell, Maya Bryant, Tina Bui, Andrea Burgess, Ebony Caldwell, Ana Cisneros, Danelle Cooper, Sandy Cullins, Radha Dahal, Marcqwon Day, Andres de Avila, Elizabeth De La Rosa, Chelsie Rae Domingo, Katie Duncan, Evelyn Escobedo Pol, Rebecca Espinoza, Mayra Estrada, Laurie Farreau, Clarissa Flores, Nyla Flowers, Thomas Franco, Jeremy Garriga, Misha Gilmore, Homero Guaderrama, Eddie Hackler III, Jackie Hairston, Jada Mone'e Harris, Oswaldo Hasbun Avalos, Katie Haynes, Shakura Howard, Austere Apolo, Wes Hungbui, Jalane Jara, Sophia Jimenez, Valencia Johnson, Karianne Jones, Ramanjot Kaur, Leslie Kedelty, Linda Kerandi, Ashley Kyalwazi, Angel Lara, Vin Lay, Anna Le, Saleena Lee, Edith Leiva, Amy Liang, Korai Liriano, Maria Madrigal, Erin Abigail Marden, Rasheena McCabe, Karen Mendez, Santiago Mercado, Monique Merriitt, Alexa Mieses, Kimberly Mondestin, Lynette Morgan, Krista Morine, Binh Nguyen, Whitney Nwagbara, Justin Okons, Francesca Olguin, Chiemeka Onyima, Sylvia Pena, Bert Pineda, Joshua Platero, Cecilia Ramirez, Juan Ramirez, Isis Reyes, Julian Roby, Leah Ruiz, Valeria Salazar Ball, Brianne Samson, Ari St. Clair, May Lei Suen, Hiroshi Usui, Janet Van, Vaithish Velazhahan, Jennifer Villalobos, Shenae Whitehead, Veronica Williams, Taylor Williams-Hamilton, Davontae Willis, Ernestine Wilson, Bethany Womack, Chris Zermeno, and Jingna Zhao.

IN HONOR OF THE CLOWES FUND

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. CARSON of Indiana. Mr. Speaker, I rise today to honor The Clowes Fund and family whose philanthropic contributions have positively impacted countless Hoosiers in my hometown of Indianapolis.

Dr. George Henry Alexander Clowes, his wife Edith Whitehill Clowes and their two sons, Allen W. Clowes and Dr. George H.A. Clowes, Jr., incorporated The Clowes Fund in 1952 to support education along with literary, performing, and fine arts. Social services soon became another focus for support. A rare combination of scientist and entrepreneur, the senior Dr. Clowes was director of research at Eli Lilly and Company who in 1921 mobilized Lilly resources to mass produce and market an insulin treatment that would save the lives of millions of diabetics. Lilly's subsequent growth as a pharmaceutical giant contributed to Dr. Clowes' personal success, giving rise to the Fund, an extensive art collection and other philanthropic endeavors. Mrs. Clowes was actively involved in a variety of educational, cultural and social service interests in the community; she was a co-founder of the Orchard School and Planned Parenthood. Their story is told in *The Doc and the Duchess, The Life and Legacy of Dr. George H.A. Clowes*, written by their grandson, Dr. Alexander (Alec) Whitehill Clowes.

Alec joined The Clowes Fund board at age 21 and served from 1967–2015, and as president 2001–2015. Early in his tenure he was intimately involved in planning the Clowes Pavilion at the Indianapolis Museum of Art (IMA) for exhibition of the Clowes Collection on long term loan. Later, he helped guide the board toward a decision to transfer ownership of the Collection to the IMA, a process that will culminate by 2023 when Indianapolis celebrates the centennial of insulin. In the early 1990's, Alec was a uniting force that prevented the foundation from being divided by family branches. Unity is a legacy of his leadership as he made it a priority to recruit a fourth generation of family members to serve the foundation's mission.

Since its founding, The Clowes Fund has awarded \$37.3 million in funding to nonprofit organizations in Indianapolis. Recent grant gifts include more than \$550,000 to local Centers for Working Families, a service delivery model designed to move families out of poverty and toward a more self-sufficient standard of living, and nearly \$2 million to support services for immigrants, refugees and asylees in our community. The Fund has also transferred art valued at approximately \$25.3 million from the Clowes Collection to the Indianapolis Museum of Art with another \$25 million in support scheduled over the next few years to ensure the collection remains intact and in Indianapolis. In addition to grantmaking, The Clowes Fund has left a lasting legacy in Indianapolis by donating its grant files to the Ruth Lilly Philanthropic Studies Library and Archives at IUPUI. The Clowes family also donated personal papers and mementos to the Indiana History Center.

Our community continues to benefit from the foundation's mission to support organizations and projects that build a more just and equitable society, create opportunities for initiatives, foster creativity and the growth of knowledge, and promote appreciation of the natural environment. Today, I ask my colleagues to join me in recognizing The Clowes Fund for its dedicated efforts to improve our community.

WOMEN'S HEART ALLIANCE PARTNERSHIP WITH THE OHIO STATE UNIVERSITY

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mrs. BEATTY. Mr. Speaker, did you know that the rate of heart disease is increasing the fastest among young women, especially among African-American and Latina women, and that stroke is still considered a silent killer?

Young women need to better understand the risks and how to better prevent heart disease—in addition to spreading the word to their loved ones.

That is why I support The Ohio State University and the Women's Heart Alliance's new unique partnership to screen and educate college-aged women about their risk for heart disease and how they can prevent it.

Death rates from heart disease have been virtually stagnant in young women over the last two decades.

In the United States, heart disease kills more women each year than all cancers combined.

Yet, forty-five percent of women are unaware that it is their number one health threat.

Mr. Speaker, we need awareness, education and advocacy to tackle this epidemic.

Dr. Bernadette Mazurek Melnyk, Associate Vice President for Health Promotion, Chief Wellness Officer, and Dean and Professor of the College of Nursing at The Ohio State University said it best, "We must act with urgency to teach young women how they can prevent heart disease by engaging in healthy lifestyle behaviors, such as 30 minutes of physical activity 5 days a week, 5 fruits and vegetables per day, no smoking, and stress reduction. They and their loved ones' lives depend on it."

Mr. Speaker, we cannot leave women's health to chance.

Heart disease is deadly, but it's also largely preventable.

Let's help educate young women in my district, across Ohio, and beyond about the risk factors of cardiovascular disease, so they develop heart-healthy behaviors long before the symptoms of heart disease ever develop.

TRIBUTE TO KATE LECHTENBERG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kate

Lechtenberg of Ankeny, Iowa for being awarded the American Association of School Librarians' (AASL) Frances Henne Award. The AASL award is presented to a school librarian with five years or less experience who demonstrates leadership qualities with students, teachers and administrators.

When presenting the award, AASL officials said, "Kate Lechtenberg is our unanimous choice due to her impressive service record and obvious commitment to the field." Ms. Lechtenberg, Northview Middle School's librarian for four years, embraces diverse programming, active research and fosters a love of reading with her students and the instructors.

For nearly a decade as a literacy and English teacher, Ms. Lechtenberg became a school librarian, accepting a position at Northview Middle School in Ankeny, Iowa, where she provides a vibrant learning space for 850 students. Outside of school activities, Ms. Lechtenberg serves as the professional development chairman for the Iowa Association of School Librarians and as a member of the AASL standards and guidelines implementation task force.

Kate Lechtenberg makes a difference by serving others. It is with great honor that I recognize her today. I know that my colleagues in the U.S. House of Representatives join me in honoring her accomplishments. I thank her for her service to the Iowa students and the community, wishing her all the best in the future.

HONORING DR. JOHN D. LEWIS, JR.

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. MACARTHUR. Mr. Speaker, I rise today to honor the memory and life of Dr. John D. Lewis, Jr., of the Third Congressional District, and to express my sincerest condolences to his family and loved ones he has left behind, as well as to recognize his service and career.

Dr. Lewis joined the United States Army in high school and served in World War II from 1943 to 1946. Upon returning to the United States, he completed his education and entered Hampton University. Dr. Lewis continued to serve our nation by participating in the ROTC program, while studying biology. He became an officer in the military at Hampton and earned his bachelor's degree in 1951. After leaving Hampton University, Dr. Lewis was stationed at Camp Edwards in New Bedford, Massachusetts where he met Agnes Perry Alves, whom he married in July of 1952. Dr. Lewis served as an officer in the Korean War from 1951 to 1953. He then joined the Army Reserves and rose to the rank of Major before retiring with honor and distinction in 1976.

Dr. Lewis continued his education while raising a family with Agnes in Philadelphia, Pennsylvania. He became a certified Physical Therapist in 1962, and then decided to pursue a career in Podiatry. He became a Doctor of Podiatric Medicine in 1969. He opened a practice in 1970, where he served members of the community. He and his family were very active in the Holy Cross Lutheran Church, always giving back to others when possible. Dr. Lewis

was known throughout his community as a hard-working, thoughtful and determined man who overcame discrimination and much adversity to obtain success.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have had Dr. John Lewis, Jr., as a selfless and dedicated member of their community, whose generosity and vivacious spirit will never be forgotten. It is with a heavy heart that I recognize his honorable service to the United States of America and commemorate his career and life, as well as the lasting legacy that he has left behind, before the United State House of Representatives.

THE MEDICARE DENTAL, VISION, AND HEARING BENEFIT ACT OF 2016

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. McDERMOTT. Mr. Speaker, today I am proud to introduce the Medicare Dental, Vision, and Hearing Benefit Act of 2016. This legislation expands the Medicare benefit package to include comprehensive coverage of dental, vision, and hearing care.

The Medicare program commemorated its 50th anniversary last year, and there are many reasons to celebrate this important milestone. Thanks to Medicare, 55 million seniors, patients with End-Stage Renal Disease, and people with disabilities enjoy the peace of mind and security that comes with health coverage.

But there is still a tremendous amount of work that must be done to ensure that the coverage that Medicare provides truly meets the needs of all of its beneficiaries.

Unfortunately, many gaps continue to exist in Medicare's covered benefits. These gaps force beneficiaries to shoulder burdensome out-of-pocket costs and, in many cases, to do without the care they need.

One of the largest holes in the Medicare benefit package is the lack of coverage for dental, vision, and hearing care. In fact, not only does Medicare not pay for these crucial health services, but current law specifically excludes them from coverage.

This is a shortsighted and harmful policy that has serious ramifications for beneficiaries.

Lack of dental care is linked strongly with numerous health problems, including potentially fatal and costly conditions such as cardiovascular disease and oral cancers.

Similarly, untreated vision disorders—which are among the most common and costly conditions facing the elderly—substantially increase the risk of expensive hospitalizations due to injuries associated with falls.

And hearing loss, which is pervasive among beneficiaries, often leads to social isolation, depression, and cognitive impairments. Yet the majority of elderly Americans who need hearing aids do not have them—in large part due to costs.

It's time for Congress to recognize that Medicare must be expanded to address the full spectrum of beneficiaries' health needs.

The Medicare Dental, Vision, and Hearing Benefit Act does just that.

The bill repeals the outdated statutory exclusions that prevent Medicare from providing coverage of dental, vision, and hearing services and related supplies.

It amends Part B to provide coverage of necessary health services, including routine dental cleanings, fillings and crowns, root canals, refractive eye exams, and exams for hearing aids.

It provides coverage of items such as dentures, eyeglasses, contact lenses, low vision devices, and hearing aids as durable medical equipment, prosthetics, and orthotic supplies.

And to control costs and facilitate implementation of these major reforms, benefits will be subject to reasonable limitations and will be phased in gradually in the years following enactment.

All too often, policy discussions about Medicare focus on how much of the program to cut and how to further shift costs onto beneficiaries. This is the wrong approach. It's time for Congress to recognize that Medicare must be strengthened, not cut, and that benefits must be expanded, not scaled back.

The Medicare Dental, Vision, and Hearing Benefit Act will make Medicare a stronger, fairer, and more comprehensive program for the 55 million beneficiaries it serves.

I urge my colleagues to join me in working to enact this and other important expansions of Medicare now and in the future.

CONGRATULATING THE PHILIPPINES ON ITS 118TH ANNIVERSARY OF ITS INDEPENDENCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Ms. BORDALLO. Mr. Speaker, I rise today to congratulate the Republic of Philippines on the 118th Anniversary of its independence. I also join the people of Guam and the Filipino Community of Guam in declaring the month of June as Philippine Month in Guam.

On May 1, 1898, the Battle of Manila Bay signaled the United States' entry into the war with Spain that the Philippines had been fighting for since 1896. On June 12, 1898 the Filipino revolutionary forces under General Emilio Aguinaldo proclaimed the sovereignty and independence of the Philippine Islands from Spanish colonial rule. Filipinos are very proud of these leaders who had the dream of an independent and free country. This act of determining their political future remains a much celebrated event 118 years later, especially by Filipinos who call the United States and Guam home.

Since earning their independence, the Philippine people have suffered through years of dictatorship, martial law, and Japanese occupation. We on Guam are particularly sympathetic to this last event, having ourselves been taken over by the Japanese.

Today, the Philippines is an important ally of the United States in Southeast Asia. President Aquino has taken positive steps to combat terrorism in the Philippines, and his government

continues to be cooperative with our own efforts in the region. In addition, the friendship of the Filipino people has forged a bond between our two nations that has grown stronger over time. Filipino-Americans have contributed immensely to our nation. In my home district of Guam, Filipino-Americans represent over one-third of the general population. They play a key role in the economic, social, and political fabric of our island and the nation as a whole. Guam and the Philippines share linguistic, social, and cultural roots which have made Filipinos on Guam able to be active in celebrating their culture in harmony with the local community. Many Filipinos and members of the Filipino Community of Guam have contributed their time, talents and expertise by serving as medical, educational, and government professionals and religious leaders, among others, to improve the quality of life on Guam. The Filipino Community of Guam has also been passionately dedicated to helping those in need by supporting numerous charitable non-profit organizations on our island and they have organized fundraising drives for disaster victims in the Micronesia region and the Philippines.

Our two nations and indeed our people are intimately linked to one another. On behalf of the people of Guam, I congratulate the Philippines and the Filipino Community of Guam on the 118th anniversary of independence of the Philippines and look forward to the continued service and contributions of the Filipino Community of Guam.

RECOGNIZING LILY SHEN

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Lily Shen, a resident of the 6th district, for being awarded the Asian American Hero of Colorado Award.

Mrs. Shen emigrated from Taiwan to the United States with her family 35 years ago. Since then, she has been a pillar of her community; fervently engaging in countless community programs. To name just a few of her current engagements, Mrs. Shen is currently the President of Colorado Chinese Language School and Colorado Chinese Club, the President of Colorado Chinese Evergreen Society, the Vice Chair of the Asian Pacific Development Center, and as the Treasurer of the Asian Roundtable of Colorado. Mrs. Shen has also served as the chair of the Chinese/Taiwanese Advisor Council to my office since 2012–present.

Her storied career of community service to the Colorado Asian community, and to the Colorado community as a whole, has been punctuated by numerous awards recognizing her achievement. To name a few of her many awards, Mrs. Shen is a recipient of a lifetime achievement award from the Colorado Behavioral Healthcare Council, a Woman of Distinction award from the Girl Scouts Mile High Council, an Outstanding Performance and Lasting Contributions Award from Senator Wayne Allard and she is a recipient of the Ambassadors for Peace Excellence in Leader-

ship Award from Inter-religious and International Federation for World Peace; American Leadership Initiative in Washington DC.

I commend Mrs. Shen for her dutiful and tireless service to her community. She is truly deserving of being awarded the Asian American Hero of Colorado Award; an award which is yet another testament to her lifetime of community service.

TRIBUTE TO HELEN AND BILL LORENZEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Helen and Bill Lorenzen of Truro, Iowa, on the very special occasion of their 60th wedding anniversary. They were married on May 26, 1956.

Bill and Helen's lifelong commitment to each other truly embodies Iowa values. As they reflect on their 60th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 60th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

NATASHA THIES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Natasha Thies for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Natasha Thies is a 12th grader at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Natasha Thies is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Natasha Thies for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

MARVIN CHARLES—CONGRESSIONAL TESTIMONY TO REPRESENTATIVE DAVE REICHERT'S LAW ENFORCEMENT TASK FORCE

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. REICHERT. Mr. Speaker, I submit the following testimony:

Thank you for inviting me to speak with you today. I'm honored to be here. I first met with Congressman Reichert at his District Office last year, just before I drove my 18-year-old daughter to Oklahoma to start her freshman year in college.

This is the daughter who started my journey. She was the baby girl I was about to abandon on the steps of a hospital 18 years ago. But as I held her that day, my heart changed. I looked into her little brown eyes and I started to cry. I realized that's not what a father is supposed to do. A father is supposed to protect and take care of his child. But I had no idea whatsoever of how to do that. Because of her, I have the opportunity to come before you today and tell you the story of DADS (www.aboutdads.org).

DADS stands for Divine Alternatives for Dads Services. We are based in Seattle but serve fathers and families in the Puget Sound region and throughout Western Washington. Our vision is "Stronger Fathers, Healthier Communities." Our mission is "To give fathers hope by walking together in supportive community, helping them navigate relational and legal barriers that separate them from their children and families."

I believe—from personal experience—that the biggest problem facing our nation today is not crime, drugs and alcohol, or gang violence. These are just the results of a larger problem, which is fatherlessness. So many of the problems in our communities today are direct results of fatherlessness.

Far too many of our young people have not had strong, responsible fathers engaged in their lives. As a result, too many go off the rails. They begin committing crimes, abusing drugs and alcohol, dropping out of school, and running away from home. Another common side effect is teenage pregnancies and out-of-wedlock births.

The National Fatherhood Initiative has identified fatherlessness as the root cause of \$100 billion a year in taxpayer costs. A few statistics:

90 percent of all homeless and runaway children are from fatherless homes.

85 percent of all children that exhibit behavioral disorders come from fatherless homes.

85 percent of all youths in prisons grew up in a fatherless home.

80 percent of rapists motivated by displaced anger come from fatherless homes.

75 percent of all adolescents in chemical abuse centers come from fatherless homes.

71 percent of all high school dropouts come from fatherless homes.

70 percent of juveniles in state-operated institutions come from fatherless homes.

63 percent of youth suicides are individuals from fatherless homes.

I sometimes compare fatherlessness to AIDS. The AIDS virus doesn't kill you, but it breaks down your immune system, so the infection that you catch is what kills you. Fatherlessness works the same way. If you

remove a father from the home, the family doesn't die, but it is opened up for infection—which comes in the form of teenage pregnancy, crime, gang violence, drugs and alcohol and other negative impacts. So what can be done about the nationwide problem of fatherlessness? DADS is a faith-based organization that addresses this problem in our Washington state. I founded this organization in the year 2000 along with my wife, Jeanett. I had spent many years of my life on the wrong side of the tracks, but when faced with the decision to leave our daughter on the steps of a hospital, I knew then that I needed to turn my life around and become a responsible father. It wasn't easy—in fact, it was the hardest thing I had ever done. But the rewards of being a real father to my children made it the best thing I have ever done. And it made me want to help other men do the same thing.

Over the last 16 years, DADS has helped over 3,000 men reunite with over 6,000 children. Our client population is predominantly minority, with 66 percent African American. The rest are Hispanic, Asian and Caucasian. Of those clients, approximately 90 percent have a history of incarceration. Of the thousands of men who have received services from DADS, their main motivation is the desire to reenter the lives of their children.

With the help they get through our program, many of these men are able to regain visitation rights, pay child support, share or get custody, find and keep jobs, provide stable housing, become taxpaying citizens, and even reunite with their families. As a result, their children stay in school, keep off drugs and out of gangs, avoid teenage pregnancies, graduate from high school and even go on to college.

The effectiveness of our program depends on the trust that each individual develops in our staff as we help them navigate systems. For this reason, DADS does not charge for our services. We focus on building a vision for healthy fatherhood and then finding the resources that each individual needs to achieve success.

Law-enforcement officers see firsthand the legacies of fatherlessness. Children from fatherless homes often become casualties, victims or offenders themselves. Then they are challenges for our school systems, social-service programs, drug and alcohol recovery services, law-enforcement agencies, legal and court systems—and ultimately our jails and prisons.

With Father's Day just around the corner, it is my hope that all of us would recommit to the goal of helping create stronger fathers and healthier communities.

TUESDAYS IN TEXAS: "BIG FOOT" WALLACE

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. POE of Texas. Mr. Speaker, the year was 1840 when one of the most faithful Texans joined the Texas Rangers and began a decades-long service to the great state of Texas. William A.A. Wallace, more often known as "Big Foot" Wallace, was born in Virginia in 1817. He moved to Texas in 1837 after hearing that a brother and a cousin were killed by the Mexican Army during the Texas

Revolution. Not long after, he would join the Texas Rangers and spent the better part of his life defending Texas.

Though there are many legends about the emergence of his nickname, Wallace contended that the nickname derived from an incident with a Comanche. During the time he lived in Austin before he joined the Texas Rangers, a Comanche with large feet stole property in the area and was tracked by Wallace. When the Comanche raided the kitchen of a man in town, the man followed the Comanche's tracks to Wallace's house and thus accused Wallace of the raid. But a quick thinking Wallace pointed out that the tracks were much larger than his. It was this case of mistaken identity that led Wallace to assume the name "Big Foot."

Wallace is a descendant of the Scottish legend William Wallace, immortalized in the film *Braveheart*, who led a rebellion against King Edward I of England during the Wars of Scottish Independence. Like his ancestor who fought courageously and for a cause he wholeheartedly believed in, "Big Foot" Wallace spent decades fighting faithfully for a cause he believed in, the defense of Texas. As a side note, Mr. Speaker, I too have a connection to William Wallace. My family are descendants of the Weems Clan (Wemyss) of Scotland. The Wemysses fought on the side of Robert Bruce and Wallace during the Scottish war of Independence. When the war was over and their side lost, the English crown confiscated much of their inherited land. The Weems Castle still sits on the coast of Scotland.

In 1840, Wallace joined the Texas Rangers and subsequently fought various skirmishes with Texas Indians and Mexicans. Two years later when fighting an invading Mexican Army during the Somervell and Mier expeditions, Wallace was among 150 men captured by Mexican forces. During this time in a Mexican prison 1 in 10 men was to be executed. Their fate was determined by drawing either a white or black bean from a jar. Those who drew the black bean were executed. Luckily, Wallace drew a white bean and was spared, and eventually released. The executions would later become known to all those who study Texas history as the "Black Bean Episode".

His time in the Mexican prison must have furthered his resolve because he once again volunteered to serve with the Texas Rangers and during the Mexican War he served in a company of Mounted Volunteers in the United States Army. Following the Mexican War and through the Civil War, this Loyal Texan once again served with the Texas Rangers fighting to protect the Texas frontier from bandits, Indians, deserters and Union soldiers.

As a testament to his loyal service to Texas, Wallace was given a tract of land in Frio County, in South Texas, where he lived until his death in 1899. He was ultimately buried at the Texas State Cemetery at the feet of Stephen F. Austin. He has become a folk legend for those in Texas and beyond. The words at his final resting place say it all, "Here lies he who spent his manhood defending the homes of Texas. Brave, honest, and faithful."

And that's just the way it is.

SERGEANT OLAN MIKE MANNING

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I rise today to honor Sergeant Olan Mike Manning, an American patriot who exhibits the truest values of selflessness and dedication.

Sergeant Mike Manning of Laurel, Mississippi has devoted 40 years of service to his country in the United States Army and has led the 184th Brigade in both Iraq and Afghanistan. His outstanding service includes retrieval missions in the heat of battle which have been recognized through his NCO leadership positions. His efforts should be revered and are highly recognized with numerous medals and service awards.

Sergeant Manning has gone beyond the call of duty as a soldier and as a father. Married to Donna Manning for over 30 years, they have raised two talented sons, Trace and Madison. Sergeant Manning's brave and resilient character is apparent through his sons as they have both fought personal battles against Cystic Fibrosis. As the family endured troubling times, Sergeant Manning did not waiver in his duty to country. In fact, his patriotism resounded so deeply with his sons that they encouraged him to serve overseas while the two combated their illness. In 2008, the Manning family faced the hardest battle of all when Trace passed away. Tried and true, the Mannings are exemplary in perseverance and patriotism.

Loyal to the things we value most, Sergeant Manning's moral compass points true as he places family and nation above himself. He constantly seeks opportunities to improve life for those around him. Admired and respected by all, Sergeant Manning is the ultimate example of an American patriot.

It is with great pleasure that I honor today, a decorated war hero and a noble father. I commend Sergeant Manning for his dedicated service and his selflessness that motivates everyone around him.

DR. GUY SCONZO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. POE of Texas. Mr. Speaker, I would like to recognize the fine career and outstanding public service of my friend, Dr. Guy Sconzo. Dr. Sconzo has devoted four decades to the education of our nation's youth; beginning as a teacher and then working as an administrator. He is retiring after leading Humble Independent School District for the last 15 years as Superintendent. He has devoted his life to education and bettering our community, and it is with great pleasure that I express my admiration and gratitude for his lifelong service. I offer him my utmost congratulations for his long and successful career.

Dr. Sconzo began his career as a teacher—in his home state of New York—after graduating from Wagner College in 1973. He then

earned his Master's Degree at New York University, and his doctorate at Ohio State University. He served in many different teaching and administrative roles in New York, Ohio, New Jersey, and Oklahoma. He then made one of the best decisions of his life, he moved to the great State of Texas in 2001 as Superintendent for Humble ISD.

During his career, he has achieved numerous awards and recognition at the local, state and federal level for his leadership and hands-on involvement in the success of the students at Humble ISD. In 2013, he earned Superintendent of the Year by Region 4 and last year he led Humble ISD to being named the Best Large District in Texas by H-E-B Excellence in Education Awards. His dedication has earned him the respect and admiration of the teachers, staff and students under his supervision as well as the community. His intellect, eagerness, and vision will be sincerely missed by not only Humble, but the many other communities that he has touched.

Dr. Sconzo is a dedicated family man, having been married to his wife Diane for 41 years, and the proud father of two adult children; Michael and Jennifer. Dr. Sconzo and Diane are looking forward to traveling and spending time with their four grandchildren.

On behalf of the Second Congressional District of Texas, I commend this remarkable leader for his exemplary service and dedication to the State of Texas. I thank him for a job well done and I wish him the best of luck in the future as he enters into this new phase of life.

CLINTON THOMAS SAWYER

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Clint Sawyer as a member of the United States Merchant Marine Academy Class of 2016.

Clint will graduate from the U.S. Merchant Marine Academy on June 18, 2016, and he will be commissioned as an Ensign in the United States Navy Reserve.

His career in the service has just begun, but it is a testament to Clint's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Clint and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Navy Reserve officer.

As Clint embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Merchant Marine Academy.

I would like to send Clint my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

COMMEMORATING THE 130TH ANNIVERSARY OF THE BASILICA OF ST. MICHAEL THE ARCHANGEL IN PENSACOLA, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to commemorate the 130th anniversary of the historic Basilica of St. Michael the Archangel in Pensacola, Florida.

The Catholic presence in Pensacola traces back more than 450 years ago, upon the first settlement under the command of Don Tristán de Luna y Arellano in 1559. Following a series of military conflicts to occupy or maintain settlements in Pensacola and hurricanes that devastated the Gulf Coast, under the command of General Bernardo de Gálvez in 1781, the Spanish defeated the British and recaptured Pensacola. It was in May of that year that Father Cyril de Barcelona blessed an old wooden two story warehouse on the waterfront for a church to establish a parish of St. Michael the Archangel, and on June 6, 1886, present-day St. Michael Church in downtown Pensacola was formally dedicated by Bishop Jeremiah O'Sullivan of Mobile, Alabama.

With a red brick exterior and Florida pine interior, the church became adorned with life-like Stations of the Cross, memorials bearing the names of pioneer Catholic families and eventually 24 breathtaking stained glass windows, 23 of which were recently restored, that were designed and created by world renowned artist Emil Frei.

St. Michael Church, whose mission is to "Proclaim Christ and to Encounter Him in Word, Sacrament and Service," grew to be an intrinsic treasure to the Northwest Florida community with its historical significance and architectural beauty and was elevated to minor basilica status on December 28, 2011 by his Holiness, Pope Benedict XVI.

Mr. Speaker, it is my privilege to commemorate the 130th anniversary of the Basilica of St. Michael the Archangel of Pensacola and its parish's more than 235 years of faithful service to God and to the Northwest Florida community. Vicki and I thank them for their dedication and pray for their continued success. May God grant the parishioners of St. Michael's many more years to come and may His blessings continue to shine down on them.

JUSTIN PRENDERGAST

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Justin Prendergast as a member of the United States Naval Academy Class of 2016.

Justin graduated from the U.S. Naval Academy with a degree in aerospace engineering and he received a commission as a Second Lieutenant in the United States Marine Corps on May 27th, 2016.

His career in the service has just begun, but it is a testament to Justin's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Justin and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Marine Corps officer.

As Justin embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Naval Academy.

I would like to send Justin my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

A TRIBUTE TO FRED SHEHEEN

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. CLYBURN. Mr. Speaker, I rise to pay tribute to a legendary figure in South Carolina, Fred Sheheen, who recently died in an automobile accident. Fred, a former chair of the South Carolina Commission on Higher Education, spent his life advocating for South Carolina's colleges and universities. He was instrumental in breaking down barriers to quality education and promoting equality of opportunity for African American students.

Fred graduated from Duke University in the late 1950s. After graduating, he worked as a reporter for The Charlotte Observer covering civil rights events. As a founding member of the Student Non-violent Coordinating Committee (SNCC), or "Snick," as we became known, my fellow students and I made sure that Fred—as a young reporter—had plenty of news to cover.

Fred later worked as an aide to South Carolina Governor and United States Senator Donald Russell. He served for a decade as Commissioner and Executive Director of the South Carolina Commission on Higher Education and later taught an honors course on South Carolina State Government for the University of South Carolina. Fred also served on the executive board of UNITED 2000, which was dedicated to bringing the Confederate battle flag down from the State House dome and out of the Senate and House Chambers.

His family roots run deep in South Carolina's political community and state government. Fred's brother Austin was a long-time member of Kershaw County Council. Another brother Bob served as Speaker of the South Carolina House of Representatives, and his son Vincent, a twice Democratic nominee for Governor of South Carolina, currently serves in the South Carolina State Senate.

Fred Sheheen's nearly eight decades on earth were dedicated to the betterment of his fellow South Carolinians and building a brighter future for their children and grandchildren. His untimely death is a tremendous loss for our state and our people, and to me personally. May he rest in peace.

TERESA CARMELLA MEADOWS

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Ms. Teresa Meadows as a member of the United States Naval Academy Class of 2016.

Teresa graduated from the U.S. Naval Academy with a degree in history and she received a commission as an Ensign in the United States Navy on May 27th, 2016.

Her career in the service has just begun, but it is a testament to Teresa's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Teresa and her accomplishments, and we look forward to her continuing to represent not only Mississippi, but the entire nation, as a United States Navy officer.

As Teresa embarks on a new chapter in life, it is my hope that she may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Naval Academy.

I would like to send Teresa my best wishes for continued success in her future endeavors, thank her for her service, and congratulate her on this momentous occasion.

CONGRATULATIONS TO THE 2016
SERVICE ACADEMY APPOINTEES
FROM THE 21ST CONGRESSIONAL
DISTRICT OF TEXAS**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2016 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals have accepted Academy appointments:

John Richard Anthis, Alamo Heights High School, Greystone Preparatory School at Schreiner University, United States Military Academy; Chandler Ray Baker, Central Catholic High School, United States Military Academy; Heidi S. Borgerding, Boerne—Samuel V. Champion High School, United States Air Force Academy; Tamara Jean Fumagalli, New Braunfels High School, United States Air Force Academy; Gracie Sierra Hough, Jack C. Hays High School, United States Naval Academy; Mark Kittelson, Ronald Reagan High School, United States Merchant Marine Academy; Steven Thomas Lamoureux, Robert G. Cole High School, United States Air Force Academy; Scott Wagner McClendon, Westlake High School, Greystone Preparatory School at Schreiner University, United States Air Force Academy and Sean J. O'Leary, Heritage School, United States Military Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate both their talents and their patriotism.

PAUL SOLOMON

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 7, 2016

Mr. PALAZZO. Mr. Speaker, I would like to take this opportunity to recognize Mr. Paul Solomon as a member of the United States Air Force Academy Class of 2016.

Paul graduated from the U.S. Air Force Academy on June 2, 2016, and he will be commissioned as a Second Lieutenant in the United States Air Force.

His career in the service has just begun, but it is a testament to Paul's unselfish devotion to the people of this great nation.

The challenges will be many and the time, although it may seem like an eternity, will fly by almost unnoticed.

South Mississippi is proud of Paul and his accomplishments, and we look forward to him continuing to represent not only Mississippi, but the entire nation, as a United States Air Force officer.

As Paul embarks on a new chapter in life, it is my hope that he may always recall with a deep sense of pride and accomplishment graduating from a program as prestigious as the Air Force Academy.

I would like to send Paul my best wishes for continued success in his future endeavors, thank him for his service, and congratulate him on this momentous occasion.

HOUSE OF REPRESENTATIVES—Wednesday, June 8, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BOST).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 8, 2016.

I hereby appoint the Honorable MIKE BOST to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Brian Britton, The Dwelling Place Churches, Williamsburg, Virginia, offered the following prayer:

Heavenly Father, today we are thankful for Your great grace and faithfulness toward our Nation and its leaders.

It is my prayer that You would continue to bless this Congress with Your wisdom, insight, and increased revelation of Your will for this land and its people.

May Your holy spirit guide us into a greater unity with You and with each other. Shed Your light on the pressing issues of this day in such a way that Your glory would increase in the Earth.

Open eyes to see what needs to be seen, ears to hear what needs to be heard, and grant each leader here the courage to do what needs to be done and to say what needs to be said.

Today I declare that this Nation will continue to be a beacon of light, hope, prosperity, justice, and liberty to all the peoples of the Earth.

In Jesus' name, amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WITTMAN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WITTMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Virginia (Mr. HURT) come forward and lead the House in the Pledge of Allegiance.

Mr. HURT of Virginia led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND BRIAN BRITTON

The SPEAKER pro tempore. Without objection, the gentleman from Virginia (Mr. WITTMAN) is recognized for 1 minute.

There was no objection.

Mr. WITTMAN. Mr. Speaker, I rise to recognize today's guest chaplain, Reverend Brian Britton, and thank him for delivering this morning's invocation.

Reverend Britton serves as the senior pastor of The Dwelling Place Church in Williamsburg, Virginia, where he lives with his wife, Valerie, and daughter, Anastasia. In addition to his work in the First District, Reverend Britton pastors a church in Richmond, Virginia, and travels internationally to act as a missionary to communities in Africa, South America, and Central Asia. Pastor Britton will be leaving tomorrow to pursue his work in Africa.

Our Nation was built on a foundation of faith. Through Reverend Britton, we can all see firsthand how God uses his ministry to eternally impact the lives of men, women, and children of his church, of his community, of his Commonwealth, and of this world.

Thank you, Reverend Britton, for your prayer this morning, and for acting as a spiritual leader to those of the First District. May God continue to bless the Britton family, our Commonwealth, and our country.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 8, 2016 at 9:27 a.m.:

That the Senate agreed to without amendment H. Con. Res. 119.

That the Senate passed S. 2487.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet in joint meeting to hear an address by His Excellency Narendra Modi, Prime Minister of the Republic of India, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, May 26, 2016, the House stands in recess subject to the call of the Chair.

Accordingly, (at 10 o'clock and 6 minutes a.m.), the House stood in recess.

□ 1050

JOINT MEETING TO HEAR AN ADDRESS BY HIS EXCELLENCY NARENDRA MODI, PRIME MINISTER OF THE REPUBLIC OF INDIA

During the recess, the House was called to order by the Speaker at 10 o'clock and 50 minutes a.m.

The Assistant to the Sergeant at Arms, Ms. Kathleen Joyce, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The joint meeting will come to order.

The Chair appoints as members of the committee on the part of the House to escort His Excellency Narendra Modi into the Chamber:

The gentleman from Louisiana (Mr. SCALISE);

The gentlewoman from Washington (Mrs. MCMORRIS RODGERS);

The gentleman from Oregon (Mr. WALDEN);

The gentleman from Indiana (Mr. MESSER);

The gentlewoman from Kansas (Ms. JENKINS);

The gentleman from California (Mr. ROYCE);

The gentleman from North Carolina (Mr. HOLDING);

The gentleman from Texas (Mr. POE);

The gentleman from South Carolina (Mr. WILSON);

The gentlewoman from Wyoming (Mrs. LUMMIS);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from California (Mr. BECERRA);

The gentleman from New York (Mr. CROWLEY);

The gentleman from California (Mr. BERA);

The gentleman from Washington (Mr. MCDERMOTT);

The gentleman from New Jersey (Mr. PALLONE);

The gentlewoman from Hawaii (Ms. GABBARD);

The gentlewoman from New York (Mrs. LOWEY);

The gentlewoman from Maryland (Ms. EDWARDS);

The gentleman from Maryland (Mr. VAN HOLLEN); and

The gentlewoman from California (Ms. ESHOO).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort His Excellency Narendra Modi into the House Chamber:

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Texas (Mr. CORNYN);

The Senator from Utah (Mr. HATCH);

The Senator from Missouri (Mr. BLUNT);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from Mississippi (Mr. WICKER);

The Senator from Tennessee (Mr. CORKER);

The Senator from Ohio (Mr. PORTMAN);

The Senator from Illinois (Mr. DURBIN);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from Minnesota (Ms. KLOBUCHAR); and

The Senator from Maryland (Mr. CARDIN).

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, Her Excellency Hunaina Sultan Ahmed Al Mughairy, the Sultanate of Oman.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for her.

The Assistant to the Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 11 o'clock and 13 minutes a.m., the Sergeant at Arms, the Honorable Paul D. Irving, announced His Excellency Narendra Modi, Prime Minister of the Republic of India.

The Prime Minister of the Republic of India, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of Congress, I have the high privilege and the distinct honor of presenting to you His Excellency Narendra Modi, Prime Minister of the Republic of India.

(Applause, the Members rising.)

Prime Minister MODI. Mr. Speaker, Mr. Vice President, distinguished Members of the U.S. Congress, ladies and gentlemen, I am deeply honored by the invitation to address this joint meeting of the U.S. Congress.

Thank you, Mr. Speaker, for opening the door of this magnificent Capitol. This temple of democracy has encouraged and empowered other democracies the world over.

It manifests the spirit of this great Nation which, in Abraham Lincoln's words, "was conceived in liberty and dedicated to the proposition that all men are created equal."

In granting me this opportunity, you have honored the world's largest de-

mocracy and its 1.25 billion people. As a representative of the world's largest democracy, it is, indeed, a privilege to speak to the leaders of its oldest.

Mr. Speaker, 2 days ago I began my visit by going to the Arlington National Cemetery, the final resting place of many brave soldiers of this great land. I honored their courage and sacrifice for the ideals of freedom and democracy.

It was also the 72nd anniversary of the D-day. On that day, thousands from this great country fought to protect the torch of liberty. They sacrificed their lives so that the world lives in freedom. I applaud, India applauds the great sacrifices of the men and women from the land of the free and the home of the brave in service of mankind.

India knows what this means because our soldiers have fallen in distant battlefields for the same ideals. That is why the threads of freedom and liberty form a strong bond between our two democracies.

Mr. Speaker, our nations may have been shaped by differing histories, cultures, and faiths. Yet, our belief in democracy for our nations and liberty for our countrymen is common.

The idea that all citizens are created equal is a central pillar of the American Constitution. Our founding fathers, too, shared the same belief and sought individual liberty for every citizen of India. There were many who doubted India when, as a newly independent nation, we reposed our faith in democracy. Indeed, wagers were made on our failure. But the people of India did not waver.

Our founders created a modern nation with freedom, democracy, and equality as the essence of its soul. And, in doing so, they ensured that we continued to celebrate our age-old diversity.

Today, across its individuals and institutions, in its villages and cities, in its streets and states, anchored in equal respect for all faiths, and in the melody of hundreds of its languages and dialects, India lives as one; India grows as one; India celebrates as one.

Mr. Speaker, modern India is in its 70th year. For my government, the constitution is its real holy book. And, in that holy book, freedom of faith, speech and franchise, and equality of all citizens, regardless of background, are enshrined as fundamental rights. Eight hundred million of my countrymen may exercise the freedom of franchise once every 5 years. But all the 1.25 billion of our citizens have freedom from fear, a freedom they exercise every moment of their lives.

Distinguished Members, engagement between our two democracies has been visible in the manner in which our thinkers impacted one another and shaped the course of our societies. Thoreau's idea of civil disobedience influenced our political thoughts. And,

similarly, the call by the great sage of India, Swami Vivekananda, to embrace humanity was most famously delivered in Chicago.

Gandhi's nonviolence inspired the heroism of Martin Luther King. Today, a mere distance of 3 miles separates the Martin Luther King Memorial at the Tidal Basin from the statue of Gandhi at Massachusetts Avenue. This proximity of their memorials in Washington mirrors the closeness of ideals and values they believed in.

The genius of Dr. Bhimrao "Babasaheb" Ambedkar was nurtured in the years he spent at the Colombia University a century ago. The impact of the U.S. Constitution on him was reflected in his drafting of the Indian constitution some three decades later.

Our independence was ignited by the same idealism that fueled your struggle for freedom. No wonder, then, that former Prime Minister of India, Atal Bihari Vajpayee, called India and the U.S. "natural allies." No wonder that the shared ideals and common philosophy of freedom shaped the bedrock of our ties. No wonder, then, that President Obama has called our ties the defining partnership of the 21st century.

Mr. Speaker, more than 15 years ago, Prime Minister Vajpayee stood here and gave a call to step out of the "shadow of hesitation" of the past. The pages of our friendship since then tell a remarkable story.

Today, our relationship has overcome the hesitations of history. Comfort, candor, and convergence define our conversations. Through the cycle of elections and transitions of administrations, the intensity of our engagements has only grown. And, in this exciting journey, the U.S. Congress has acted as its compass. You helped us turn barriers into bridges of partnership.

In the fall of 2008, when the Congress passed the India-U.S. Civil Nuclear Cooperation Agreement, it changed the very colors of leaves of our relationship. We thank you for being there when the partnership needed you the most.

You have also stood by us in times of sorrow. India will never forget the solidarity shown by the U.S. Congress when terrorists from across our border attacked Mumbai in November of 2008. And for this, we are grateful.

Mr. Speaker, I am informed that the working of the U.S. Congress is harmonious. I am also told that you are well known for your bipartisanship. Well, you are not alone. Time and again, I have also witnessed a similar spirit in the Indian Parliament, especially in our upper House. So, as you can see, we have many shared practices.

Mr. Speaker, as this country knows well, every journey has its pioneers. Very early on, they shaped a development partnership, even when the meeting ground was more limited. The ge-

nus of Norman Borlaug brought the Green Revolution and food security to my country. The excellence of the American universities nurtured institutions of technology and management in India. And I could go on, but fast forward to the present.

The embrace of our partnership extends to the totality of human endeavor, from the depths of the oceans to the vastness of the space. Our science and technology collaboration continues to help us in cracking the age-old problems in the fields of public health, education, food, and agriculture.

Ties of commerce and investment are flourishing. We trade more with the U.S. than with any other nation. And the flow of goods, services, and capital between us generates jobs in both our societies.

As in trade, so in defense. India exercises with the United States more than we do with any other partner. Defense purchases have moved from almost zero to \$10 billion in less than a decade. Our cooperation also secures our cities and citizens from terrorists, and protects our critical infrastructure from cyber threats. Civil nuclear cooperation, as I told President Obama yesterday, is a reality.

Mr. Speaker, our people-to-people links are strong, and there is a close cultural connect between our societies.

Siri—you are familiar with the Siri. Siri tells us that India's ancient heritage of yoga has over 30 million practitioners in the U.S. It is estimated that more Americans bend for yoga than to throw a curve ball.

And, no, Mr. Speaker, we have not yet claimed intellectual property right on yoga.

Connecting our two nations is also a unique and dynamic bridge of 3 million Indian Americans. Today, they are among your best CEOs, academics, astronauts, scientists, economists, doctors, even spelling bee champions.

They are your strength. They are also the pride of India. They symbolize the best of both of our societies.

Mr. Speaker, my understanding of your great country began long before I entered public office. Long before assuming office, I traveled coast to coast, covering more than 25 States of America.

I realized then that the real strength of the U.S. was in the dreams of its people and the boldness of their ambitions.

Today, Mr. Speaker, a similar spirit animates India. Our 800 million youth are especially impatient. India is undergoing a profound social and economic change.

A billion of its citizens are already politically empowered. My dream is to economically empower them through many social and economic transformations and do so by 2022, the 75th anniversary of India's independence.

My to-do list is long and ambitious but, you will understand, it includes: a

vibrant rural economy with a robust farm sector; a roof over each head and electricity for all households; to skill millions of our youth; build 100 smart cities; have broadband for a billion, and connect our villages to the digital world; and create a 21st century rail, road, and port infrastructure.

These are not just aspirations: they are goals to be reached in a finite time frame, and to be achieved with a light carbon footprint, with greater emphasis on renewables.

Mr. Speaker, in every sector of India's forward march, I see the U.S. as an indispensable partner. Many of you also believe that a stronger and prosperous India is in America's strategic interest.

Let us work together to convert shared ideals into practical cooperation. There can be no doubt that, in advancing this relationship, both nations stand to gain.

As the U.S. businesses search for new areas of economic growth, markets for their goods, a pool of skilled resources, and a global location to produce and manufacture, India could be their ideal partner.

India's strong economy and growth rate of 7.6 percent per annum is creating a new opportunity for our mutual prosperity.

Transformative American technologies in India and growing investment by Indian companies in the United States both have a positive impact on the lives of our citizens. Today, for their global research and development centers, India is the destination of choice for the U.S. companies.

Looking eastward from India, across the Pacific, the innovation strength of our two countries comes together in California. Here, the innovative genius of America and India's intellectual creativity are working to shape new industries of the future.

Mr. Speaker, the 21st century has brought with it great opportunities, but it has also come with its own set of challenges.

While some parts of the world are islands of growing economic prosperity, others are mired in conflicts. In Asia, the absence of an agreed security architecture creates uncertainty. Threats of terror are expanding, and new challenges are emerging in cyber and outer space.

And global institutions conceived in the 20th century seem unable to cope with new challenges or take on new responsibilities. In this world full of multiple transitions and economic opportunities, growing uncertainties and political complexities, existing threats and new challenges, our engagement can make a difference by promoting: cooperation, not dominance; connectivity, not isolation; inclusive, not exclusive, mechanisms; respect for global commons; and, above all, adherence to international rules and norms.

India is already assuming her responsibilities in securing the Indian Ocean region. A strong India-U.S. partnership can anchor peace, prosperity, and stability from Asia to Africa and from the Indian Ocean to the Pacific. It can also help ensure security of the sea lanes of commerce and freedom of navigation on the seas. But the effectiveness of our cooperation would increase if international institutions, framed with the mind-set of the 20th century, were to reflect the realities of today.

Mr. Speaker, before arriving in Washington, D.C., I had visited Herat, in western Afghanistan, to inaugurate the Afghan-India Friendship Dam, built with Indian assistance. I was also there on Christmas Day last year to dedicate to that proud nation its Parliament, a testimony to our democratic ties.

Afghans naturally recognize that the sacrifices of Americans have helped create a better life, but your contribution in keeping the region safe and secure is deeply appreciated even beyond.

India, too, has made an enormous contribution and sacrifices to support our friendship with the Afghan people. A commitment to rebuild a peaceful, stable, and prosperous Afghanistan is our shared objective.

Yet, distinguished Members, not just in Afghanistan, but elsewhere in south Asia and globally, terrorism remains the biggest threat. In the territory stretching from west of India's border to Africa, it may go by different names, from Lashkar-e-Taiba, to Taliban, to ISIS, but its philosophy is common: of hate, murder, and violence. Although, its shadow is spreading across the world, it is incubated in India's neighborhood.

I commend the Members of the U.S. Congress for sending a clear message to those who preach and practice terrorism for political gains. Refusing to reward them is the first step towards holding them accountable for their actions.

The fight against terrorism has to be fought at many levels, and the traditional tools of military, intelligence, or diplomacy alone would not be able to win this fight.

Mr. Speaker, we have both lost civilians and soldiers in combating terrorism. The need of the hour is for us to deepen our security cooperation and base it on a policy that isolates those who harbor, support, and sponsor terrorists; that does not distinguish between "good" and "bad" terrorists; and that delinks religion from terrorism.

Also, for us to succeed, those who believe in humanity must come together to fight for it as one, and speak against this menace in one voice. Terrorism must be delegitimized.

Mr. Speaker, the benefits of our partnership extend not just to the nations and regions that need it most. On our own, and by combining our capacities, we are also responding to other global

challenges, including when disaster strikes and where humanitarian relief is needed. Far from our shores, we evacuated thousands from Yemen—Indians, Americans, and others. Nearer home, we were the first responders during Nepal's earthquake, in the Maldives water crisis, and, most recently, during the landslide in Sri Lanka.

We are also one of the largest contributors of troops to U.N. peace-keeping operations. Often, India and the U.S. have combined their strengths in science, technology, and innovation to help fight hunger, poverty, diseases, and illiteracy in different parts of the world. The success of our partnership is also opening up new opportunities for learning, security, and development from Asia to Africa.

And the protection of the environment and caring for the planet is central to our shared vision of a just world. For us in India, to live in harmony with Mother Earth is part of our ancient belief, and to take from nature only what is most essential is part of our Indian culture.

Our partnership, therefore, aims to balance responsibilities with capabilities, and it also focuses on new ways to increase the availability and use of renewable energy.

A strong U.S. support for our initiative to form an International Solar Alliance is one such effort. We are working together not just for a better future for ourselves, but for the whole world. This has also been the goal of our efforts in G20, East Asia Summit, and climate change summits.

Mr. Speaker, as we deepen our partnership, there would be times when we would have differing perspectives; but since our interests and concerns converge, the autonomy in decisionmaking and diversity in our perspectives can only add value to our partnership.

So, as we embark on a new journey and seek new goals, let us focus not just on matters routine, but also transformational ideas, ideas which can focus not just on creating wealth, but also creating value for our societies; not just on immediate gains, but also long-term benefits; not just on sharing best practices, but also shaping partnerships; and not just on building a bright future for our peoples, but in being a bridge to a more united, humane, and prosperous world.

And important for the success of this journey would be a need to view it with new eyes and new sensitivities. When we do this, we will realize the full promise of this extraordinary relationship.

Mr. Speaker, in my final thoughts and words, let me emphasize that our relationship is primed for a momentous future. The constraints of the past are behind us, and foundations of the future are firmly in place.

In the lines of Walt Whitman: "The orchestra have sufficiently tuned their

instruments; the baton has given the signal." And to that, if I might add, there is a new symphony in play.

Thank you, Mr. Speaker, Mr. Vice President, and distinguished Members, for this honor.

Thank you very much.

(Applause, the Members rising.)

At 12 o'clock and 11 minutes p.m., His Excellency Narendra Modi, Prime Minister of the Republic of India, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet;

The Acting Dean of the Diplomatic Corps.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly (at 12 o'clock and 13 minutes p.m.), the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1246

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 12 o'clock and 46 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 4775, OZONE STANDARDS IMPLEMENTATION ACT OF 2016; PROVIDING FOR CONSIDERATION OF H. CON. RES. 89, EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY; AND PROVIDING FOR CONSIDERATION OF H. CON. RES. 112, EXPRESSING THE SENSE OF CONGRESS OPPOSING THE PRESIDENT'S PROPOSED \$10 TAX ON EVERY BARREL OF OIL

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 767 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 767

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House any concurrent resolution specified in section 3 of this resolution. All points of order against consideration of each such concurrent resolution are waived. Each such concurrent resolution shall be considered as read. All points of order against provisions in each such concurrent resolution are waived. The previous question shall be considered as ordered on each such concurrent resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 3. The concurrent resolutions referred to in section 2 of this resolution are as follows:

(1) The concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a

carbon tax would be detrimental to the United States economy.

(2) The concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my good friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, House Resolution 767 provides a structured rule for the consideration of three bills. You heard the reading Clerk read them, but I will read them again: H.R. 4775, Ozone Standards Implementation Act; H. Con. Res. 89, Expressing the Sense of Congress that a Carbon Tax would be Detrimental to the United States Economy; and, H. Con. Res. 112, Expressing the Sense of Congress Opposing the President's Proposed \$10 Tax on Every Barrel of Oil.

It is a little unusual that we put three different bills into a single rule, but today has been a bit of an unusual day. It has been a bit of an unusual day.

Mr. Speaker, it is no surprise to you, standing not 3 feet from where you were just 30 minutes ago was the leader of a democracy of 1.3 billion people. That is 1.3 billion people. In the midst of his remarks, he commented on the reputation of the United States Congress, known far and wide around the globe. He commented on the comity—that is with an i-t-y, not an e-d-y—that we have been known for. And I hope this rule will be no exception, Mr. Speaker.

We are not going to agree on all the underlying bills, all the underlying policy, but what we can agree on is that this Congress needs to have its voice heard.

If we approve this rule today—and I recommend to all of my colleagues that we do approve this rule today—we will be able to get to the underlying debate. And in the underlying debate, Mr. Speaker, we have two senses of Congress and a piece of legislation—a piece of legislation for which amendments were submitted to the Rules Committee to say that we have ideas as Members of this body about how we can improve the underlying bill.

One of them came from my friend from Colorado. I don't particularly support the idea that he is pushing, but I support his right to have the idea heard on the floor of the House. This rule makes the Polis amendment in order, along with every other non-duplicative amendment submitted. I add non-duplicative because virtually the same amendment was submitted by two different Members and we decided to debate it once instead of twice, as is customary.

We are going to disagree, but we are going to have the debate over those disagreements. And my great hope is that the work product we produce will be a stronger work product because we have had an opportunity to discuss it here on the floor. My great hope is that, after we have had a chance to perfect that work product, we will send it on to the Senate with a big bipartisan vote from both parties.

Mr. Speaker, it is easy to talk about taxes as if they don't come from someone. When we have an academic conversation about tax policy, what is the saying? Don't tax him, don't tax me, tax the man behind that tree.

I have heard folks say: You are always trying to put the tax burden on somebody else.

What the President proposed was \$10 a barrel on every barrel of oil consumed in America. Now, historically, we have had some low oil prices of late. That \$10 a barrel tax would have amounted to almost a 50 percent increase in the cost of a barrel of oil. Today it is going to be closer to a 20 percent increase in the cost of a barrel of oil.

This tax is implemented in the name of what, Mr. Speaker?

It is in the name of improving our failing infrastructure because we do need to improve our failing infrastructure. We do have to have a conversation about user fees in this country and how it is we are going to build the best logistical system the world has ever known. But that is not what this tax would do.

This is a tax that is part of what has been a long campaign against the consumption of any fossil fuels whatsoever. My great frustration, Mr. Speaker, is that if your goal is to reduce the consumption of fossil fuels, we have a lot of ways we can do that. We have a lot of very reasonable ways we can do that. And this proposal makes no effort to try to find the most efficient way to make that happen. It is a blanket \$10 a barrel tax across the board.

If you are using that barrel of oil to generate space-age plastics, Mr. Speaker, and you are going to use those space-age plastics to build the most efficient photovoltaic cell array the world has ever known, such as is going on in my district, there is no special dispensation for you.

In the name of trying to create a better environment, we will tax the very

inputs that we are encouraging folks to use in order to create a better environment. It doesn't make sense, Mr. Speaker. Folks use it as a bumper sticker line. It is a campaign year.

That uncertainty has an impact on job creation. That uncertainty has an impact on where these funds around the globe go toward trying to create a better environment for us all—where those funds land, where those jobs are created.

Today this House takes a stand. Today this House makes it clear, even in an election year, even in the uncertainty of a political season, even in this time of conflict on policy, that we can provide some certainty out there for not just the American business community, but the international business community.

There is one thing I think that we can all agree on, Mr. Speaker, and that is that America has the most productive workforce the world has ever known. If given a level playing field, there is not a single opportunity that we cannot succeed in. If we commit ourselves to it, we can succeed.

Lower-paying jobs, cheaper finger jobs are always going to go overseas, but the higher-paying jobs, the higher-skilled jobs, the energy-intensive jobs, those jobs can come here.

We have an extraordinary disadvantage in this country in that we have the single worst Tax Code in the world. The single worst. If you want to create a business, if you want to grow jobs, don't come to America is the tag line that the Tax Code suggests. No one punishes productivity more than we do in America. It is nonsense. We can absolutely fix it. The Speaker and our Ways and Means Committee chairman, the gentleman from Texas (Mr. BRADY), are working incredibly hard to make that happen.

If we go from worst to first in terms of a competitive job code, we bring more jobs to this country. But number two, we have an advantage that no one else does, in that we have gone from being worried during the Carter administration that we would exhaust all of our energy reserves to having the largest energy reserves this Nation has ever known.

If you need to produce a product that requires high energy inputs, I challenge you to find a better location than the United States of America. Those jobs are coming here. We have an advantage for job creators here. And what the President would do in his budget is to give that advantage away. And for what? Not because of a coherent energy policy designed to make the world a better place, make the environment a better environment, and the health of American citizens better, but in the name of pursuing an agenda of no fossil fuels—nowhere, nohow.

I am glad we are down here having this conversation today, Mr. Speaker.

It is one that needs to be had. It is one that has been a long time coming. But we have an opportunity today to speak with one voice in this body. I hope we will speak with one voice in supporting this rule and speak with one voice in supporting the three underlying resolutions.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, I am excited to be here today discussing one of these resolutions because it really means something when Members of Congress see fit—and I am talking about the Scalise resolution, H. Con. Res. 89, to say they are against a particular proposal.

Quite honestly, this is the first sign of momentum for a carbon tax cut. And you will hear me referring to it as a “carbon tax cut” because that is essentially what it is. It is using carbon tax revenues to cut taxes for the American people, for American businesses.

□ 1300

You don't see these kinds of resolutions if a concept and an idea don't have momentum.

For instance, my good friend from Georgia (Mr. WOODALL) has long been a champion of a proposal to create a sales tax here in our country, a national sales tax of 19, 20 percent, and he is welcome to talk about it on his own time.

But I think the gentleman will acknowledge, much to his frustration, that that idea does not seem to be advancing. Now, were it advancing, you might very well see this kind of resolution saying it is not a good idea.

There are other Republicans who have ideas to raise the tax rates on low-income Americans or Americans that are so low-income they might not even be paying a Federal income tax yet. Again, those ideas don't generally have momentum, so you don't see this kind of resolution coming forward to try to stop it.

This is the first real chance that Congress has had to vote, in many ways, on the merits of a carbon tax cut and, frankly, I think that this discussion moves us forward, because I fully expect there will be bipartisan opposition to this resolution which opposes, presumably, any and all carbon tax cuts, because what you see is, the oil and gas lobby or, I should say, some segments of the oil and gas lobby because, quite frankly, many international oil and gas industry players actually support a carbon tax cut as a way of their, therefore, getting around this kind of regulatory uncertainty that they see, like, in fact, the ozone rules itself. They see it better to simply establish a price for carbon.

But let's say, of course, there are also those in the oil and gas industry

who oppose this carbon tax cut. They are trying to run a strategy to try to lock people down, where, yes, maybe, 10, 5, 12 Republicans will vote for this, whatever it is; but they want to be able to go back and remind Republicans who vote for this now that, in the future, when we are actually moving forward with the carbon tax cut proposal, that they were already on the Record in a particular way.

That means they are worried, frankly. That is what that means in “inside the Beltway speak” and “Washington speak.”

What does that mean? It means I am excited because I ran for Congress, in part, to pass a carbon tax cut.

Let me quote some of the many prominent conservatives that have caused this resolution to come forward in many ways because of the great momentum that a carbon tax cut has.

Former Secretary of State George Shultz, Secretary of State under Ronald Reagan, said: “A carbon tax, starting small and escalating to a significant level on a legislated schedule, would do the trick. I would make it revenue-neutral, returning all net funds generated to taxpayers.”

That is Former Secretary of State George Shultz.

Jerry Taylor, of the Niskanen Center, formerly of the Cato Institute, said: “A carbon tax at the levels presently discussed in Washington would not unduly burden the economy, and that's particularly true once we consider the non-climate environmental benefits that would follow from the tax as well as the benefits of any offsetting tax cuts.”

So in a moment you will hear me talk about the many benefits of this carbon tax cut concept. But what Jerry Taylor at the Niskanen Center has rightfully latched onto is the economic stimulus that can actually be generated by lowering taxes on American businesses, on job creators, on middle-income families as an offset from the carbon tax cut.

Peter Van Doren of the Cato Institute says: “The obvious lesson from economics is to increase fossil fuel prices enough through taxation to account for these effects.”

My good friend, and a personal mentor of mine, Dr. Arthur Laffer, former Economic Adviser under President Reagan, said: “When you add the national security concerns, reducing our reliance on fossil fuels becomes a no-brainer.” And he has spoken out in support of, again, a carbon tax cut.

Greg Mankiw, the former chairman of the Council of Economic Advisers to George Bush, said: “I will tell the American people that a higher tax on gasoline is better at encouraging conservation than are heavy-handed CAFE regulations,” and “I will advocate a carbon tax as the best way to control global warming.”

So, I mean, what you have is many conservatives, free market conservatives lining up to say yes, let's cut taxes and let's do it by passing a carbon tax cut.

I have a letter, Mr. Speaker, that I will include in the RECORD, signed by Niskanen Center, Republican, American Enterprise Institute, R Street Institute, Evangelical Environmental Network in opposition to this resolution by Representative SCALISE.

In fact, in part, this letter says, which will be available in the RECORD: "The least burdensome, most straightforward, and most market-friendly means of addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax."

JUNE 7, 2016.

DEAR REPRESENTATIVE, Later this week Congress will take up a resolution sponsored by Congressman Scalise (R-LA1) that expresses the sense of Congress that a carbon tax would be detrimental to the economy of the United States. We are concerned that this resolution offers a limited perspective on carbon taxes and is blind to the potential benefits of market-based climate policy. Legislation that incorporates a carbon tax could include regulatory and tax reforms to make the United States economy more competitive, innovative, and robust, benefiting both present and future generations.

We recognize that a carbon tax, like any tax, will impose economic costs. But climate change is also imposing economic costs. This resolution falls short by recognizing the cost of action without considering the cost of staying on our present policy course. There are, of course, uncertainties about the future cost of climate change and, likewise, the cost associated with a carbon tax (much would depend on program design and the pace and nature of technological progress). The need for action, however, is clear. A recent survey of economists who publish in leading peer-reviewed journals on these matters found that 93% believe that a meaningful policy response to climate change is warranted.

The least burdensome, most straightforward, and most market-friendly means of addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax. This would harness price signals, rather than regulations, to guide market response. That is why carbon pricing has the support of free market economists, a majority of the global business community, and a large number of the largest multinational private oil and gas companies in the world (the corporate entities among the most directly affected by climate policy).

In reaching a conclusion, this resolution neglects the fact that the United States already has a multiplicity of carbon taxes. They are imposed, however, via dozens of federal and state regulations, are invisible to consumers, unevenly imposed across industrial sectors, unnecessarily costly, and growing in size and scope. The policy choice is not if we should price carbon emissions, but how.

Unfortunately, this resolution also fails to differentiate between proposals that would impose carbon taxes on top of existing regulations (chiefly the Obama Administration's Clean Power Plan), and proposals that would impose carbon taxes in place of those existing regulations. Conservatives and free market advocates should embrace the latter, regardless of how they view climate risks.

An economy-wide carbon tax that replaces existing regulatory interventions could reduce the cost of climate policy and deregulate the economy. It could also provide revenue to support pro-growth tax reform, including corporate income or payroll tax cuts, which could dramatically reduce overall costs on the economy. Revenues could be applied to compensate those who suffer the most from higher energy costs; the poor, the elderly, and individuals and families living on fixed incomes.

Unfortunately, none of those options are presently available because Members of Congress have neglected opportunities to design and debate market-friendly climate policies in legislation. Instead, they have yielded authority in climate policy design to the Executive Branch. By discouraging a long-overdue discussion about sensible carbon pricing, this resolution frustrates the development of better policy.

Sincerely,

JERRY TAYLOR,
President, Niskanen Center.

BOB INGLIS,
Executive Director, RepublicEn.

APARNA MATHUR,
Resident Scholar, American Enterprise Institute.

ELI LEHRER,
President, R Street Institute.

THE REV. MITCHELL C. HESCOX,
President, Evangelical Environmental Network.

ALAN VIARD,
Resident Scholar, American Enterprise Institute.

Mr. POLIS. Now, let's take this back to basic economics. The Supreme Court itself said something along the lines of: power to tax is the power to destroy. That is from an early 19th century case.

Whatever you tax, you discourage in the economy. Whatever you don't tax, you encourage. So you have to look at what you tax. It's important.

Let's take an example from corporations. We tax corporate profits. Well, it turns out corporate profits are a good thing. We tax individual income. It turns out individual income is a good thing.

As policymakers, we shouldn't seek to discourage activities that help people earn money or help companies earn money. That is exactly what we want people to do. That is exactly what we want companies to do on behalf of their shareholders and their stakeholders.

So why not take something that, regardless of what with you think of the science on climate change—and that is not central to this debate on a carbon tax cut. So let's even start from the assumption that you don't want to look at the science. You have turned a blind eye to it. You are not at all concerned about climate change, or you don't think it is manmade.

Let's look, again, at carbon usage in our economy and the negative con-

sequences of it: pollution, meaning air quality—not talking climate change—air quality, increased asthma, increased cancer risk.

National security's concerns, reliant on importing it from foreign companies or, if we are producing it domestically, utilizing a resource that we know will return out in the very best-case scenario. It is a perishable resource. Once you take it out of the ground, it is gone.

So if we can find a way to say, you know what? We would rather have income. We would rather have Americans of all income levels—whether they are earning \$1 million a year, or \$20,000 a year—we would rather have them keep more of their hard-earned money. We would rather have companies keep more of their money to re-invest in job growth here, rather than seek elaborate tax shelters overseas, or inversions, where they move their corporate headquarters overseas because we have one of the highest corporate tax rates in the world.

The carbon tax cut presents us with the opportunity for pro-growth economic policies that make America more competitive and lets Americans keep more of their hard-earned money.

That is what excites so many free-market conservatives and centrists about the concept of a free market, of a carbon tax cut. That is, frankly, why this great momentum, coming from the American Enterprise Institute, from Cato, from R Street, all of this intellectual fuel, intellectual fuel for a carbon tax cut, that is why, sensing that, some Republicans—in this case, Mr. SCALISE and his cosponsors—have brought forward as a response. This kind of thing only happens in Washington when an idea has momentum.

I couldn't have been more excited when I was back home recently to talk to several of my constituents who are strongly dedicated to a bipartisan solution on climate change.

Former Representative Bob Inglis actually came to my district and met with me, met with some of the leadership folks in my district about how we can do something to act on climate from a Republican perspective. And I am firmly of the belief that any action has to be bipartisan.

Just looking at the way our country is balanced, I mean, certainly, if the Democrats were in a position where we had 60 seats in the Senate, where we had a majority in the House, where we had the President, I would certainly encourage us to move forward and implement some kind of carbon tax cut; but, frankly, that is an unlikely scenario.

It is more likely that a solution will require support from both sides of the aisle, so we should be talking about what it takes to get that kind of support. That is the discussion, the national discussion that former Representative Bob Inglis has dedicated

himself to and, frankly, it is the fear of that kind of discussion that has led this body to consider this resolution in opposition to a carbon tax cut that, I am proud to say, will likely have bipartisan opposition; meaning, there will be some Republicans, I hope, I expect, who will stand up and say, wait a minute. I don't want to go on the RECORD saying I am against any kind of carbon tax cut because of the great benefit that this can provide to the American economy.

As articulated by Arthur Laffer, as articulated by R Street Institute, we have the ability, with some of that revenue, to really pass pro-growth tax cuts to offset the income and the revenue from the carbon tax cut.

So the carbon tax cut can reduce the income tax for American families of all income levels. I should point out, Democrats care that lower-income families spend a higher percentage of their income on fuel, on energy. And we have, in many of the bipartisan concept proposals that are out there, tracked tax credits and tax refunds for low-income families to make sure that anything we do is not regressive. I think that is a given.

I think, obviously, in the same week that the Speaker of the House put out his agenda on poverty, I am sure that he, and many others—the last thing they would want to do is burden lower-income Americans with any kind of additional tax. So of course we want to take care of that.

The good news is that is only a small fraction of the windfall from the carbon tax cut. It also provides sufficient revenue to reduce corporate tax rates currently among the highest in the world. Of all the developed countries, a 35 percent corporate tax rate. The developed country average is somewhere in the 18, 20 percent range last time I checked. It is one of the reasons that corporations are moving overseas. They are not repatriating their earnings because they don't want to pay that American income tax.

In a global economy, you have to be competitive. It doesn't mean we have to be the lowest. That is not the value proposition of our country. We have the rule of law. We have a highly educated workforce, but we have to be competitive.

So if we can find a way to reduce that corporate tax rate to 25 percent or 20 percent—I applaud the work of Dave Camp, the former Ways and Means chair last session, who boldly proposed a 25 percent income tax rate. The President of the United States, Barack Obama, has proposed a 28 percent corporate income tax rate. So in that range. And that is, by the way, without a carbon tax cut.

With a carbon tax cut you can go lower on the corporate income tax. You could run the numbers. You could probably get down to 20 percent. Maybe you

could get down to 15 percent. It depends how you allocated it. But that is one of the things that excites many of the strong free market advocates of the carbon tax cut.

You could also reduce the individual tax burden for families across all income levels, after we make darn sure that low-income families are not in any way disproportionately hit. And in no way is this regressive. In fact, Democrats' preference would prefer this to be accretive for low-income families, and maybe that is something we can come together around. Certainly something that Democrats and Republicans care about are those who live in poverty and making sure that they, too, see the benefits of the windfall from the carbon tax cut.

But, of course, we are also very open—I am, and my Democratic colleagues—to sharing the benefits of the carbon tax cut across the entire spectrum of income earners, with a focus, we hope, on the middle class, with a focus, we hope, on those in poverty.

But it does provide an opportunity for Republicans who come to the table around climate, around carbon tax cut to say, you know what? Our priorities include job creators and others which, of course, we all care about job creators, we all about care about S Corps, we all care about all those things.

It is simply a matter of priorities. You have to get the revenues to run the government from somewhere. And, separately, we have the discussion about what those appropriation levels are, how much we spend; we have that discussion.

Then we have to, somehow, get so much in taxes. It is a question of where it is from. And I believe it should be from things that, regardless of what you believe on climate, we want to discourage, rather than things that we want to encourage.

So if we can stop discouraging people from earning money and income, stop discouraging corporations from domiciling their earnings here, from growing, from expanding and, instead, discourage something that, even if you throw out the science on climate, is polluting, and runs out, and is a national security danger because it forces us to rely on other countries, that is something that we should discourage in our economy.

So, look, I join George Shultz, Jerry Taylor, Peter Van Doren, Dr. Arthur Laffer, Greg Mankiw, the American Enterprise Institute, and so many others, in saying: the time is now to have this discussion.

I applaud Representative SCALISE for initiating this discussion. This is the first sign of momentum that this bill has. And the day that this body considers a bill condemning my friend from Georgia's national sales tax proposal, I will actually start worrying about it. I will actually start saying wait a minute.

I have had many discussions with him, and I have to say it does have its merits. My issues and concerns with it have been around whether or not we can make it progressive rather than regressive and, of course, the potential for black market transactions when you have that level of taxation. It's a hypothetical discussion at this point.

But the day that a resolution comes forth like H.R. 89 around the national sales tax, I will know that that discussion has become a serious one. And I couldn't be more proud and excited that the discussion around a national carbon tax cut has now become a serious one, a bipartisan one, an inevitable one, one that we will see through with the next President of the United States into law.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, with that level of agreement, I am prepared to tell my friend I don't have any speakers remaining, and if he is prepared to close, we will get right to the underlying bill and exercise that enthusiasm.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I don't have any other speakers, so I will be happy to close.

I yield myself the balance of my time.

Mr. Speaker, I am going to address some of the issues in this rule and in this bill. This rule, which I oppose, and I also oppose all three underlying bills, contain a number of concepts that aren't going to move forward into law, that are put there for political reasons and, again, very excitingly, the first real discussion of a national carbon tax cut, because that idea has so much bipartisan momentum from the left and the right.

□ 1315

Many of these ideas are simply recycling old ideas, the same ideas that we have discussed before, that they have complained about before that if somehow they were to make it out of the Senate, the President would veto them, particularly, obviously, one that undoes what the President wants to do, so we are simply going through the motions on a lot of these bills. The most notable one is truly the resolution on a carbon tax cut because what this means is that idea has scared enough people, presumably, who oppose it that it is moving forward in some form and some discussion, which is exciting.

So let's start with discussing the proposed \$10-per-barrel fee on oil. Now, this is, again, kind of a reaction to something that isn't happening. It is not going to change any current policy. There is no \$10-per-barrel fee on oil. This is simply about a Chamber saying that they disapprove of something that Obama has said and wants to do.

We all agree our country has serious problems with transportation and infrastructure funding. There are many

different ways that we can meet the needs to fund those. If people don't like a per-barrel fee on oil, there are plenty of other ways to do it.

The real discussion should be about how do we fund transportation?

I am a fan of our bipartisan proposal to allow a repatriation window for funds that corporations have income overseas which they have not brought back to our country because they effectively face another tax with that and a one-time window for doing that. We can create a national infrastructure bank to fund infrastructure.

There are a lot of great ideas. It is clear—and this will probably pass—the Republicans don't like a \$10-per-barrel tax on oil, and that is fine.

If you don't like it, what do you like? How do we want to fund infrastructure?

This proposal and this concept came from the administration's 2017 budget. Frankly, there are probably a lot of things in the President's budget that my Republican friends don't like. They could probably run a resolution every week, they could probably run 10 resolutions every week about things that they don't like in the President's budget, but that is not really a productive use of this Chamber's time. That budget didn't pass. As far as I know, I don't think that budget got a single vote.

It wasn't put up this year because Republicans haven't even put up any budgets for our body. They haven't offered a budget. The last time the Republicans put budgets forward—and I believe the last budget, if I am not mistaken, did not contain the \$10-per-barrel tax on oil. That was in the President's budget for fiscal year 2017, but the prior one did not receive any votes from Democrats or Republicans.

So this vote, at best, is repetitive because already this body has rejected the President's last budget. Were the Republicans to bring forward the President's budget for 2017, they would likely—again, as has traditionally occurred, as far as I know, throughout history—overwhelmingly reject that budget.

So, in part, let me be clear, that is because we believe, I believe as a Member of Congress, that the budget is a legislative prerogative. I don't think there has been a Presidential budget that has been passed. In fact, I and, I think, most, if not all, of my Democratic colleagues joined in opposing the President's budget because we had our own congressional Democrats' budget. Not only one, there were two or three congressional Democratic budgets, and there were several Republican budgets, but that is a matter of legislative prerogative. We, of course, want to hear ideas from the chief executive, whoever she is, but we also want to implement our own budget because it is our prerogative as the United States Congress with the power of the purse to do that.

But considering the fact that Big Oil and Gas get huge tax subsidies every

year, I personally believe that this kind of modest oil fee is a reasonable way to look at and have in the mix when talking about how to fund infrastructure.

If there are other ideas—people have talked about vehicle miles driven, people have talked about a number of different ways. There is no Republican or Democratic road. We all drive on roads. We all need roads. We all need bridges. I know the Republicans in good faith, along with Democrats, know we need to fund our national infrastructure. And if you don't like a particular way of doing that, by all means, put other ideas on the table. But it isn't productive, and it doesn't move anything forward just to take one item from a President's budget that you didn't even allow to have a vote and that very few people support and say: We don't like that.

I think we knew that before you had the vote. I think we knew you didn't like the President's budget overall. You are welcome to have the vote. It isn't going anywhere. It won't pass the Senate. It isn't a matter for actual consideration.

Next, we have the sense of Congress on the carbon tax cut. Again, I couldn't be more excited. I have been feeling from my friends on the right that there has been more interest in this concept of a carbon tax cut. I really see that coming to fruition that it is actually serious enough and mainstream enough that those who don't like the concept are putting up some kind of proactive defense. So I really think it is a matter of time. I think it is going to be great for our economy that we can cut taxes for American businesses, for job creators, and for middle income. We can make sure it is progressive and doesn't additionally burden many of those in poverty. It can be a net benefit to incomes of individuals below the poverty line. I couldn't be more excited about this concept of a carbon tax cut.

Frankly, it is the first discussion on the floor of that concept, I believe, since Republicans have taken control of this body, and I think it is a harbinger of many things to come on something that can be great and, frankly, supported from across the ideological spectrum to make our country more competitive.

Finally, I want to move to what is being called the Ozone Standards Implementation. Now, this also feels like we have been here before and done that before. It feels a little bit like *deja vu* because this bill essentially repackages a bunch of bills attacking Ozone Standards and the Clean Air Act that we have seen here and voted on over the last several years.

Again, this bill won't pass the Senate. It certainly wouldn't be signed by the President. It is not clear why we are doing it. It seems to be filling our time, but I would hope that we have

more important issues to work on on behalf of the American people. Like, for instance, the public health threat of the Zika virus is one.

How about bringing up a bipartisan constitutional amendment that will help us move towards a balanced budget? How about improving our entitlement programs to make sure they are there for the next generation of Americans? How about passing comprehensive immigration reform to restore the order of law and allow 10 million people to come out of the shadows and work legally and abide by their responsibilities under American law that we can enforce going forward?

I am glad that one of my amendments to the ozone bill was made in order. My colleague from Georgia mentioned that. He said he may not personally be supportive of it. I will certainly be making the case for my fourth time and hoping to gain his support, because what my amendment does is it would close an oil and gas industry loophole to the Clean Air Act's aggregation requirement, which I will be talking more about today.

Currently, under current law, the oil and gas industry doesn't have to aggregate its small air pollution sources, even though cumulatively they release large amounts of air pollutants. Again, what that means in a district like mine where there are many fracking pads, there is, of course, an emission profile to each of these, but because they are small sites, they are not aggregated. We happen to have a county, Weld County, Colorado, with over 20,000 operating wells. When you get up to that kind of number, you can no longer round down to zero. In the aggregate, those wells look a lot more like a number of large, industrial plants that otherwise would fall under the Clean Air Act than simply small sites that can be rounded down to zero.

I couldn't be more excited to have the opportunity to finally bring up my amendment and hopefully adopt it so we can improve the Clean Air Act instead of many of the other provisions of the bill which would eviscerate the Clean Air Act.

This is a serious issue. Between 1980 and 2014, emissions of six air pollutants controlled by the Clean Air Act have dropped by 63 percent. That is good news. We should be doing more, not less, to encourage clean air with the long-term savings of the health of the American people as well as a reduction of costly diseases like asthma.

A recent peer-reviewed study estimates that the Clean Air Act will save more than 230,000 lives and will prevent millions of cases of respiratory problems. But instead of strengthening that act, the provisions of the bill will delay the implementation of the updated 2015 Ozone National Ambient Air Quality Standards by States, a position that is

opposed by a broad coalition of scientists and many other groups that care about public health.

The connection between air quality and asthma, of which our country has 25 million sufferers, is well established. Clean air is integral to quality of life, and the last thing we should do is tear down the protections that allow kids to play outside, and that allow adults to recreate outside and enjoy themselves while continuing to breathe clean air.

Again, I am not worried about this bill becoming law. It won't pass the Senate, and, obviously, since it undoes some of President Obama's actions somehow were it to reach his desk, I am confident that it would be vetoed.

The problems go on and on with this bill. I do hope that my amendment passes. It is the first opportunity that I have had to bring forward my BREATHE Act, which has over 50 cosponsors to actually bring it forward for a vote and a discussion. We haven't been able to get that floor time until now.

So, all in all, I think this is an encouraging week. On the one hand, we finally get to discuss a carbon tax cut—how exciting—and also, we finally realize that people are actually worried enough about this happening that they are running some kind of proactive strategy to try to lock people down. Wow. This is happening. We are going to have a carbon tax cut sometime in the next few years. This is great.

Second, I finally get the BREATHE Act, for it is an amendment to close a loophole for oil and gas in the Clean Air Act. Again, I don't expect that to pass. I hope to have good support, and, of course, I call upon my friends to reject the underlying bills.

Instead of continuing the climate-denying work of the majority that these three bills kind of double down on, we should be focusing on creating jobs, tax reform, which, again, a carbon tax cut would allow us a foray into cutting taxes for corporations, cutting taxes for individuals. And yet again, instead of focusing on the needs of middle class Americans, instead of focusing on shrinking the deficit, instead of focusing on reducing subsidies for oil and gas companies, we are furthering our reliance on legacy, dirty energy systems to power what we hope is an economy of the future. It is the wrong way to go.

I encourage Members to look in the mirror, think about the health of themselves, of their children, of their parents, the elderly, and those most at risk and ask about how those bills would impact them. The answer is obvious, and I think that, hopefully, the answer that this body gives to these bills will also be obvious.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that fully funds the administration's

effort to mount a robust and long-term response to the growing Zika crisis.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can focus this body on Zika and the public health risk to the American people, to vote "no" on the rule, to vote "no" on the underlying bills, but, frankly, to move forward with the door having been opened for this discussion and this coalition between left and right on a carbon tax cut proposal. Let's take advantage of that door being opened a crack, and let this be the start of something really great and the start of something really special that can help launch the next decade and more of stronger, pro-growth economic policies letting American families keep more of their hard-earned income and encouraging American companies to stay put rather than move overseas.

Mr. Speaker, I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when you turn on the television, when you open up a newspaper here in the election season, it seems like folks are pretty angry. I enjoy coming down to the floor on rules to work with my friend from Colorado because I genuinely enjoy him. If we are going to get anything done across the aisle, I have no doubt that he is going to be a part of that solution. As you listen to his words down here today, you heard that. Time and time again, there are things we can do together, there are ways we can be better together. Let's find some common-sense alternatives.

Sadly, in an election year like this, oftentimes that is as far as the conversation goes. If you can't fit it on a bumper sticker, you don't have that conversation. You heard the gentleman say—for example, with respect to my own tax bill, H.R. 25, the FairTax, the most widely cosponsored fundamental tax reform bill in the entire United States Congress, he had favorable things to say. But if you look at any Democratic Congressional Campaign Committee-run advertisement, they skewer the men and women who take a chance on growing the economy with the FairTax. They skewer the men and women who take a chance on repealing the taxes, the most burdensome tax on the 80 percent of American working families who have to pay it. In the name of politics, folks don't get past the bumper sticker to the real substance.

I listen to my friend from Colorado. He gives me hope. He gives me hope that we are going to be able to get over that line, Mr. Speaker. But the truth is, we have to get past the bumper sticker slogan. My friend from Colorado is going to be part of whatever fundamental tax reform change is made here. But we ought to be able to agree that just adding more taxes to an already broken system—as the President proposes—can't possibly be the right answer.

My friend is absolutely right that we need to fund American infrastructure, and I would argue the user-fee system is the way to do it. Not repatriation, which takes completely unconnected dollars, but user fees which say that, if you are on the roads, you should pay for the roads. But that is a discussion we will have to have.

□ 1330

This is the right place to have that discussion. We will have that discussion, and I hope that we will come to a conclusion.

My friend says that job creation is job one, but supports complete re-regulation of industries which is destroying jobs across this country. I will give you an example, Mr. Speaker, and it is what is so frustrating to folks back home.

Again, Prime Minister Modi stood where you are standing. He spoke for 1.3 billion people. I only speak for about 700,000. But those 700,000 open up the newspaper when they get into their office on a Monday morning, trying to comply with the National Ambient Air Quality Standards, the ozone standards.

Those standards, released in 2008, finally got around to having the regulations for how to comply with them finalized in March of 2015. I will say that again. This crisis of human health that my friend has described, we identified in 2008, and the administration got around to telling folks what the rules were by March of 2015.

So all the job creators across the country began to scramble to comply with those rules, Mr. Speaker. And then in October of 2015, the administration says: Oh, no, wait. We have a much better idea. Now let's do ozone compliance, part two.

In 2008, we decided we had an issue we wanted to address. In March of 2015, the administration finally got around to addressing it. As soon as folks began to spend the money and the intellectual effort to comply with those rules, by October of that same year, the administration says: Oh, no. We have got a better idea. Scrap that.

When my friend reads from all of the conservative economists, the libertarian economists, the folks who care about making sure our limited resources do the most good for the American people and those folks support a

carbon tax, they don't support a carbon tax in addition to the nonsensical regulatory structure that I have just described. They support a carbon tax instead of that structure.

If we monetize harms in this country, we don't have to have a bureaucracy that guesses at what the issues are; we don't have to have a bureaucracy that moves not in a day or a week or a month, but takes years, almost decades, to move in the marketplace. We move quickly, and we maximize. For every dollar that compliance costs, for every dollar that environmental stewardship costs, for every dollar that NG exploration costs, we get the maximum return for every American family.

I think there is a pathway there. I think there is a pathway there. But understand, more of the same won't get us there. The power to tax is the power to destroy. Stop destroying job creation. The power to tax is the power to destroy. Stop destroying American corporations and moving them overseas.

Golly, we have got opportunity to come together. I believe these three provisions before us, Mr. Speaker, are going to move us in that direction.

Make no mistake; our ozone bill that we have before us today makes every amendment from this body in order—save one that was virtually exactly the same as another, and we didn't want to be duplicative here of the Members' time—made every discussion in order, including the one from the gentleman from Colorado.

The sense of Congress today says we don't need to tax fossil fuels as an answer to anything, that taxes are just taxes; and in the absence of a coherent environmental policy, in the absence of a coherent stewardship policy, in the absence of men and women on the ground who are balancing the needs of jobs and the needs of community, it is just a bumper sticker slogan.

Let's reject bumper sticker slogans today. Let's take advantage of the serious men and women that serve in this institution, like the gentleman from Colorado. Let's get together and do the heavy lifting.

Mr. Speaker, if it were easy, they would have done it already. The reason you are here, the reason my friend from Colorado is here, and the reason I am here is not to do the easy things; it is to do the hard things.

What I have come to know in my 5½ years in this institution is I have not met a man or a woman who is serious about making a difference for the country who wouldn't take their voting card and turn it in tomorrow if they could make that kind of lasting difference that would serve not just this generation, but generations to come. We have that opportunity, Mr. Speaker. It is an election year, but let's not squander it. We can make these next 8 months count for the American people.

Mr. Speaker, I urge strong support for the rule. I urge support for the underlying resolutions as well, but I urge strong support for the rule that will begin this discussion.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 767 OFFERED BY
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) making supplemental appropriations for fiscal year 2016 to respond to Zika virus. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Appropriations and the chair and ranking minority member of the Committee on the Budget. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5044.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to

yield to him for an amendment, is entitled to the first recognition.”

The Republican majority may say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of the resolution, if ordered; the motion to suspend the rules and pass H.R. 3826; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 163, not voting 40, as follows:

[Roll No. 273]

YEAS—230

Abraham	Babin	Bilirakis
Aderholt	Barletta	Bishop (MI)
Allen	Barr	Bishop (UT)
Amash	Barton	Blackburn
Amodei	Benishek	Blum

Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)

NAYS—163

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney

Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger

Pitts
Poe (TX)
Poliquin
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Eshoo
Esty
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham

Grayson
Green, Al
Green, Gene
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)

Black
Cárdenas
Cummings
Deutch
Duffy
Ellison
Ellmers (NC)
Engel
Farr
Fattah
Fincher
Grijalva
Gutiérrez
Hahn

NOT VOTING—40

Hardy
Herrera Beutler
Huffman
Hunter
Hurt (VA)
Jeffries
Lee
Lieu, Ted
McCarthy
Miller (FL)
Nadler
Pallone
Payne
Pompeo

□ 1357

Mr. COOPER changed his vote from “yea” to “nay.”

Mr. RIGELL changed his vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. ROYCE. Mr. Speaker, on rollcall No. 273, I was unavoidably detained. Had I been present, I would have voted “yes.”

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 273 on Ordering the Previous Question on H. Res. 767, Providing for consideration of H.R. 4775, the Ozone Standards Implementation Act of 2016; providing for consideration of H. Con. Res. 89, expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; and providing for consideration of H. Con. Res. 112. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 163, not voting 35, as follows:

[Roll No. 274]

AYES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Vearsey
Vela
Velázquez
Visclosky
Walz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—163

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera

Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen

Pearce
Perry
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Carson (IN) Honda
 Cartwright Hoyer
 Castor (FL) Israel
 Castro (TX) Jackson Lee
 Chu, Judy Johnson, E. B.
 Cicilline Kaptur
 Clark (MA) Keating
 Clarke (NY) Kelly (IL)
 Clay Kennedy
 Cleaver Kildee
 Clyburn Kilmer
 Cohen Kind
 Connolly Kirkpatrick
 Cooper Kuster
 Costa Langevin
 Courtney Larsen (WA)
 Crowley Larson (CT)
 Davis (CA) Lawrence
 Davis, Danny Levin
 DeFazio Lewis
 DeGette Lipinski
 Delaney Loeb sack
 DeLauro Lofgren
 DeBene Lowenthal
 DeSaulnier Lowey
 Deutch Lujan Grisham
 Dingell (NM)
 Doggett Lujan, Ben Ray
 Doyle, Michael (NM)
 F. Lynch
 Duckworth Maloney,
 Edwards Carolyn
 Engel Maloney, Sean
 Eshoo Matsui
 Esty McCollum
 Foster McDermott
 Frankel (FL) McGovern
 Fudge McNerney
 Gabbard Meeks
 Gallego Meng
 Garamendi Moore
 Graham Moulton
 Grayson Murphy (FL)
 Green, Al Napolitano
 Hastings Neal
 Heck (WA) Nolan
 Higgins Norcross
 Himes O'Rourke
 Hinojosa Pallone

NOT VOTING—35

Black Hahn
 Cárdenas Hardy
 Conyers Herrera Beutler
 Cummings Huffman
 Duffy Hunter
 Ellison Jeffries
 Ellmers (NC) Johnson (GA)
 Farr Lee
 Fattah Lieu, Ted
 Fincher Luetkemeyer
 Green, Gene McCarthy
 Grijalva Nadler
 Gutiérrez Payne

□ 1403

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 274.

MOUNT HOOD COOPER SPUR LAND EXCHANGE CLARIFICATION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3826) to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. HARDY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 2, not voting 30, as follows:

[Roll No. 275]

YEAS—401

Abraham Crawford Hill
 Adams Crenshaw Himes
 Aderholt Crowley Hinojosa
 Agullar Cuellar Holding
 Allen Culberson Honda
 Amodei Curbelo (FL) Hoyer
 Ashford Davis (CA) Hudson
 Babin Davis, Danny Huelskamp
 Barletta Davis, Rodney Huizenga (MI)
 Barr DeFazio Hultgren
 Barton DeGette Hurd (TX)
 Bass Delaney Hurt (VA)
 Beatty DeLauro Israel
 Becerra DelBene Issa
 Benishek Denham Jackson Lee
 Bera Dent Jenkins (KS)
 Beyer DeSantis Jenkins (WV)
 Bilirakis DeSaulnier Johnson (GA)
 Bishop (GA) DesJarlais Johnson (OH)
 Bishop (MI) Deutch Johnson, E. B.
 Bishop (UT) Diaz-Balart Johnson, Sam
 Blackburn Dingell Jolly
 Blum Doggett Jones
 Blumenauer Dold Jordan
 Bonamici Donovan Joyce
 Bost Doyle, Michael Kaptur
 Boustany F. Katko
 Boyle, Brendan F. Keating
 Brady (PA) Duckworth Kelly (IL)
 Brady (TX) Duncan (SC) Kelly (MS)
 Brat Edwards Kelly (PA)
 Bridenstine Emmer (MN) Kildee
 Brooks (AL) Engel Kilmer
 Brooks (IN) Eshoo Kind
 Brown (FL) Esty King (IA)
 Brownley (CA) Farenthold King (NY)
 Buchanan Fitzpatrick Kinzinger (IL)
 Buck Fleischmann Kirkpatrick
 Bucshon Fleming Kline
 Burgess Flores Knight
 Bustos Forbes Kuster
 Butterfield Fortenberry Labrador
 Byrne Foster LaHood
 Calvert Foxx LaMalfa
 Capps Frankel (FL) Lamborn
 Capuano Franks (AZ) Lance
 Carney Frelinghuysen Langevin
 Carson (IN) Gabbard Larsen (WA)
 Carter (GA) Gallego Larson (CT)
 Carter (TX) Garamendi Latta
 Cartwright Garrett Lawrence
 Castor (FL) Gibbs Levin
 Castro (TX) Gibson Lewis
 Chabot LoBiondo Lipinski
 Chaffetz Gohmert LoBiondo
 Chu, Judy Goodlatte Loeb sack
 Cicilline Gosar Lofgren
 Clark (MA) Gowdy Long
 Clarke (NY) Graham Loudermilk
 Clawson (FL) Granger Love
 Clay Graves (GA) Lowenthal
 Cleaver Graves (LA) Lowey
 Clyburn Graves (MO) Lucas
 Coffman Grayson Luetkemeyer
 Cohen Green, Al Lujan Grisham
 Cole Green, Gene (NM)
 Collins (GA) Grothman Lujan, Ben Ray
 Collins (NY) Guinta (NM)
 Comstock Guthrie Lummis
 Conaway Hanna Lynch
 Connolly Harper MacArthur
 Conyers Harris Maloney,
 Cook Hartzler Carolyn
 Cooper Hastings Maloney, Sean
 Costa Heck (NV) Marchant
 Costello (PA) Heck (WA) Marino
 Courtney Hensarling Massie
 Cramer Hice, Jody B. Matsui
 Higgins McCaul

McClintock Price (NC)
 McCollum Price, Tom
 McDermott Quigley
 McGovern Rangel
 McHenry Ratcliffe
 McKinley Reed
 McMorris Reichert
 Rodgers Renacci
 McNerney Ribble
 McSally Rice (NY)
 Meadows Rice (SC)
 Meehan Richmond
 Meeks Rigell
 Meng Roby
 Messer Roe (TN)
 Mica Rogers (AL)
 Miller (FL) Rogers (KY)
 Miller (MI) Rohrabacher
 Moolenaar Rokita
 Mooney (WV) Rooney (FL)
 Moore Ros-Lehtinen
 Moulton Roskam
 Mullin Ross
 Mulvaney Rothfus
 Murphy (FL) Rouzer
 Murphy (PA) Roybal-Allard
 Napolitano Royce
 Neal Ruiz
 Neugebauer Ruppertsberger
 Newhouse Rush
 Noem Russell
 Nolan Ryan (OH)
 Norcross Salmon
 Nugent Sanford
 Nunes Sarbanes
 O'Rourke Scalise
 Olson Schakowsky
 Palazzo Schiff
 Pallone Schrader
 Palmer Schweikert
 Pascrell Scott (VA)
 Paulsen Scott, Austin
 Pearce Scott, David
 Pelosi Sensenbrenner
 Perlmutter Serrano
 Perry Sessions
 Peters Sewell (AL)
 Peterson Sherman
 Pingree Shimkus
 Pittenger Shuster
 Pitts Simpson
 Pocan Sinema
 Poe (TX) Slaughter
 Poliquin Smith (MO)
 Polis Smith (NE)
 Pompeo Smith (NJ)
 Posey Smith (TX)

NAYS—2

NOT VOTING—30

Amash Griffith
 Black Hahn
 Cárdenas Hardy
 Cummings Herrera Beutler
 Duffy Huffman
 Ellison Hunter
 Ellmers (NC) Jeffries
 Farr Kennedy
 Fattah Lee
 Fincher Lieu, Ted
 Grijalva McCarthy
 Gutiérrez Nadler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia) (during the vote). There are 2 minutes remaining.

□ 1411

Ms. VELÁZQUEZ changed her vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for

votes on Wednesday, June 8, 2016. Had I been present, I would have voted "nay" on rollcall votes 273 and 274, and "yea" on rollcall vote 275.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

□ 1415

OZONE STANDARDS IMPLEMENTATION ACT OF 2016

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 4775.

The SPEAKER pro tempore (Mr. NEWHOUSE). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 767 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4775.

The Chair appoints the gentleman from Georgia (Mr. JODY B. HICE) to preside over the Committee of the Whole.

□ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4775) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, with Mr. JODY B. HICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD).

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. UPTON), the chairman of the Committee on Energy and Commerce.

Mr. UPTON. Mr. Chairman, jobs, the economy, and public health all are very critical priorities for the American people. It is possible, in fact, to pursue policies that simultaneously protect all three of them. Today we have a balanced approach in the Ozone Standards Implementation Act, and it does exactly that.

Addressing ozone levels has been one of the major successes of the 1970 Clean Air Act. Across the country, ozone levels, in fact, have declined dramatically, having declined nearly one-third since 1980. The EPA's 2008 ozone standard would have continued that success by setting out a program to achieve further reductions for many years to come.

But the EPA failed to finalize the implementing regs and guidance for the 2008 rule until just last year, and as a result, States are currently still in the process of implementing the rule. Although EPA had difficulty finalizing the 2008 regs, the Agency had no such problems coming up with a new ozone standard so unworkable for certain areas of the country that even the Agency itself concedes the technologies to fully implement and to comply still don't exist. And now, States are stuck with the impossible task of applying both standards concurrently.

In my district in southwest Michigan, in Allegan County, you could, in fact, remove every piece of human activity—roads, barbecues, jobs, move everybody out—and the region still would be in nonattainment because of the ozone that is generated from Chicago, Milwaukee, and Gary, Indiana. The new standard would result in potentially hundreds of counties across the Midwest—certainly a good number of them in Michigan—that would be designated as nonattainment, resulting in fewer new businesses or expansions of existing ones, and even fewer major construction and other infrastructure projects.

The threat of future nonattainment designation has a chilling effect and encourages employers to move someplace else, even out of the United States to relocate abroad. So it is essentially often a kiss of death for economic growth, and it comes at a time when our fragile economy can least afford it.

This thoughtful solution, this bill, retains the 2008 standard—yes, it does—but it provides additional time for States to comply with the new standard until after the current one has been fully implemented. It is common sense. Under this bill, we will have in place a more streamlined and effective schedule to ensure continued improvements in air quality in the years ahead.

The bill also has a number of sensible provisions to address practical implementation challenges that States face under the National Ambient Air Qual-

ity Standards program. It extends the mandatory review process from 5 years to a more workable 10, while allowing the EPA Administrator the discretion to review and revise standards earlier if circumstances warrant. It requires that EPA's implementing regs and guidance come out along with a new standard so that States and affected entities will have the direction that they need to comply.

The good news is, under this bill, ozone levels continue their long-term downward trend, and we can accomplish that goal without jeopardizing jobs.

Mr. TONKO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, here we go again. We should be addressing our failing infrastructure, funding the National Institutes of Health or the Centers for Disease Control to control Zika, helping the people of Flint who were exposed to lead in the drinking water, investing in clean energy, mitigating the risks of climate change, and fulfilling our constitutional responsibility to fund our government. Instead of attending to the many important challenges we face, we are here to consider yet another bill that will undermine our Clean Air Act.

Consideration of this bill is a waste of time. No wonder people across the country are frustrated and disappointed with Washington. We are not doing the things that will create opportunities to inspire our young people and fully employ everyone who wants and needs to work. Instead of doing something to improve public health and our environment, we are trying to undermine those dynamics.

H.R. 4775 is a bill that will do nothing to further improve our air quality. It offers no assistance to State and local governments. It offers no assistance to businesses that want to do the right thing and find ways to improve our environmental and social performance of their operations.

This bill creates new loopholes through which polluters will add toxic substances to our air and erode the substantial gains we have made in public health under the Clean Air Act.

H.R. 4775 has taken many approaches to undermining the Clean Air Act: it doubles the NAAQS review cycle from 5 to 10 years, which will prevent standards from being set using the most up-to-date science; it delays the implementation of the 2015 ozone NAAQS up to 8 years; and it alters the criteria for establishing a NAAQS from one based solely on protecting public health to one that would include considerations of affordability and current technical feasibility. These are just a few among many harmful changes in this bill.

That is why this bill has inspired such opposition. We have received letters of opposition signed by more than

130 environmental and public health organizations as well as a veto threat from the President's administration.

There is nothing new here. Once again, we hear the false choice presented: jobs or clean air. But that is not the choice, and we have decades of experience with local and Federal policy to regulate air pollution as proof that we do not have to choose between being employed and being healthy.

This false choice is even more absurd when you consider that there is one choice we must make every day about 20,000 times to stay alive: the choice to breathe. That is the average number of breaths that each adult takes every day of his or her life. Children, whose lungs are smaller average more breaths than that; and if you are exercising, that number will understandably be higher as well. That is a lot of exposure. So it is vitally important that the air we take in some 20,000 times per day is as clean as possible.

Ozone is extremely harmful. We have known this for about 70 years. We did not know the precise chemical nature of ozone back in 1947 when the Los Angeles County Board of Supervisors established the Nation's first air pollution control program. Back then it was called smog. In the middle of a heat wave, the smog that formed over L.A. caused people's eyes to burn and a scraping sensation in their throats. It literally became painful to breathe.

Although Los Angeles has long been recognized as a location with special challenges in air pollution due to geography and prevailing weather patterns, it is not the only city that experienced these problems. They were reported in other industrial cities as well.

We have come a long way since that time, but we did not clean up the air significantly until we created an enforceable regulatory structure that applied a set of standards to both businesses and individuals.

H.R. 4775 undermines the single most important criteria in the Clean Air Act: the mandate to set a standard that will allow every one of our citizens, no matter their age or location, to take 20,000 breaths of clean, safe air every day. We can certainly afford clean air. In fact, we must afford clean air. We have demonstrated time and time again that we can develop and deploy technologies that will achieve those ends.

H.R. 4775 is a dangerous and unnecessary bill, and I oppose the bill. I urge my colleagues to reject this latest assault on public health and to support the further improvements of air quality for our constituents.

Mr. Chair, I include in the RECORD, for the sake of this dialogue, the over 130 letters of opposition we have received.

Mr. Chair, I reserve the balance of my time.

MAY 10, 2016.

DEAR REPRESENTATIVE: Clean air is fundamental for good health, and the Clean Air

Act promises all Americans air that is safe to breathe. The undersigned public health and medical organizations urge you to oppose H.R. 4775, the so-called "Ozone Standards Implementation Act of 2016." Despite the clear scientific evidence of the need for greater protection from ozone pollution, and the Clean Air Act's balanced implementation timeline that provides states clear authority and plenty of time to plan and then work to reduce pollution to meet the updated standard, H.R. 4775 imposes additional delays and sweeping changes that will threaten health, particularly the health of children, seniors and people with chronic disease.

In contrast to what the bill's title implies, H.R. 4775 reaches far beyond implementation of the current ozone standards. It also permanently weakens the Clean Air Act and future air pollution health standards for all criteria pollutants. Specifically, H.R. 4775 weakens implementation and enforcement of all lifesaving air pollution health standards including those for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. It would also permanently undermine the Clean Air Act as a public health law.

The Clean Air Act requires that the Environmental Protection Agency review the science on the health impacts of carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide air pollutants every five years and update these national ambient air quality standards according to the current science. H.R. 4775 would lengthen the review period of the air pollution health standards from once every five years to once every ten years for all criteria pollutants. As the science continues to evolve, EPA and states should have the best and most current data inform air pollution cleanup.

New research shows additional impacts that air pollution has on human health. For example, on March 29, 2016, a new study, Particulate Matter Exposure and Preterm Birth: Estimates of U.S. Attributable Burden and Economic Costs, was published that shows particulate air pollution is linked to nearly 16,000 preterm births per year. Under H.R. 4775, EPA would have to wait as much as a decade to consider new evidence when setting standards. Ten years is far too long to wait to protect public health from levels of pollution that the science shows are dangerous or for EPA to consider new information.

In the 2015 review of the ozone standard, EPA examined an extensive body of scientific evidence demonstrating that ozone inflames the lungs, causing asthma attacks, resulting in emergency room visits, hospitalizations, and premature deaths. A growing body of research indicates that ozone may also lead to central nervous system harm and may harm developing fetuses. In response to the evidence, EPA updated the ozone standards. While many of our organizations called for a more protective level, there is no doubt that the new 70 parts per billion standard provides greater health protections compared to the previous standard.

H.R. 4775 would delay implementation of these more protective air pollution standards for at least eight years. This means eight years of illnesses and premature deaths that could have been avoided. Parents will not be told the truth about pollution in their community and states and EPA will not work to curb pollution to meet the new standards. The public has a fundamental right to know when pollution in the air they breathe or the water they drink threatens health, and Congress must not add eight

years of delay to health protections and cleanup.

H.R. 4775 would also permanently weaken implementation of the 2015 and future ozone standards. It would reduce requirements for areas with the most dangerous levels of ozone. Areas classified as being in "extreme nonattainment" of the standard would no longer need to build plans that include additional contingency measures if their initial plans fail to provide the expected pollution reductions. The Clean Air Act prioritizes reducing air pollution to protect the public's health, but H.R. 4775 opens a new opportunity for communities to avoid cleaning up, irrespective of the health impacts.

Further, the bill would greatly expand the definition of an exceptional event. Under the Clean Air Act, communities can demonstrate to EPA that an exceptional event—such as a wildfire—should not "count" in determining whether their air quality meets the national standards. This bill would recklessly expand the definition of exceptional events to include high pollution days when the air is simply stagnant—the precise air pollution episodes the Clean Air Act was designed to combat—and declare those bad air days as "exceptional." Changing the accounting rules will undermine health protection and avoid pollution cleanup.

Additionally, the bill would permanently weaken the Clean Air Act. The Clean Air Act is one of our nation's premier public health laws because it puts health first. The Act has a two-step process: first, EPA considers scientific evidence to decide how much air pollution is safe to breathe and sets the standard that is requisite to protect public health with an adequate margin of safety. Then, states work with EPA to develop a plan to clean up air pollution to meet the standard. Cost and feasibility are fully considered in the second phase during implementation of the standard.

This bill states that if EPA finds that "a range of levels" of an air pollutant protect public health with an adequate margin of safety, then EPA may consider technological feasibility in choosing a limit within that range. Further, the bill would interject implementation considerations including adverse economic and energy effects into the standard setting process. These changes will permanently weaken the core health-based premise of the Clean Air Act—protecting the public from known health effects of air pollution with a margin of safety.

H.R. 4775 is a sweeping attack on lifesaving standards that protect public health from air pollution. This bill is an extreme attempt to undermine our nation's clean air health protections. Not only does it delay the long-overdue updated ozone standards and weaken their implementation and enforcement, it also permanently weakens the health protections against many dangerous air pollutants and the scientific basis of Clean Air Act standards.

Please prioritize the health of your constituents and vote NO on H.R. 4775.

Sincerely,

Allergy & Asthma Network, Alliance of Nurses for Healthy Environments, American Academy of Pediatrics, American College of Preventive Medicine, American Lung Association, American Public Health Association, American Thoracic Society, Asthma and Allergy Foundation of America, Children's Environmental Health Network, Health Care Without Harm, March of Dimes, National Association

of County & City Health Officials, National Environmental Health Association, Physicians for Social Responsibility, Public Health Institute, Trust for America's Health.

LEAGUE OF
CONSERVATION VOTERS,
Washington, DC, June 7, 2016.

Re: Oppose H.R. 4775—Extreme Attack on
Smog Protections & the Clean Air Act.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of our millions of members, the League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 4775, the "Ozone Standards Implementation Act," a radical bill that jeopardizes the health of the American people by undermining the EPA's recently-updated standards for ozone pollution (a.k.a. smog) and eviscerating a central pillar of the Clean Air Act.

The Clean Air Act was enacted with strong bipartisan support and is based on the central premise that clean air protections for dangerous pollutants like smog, soot, carbon monoxide, sulfur dioxide and lead be based solely on the best-available health science. The law's drafters structured the law in this manner because Americans deserve to know if their air is safe to breathe or not. For the first time ever, H.R. 4775 would allow the EPA to consider factors unrelated to health, like technical feasibility in the initial standard setting process. States consider feasibility and cost when they implement the standards. This system has worked extremely well since 1970 as air quality has improved dramatically while the economy has grown.

The bill would also gut EPA's ozone standards, which were updated last fall. H.R. 4775 would delay these vital health protections by at least ten years and double the law's current five-year review periods for updating ozone and all national air quality standards allowing unhealthy air to persist even longer. High ozone levels pose a significant threat to our health, and are especially dangerous for children, the elderly, and asthmatics.

We urge you to REJECT H.R. 4775 and will strongly consider including votes on this bill in the 2016 Scorecard. If you need more information, please call my office and ask to speak with a member of our Government Relations team.

Sincerely,

GENE KARPINSKI,
President.

JUNE 7, 2016.

DEAR SENATOR/REPRESENTATIVE: On behalf of our millions of members, the undersigned 118 organizations urge you to oppose the "Ozone Standards Implementation Act" (H.R. 4775, S. 2882). The innocuous-sounding name is misleading: this legislation would actually systematically weaken the Clean Air Act without a single improvement, undermine Americans' 46-year right to healthy air based on medical science, and delay life-saving health standards already years overdue.

This bill's vision of "Ozone Standards Implementation" eliminates health benefits

and the right to truly safe air that Americans enjoy under today's law. First, the legislation would delay for ten years the right to safer air quality, and even the simple right to know if the air is safe to breathe. Corporations applying for air pollution permits would be free to ignore new ground-level ozone (aka smog) health standards during these additional ten years. For the first time the largest sources of air pollution would be allowed to exceed health standards. The bill would also outright excuse the parts of the country suffering the worst smog pollution from having backup plans if they do not reduce pollution. The most polluted parts of the country should not stop doing everything they can to protect their citizens' health and environment by cleaning up smog pollution.

This bill is not content to merely weaken and delay reductions in smog pollution. It also strikes at our core right to clean air based on health and medical science. The medically-based health standards that the law has been founded on for 46 years instead could become a political football weakened by polluter compliance costs. This could well result in communities being exposed to unhealthy levels of smog and soot and sulfur dioxide and even toxic lead pollution. The bill would also double the law's five-year review periods for recognizing the latest science and updating health standards, which are already frequently years late; this means in practice that unhealthy air would persist for longer than ten years.

The legislation also weakens implementation of current clean air health standards. The bill expands exemptions for "exceptional events" that are not counted towards compliance with health standards for air quality, even when air pollution levels are unsafe. This will mean more unsafe air more often, with no responsibility to clean it up. Requirements meant to ensure progress toward reducing smog and soot pollution would shift from focusing on public health and achievability to economic costs. Despite the bland name "Ozone Standards Implementation Act," this bill represents an extreme attack on the most fundamental safeguards and rights in the Clean Air Act.

Since 1970, the Federal Clean Air Act has been organized around one governing principle—that the EPA must set health standards based on medical science for dangerous air pollution, including smog, soot and lead, that protect all Americans, with "an adequate margin of safety" for vulnerable populations like children, the elderly and asthmatics. This legislation eviscerates that principle and protection. We urge you to oppose H.R. 4775 and S. 2882, to protect our families and Americans' rights to clean air.

Sincerely,

350KC; 350 Loudoun; Alaska Community Action on Toxics; Alton Area Cluster UCM (United Congregations of Metro-East); Brentwood House California Latino Business Institute; Center for Biological Diversity; Chesapeake Physicians for Social Responsibility; Chicago Physicians for Social Responsibility; Citizens for Clean Air; Clean Air Watch; Clean Water Action; Cleveland Environmental Action Network; Climate Action Alliance of the Valley; Connecticut League of Conservation Voters; Conservation Voters for Idaho; Conservation Voters of South Carolina; Dakota Resource Council; Earth Day Network; Earthjustice.

Earthworks; Environment Iowa; Environment America; Environment Arizona; Environment California; Environment Colorado; Environment Connecticut; Environment

Florida; Environment Georgia; Environment Illinois; Environment Maine; Environment Maryland; Environment Massachusetts; Environment Michigan; Environment Minnesota; Environment Missouri; Environment Montana; Environment Nevada; Environment New Hampshire; Environment New Jersey.

Environment New Mexico; Environment North Carolina; Environment Ohio; Environment Oregon; Environment Rhode Island; Environment Texas; Environment Virginia; Environment Washington; Environmental Defense Action Fund; Environmental Entrepreneurs (E2); Environmental Law & Policy Center; Ethical Society of St. Louis; Faith Alliance for Climate Solutions; Florida Conservation Voters; Fort Collins Sustainability Group; GreenLatinos; Health Care Without Harm; Iowa Interfaith Power & Light; Jean-Michel Cousteau's Ocean Futures Society; KyotoUSA.

Labadie Environmental Organization (LEO); Latino Donor Collaborative; League of Conservation Voters; League of Women Voters; Maine Conservation Voters; Maryland League of Conservation Voters; Michigan League of Conservation Voters; Moms Clean Air Force; Montana Conservation Voters Education Fund; Montana Environmental Information Center; National Parks Conservation Association; Natural Resources Defense Council; NC League of Conservation Voters; Nevada Conservation League; New Mexico Environmental Law Center; New York League of Conservation Voters; Northern Plains Resource Council; OEC Action Fund; Ohio Organizing Collaborative, Communities United for Responsible Energy; Oregon League of Conservation Voters.

Partnership for Policy Integrity; PennEnvironment; People Demanding Action, Tucson Chapter; Physicians for Social Responsibility; Physicians for Social Responsibility, Maine Chapter; Physicians for Social Responsibility, Los Angeles Chapter; Physicians for Social Responsibility, Arizona Chapter; Physicians for Social Responsibility, SF Bay Area Chapter; Physicians for Social Responsibility, Tennessee Chapter; Physicians for Social Responsibility, Wisconsin Chapter; Powder River Basin Resource Council; Public Citizen; Public Citizen's Texas Office; RVA Interfaith Climate Justice Team; Safe Climate Campaign; San Juan Citizens Alliance; Sierra Club; Southern Environmental Law Center; Sustainable Energy & Economic Development (SEED) Coalition; Texas Campaign for the Environment.

Texas Environmental Justice Advocacy Services; Texas League of Conservation Voters; The Environmental Justice Center at Chestnut Hills United Church; Trust for America's Health; Union of Concerned Scientists; Utah Physicians for a Healthy Environment; Valley Watch; Virginia Organizing; Virginia Interfaith Power & Light; Voices Verdes; Voices for Progress; Washington Conservation Voters; Western Colorado Congress; Western Organization of Resource Councils; Wisconsin Environmental Health Network; Wisconsin League of Conservation Voters; Wisconsin Environment; Wyoming Outdoor Council.

Mr. WHITFIELD. Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. OLSON), the vice chairman of the Subcommittee on Energy and Power.

Mr. OLSON. Mr. Chairman, every time I talk about this bipartisan bill, I make sure to emphasize one point: I want clean air.

I remember Houston in the 1970s. We could not see the downtown through the smog. We have made a lot of progress since then. The whole country has made a lot of progress since then. I want that progress to continue.

Despite what some would have you believe, Mr. Chairman, this bipartisan bill is not about fundamentally changing the Clean Air Act. Nothing in this bipartisan bill changes any air quality standard or regulation. Nothing in this bipartisan bill puts cost before science when EPA sets a new standard.

This bipartisan bill is about carefully thought-out, commonsense reforms. It is about listening to State regulators who actually had to make EPA's rules work for the people.

The people I work for back home are full of common sense. Common sense says that EPA should put out guidance to follow a new rule at the same time they put out the rule.

Folks in Texas 22 and across America are puzzled. What is wrong with EPA putting out a complete package of rules and regulations together instead of a rule first followed by regulations 7 years later? That is not common sense. That is a road to failure, a road we are going down right now.

As Dr. Bryan Shaw, the top regulator for air quality in my home State of Texas, said, provisions in this bipartisan bill will "allow States to focus their limited resources" to implement EPA's previous ozone rule. We can continue to improve Texas air—and the air of every State—if we let our regulators do their jobs.

I carefully wrote this bipartisan bill to include more common sense. Let EPA consider achievability when issuing a new rule. This is not a mandate.

□ 1430

I ask my opponents to read this bipartisan bill. Read the language. It clearly says the EPA may consider achievability when they set a new standard. This provision will never allow EPA to set an unhealthy standard. They can't use cost to ignore science.

Let's bring common sense to the EPA and work together to help States improve air quality. Vote for this bill.

Mr. RUSH. Mr. Chairman, I yield 5 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. I thank the gentleman for yielding and for his leadership on energy and clean air policy for all of America.

Mr. Chair, I rise in strong opposition to H.R. 4775. The Republican bill is a radical attempt to gut the Clean Air Act.

The Clean Air Act has been one of our bedrock environmental laws for America since the 1970s. So for 50 years it has worked well to ensure that it protects our health while businesses

thrive. It has made such a difference in our lives.

I heard my good friend from Houston say he has seen the air cleaned up. The same is true in the Sunshine State of Florida. I remember those smoggy days in the late sixties and early seventies. I watched the impact of the Clean Air Act make it healthier for us to breathe, to grow up, to live healthy lives. All you have to do is look across the globe at China and India and the struggles they have with their economy because they are not able to control their pollution.

The great thing about the Clean Air Act is that it is based on science. It requires the EPA every 5 years to bring scientists together and do a health check, do a check on the air quality standards all across America. Then they can—they are not required to—say: we are going to improve the air quality standards. And then they leave it up to States and stakeholders at home to determine how best to control air pollution. It has been extraordinarily effective at cleaning the air.

EPA has set air quality standards for six different pollutants: ozone, nitrogen dioxide, sulfur dioxide, carbon monoxide, lead, and particulate matter. Between 1980 and 2014, emissions of these six air pollutants dropped by 63 percent. During the same period, the Nation's gross domestic product increased by 147 percent, vehicle miles traveled increased by 97 percent, energy consumption increased by 26 percent, and the U.S. population increased by 41 percent. These emissions reductions have generated dramatic health effects. There is a balance in the law already.

A recent peer-reviewed study says the Clean Air Act will save more than 230,000 lives and will prevent millions of cases of respiratory problems like asthma and other problems in 2020 alone. It will also enhance our national productivity by preventing 17 million lost workdays. These public health benefits translate into \$2 trillion in monetized benefits to the economy.

Again, from the Sunshine State's perspective, we have a booming tourist economy largely because we have clean water and clear air. Everyone wants to come to Florida. They are very discerning with their tourist dollars and where they are going to take a vacation. They look across the world, and one of the reasons people travel to America or you travel to the Sunshine State is because it is healthy and clean; and it is largely because of the Clean Air Act that we have been able to do that.

So this bill is irresponsible because it will take us backwards. And let's talk a few specifics. The bill dramatically delays implementation of the 2015 ozone air quality standards by up to 8 years. It says to America: we are going to ignore the science, we are going to

ignore the new standards that have been developed with thousands and thousands of comments, and we are going to ignore the fact that these improved standards will net benefits of up to \$4.6 billion in 2025 alone.

Second, the bill doubles the air quality standard review period for all criteria air pollutants to every 10 years. Currently, the Clean Air Act says: EPA, every 5 years, look at the best science. Now, this bill says to ignore the science. Again, we will wait 10 years.

That is not smart and that is not helpful to our communities and our neighbors back home.

The bill also gives new and expanded facilities amnesty from new air quality standards. And this is where I think my Republican friends are going to invite a lot of litigation.

Before I came to Congress, I did a little bit of environmental law. Current existing industrial users and businesses will have to bear the burden because the new polluters will get a break—they will get amnesty—while our existing businesses will have to make up the difference. That is not smart, and I think that is going to create a lot of lawsuits.

Prime Minister Narendra Modi from India was here today. One of his messages, besides what a great democracy America is and what a great democracy India is, is that we have to think about the future. And we can tap the American ingenuity and what we have already done to clean air and grow business at the same time.

Other nations are realizing now what we have learned long ago: unregulated emission of dangerous air pollutants is unsustainable. The Clean Air Act has helped us make dramatic improvements in air quality over the past decades. Our economy has grown at the same time.

So I would urge my colleagues, do not gut the Clean Air Act. Vote "no" on H.R. 4775.

Mr. WHITEFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chairman, I thank the gentleman for yielding and for his efforts on this very important legislation.

Mr. Chair, I rise today in support of H.R. 4775, the Ozone Standards Implementation Act of 2016, so States will have the flexibility and tools to reasonably and effectively meet the new EPA ozone standards.

Since the proposal of EPA's 2008 ozone standards, States have continually worked to implement air quality standards to comply with EPA's clean air requirements. However, EPA's implementation regulations for the 2008 standards were not published until March 6, 2015, and then the revised ozone standards were issued in October of 2015.

States now face the prospect of simultaneously implementing two ozone standards at the same time. H.R. 4775 remedies this problem by creating a phase-in approach to the 2008 and 2015 ozone standards, extending the final designations under the 2015 standards to 2025.

It would also make reforms to the National Ambient Air Quality Standards to provide flexibility and structure to actions taken to implementing and revising these standards. States should be given the flexibility to implement air quality standards in a way that is cost effective and efficient.

I want to thank the gentleman from Texas (Mr. OLSON) for introducing this bill. I also encourage my colleagues to support this legislation to ensure States are able to implement EPA ozone standards without harming their overall economy.

Mr. RUSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, H.R. 4775 would fundamentally and permanently weaken the Clean Air Act as well as future air pollution health standards for all criteria pollutants.

Mr. Chair, H.R. 4775 would unacceptably delay implementation of the EPA's 2015 ozone standards for another 8 years, even though these standards haven't been updated since the Bush administration last did so in the year 2008.

Additionally, Mr. Chair, this bill would also mandate that the EPA wait a decade before considering any new evidence regarding the health implications from ozone and other harmful pollutants, despite what the science may say in the interval.

This drastic change to the Clean Air Act would prohibit the EPA from relying on the most current health-based scientific data when determining air pollutant standards.

Mr. Chair, H.R. 4775 would also fundamentally change provisions of the Clean Air Act by imposing cost and technological feasibility considerations on the standard-setting process, even though the Clean Air Act clearly states that only medical and public health data should be used when setting clean air health standards.

Mr. Chair, this radical change to the Nation's most historically important environmental law will lead to adverse consequences for both the public health and the resourcefulness of American companies and innovators.

As the EPA's Acting Assistant Administrator for the Office of Air and Radiation, Janet McCabe, noted in her recent testimony to the Energy and Power Subcommittee at a hearing entitled "H.R. 4775, Ozone Standards Implementation Act" just earlier this year in April: "Despite repeated assertions that achieving clean air was just not feasible, American ingenuity has consistently risen to the challenge and

made our country the leader in both clean air and clean air technology.

"That approach," she went on to say, "has been very successful for both the health of Americans and our economy."

Mr. Chair, what is missing in the arguments made by the majority against the Clean Air Act, as well as most other environmental protection laws, is the fact that these regulations have been extraordinarily beneficial not only to the American health, but also to the American economy.

In almost every instance, Mr. Chair, whenever a new environmental regulation has been proposed, we have heard opponents label them as job killers, overly burdensome, harmful to the economy, the end of the American way of life as we know it. In practically every instance, those dire predictions have been proven to be unequivocally wrong, as these laws, Mr. Chair, have served to protect the public health as well as to spur new advances in technology and in services that we can then export overseas.

Mr. Chairman, undoubtedly, today's fight over the new ozone standard will follow this very same pattern. Instead of trying to stall the 2015 ozone standards and prohibit the EPA from regularly updating the National Ambient Air Quality Standards, as H.R. 4775 would do, we in this Congress should be heeding the warnings of doctors and scientists of not acting quickly enough to protect the public health.

□ 1445

Mr. Chairman, I strongly oppose this awful bill, and I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. LATTA), who is a member of the Energy and Commerce Committee, a cosponsor of this legislation, and a gentleman focused on energy issues.

Mr. LATTA. I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 4775, the Ozone Standards Implementation Act, of which I am a proud sponsor.

I would like to focus, in particular, on what this bill really does for the timeline of implementing ozone standards. H.R. 4775 focuses on efficient implementation of ozone and other air quality requirements by making commonsense adjustments to facilitate how air quality standards are implemented, based on practical experience.

Our legislation provides States with additional time to implement the 2015 standards which is needed to fully implement the 2008 ozone standards, since EPA only issued the implementing regulations in 2015.

Further, H.R. 4775 allows EPA time to develop the new implementing regu-

lations and guidance needed for the 2015 standards, and also allows EPA to clear its existing backlog of hundreds of implementation plans relating to other existing standards.

Clean air remains our priority, and this legislation does not change the recent new ozone standard of 70 parts per billion. It does not change any of the standards set by the agency for any other criteria pollutants.

Instead, it ensures that hundreds of counties are not unnecessarily subjected to additional regulatory burdens, paperwork requirements, and restrictions.

EPA projects that, based on 2012–2014 data, over 240 counties with ozone monitors would violate the 2015 standards, but they are already on track to meet those standards by 2025. It makes no sense to sweep these counties into unnecessarily burdensome "nonattainment" regulatory regimes.

EPA has estimated compliance costs for 2008 beginning in 2020 of \$7.6 billion to \$8.8 billion annually. On top of these costs, EPA estimates compliance costs for the 2015 standards beginning in 2025, of \$2 billion annually, including \$1.4 billion outside California, and \$800 million in California.

However, EPA's own estimate may be too low, since they have admitted that in some places, most of or even all of the technology that will be needed to meet this rule has yet to be invented.

What this legislation postpones is the diversion of State resources from the most pressing challenges to meet a standard that EPA projects will be met anyway through measures already on the books.

Mr. Chairman, I urge support of H.R. 4775.

Mr. RUSH. Mr. Chairman, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, may I ask how much time is remaining on both sides?

The CHAIR. The gentleman from Kentucky has 20 minutes remaining. The gentleman from Illinois has 13½ minutes remaining.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. FLORES), who is a member of the Energy and Commerce Committee and, I believe, a cosponsor of this legislation.

Mr. FLORES. Mr. Chairman, I thank Chairman WHITFIELD for allowing me to speak on behalf of this bill.

As a coauthor of H.R. 4775, I rise to strongly urge my colleagues to support this bipartisan Ozone Standards Implementation Act of 2016.

Since 1980, our economy has more than tripled in growth, while ozone levels have gone down by 33 percent. The EPA predicts that ozone levels will continue to improve, particularly as the 75 parts per billion standard is fully implemented.

Most importantly, the EPA states: "The vast majority of U.S. counties

will meet the 70 parts per billion standard by 2025 just with the rules and programs now in place or underway.”

In March of 2015, the EPA released its implementation regulations on the delayed 2008 ozone standard of 75 percent per billion. Last October, just 7 months later, the EPA moved the goal posts with a new ozone standard of 70 parts per billion.

Our States and communities now face the burden of spending scarce taxpayer resources to implement two different ozone standards at the same time.

So what does this mean? It means that even though the EPA admits that air quality will improve, our States and counties now face a premature nonattainment designation, significantly limiting new job creation opportunities.

Additional bureaucratic processes and unnecessary red tape will do nothing to protect public health; however, they will export jobs to countries like China with fewer regulations, while those countries send us their ozone emissions in return.

H.R. 4775 includes a key harmonization provision from H.R. 4000, the bipartisan legislation I introduced last November.

Section 2 of today's bill gives communities the needed time to meet the 70 parts per billion standard through 2025. It protects these areas from being subjected to unnecessary additional regulatory burdens and red tape, as these areas are already on track for compliance with both standards.

We have also heard from our State regulators that the current 5-year review cycle timeline for National Ambient Air Quality Standards is overly ambitious and not attainable. This is proven by the fact that, since 1971, the EPA has taken an average of 10½ years to review the standard for ozone, not 5, as is currently in effect.

Another provision I authored, section 3(a), modernizes the Clean Air Act by matching the mandatory review cycle with the actual timeline of previous EPA reviews; in other words, 10 years between reviews. This is a reasonable timeline in light of the Nation's dramatically improved air quality over the last three decades.

Protecting both public health and the economy are bipartisan goals we all share, and the two are not mutually exclusive.

I would like to thank Mr. OLSON, Mr. CUELLAR, Mr. LATTA, Whip SCALISE, and Leader MCCARTHY for their work on this important issue. I would also like to thank Chairman UPTON and Chairman WHITFIELD for their efforts in shepherding this bill through the Energy and Commerce Committee.

I strongly urge my colleagues to support this commonsense bipartisan legislation.

Mr. RUSH. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I strongly disagree with my friend from Texas.

The proposed changes to the NAAQS review cycle would put lives at risk by permanently delaying updates to limits on not just ozone, but on every dangerous criteria air pollutant: carbon monoxide, lead, nitrogen oxides, ozone, particulate matter, and sulfur dioxide.

Mr. Chairman, the Clean Air Act requires the EPA to review the science every 5 years and to update the standards when necessary to protect the public health.

It is important to note that the EPA isn't required to update the NAAQS every 5 years, but to just review the science.

The 2015 ozone standard, Mr. Chairman, reflects strong scientific evidence regarding the harmful effects of ozone on human health and the environment; including more than 1,000 new studies.

Scientists, Mr. Chairman, are constantly researching the impacts that air pollution have on human health, and have consistently discovered that ozone, particle pollutants, and other types of air pollution covered by the Clean Air Act are, indeed, harmful in more ways and at lower concentration than previously understood.

Mr. Chairman, this bill would ignore all this scientific work and evidence by doubling the review period from 5 years to 10 years, delaying the review of science and potentially necessary updates to the standard.

Mr. Chairman, 10 years is too long to wait to protect public health from levels of ozone, particle pollution, and other pollutants that the science shows are, indeed, very, very, very dangerous.

Delaying the EPA's review of the best medical science won't make outdated air pollution levels safe.

The Acting CHAIR (Mr. HULTGREN). The time of the gentleman has expired.

Mr. RUSH. Mr. Chairman, I yield myself another 15 seconds.

Delaying EPA's review of the best medical science won't make outdated air pollution levels safe, it will just lead to more Americans suffering from unhealthy air for longer periods of time.

Mr. Chairman, I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. Mr. Chairman, I rise in strong support of H.R. 4775, the Ozone Standards Implementation Act, which I have cosponsored. I want to thank Congressman OLSON, my good friend and fellow Texan, for introducing this important legislation.

Last year, Mr. Chairman, the EPA finalized a costly new regulation to reduce ozone levels, even as States are only now beginning to implement the 2008 ozone standard. States will now have to deal with two regulations with overlapping implementation schedules.

This is Federal bureaucracy at its finest, Mr. Chairman.

Now that the EPA is moving full steam ahead on its regulatory freight train, in order to get States back on track, Congress must act to give them certainty. H.R. 4775 will phase in implementation of those ozone standards over a reasonable timeline.

As ozone continues to fall to levels that reflect naturally occurring and even foreign-source ozone, we must also insist that the EPA report on how foreign pollution affects compliance with its overburdensome regulations. This legislation will do just that, Mr. Chairman.

There is no denying that the EPA's regulations will be costly for the States and costly, in turn, for our economy. The lower ozone levels are mandated, the harder it is for economic development to occur. That's just the way it is, as TED POE would say.

Communities across the country will be harmed, and low-income families, Mr. Chairman, are going to be harmed the most from this overburdensome regulation.

It is perfectly reasonable for Congress to insist that this regulatory boondoggle is reined in. I urge all Members to support this important legislation. It is the right thing to do. You know I am right.

Mr. RUSH. Mr. Chairman, may I inquire as to how much time is left?

The Acting CHAIR. The gentleman from Illinois has 10¼ minutes remaining. The gentleman from Kentucky has 15 minutes remaining.

Mr. RUSH. Mr. Chairman, I yield 7 minutes to an extraordinary gentleman from the great State of New Jersey (Mr. PALLONE), our fine leader on the Democratic side.

Mr. PALLONE. Mr. Chairman, I want to thank the ranking member of our subcommittee for his kind remarks.

Once again, the House is considering a bill to undermine one of our most successful public health and environmental laws, the Clean Air Act. And clean air isn't a luxury, it is a necessity.

Before the Clean Air Act became law 43 years ago, thousands of Americans experienced the consequences of unhealthy air, respiratory disease, severe asthma attacks, and premature deaths. This landmark legislation, for the first time, ensured that hazardous air pollution would be controlled.

But in spite of the overwhelming evidence of the success of this law and its many vital public health benefits, the Clean Air Act continues to be a favorite target for my Republican colleagues. This bill, H.R. 4775, is, unfortunately, the latest in an ongoing attempt to undermine the progress we have made on cleaning the air and protecting public health.

The bill's sponsors claim their goal is to help States to implement the National Ambient Air Quality Standards

set by the EPA, yet this bill fails to provide the one thing that would be most helpful to States in their efforts to implement air quality standards, and that is additional resources.

In fact, Chairman WHITFIELD will be offering an amendment to the bill to ensure that EPA receives no additional funding to implement the provisions of this legislation, or any of the requirements under existing law.

H.R. 4775 is not a package of minor changes to minor provisions of the Clean Air Act. These changes are radical revisions intended to roll back the progress we have made in public health. This bill alters the fundamental premise of the act, that standards should be set to ensure the air is safe and healthy to breathe.

H.R. 4775 would bring economic costs, technological feasibility, and other non-risk factors into the standard-setting process.

□ 1500

These things are important, to be sure, and that is why they are already considered when the States develop their plans to achieve the health-based standards set by EPA, and that is appropriate. They should, however, never come into play in setting these standards.

Let's just use technology as an example. Technology is always evolving. What is technologically feasible today does not define what is possible tomorrow. For example, air pollution from automobile emissions was recognized as a serious problem in southern California as early as 1959. At that time, there were no pollution-control devices for cars. Auto manufacturers said that it couldn't be done, the technology was impossible, and that even if it were possible, it would be far too expensive. But California passed laws requiring pollution control anyway.

We all know the rest of the story: it was not impossible or prohibitively expensive. People still bought cars. And we have cleaner, more efficient cars today because regulation pushed technology forward. The only reason to make technological feasibility a factor in setting the standard is to avoid setting the standard, and that is the goal of the supporters of this legislation.

The history of the Clean Air Act is one of great success: the economy has continued to grow; the air has gotten cleaner; and most importantly, public health has improved.

So, Mr. Chairman, my Republican colleagues refuse to accept the fact that we can continue to improve the air, have a vibrant economy, and give everyone the opportunity for a long and healthy life. So I urge my colleagues to reject the false choice between jobs and clean air. The fact is that we can have both.

H.R. 4775 is a dangerous bill, and I would urge my colleagues to vote "no" on increased ozone pollution.

Mr. WHITFIELD. Mr. Chairman, we have no further speakers on our side of the aisle except for myself, and I think I have the right to close. I don't know if the gentleman from Illinois has additional speakers or if he would like to go at this time.

Mr. RUSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, supporters of this bill claim that EPA doesn't issue implementation rules and guidance quickly enough after updating a national ambient air quality standard. So this awful piece of legislation concludes that the solution is to sacrifice Americans' health—sacrifice our public health—by allowing facilities to ignore new air quality standards. But, Mr. Chairman, this would only allow these same facilities to pollute more while doing nothing to facilitate faster implementation of new NAAQS.

The bill says that EPA must release implementing rules and guidance concurrently with a new standard, meaning, if EPA updates a national ambient air quality standard, that standard does not apply to new or expanding facilities unless and until EPA has issued implementation rules and guidance for the new standard.

Mr. Chairman, witnesses have testified that concurrent guidance isn't always practical or even necessary. This provision presumes a problem that does not even exist. The Agency provides a wealth of tools already, Mr. Chairman, to assist States with air permits, and in many cases, States are fully capable of issuing permits without any new guidance from EPA. Mr. Chairman, they have been doing this same thing for decades now.

Most guidance evolves after a standard takes effect as States and industry raise questions that require EPA clarification. It is unclear, Mr. Chairman, how the Agency could provide guidance on solving problems before they even know what those problems are.

Mr. Chairman, you are talking about a catch-22, and this creates an epic catch-22 for the Environmental Protection Agency.

On the one hand, the EPA could hurry to issue guidance before hearing questions from States and industry. That guidance would necessarily be incomplete, as it won't even address issues that only emerge during the implementation process. An industry group, Mr. Chairman, that wanted to delay implementation of the new air quality standard could file a lawsuit saying that EPA's guidance wasn't sufficient.

On the other hand, EPA could wait to issue more robust and helpful guidance, but in the meantime, facilities would be able to obtain permits under the old air quality standard. A company, Mr. Chairman, could build a facility that is allowed to pollute more than it would under current law.

In both scenarios, Mr. Chairman, who wins? Not the American people. Who wins? The polluter wins, and our public health loses.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank our fellow legislators from the other side of the aisle for working with us on this legislation. One of the great things about the House of Representatives is we have the opportunity to come and talk on different sides of the issues. We can have different opinions, we can talk about it, disagree, and then try to move forward.

Now, some of the speakers today, when we discussed this legislation, H.R. 4775, have described it as irresponsible, as a radical action to gut the Clean Air Act, to fundamentally weaken the Clean Air Act, and to undermine the Clean Air Act. I would say that that absolutely is not our intent.

I think all of us living in America understand that we do, in this country, more than any other country in the world, work to ensure clean air for our constituents and our citizens. We don't have to take a backseat to anyone to make that statement.

I might say that the criteria of pollutants, the six of them, the emissions have been reduced by a total of 63 percent—making up the National Ambient Air Quality Standards has been reduced by 63 percent, those emissions—since 1980.

So we are committed to clean air. But many people do not realize that, today, 24 States, counties in 24 States and the District of Columbia do not even meet the requirement of the 2008 Ambient Air Quality Standards, which is 75 parts per billion. And we know that even though that standard was set in 2008, EPA did not come forth with the guidelines to help the States meet that standard until 2015—7 years later.

Now they have come out with a new standard in 2015 saying that States must meet that in 2017. This legislation is brought to the floor in response to concerns by entities and individuals responsible in the States for implementing the Federal standards set by the Federal EPA, so that is why we are here.

So what are we doing in this legislation? Let me just point out that I mentioned the 24 States, counties in 24 States and the District of Columbia are in noncompliance with the 2008 standard. Los Angeles is never going to be in compliance. San Joaquin Valley is probably never going to be in compliance, and many parts of the West are never going to be in compliance because of their geographical location and because of foreign emissions coming in from other countries.

If you are in noncompliance, it has a drastic impact on your ability to create jobs and to bring in new industry

because it is much more difficult to get a permit. So these over 270 counties in these 24 States at a time when our job growth is stagnant are going to find it even more difficult to create jobs.

Poverty also has a tremendous impact on people's health. Yes, we want clean air, but we want jobs so people can provide health care for their families and their children. So we need a balancing act here, and that is what this legislation is designed to do.

Under existing law, EPA at the Federal level must, they are mandated to review the national air quality standard every 5 years. They can do it in 2 if they want to, or 3, but they must do it in 5. So, because we are now trying to implement the 2008 and the 2015 all at the same time in certain areas, all we are saying is, instead of mandating EPA to do it every 5, we mandate them to do it every 10. They can do it in 4 if they want to, or 3 or 2, but they must do it in 10. So is that irresponsible? Is that trying to gut the Clean Air Act?

What are some other things we are doing here? We are also saying that we are authorizing—we are not mandating, but we are authorizing—the EPA Administrator to consider that technology is available to meet the new standard—not that it is required to, but it is authorized to. Is that unreasonable? Is that trying to gut the Clean Air Act?

Then we are also saying, before EPA revises its National Ambient Air Quality Standards, that they must get the advice of the Agency's independent scientific advisory committee. Now they do that, but we are saying we also want you to do it to look at potential adverse effects relating to implementing a new standard as required by section 109 of the Clean Air Act.

□ 1515

So you have got this advisory body already there. We want you to talk to them and at least consider any adverse effects that may come from the new standard.

And we also are saying—we have talked about this a lot already—if you issue a new standard, at the same time give the States the implementation and guidance so they know what to do to meet the new standard instead of being 7 years late, as they were on the 2008 standard.

And then we want to ensure that for certain ozone and particulate matter nonattainment areas—and I have already talked about the nonattainment areas of the 2008—that we do not require the States to include an economically infeasible measure to meet it. In other words, if it is going to be self-defeating, if it is going to be economically infeasible, you are in a nonattainment area, you don't have to do that.

And then we want to ensure that States may seek relief with respect to certain exceptional events. For exam-

ple, there are some areas of the country that are having their worst drought since the early 1800s, hundred-year droughts, and yet they can't get relief from EPA because of these exceptional events; and because of that, they are going to suffer in trying to bring in new jobs that create economic growth.

And then, finally—and this makes a lot of sense to me—I want to quote a statement that was made by a regulator from Utah. He said that international emissions and transports, dirty pollution and air coming from outside America can, at times, account for up to 85 percent of the 8-hour ambient ozone concentration in many Western States.

Many areas in the West have little chance of identifying sufficient controls to achieve attainment because they are not causing it. So we are simply saying to EPA: Do a study so that we know what is being caused by other countries. That is what this bill is all about.

I might say that we are doing this after we had four forums on the Clean Air Act, we had four hearings on the National Ambient Air Quality Standards and ozone. These suggestions were made not by Republican legislators per se, but by regulators responsible for meeting EPA standards back in their States. They came and said: Would you help us with this?

So that is what we are attempting to do.

It is not our intent to gut the Clean Air Act. We recognize how important it is. The importance of health care and clean air is a part of what America is all about.

I urge our Members to pass this legislation. It is a commonsense approach to address concerns raised by people with the responsibility of meeting the standards required by the Federal EPA.

Mr. Chairman, I yield back the balance of my time.

Mr. TED LIEU of California. Mr. Chair, I rise today in opposition to H.R. 4775, the Ozone Standards Implementation Act of 2016.

Protecting our air from dirty pollution should not be a partisan issue. We all want to breathe clean air. We all want our children to be able to play outside without risking an asthma attack due to high ozone levels.

Last year, the Environmental Protection Agency finalized new ozone rules designed to protect the health of all Americans, particularly those communities which are at higher risk for smog. H.R. 4775 would delay this rule and critically undermine the Clean Air Act, jeopardizing Americans' health.

In my home state of California, smog used to be so bad that people were not allowed to go outside. We have made a lot of progress since then, and the last smog alert in California occurred in 1997. H.R. 4775 represents a step backward in our nation's fight for cleaner air, and I urge my colleagues to vote.

Mr. GENE GREEN of Texas. Mr. Chair, the Ozone issue is extremely complicated.

Many of our Members are probably not very familiar with the National Ambient Air Quality Standard, let alone the potential impact.

In 1993, the Environmental Protection Agency faced a choice similar to that of 2016.

After missing the 1988 and 1992 Ozone NAAQS review deadlines, the EPA settled a court decree that required a decision on whether the Agency would promulgate a new Ozone standard.

The EPA stated the following:

"Based on applicable statutory requirements and the volume of material requiring careful evaluation, the EPA estimates that it would take 2 to 3 years to incorporate over a 1,000 new health studies into criteria documents.

Given various legal constraints and the fact that EPA already missed deadlines for completion of Ozone review cycles, the Administrator concluded that the best course of action is to complete the current review based on the existing air standard and proceed as rapidly as possible with the next review."

In 2015, the Administrator stated at the Energy and Power subcommittee hearing, "EPA examined thousands of scientific studies, including more than 1,000 new studies published since EPA last revised the standard."

Further, EPA, in the Ozone NAAQS proposal concluded, "there are significant uncertainties regarding some of the studies the EPA did include regarding lowering the standard."

EPA acknowledged there are issues with the proposed standard stating, "Given alternative views of the currently available evidence and information expressed by some commenters, the EPA is taking comment on both the Administrator's proposed decision to revise the current primary O3 standard and the option of retaining that standard."

EPA must address the challenges and opportunities for improving our air quality and protecting human health. The process must remain health-based but cannot be set aside when it is politically convenient.

Our industries are capable of meeting the requirements of Ozone NAAQS but not when the rules are changed or not enforced due to unknown criteria.

I support the EPA's determination but I do think there is opportunity to address some of the challenges faced by both the Agency and other stakeholders.

While I do not support the bill today, I look for opportunities to improve the process to promote the economy and public health.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ozone Standards Implementation Act of 2016".

SEC. 2. FACILITATING STATE IMPLEMENTATION OF EXISTING OZONE STANDARDS.

(a) DESIGNATIONS.—

(1) DESIGNATION SUBMISSION.—Not later than October 26, 2024, notwithstanding the deadline specified in paragraph (1)(A) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Governor of each State shall designate in accordance with such section 107(d) all areas (or portions thereof) of the Governor's State as attainment, nonattainment, or unclassifiable with respect to the 2015 ozone standards.

(2) DESIGNATION PROMULGATION.—Not later than October 26, 2025, notwithstanding the deadline specified in paragraph (1)(B) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Administrator shall promulgate final designations under such section 107(d) for all areas in all States with respect to the 2015 ozone standards, including any modifications to the designations submitted under paragraph (1).

(3) STATE IMPLEMENTATION PLANS.—Not later than October 26, 2026, notwithstanding the deadline specified in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), each State shall submit the plan required by such section 110(a)(1) for the 2015 ozone standards.

(b) CERTAIN PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—The 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application if—

(A) the Administrator or the State, local, or tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of the final designation of the area involved under subsection (a)(2); or

(B) the Administrator or the State, local, or tribal permitting authority, as applicable, publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of the final designation of the area involved under subsection (a)(2).

(2) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(A) eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable; or

(B) limit the authority of a State, local, or tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or tribal law than national ambient air quality standards.

SEC. 3. FACILITATING STATE IMPLEMENTATION OF NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS.—

(1) 10-YEAR CYCLE FOR ALL CRITERIA AIR POLLUTANTS.—Paragraphs (1) and (2)(B) of section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) are amended by striking “five-year intervals” each place it appears and inserting “10-year intervals”.

(2) CYCLE FOR NEXT REVIEW OF OZONE CRITERIA AND STANDARDS.—Notwithstanding section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)), the Administrator shall not—

(A) complete, before October 26, 2025, any review of the criteria for ozone published under section 108 of such Act (42 U.S.C. 7408) or the national ambient air quality standard for ozone promulgated under section 109 of such Act (42 U.S.C. 7409); or

(B) propose, before such date, any revisions to such criteria or standard.

(b) CONSIDERATION OF TECHNOLOGICAL FEASIBILITY.—Section 109(b)(1) of the Clean Air Act (42 U.S.C. 7409(b)(1)) is amended by inserting after the first sentence the following: “If the Administrator, in consultation with the independent scientific review committee appointed under subsection (d), finds that a range of levels

of air quality for an air pollutant are requisite to protect public health with an adequate margin of safety, as described in the preceding sentence, the Administrator may consider, as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for such pollutant.”.

(c) CONSIDERATION OF ADVERSE PUBLIC HEALTH, WELFARE, SOCIAL, ECONOMIC, OR ENERGY EFFECTS.—Section 109(d)(2) of the Clean Air Act (42 U.S.C. 7409(d)(2)) is amended by adding at the end the following:

“(D) Prior to establishing or revising a national ambient air quality standard, the Administrator shall request, and such committee shall provide, advice under subparagraph (C)(iv) regarding any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standard.”.

(d) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—Section 109 of the Clean Air Act (42 U.S.C. 7409) is amended by adding at the end the following:

“(e) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—

“(1) IN GENERAL.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

“(2) APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish final regulations and guidance that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with such standard, then such standard shall not apply to the review and disposition of a preconstruction permit application until the Administrator has published such final regulations and guidance.

“(3) RULES OF CONSTRUCTION.—

“(A) Nothing in this subsection shall be construed to preclude the Administrator from issuing regulations and guidance to assist States, permitting authorities, and permit applicants in implementing a national ambient air quality standard subsequent to publishing regulations and guidance for such standard under paragraph (1).

“(B) Nothing in this subsection shall be construed to eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

“(C) Nothing in this subsection shall be construed to limit the authority of a State, local, or tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or tribal law than national ambient air quality standards.

“(4) DEFINITIONS.—In this subsection:

“(A) The term ‘best available control technology’ has the meaning given to that term in section 169(3).

“(B) The term ‘lowest achievable emission rate’ has the meaning given to that term in section 171(3).

“(C) The term ‘preconstruction permit’—

“(i) means a permit that is required under this title for the construction or modification of a stationary source; and

“(ii) includes any such permit issued by the Environmental Protection Agency or a State, local, or tribal permitting authority.”.

(e) CONTINGENCY MEASURES FOR EXTREME OZONE NONATTAINMENT AREAS.—Section 172(c)(9) of the Clean Air Act (42 U.S.C. 7502(c)(9)) is amended by adding at the end the following: “Notwithstanding the preceding sentences and any other provision of this Act, such measures shall not be required for any nonattainment area for ozone classified as an Extreme Area.”.

(f) PLAN SUBMISSIONS AND REQUIREMENTS FOR OZONE NONATTAINMENT AREAS.—Section 182 of the Clean Air Act (42 U.S.C. 7511a) is amended—

(1) in subsection (b)(1)(A)(ii)(III), by inserting “and economic feasibility” after “technological achievability”;

(2) in subsection (c)(2)(B)(ii), by inserting “and economic feasibility” after “technological achievability”;

(3) in subsection (e), in the matter preceding paragraph (1)—

(A) by striking “The provisions of clause (ii) of subsection (c)(2)(B) (relating to reductions of less than 3 percent), the provisions of paragraphs” and inserting “The provisions of paragraphs”; and

(B) by striking “, and the provisions of clause (ii) of subsection (b)(1)(A) (relating to reductions of less than 15 percent)”; and

(4) in paragraph (5) of subsection (e), by striking “, if the State demonstrates to the satisfaction of the Administrator that—” and all that follows through the end of the paragraph and inserting a period.

(g) PLAN REVISIONS FOR MILESTONES FOR PARTICULATE MATTER NONATTAINMENT AREAS.—Section 189(c)(1) of the Clean Air Act (42 U.S.C. 7513a(c)(1)) is amended by inserting “, which take into account technological achievability and economic feasibility,” before “and which demonstrate reasonable further progress”.

(h) EXCEPTIONAL EVENTS.—Section 319(b)(1)(B) of the Clean Air Act (42 U.S.C. 7619(b)(1)(B)) is amended—

(1) in clause (i)—

(A) by striking “(i) stagnation of air masses or” and inserting “(i)(I) ordinarily occurring stagnation of air masses or (II)”; and

(B) by inserting “or” after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(i) REPORT ON EMISSIONS EMANATING FROM OUTSIDE THE UNITED STATES.—Not later than 24 months after the date of enactment of this Act, the Administrator, in consultation with States, shall submit to the Congress a report on—

(1) the extent to which foreign sources of air pollution, including emissions from sources located outside North America, impact—

(A) designations of areas (or portions thereof) as nonattainment, attainment, or unclassifiable under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); and

(B) attainment and maintenance of national ambient air quality standards;

(2) the Environmental Protection Agency's procedures and timelines for disposing of petitions submitted pursuant to section 179B(b) of the Clean Air Act (42 U.S.C. 7509a(b));

(3) the total number of petitions received by the Agency pursuant to such section 179B(b), and for each such petition the date initially submitted and the date of final disposition by the Agency; and

(4) whether the Administrator recommends any statutory changes to facilitate the more efficient review and disposition of petitions submitted pursuant to such section 179B(b).

(j) STUDY ON OZONE FORMATION.—

(1) STUDY.—The Administrator, in consultation with States and the National Oceanic and Atmospheric Administration, shall conduct a study on the atmospheric formation of ozone and effective control strategies, including—

(A) the relative contribution of man-made and naturally occurring nitrogen oxides, volatile organic compounds, and other pollutants in ozone

formation in urban and rural areas, and the most cost-effective control strategies to reduce ozone; and

(B) the science of wintertime ozone formation, including photochemical modeling of wintertime ozone formation, and approaches to cost-effectively reduce wintertime ozone levels.

(2) **PEER REVIEW.**—The Administrator shall have the study peer reviewed by an independent panel of experts in accordance with the requirements applicable to a highly influential scientific assessment.

(3) **REPORT.**—The Administrator shall submit to Congress a report describing the results of the study, including the findings of the peer review panel.

(4) **REGULATIONS AND GUIDANCE.**—The Administrator shall incorporate the results of the study, including the findings of the peer review panel, into any Federal rules and guidance implementing the 2015 ozone standards.

SEC. 4. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **BEST AVAILABLE CONTROL TECHNOLOGY.**—The term “best available control technology” has the meaning given to that term in section 169(3) of the Clean Air Act (42 U.S.C. 7479(3)).

(3) **HIGHLY INFLUENTIAL SCIENTIFIC ASSESSMENT.**—The term “highly influential scientific assessment” means a highly influential scientific assessment as defined in the publication of the Office of Management and Budget entitled “Final Information Quality Bulletin for Peer Review” (70 Fed. Reg. 2664 (January 14, 2005)).

(4) **LOWEST ACHIEVABLE EMISSION RATE.**—The term “lowest achievable emission rate” has the meaning given to that term in section 171(3) of the Clean Air Act (42 U.S.C. 7501(3)).

(5) **NATIONAL AMBIENT AIR QUALITY STANDARD.**—The term “national ambient air quality standard” means a national ambient air quality standard promulgated under section 109 of the Clean Air Act (42 U.S.C. 7409).

(6) **PRECONSTRUCTION PERMIT.**—The term “preconstruction permit”—

(A) means a permit that is required under title I of the Clean Air Act (42 U.S.C. 7401 et seq.) for the construction or modification of a stationary source; and

(B) includes any such permit issued by the Environmental Protection Agency or a State, local, or tribal permitting authority.

(7) **2015 OZONE STANDARDS.**—The term “2015 ozone standards” means the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114-607. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-607.

Mr. WHITFIELD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Kentucky (Mr. WHITFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, H.R. 4775, as I said, requires the EPA to develop two studies and reports to submit to Congress. I talked about that in my closing statement. My amendment is relating to those studies.

The first is a study of the impacts of foreign emissions on the ability of States in America to meet new ozone standards. The second study relates to ozone formation and the effective control strategies for that.

These studies will assist EPA and State regulators in better understanding background ozone and implementing ozone standards. In its estimate for H.R. 4775—as you know, we must always consider cost—the Congressional Budget Office estimated a cost of \$2 million associated with the development of these studies.

My amendment would clarify that no additional funds are authorized by this legislation. Developing the studies required by this bill is part of EPA's job and can be covered by the Agency's existing budget.

I might point out that the President's clean energy plan, which was implemented by EPA, never passed the House of Representatives, never passed the U.S. Senate, and was never even considered by the United States Congress. Yet, EPA issued that clean energy plan without any additional appropriations. I can tell you, it cost millions of dollars to do it.

This small amount to come up to reprogram funding within EPA to require these studies I do not believe is much of a burden on EPA. EPA's budget for regulatory activity is over \$2 billion annually. These are analyses EPA should have already been undertaking as part of its existing responsibilities.

This amendment simply says we are not appropriating additional money. EPA can reprogram some of the \$2 billion that it already has to develop these studies and provide useful information to the States and other agencies.

I reserve the balance of my time.

Mr. RUSH. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. RUSH. Mr. Chairman, the Congressional Budget Office identified an additional \$2 million that will be needed to conduct the duplicative study required by this bill.

Mr. Chairman, that is the reason we are actually seeing this amendment. It is a Republican classic trick. It is a trick, Mr. Chairman. My colleague from Kentucky—who I respect and honor tremendously—knows that although this bill will require additional resources to implement, this amendment ensures that no new resources will be provided. It is a trick, Mr. Chairman.

My Republican colleagues have voted time and time again to cut the EPA's budget, but that just places greater burdens on States since about one-third of EPA's budget is distributed to the States in grants and other types of assistance. They will say on the other side that the goal is efficiency and that EPA must learn to do more with less. But, Mr. Chairman—another part of the trick—their real goal is to have EPA do less, rather than more with less. They just want them to do even less.

Well, Mr. Chairman, that just removes the environmental cop from the beat. Polluters benefit, but our constituents don't benefit. And, ultimately, Mr. Chairman, all of us Americans will pay the enormous price.

Much of the permitting and much of the preparation of implementation plans done under the Clean Air Act is done by the States. One of the complaints that we have heard is that EPA is not providing sufficient guidance early enough in the process to assist States in meeting their obligations under the law, and that States want and need assistance.

Well, Mr. Chairman, this amendment doesn't do anything to address that concern. In fact, it will only make a dire situation even more dire. The public expects EPA to protect their health and the environment. Resources, Mr. Chairman, are required to fulfill that expectation and that mandate.

Public health is worth paying for. It is much more cost effective to prevent health problems than it is to cure those very same problems. And make no mistake, the Clean Air Act is, indeed, a public health law. We save billions and billions of dollars in medical expenses due to asthma-related emergency room visits and other respiratory and cardiac illness. We save billions and billions in lost sick time at work, school, and other productive activities. And, most important, Mr. Chairman, let us not forget that the Clean Air Act saves lives. We enable people to be healthier and more productive.

Mr. Chairman, I yield back the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I support this amendment. It is real simple. This says to the EPA: Do your job. Do your job.

EPA admits half of the ozone in America comes from “uncontrolled sources,” “uncontrolled sources.” That means sources we can’t control. Sources like ozone from China, like ozone in my home State from Mexico, like ozone coming from annual crop burnings, like ozone coming across the Atlantic from Sub-Saharan Africa sandstorms, like ozone coming from all over the world.

This past Christmas, my wife and I went to the Grand Canyon—beautiful. It has an ozone problem. They have a sign there that says:

Most of the Grand Canyon air pollutants come from distant sources ignoring human boundaries.

All this amendment says is: EPA, do your job. Do the research to find out where this is coming from and don’t penalize Americans for something they can’t control.

I support this amendment.

Mr. WHITFIELD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. RUSH. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kentucky will be postponed.

□ 1530

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-607.

Mr. RUSH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, lines 24 and 25, strike “If the Administrator fails” and insert the following:

“(A) STANDARD NOT APPLICABLE.—Except as provided in subparagraph (B), if the Administrator fails

Page 8, after line 8, add the following:

“(B) STANDARD APPLICABLE.—Subparagraph (A) shall not apply with respect to review and disposition of a preconstruction permit application by a Federal, State, local, or tribal permitting authority if such authority determines that application of such subparagraph is likely to—

“(i) increase air pollution that harms human health and the environment;

“(ii) slow issuance of final preconstruction permits;

“(iii) increase regulatory uncertainty;

“(iv) foster additional litigation;

“(v) shift the burden of pollution control from new sources to existing sources of pollution, including small businesses; or

“(vi) increase the overall cost of achieving the new or revised national ambient air quality standard in the applicable area.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Mr. Chair, my list of concerns with H.R. 4775 are many, but one of the main issues I have with this legislation is that it would permanently weaken the Clean Air Act as well as future air pollution health standards for all criteria pollutants.

In fact, Mr. Chair, in addition to delaying scientifically based health standards and harming the public interest, this bill may also have unintended consequences for the very industries that the majority is trying to help. If enacted, this bill may actually slow down the issuance of preconstruction permits, increase regulatory uncertainty, lead to additional lawsuits, and shift the burden of pollution control from new sources to existing ones, potentially hurting small businesses.

Mr. Chair, section 3(d) requires the EPA to issue rules and guidance for implementing new or revised National Ambient Air Quality Standards “concurrently” when issuing the new standard. Otherwise, under this legislation, expanding facilities would only have to comply with the outdated standards, allowing some facilities to pollute more than their fair share. This bill, Mr. Chair, would also unfairly shift the burden and the cost of cleaning up pollution to existing facilities, and it would only serve to slow down the preconstruction permitting process.

My amendment, Mr. Chair, seeks to address many of the problems that may result from this bill, both intentionally and unintentionally. The Rush amendment would strike the section that exempts preconstruction permit applications from complying with new or revised National Ambient Air Quality Standards if guidelines are not published concurrently with those regulations.

Specifically, the amendment simply states that section 3(d) shall not apply with respect to the review and disposition of a preconstruction permit application by a Federal, State, local, or tribal permitting authority if such authority determines that the application of such subparagraph is likely to increase air pollution that harms human health and the environment; to slow the issuance of final preconstruction permits; to increase regulatory uncertainty; to foster additional litigation; to shift the burden of pollution control from new sources to existing sources of pollution, including small businesses; or to increase the overall cost of achieving the new or revised National Ambient Air Quality Standard in the applicable area.

Mr. Chair, the new standard that the EPA recently issued already represents a measured approach that seeks to balance both public health impacts as well as the rule’s overall cost benefit, even though this is not a requirement of the Clean Air Act. On the other hand, Mr. Chair, H.R. 4775 represents the exact opposite of a measured approach as it seeks to tip the scales in favor of industry over public health.

Mr. Chair, this amendment will help to prevent some of the adverse consequences of this bill from going into effect whether they be intended or unintended, and I urge all of my colleagues to support it.

Mr. Chair, I yield back the balance of my time.

Mr. OLSON. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chair, the intent of this bill is to end the nightmare scenario we are going through right now by which the EPA issues regulations 7 years after it announces a new rule, and it piles on a new regulation 6 months later. But don’t take my word with regard to the problems that it causes in America; listen to the States.

Teresa Marks, Arkansas’ Department of Environmental Quality, July 31, 2012:

Five years may not allow enough time for new technology or science to be fully developed. With more time between review processes, the States could have adequate time to develop proper SIPs and meet Federal deadlines.

Martha Rudolph, Colorado’s Department of Public Health and Environment, July 23, 2012:

This ambitious schedule for evaluating and promulgating NAAQS revisions every 5 years has created an inefficient planning process.

I saved the best for last.

Michael Krancer, Pennsylvania’s Department of Environmental Protection, November 29, 2012:

The development of the NAAQS on an interval of 5 years, section 109(d)(1), has created significant resource burdens for both the EPA and the States. Furthermore, the cascading standards can create confusion for the public actions because, as the State’s EPA continues to work on SIP revisions and the determination of attainment for one standard with the ozone, the air quality index is based on another. NAAQS review intervals should be lengthened to 10 years.

Section 3(d) of this bill provides that a new rule or a revised standard shall not apply to pending permit applications until the Agency has published regulations and guidance about how to implement the new standards in the permitting process.

If a State, local, or tribal permitting authority wants to impose more stringent standards with respect to a particular preconstruction permit application, nothing in H.R. 4775 prevents it from doing so. This amendment allows the EPA to escape its responsibility for

issuing timely guidance. We should ensure the EPA has to take timely action. I urge a “no” vote on this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RUSH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RUSH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. PALLONE

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-607.

Mr. PALLONE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, strike lines 9 through 20, strike subsection (b) (relating to consideration of technological feasibility) and redesignate the subsequent subsections accordingly.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chair, my amendment is straightforward, and it fixes one of the most egregious provisions in the bill: the consideration of technological feasibility in the NAAQS-setting process. The bill's approach would make feasibility a factor in the scientific decision about how much pollution is safe for a child to breathe without experiencing an asthma attack.

Requiring the EPA to consider technological feasibility when setting an air quality standard is a dangerous precedent that ignores the history of the Clean Air Act. Frankly, it is not even necessary. Since 1970, the Clean Air Act has had several key features that have helped make it one of the most successful environmental laws in our country. The law's science-based, health-protective standards keep our eye on the prize, which is healthy air for everyone. Cooperative federalism allows the EPA to set the clean air goals and States to then decide how best to achieve them.

The Clean Air Act uses regulatory standards, like the National Ambient Air Quality Standards, to drive technological innovation in pollution controls. The act recognizes that it is usually less costly to simply dump pollution rather than to clean it up, so businesses generally don't control pollution absent regulatory requirements.

We know from decades of experience that the Clean Air Act drives innovations in pollution controls that then become the industry standard. Once an air pollution standard is in place, industry gets to work to meet it, and, along the way, we develop more effective and less expensive pollution control technologies. Not only is our air cleaner, but we also export tens of millions of dollars of pollution control equipment all over the world. We have seen that happen over and over again.

Mr. Chair, section 3(b) ignores this fact and rejects an approach that has been successful for over four decades; so my amendment would restore current law, preserving the NAAQS as purely health-based standards and leaving the consideration of costs and feasibility to the States. If you truly believe that this bill is not an attack on the Clean Air Act and its critical public health protection, then supporting my amendment should not be a problem.

In closing, almost every time the EPA proposes a significant new requirement, opponents tell us it can't be done, that it is going to cost too much, or that it will destroy our economy. The Republicans are once again raising the false specter of job losses and high economic costs to try to block the implementation of stronger ozone standards. These doomsday claims about the costs of clean air are nothing new. The history of the Clean Air Act is a history of exaggerated claims by industry that have never come true.

Section 3(b) is just the latest in a string of reckless legislative attacks on these purely health-based air quality standards, which could unravel the entire framework of the Clean Air Act. It ignores decades of experience in cleaning up air pollution, and it is an extreme and, in my opinion, irresponsible proposal that would put the health of all Americans at risk. I urge the adoption of my amendment.

I reserve the balance of my time.

Mr. OLSON. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chair, for the Members who are thinking about voting for this amendment, I will simply say: Read the bill.

Section 3(b) states that, if the EPA Administrator, in consultation with the EPA's independent scientific advisory committee, finds a range of levels of air quality that protect public health with an adequate margin of safety, then—and only then—“the Administrator may consider as secondary consideration likely technological feasibility in establishing and revising the national primary ambient air quality standard for this pollutant.”

It reads “may,” not “must,” not “shall”—but “may.”

H.R. 4775 does not change the Clean Air Act's requirement that standards

be based on public health. This is a clarification for future administrations that Congress considers technical feasibility to be a reasonable part of the decisionmaking process when policy choices must be made among a range of scientifically valid options.

I urge a “no” vote on this amendment.

Mr. Chair, I yield back the balance of my time.

Mr. PALLONE. Mr. Chair, I yield myself such time as I may consume.

I have listened to what the gentleman has said. It seems to me that he is essentially making an argument as to why we don't need this change. If he is saying that the underlying bill—the current law, the current statute—allows for the consideration of technological feasibility and if we know that the Clean Air Act has essentially worked in protecting the environment and in putting health as a priority with these other issues as simply being something that can be considered and, as I said, is considered when the States actually decide how to carry out the law, then I do not understand why he finds it necessary to change the law, say, with regard to this issue.

□ 1545

It seems to me that the argument you are making, which is that this is already something that can be considered but is not a priority—health being the priority—would negate the very need for the legislation and support the amendment that I am putting forward.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PALLONE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-607.

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, line 1, after “rural areas,” insert “including during wildfires.”

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise today to offer a commonsense amendment that will ensure that the study

on ozone formation in the underlying bill analyzes the relative contribution from wildfires.

The National Interagency Coordination Center reported this year that we set a new record in terms of total acreage burned from wildfires with more than 10.1 million acres going up in smoke. This significant increase is not the result of more wildfires, as the non-partisan Congressional Research Service reported last month that “the number of wildfires has stayed about the same over the last 30 years, but the number of acres burned annually has increased by nearly double the acreage burned in the 1990s.”

Timber removal is down 80 percent over the last 30 years and acreage has burned up. There is a direct correlation between thinning our forest and overall forest health. As a medical professional for over 25 years, I know firsthand that preventive care is a much cheaper and effective treatment as opposed to dealing with an illness or disease after it has already been diagnosed. Let's not forget the old adage that an ounce of prevention is worth a pound of cure.

Unfortunately, the Federal Government has failed to employ such a strategy when it comes to our Nation's forests and continues to spend billions of dollars on the back end of suppression activities.

The CRS reports that the top 5 years with the largest wildfire acreage burned since 1960 all occurred between 2006 and 2015. In Arizona, we have seen the tragic results of this agency's misprioritization firsthand, as the five largest fires in Arizona's history occurred between 2002 and 2011.

Data released from NASA a few years ago concluded that one catastrophic wildfire can emit more carbon emissions in a few days than total vehicle emissions in an entire State over the course of a year.

My commonsense amendment simply seeks to determine the overall contribution to ozone formation from wildfires. We should all want to have this information and know the extent to which ozone formation from wildfire emissions occurs.

I am proud to be a cosponsor of the underlying bill and applaud Representative OLSON, Chairman UPTON, and my other colleagues who are actively involved with moving this much-needed legislation forward.

Most States are just beginning to adopt the 2008 ozone standards as the EPA didn't announce the implementation guidance and a final rule until March 6, 2015. Rather than allowing time for those standards to be implemented, the EPA moved the goalposts and is seeking to unilaterally implement a regulation that has been projected to be the most expensive mandate in our Nation's history.

The Arizona Chamber of Commerce and Industry recently reported that

“the EPA's new ozone standard of 70 parts per billion will be virtually impossible for Arizona to meet due to Arizona's high levels of background, limited local sources, and unique geography” and that “implementation of the current rule in Arizona is not reasonable, based in sound science, or achievable.”

Again, my amendment simply ensures that the study on ozone formation in the underlying bill analyzes the relative contribution from wildfires. Chairman UPTON supports my amendment, and I wholeheartedly support the underlying bill.

I ask my colleagues to do the same and support my amendment and H.R. 4775.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Mr. Chairman, on its face, Mr. GOSAR's amendment seems innocuous enough, having EPA also consider the contribution of wildfires in the bill's required study on ozone formation, wintertime ozone formation, and control strategies. But in reality, this study is a wolf in sheep's clothing. So adding further criteria, as this amendment would do, only makes it worse.

First, many of the aspects of this proposed study are already covered by EPA's integrated science assessment. Integrated science assessments are reports that represent concise evaluations and synthesis of the most policy-relevant science for reviewing National Ambient Air Quality Standards. Essentially, these assessments form the scientific foundation for the review of the NAAQ Standards. All integrated science assessments are vetted through a rigorous peer-review process, including review by the Clean Air Scientific Advisory Committee and public comment periods.

Furthermore, the EPA is already doing a comprehensive review of wildfires and ozone, so additional study of this issue is not necessary, in my opinion.

But this study is more than a duplication of work already being done, Mr. Chairman. The bill would inject costs into this scientific review process by requiring the assessment of cost-effective control strategies to reduce ozone. While this is certainly worthy as an issue to review, EPA's scientific assessments are the wrong venue for such a discussion.

Requiring EPA to do additional assessments of cost-effective control strategies would, of course, pull the Agency's limited staff and resources away from the public health priorities of implementing and reviewing the NAAQ Standards in a timely manner outlined in the Clean Air Act. When

viewed in connection with the other provisions of this bill, like the requirement that implementing regulations and guidance must be issued concurrently with an air quality standard for preconstruction permits, expanding this study would only serve to further delay implementation of the 2015 ozone standard.

The 2015 ozone NAAQS update is long overdue, and the bill before us doesn't need any further procedural hoops for EPA to jump through before a more protective ozone standard can be put into effect.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. GOSAR. Mr. Chairman, once again, this three-word amendment simply ensures that the study on ozone formation in the underlying bill analyzes the relative contribution from wildfires. Just simply that.

This is something that I would hope would be analyzed anyway under the language in the underlying bill, but I felt the need to clarify so as to ensure such analysis occurs.

Data released from NASA a few years ago concluded that one catastrophic wildfire can emit more carbon emissions in a few days than total vehicle emissions in an entire State over the course of a year. We should all want to have this information and know the extent to which ozone formation from wildfire emissions occurs. The science is science, the whole science, nothing less, nothing more.

I ask everybody to vote for this amendment.

I yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I urge a “no” vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-607.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 3, insert the following sections:

SEC. 4. REPEAL OF EXEMPTION FOR AGGREGATION OF EMISSIONS FROM OIL AND GAS SOURCES.

Section 112(n) of the Clean Air Act (42 U.S.C. 7412(n)) is amended by striking paragraph (4).

SEC. 5. HYDROGEN SULFIDE AS A HAZARDOUS AIR POLLUTANT.

The Administrator shall—

(1) not later than 180 days after the date of enactment of this Act, issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)); and

(2) not later than 365 days after a final rule under paragraph (1) is issued, revise the list under section 112(c) of such Act (42 U.S.C. 7412(c)) to include categories and subcategories of major sources and area sources of hydrogen sulfide, including oil and gas wells.

The Acting CHAIR. Pursuant to House Resolution 767, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, since this bill is supposed to be about making the Clean Air Act work better, I have offered an amendment—that is identical to a bill with 64 cosponsors that I coauthored—to close a very glaring loophole in the law that frankly harms the air in my State, across the Mountain West, and indeed across the country.

My amendment, which is based off legislation I first introduced in 2011 and have introduced three times, including this Congress, is called the BREATHE Act. Essentially it is very simple. It would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement. Currently, oil and gas operators are exempt from the aggregation requirements in the Clean Air Act.

What the aggregation requirement does, it is small air pollution sources that cumulatively release as much air pollution as a major source, are supposed to be required to curb pollution by installing the maximum achievable control technology. But oil and gas is exempt, not for any policy reason, but simply because oil and gas has a lot of influence here in Washington, D.C.

This directly affects the air quality in my district. Take a county like Weld County, Colorado. There are over 20,000 operating fracking wells. Any one of those has a very small emissions profile. But in the aggregate, when you start talking about 1,000, 5,000, 10,000, it looks a lot more like multiple emissions-spewing factories or other highly pollutive activity. And yet they are completely exempt from being aggregated.

So essentially, they are rounded to down to zero, each one of them, which is fine if there is one or three or five of them. But if you have 20,000 of them, it is a gross abuse of the intent of the Clean Air Act to round it down to zero.

My amendment would also add hydrogen sulfide to the Clean Air Act's Federal list of hazardous air pollutants. It was originally on the list. Unfortunately, it was later removed.

The Clean Air Act currently exempts hydrogen sulfide from the Federal list of hazardous air pollutants, even though it is well-documented that hydrogen sulfide has been associated with a wide range of health issues, such as nausea, vomiting, headaches, irritation of eyes, nose, throat, and asthma.

Often, it is released from wellheads, pumps, and piping during the separa-

tion process, from storage tanks, and from flaring. In fact, 15 percent to 25 percent of the natural gas wells in the U.S. emit hydrogen sulfide, even though, I would point out, control technologies are inexpensive and readily available to curb hydrogen sulfide emissions. All we ask is that those are looked at as part of that.

My amendment has broad support with 64 Members that have added their names as cosponsors. I am grateful this was allowed under the bill.

My amendment will simply hold oil and gas operators accountable for their impact on our Nation's air quality, as every industry should be. They shouldn't play by special rules. They should play by the same rules under the Clean Air Act as every industry.

I reserve the balance of my time.

Mr. WHITFIELD. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Chairman, we all have a great deal of respect for the gentleman from Colorado (Mr. POLIS) and know that he focuses on these particular issues and is quite familiar with them.

The reason that we are opposing this amendment is that his amendment would make changes to section 112 of the Clean Air Act by adding, specifically, hydrogen sulfide as a hazardous air pollutant.

Now, there is a well-established regulatory process for listing new hazardous air pollutants set forth in the Clean Air Act, section 112.

The underlying legislation, H.R. 4775, really is dealing only with sections 107 to 110 and part C and D of title I of the Clean Air Act. And we are not doing anything with section 112, nor have we had any hearings in the Energy and Commerce Committee on adding hydrogen sulfide as a hazardous air pollutant. On the other hand, we have had four hearings about ambient air quality standards. We have had four forums on the Clean Air Act relating to ambient air quality standards.

So for that reason, the fact that there is an established way to add, we would respectfully oppose this amendment and ask the other Members to oppose it at this time. We would welcome the opportunity to work with Mr. POLIS in letting the Energy and Commerce Committee do it in a regular manner.

I oppose the amendment.

I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, I yield 45 seconds to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I urge support for the Polis amendment. It is common sense, and it certainly improves the bill in the way that Mr. POLIS set forth.

I would urge my colleagues to support the amendment.

Mr. POLIS. Mr. Chairman, I yield myself such time as I may consume.

So again, with great respect to the gentleman from Kentucky, this is the first opportunity we have had since I first introduced the bill in 2011 where the Clean Air Act has been brought to the floor and opened and allowed to have this amendment and discussion. I personally would have been thrilled if we would have been able to have a hearing in the intervening years. Of course, should this not prevail, I would be happy to continue to work to pursue a hearing in this area.

Because frankly, again, when you have 20,000 wells in a limited area, you can't round each one down to zero. Separately, we have the issue of hydrogen sulfide. Both are very important issues. Of course, we want to further the discussion.

I personally am thrilled again on behalf of the 64 Members that are already cosponsors of this bill that at least we have the time to debate this on the floor in a way that it is germane to a bill that we are considering in opening up the Clean Air Act.

□ 1600

Certainly I am appreciative of the process the committee has in place. Again, should this not prevail, I would be happy to continue to work with the committee to help deal with these small-site aggregations in a way where they are no longer rounded down to zero if, in fact, they are found scientifically to have a tangible cumulative effect, just like we have the aggregation of every other type of industrial activity except for those that are particular to oil and gas.

I would encourage my colleagues to vote "yes" on the bill to simply make sure that oil and gas operators play by the same rules with regard to their impact on air quality as any other industry, as well as adding hydrogen sulfide to the list of hazardous air pollutants and listing, of course, oil and gas wells as one of the major sources of hydrogen sulfide, as they certainly are in my neck of the woods.

I ask my colleagues to vote "yes" on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. NORTON

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-607.

Ms. NORTON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new section:

SEC. 5. LIMITATION.

If the Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that application of any provision of this Act could harm human health or the environment, this Act and the amendments made thereby shall cease to apply.

The Acting CHAIR. Pursuant to House Resolution 767, the gentlewoman from the District of Columbia (Ms. NORTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise to offer an amendment to the Ozone Standards Implementation Act of 2016 that would ensure that the environment and human health aspects are protected. The amendment states that if the EPA Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that application of any provision of this act could harm human health or the environment, the Ozone Standards Implementation Act shall cease to apply.

The Ozone Standards Implementation Act puts our children, communities, and environment at extreme risk simply to benefit private corporations rather than to look at what the act could do to people. It weakens implementation and enforcement of the Clean Air Act's essential air pollution health standards, further delays reductions in smog pollution, and expands the very definition of "exceptional events" to include high pollution days when communities exclude certain extreme events, like wildfires, in determining whether their air quality meets national standards. The bill also takes health and medical science out of the process.

My amendment ensures that we will fulfill the purpose of the Clean Air Act and continue the progress we have made over the past 46 years. One fact pointed out by the Statement of Administration Policy is that the "emissions of key pollutants have decreased by nearly 70 percent while the economy has tripled in size." This proves that we can both improve the environment and still grow our domestic economy.

Right now, just to cite my own district as an example, 17,000 children in the District of Columbia have pediatric asthma and over 115,000 children and teens in the District are at risk of health implications from smog. Our health and future depend on the Clean Air Act, but the Ozone Standards Implementation Act will put us right back where we were before 1970.

I urge the adoption of my amendment.

Mr. Chair, I reserve the balance of my time.

Mr. OLSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chairman, since 1980, ozone levels have decreased by 33 percent, and EPA projects air quality "will continue to improve over the next decade as additional reductions in ozone precursors from power plants, motor vehicles, and other sources are realized."

Nothing in this bill changes any existing air quality standards or prevents these improvements to air quality from being realized.

This amendment, however, would allow the EPA, in consultation with CASAC, the Clean Air Scientific Advisory Committee, to invalidate the entire bill. Why we would give CASAC this power is beyond me because they haven't done a good job with ozone.

Under the Clean Air Act, CASAC is required to provide advice to the Agency about the potential adverse effects of implementing new air quality standards. Section 109(d)(2)(C)(iv) expressly requires CASAC to "advise the Administrator of any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standards." Despite this provision, CASAC has not provided that advice.

In May of 2015, the Government Accountability Office issued a report indicating that CASAC has never provided that advice because EPA has never requested that advice, and that EPA has no plans to ask CASAC to provide advice on potential adverse effects. In a recent survey, 80 percent of State air agencies said that such advice would be helpful to their agency.

H.R. 4775 will ensure that such advice is provided and also ensure that States have the time and regulatory tools they need to comply with new ozone rules and other air quality standards.

I urge a "no" vote on this amendment.

Mr. Chair, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, part of the problem is, perhaps, that EPA has never requested this particular advice from CASAC. My amendment would make it clear that Congress wants the EPA to do so. Yes, I made clear that there had been improvements in air quality, despite the fact that our own industry, our own economic growth has tripled. Would anybody say that we are now where we want to be?

We do not want, at this point of progress, to countermand the progress we have made. We should be building on that progress. No one, I think, in

the world today—and certainly in the United States—would say we have finally reached where we want to be. The improvements are not nearly enough. We need to go much more rapidly. We certainly don't need to be retrograde at this point in history when the whole world now is looking at this very issue and seeking to improve.

Mr. Chair, I reserve the balance of my time.

Mr. OLSON. Mr. Chairman, I will offer a quote from the San Joaquin Valley Air Pollution Control District executive director. He said these words before our committee: "H.R. 4775, in my opinion, provides for much-needed streamlining of the implementation of the Clean Air Act. It does not roll back anything that is already in the Clean Air Act in the form of protections for public health, safeguarding public health, and it does nothing to roll back any of the progress that has been made, and it will not impede or slow down our progress as we move forward to reduce air pollution and improve public health."

This amendment trashes that statement.

I urge my colleagues to vote "no" on this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. NORTON. Mr. Chairman, we should all be grateful to the authors of the Clean Air Act for the progress we have achieved. The way to express our gratitude is to use an occasion like this to expand, not to retract, that act.

Mr. Chairman, I yield back the balance of my time.

Mr. OLSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. NORTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from the District of Columbia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-607 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WHITFIELD of Kentucky.

Amendment No. 2 by Mr. RUSH of Illinois.

Amendment No. 3 by Mr. PALLONE of New Jersey.

Amendment No. 5 by Mr. POLIS of Colorado.

Amendment No. 6 by Ms. NORTON of the District of Columbia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. WHITFIELD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kentucky (Mr. WHITFIELD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 170, not voting 27, as follows:

[Roll No. 276]

AYES—236

Abraham	Forbes	Lummis
Aderholt	Fortenberry	MacArthur
Allen	Fox	Marchant
Amash	Frelinghuysen	Marino
Amodei	Garrett	Massie
Babin	Gibbs	McCarthy
Barletta	Gibson	McCaul
Barr	Gohmert	McClintock
Barton	Goodlatte	McHenry
Benishek	Gowdy	McKinley
Bilirakis	Granger	McMorris
Bishop (GA)	Graves (GA)	Rodgers
Bishop (MI)	Graves (LA)	McSally
Bishop (UT)	Graves (MO)	Meadows
Blackburn	Griffith	Meehan
Blum	Grothman	Messer
Bost	Guinta	Mica
Boustany	Guthrie	Miller (FL)
Brady (TX)	Hanna	Miller (MI)
Brat	Harper	Moolenaar
Bridenstine	Harris	Mooney (WV)
Brooks (AL)	Hartzler	Mullin
Brooks (IN)	Heck (NV)	Mulvaney
Buchanan	Hensarling	Murphy (PA)
Buck	Hice, Jody B.	Neugebauer
Bucshon	Hill	Newhouse
Burgess	Holding	Noem
Byrne	Hudson	Nugent
Calvert	Huelskamp	Nunes
Carter (GA)	Huizenga (MI)	Olson
Carter (TX)	Hultgren	Palazzo
Chabot	Hunter	Palmer
Chaffetz	Hurd (TX)	Paulsen
Clawson (FL)	Hurt (VA)	Pearce
Coffman	Issa	Perry
Cole	Jenkins (KS)	Pittenger
Collins (GA)	Jenkins (WV)	Pitts
Collins (NY)	Johnson (OH)	Poe (TX)
Comstock	Johnson, Sam	Poliquin
Conaway	Jolly	Pompeo
Cook	Jones	Posey
Costello (PA)	Jordan	Price, Tom
Cramer	Joyce	Ratcliffe
Crawford	Katko	Reed
Crenshaw	Kelly (MS)	Reichert
Culberson	Kelly (PA)	Renacci
Curbelo (FL)	King (IA)	Ribble
Davis, Rodney	King (NY)	Rice (SC)
Denham	Kinzing (IL)	Rigell
Dent	Kline	Roe (TN)
DeSantis	Knight	Rogers (AL)
DesJarlais	Labrador	Rogers (KY)
Diaz-Balart	LaHood	Rohrabacher
Dold	LaMalfa	Rokita
Donovan	Lamborn	Rooney (FL)
Duncan (SC)	Lance	Ros-Lehtinen
Duncan (TN)	Latta	Roskam
Emmer (MN)	LoBiondo	Ross
Farenthold	Long	Rothfus
Fitzpatrick	Loudermilk	Rouzer
Fleischmann	Love	Royce
Fleming	Lucas	Russell
Flores	Luetkemeyer	Salmon

Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Foster

Black
Cárdenas
Clark (MA)
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)
Gosar

Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)

NOES—170

Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng

NOT VOTING—27

Hahn
Hardy
Herrera Beutler
Jeffries
Lieue, Ted
Nadler
Payne
Rice (NY)
Robby

Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarella
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Mr. JOHNSON of Ohio changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mrs. ROBY. Mr. Chair, on rollcall No. 276 I was unavoidably detained. Had I been present, I would have voted “yea.”

AMENDMENT NO. 2 OFFERED BY MR. RUSH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. RUSH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 235, not voting 27, as follows:

[Roll No. 277]

AYES—171

Adams	Edwards	Luján, Ben Ray
Aguilar	Ellison	(NM)
Ashford	Engel	Lynch
Bass	Eshoo	Maloney
Beatty	Esty	Carolyn
Becerra	Foster	Maloney, Sean
Bera	Frankel (FL)	Matsui
Beyer	Fudge	McCollum
Blumenauer	Gabbard	McDermott
Bonamici	Gallego	McGovern
Boyle, Brendan F.	Gibson	McNerney
Brady (PA)	Graham	Meeks
Brown (FL)	Grayson	Meng
Brownley (CA)	Green, Al	Moore
Bustos	Green, Gene	Moulton
Grijalva	Gutiérrez	Murphy (FL)
Butterfield	Hastings	Napolitano
Capps	Heck (WA)	Neal
Capuano	Higgins	Nolan
Carney	Himes	Norcross
Carson (IN)	Hinojosa	O'Rourke
Cartwright	Honda	Pallone
Castor (FL)	Hoyer	Pascarella
Castro (TX)	Huffman	Pelosi
Chu, Judy	Israel	Perlmutter
Cicilline	Jackson Lee	Peters
Clark (MA)	Johnson (GA)	Pingree
Clarke (NY)	Johnson, E. B.	Pocan
Clay	Kaptur	Polis
Cleaver	Keating	Price (NC)
Clyburn	Kelly (IL)	Quigley
Cohen	Kennedy	Rangel
Connolly	Kilmer	Rice (NY)
Conyers	Kind	Richmond
Cooper	Kirkpatrick	Roybal-Allard
Courtney	Kuster	Ruiz
Crowley	Langevin	Ruppersberger
Cummings	Larsen (WA)	Rush
Curbelo (FL)	Larson (CT)	Ryan (OH)
Davis (CA)	Lawrence	Sarbanes
Davis, Danny	Lee	Schakowsky
DeFazio	Levin	Schiff
DeGette	Lewis	Scott (VA)
Delaney	Lipinski	Scott, David
DeLauro	Loebach	Serrano
DeBene	Lofgren	Sewell (AL)
DeSaulnier	Lowenthal	Sherman
Deutch	Lowe	Sinema
Dingell	Doyle, Michael F.	Slaughter
Doggett	Lujan Grisham	Smith (WA)
Doyle, Michael F.	(NM)	Speier
Duckworth		Swalwell (CA)
		Takano

□ 1632

Mr. LANGEVIN and Ms. JACKSON LEE changed their vote from “aye” to “no.”

Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Nadler
Payne
Roe (TN)
Sánchez, Linda
T.

Sanchez, Loretta
Sires
Stutzman
Takai
Tiberi

Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky

Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres

Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith

NOT VOTING—27

Black
Cárdenas
Cramer
Duffy
Ellmers (NC)

Farr
Fattah
Fincher
Franks (AZ)
Hahn

Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1636

So the amendment was rejected.
The result of the vote was announced
as above recorded.
Stated against:

Mr. HURT of Virginia. Mr. Chair, I was not
present for rollcall vote No. 277 on the Rush
of Illinois Amendment No. 2 on H.R. 4775.
Had I been present, I would have voted “no.”

AMENDMENT NO. 3 OFFERED BY MR. PALLONE
The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from New Jersey (Mr. PAL-
LONE) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 169, noes 242,
not voting 22, as follows:

[Roll No. 278]

AYES—169

Adams
Aguiar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney

DeLauro
DeBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Loeb
Lofgren
Larsen (WA)
Larsen (CT)
Lawrence
Lee
Levin
Lewis
Lipinski
Loeb
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarelli
Pelosi
Perlmutter

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishkek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger

NOES—242

Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Russell
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Sessions
Latta
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer

Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield

Williams	Woodall	Young (IA)
Wilson (SC)	Yoder	Young (IN)
Wittman	Yoho	Zeldin
Womack	Young (AK)	Zinke

NOT VOTING—22

Black	Hahn	Sánchez, Linda
Cárdenas	Hardy	T.
Duffy	Herrera Beutler	Sanchez, Loretta
Ellmers (NC)	Jeffries	Sires
Farr	Lieu, Ted	Takai
Fattah	Nadler	Walters, Mimi
Fincher	Payne	Waters, Maxine
Franks (AZ)		Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1640

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 251, not voting 22, as follows:

[Roll No. 279]

AYES—160

Adams	Delaney	Kennedy
Aguilar	DeLauro	Kildee
Bass	DelBene	Kilmer
Beatty	DeSaulnier	Kind
Becerra	Deutch	Kirkpatrick
Bera	Dingell	Kuster
Beyer	Doggett	Langevin
Blumenauer	Doyle, Michael	Larsen (WA)
Bonamici	F.	Larson (CT)
Boyle, Brendan	Duckworth	Lawrence
F.	Edwards	Lee
Brady (PA)	Ellison	Levin
Brown (FL)	Engel	Lewis
Brownley (CA)	Eshoo	Lipinski
Bustos	Esty	Loeb sack
Butterfield	Foster	Lofgren
Capps	Frankel (FL)	Lowenthal
Capuano	Fudge	Lowe y
Carney	Gabbard	Lujan Grisham
Cartwright	Gallago	(NM)
Castor (FL)	Garamendi	Luján, Ben Ray
Castro (TX)	Graham	(NM)
Chu, Judy	Grayson	Lynch
Cicilline	Green, Al	Maloney, Sean
Clark (MA)	Gutiérrez	Matsui
Clarke (NY)	Hastings	McCollum
Clay	Heck (WA)	McDermott
Cleaver	Higgins	McGovern
Clyburn	Himes	McNerney
Cohen	Hinojosa	Meeks
Connolly	Honda	Meng
Conyers	Hoyer	Moore
Cooper	Huffman	Moulton
Courtney	Israel	Murphy (FL)
Crowley	Jackson Lee	Napolitano
Cummings	Johnson (GA)	Neal
Davis (CA)	Johnson, E. B.	Nolan
Davis, Danny	Kaptur	Norcross
DeFazio	Keating	O'Rourke
DeGette	Kelly (IL)	Pallone

Pascrell	Ryan (OH)	Titus
Pelosi	Sarbanes	Tonko
Perlmutter	Schakowsky	Torres
Peters	Schiff	Tsongas
Pingree	Scott (VA)	Van Hollen
Pocan	Scott, David	Vargas
Polis	Serrano	Velázquez
Price (NC)	Sherman	Visclosky
Quigley	Sinema	Walz
Rangel	Slaughter	Wasserman
Rice (NY)	Smith (WA)	Schultz
Roybal-Allard	Speier	Watson Coleman
Ruiz	Swalwell (CA)	Welch
Ruppersberger	Takano	Wilson (FL)
Rush	Thompson (CA)	Yarmuth

NOES—251

Abraham	Granger	Mulvaney
Aderholt	Graves (GA)	Murphy (PA)
Allen	Graves (LA)	Neugebauer
Amash	Graves (MO)	Newhouse
Amodei	Green, Gene	Noem
Ashford	Griffith	Nugent
Babin	Grothman	Nunes
Barletta	Guinta	Olson
Barr	Guthrie	Palazzo
Barton	Hanna	Palmer
Benishek	Harper	Paulsen
Bilirakis	Harris	Pearce
Bishop (GA)	Hartzler	Perry
Bishop (MI)	Heck (NV)	Peterson
Bishop (UT)	Hensarling	Pittenger
Blackburn	Hice, Jody B.	Pitts
Blum	Hill	Poe (TX)
Bost	Holding	Poliquin
Boustany	Hudson	Pompeo
Brady (TX)	Huelskamp	Posey
Brat	Huizenga (MI)	Price, Tom
Bridenstine	Hultgren	Ratcliffe
Brooks (AL)	Hunter	Reed
Brooks (IN)	Hurd (TX)	Reichert
Buchanan	Hurt (VA)	Renacci
Buck	Issa	Ribble
Bucshon	Jenkins (KS)	Rice (SC)
Burgess	Jenkins (WV)	Richmond
Byrne	Johnson (OH)	Rigell
Calvert	Johnson, Sam	Roby
Carson (IN)	Jolly	Roe (TN)
Carter (GA)	Jones	Rogers (AL)
Carter (TX)	Jordan	Rogers (KY)
Chabot	Joyce	Rohrabacher
Chaffetz	Katko	Rokita
Clawson (FL)	Kelly (MS)	Rooney (FL)
Coffman	Kelly (PA)	Ros-Lehtinen
Cole	King (IA)	Roskam
Collins (GA)	King (NY)	Ross
Collins (NY)	Kinzinger (IL)	Rothfus
Comstock	Kline	Rouzer
Conaway	Knight	Royce
Cook	Labrador	Russell
Costa	LaHood	Salmon
Costello (PA)	LaMalfa	Sanford
Cramer	Lamborn	Scalise
Crawford	Lance	Schradler
Crenshaw	Latta	Schweikert
Cuellar	LoBiondo	Scott, Austin
Culberson	Long	Sensenbrenner
Curbelo (FL)	Loudermilk	Sessions
Eshoo, Rodney	Love	Sewell (AL)
Denham	Lucas	Shimkus
Dent	Luetkemeyer	Shuster
DeSantis	Lummis	Simpson
DesJarlais	MacArthur	Smith (MO)
Diaz-Balart	Maloney,	Smith (NE)
Dold	Carolyn	Smith (NJ)
Donovan	Marchant	Smith (TX)
Duncan (SC)	Marino	Stefanik
Duncan (TN)	Massie	Stewart
Emmer (MN)	McCarthy	Stivers
Farenthold	McCaul	Stutzman
Fitzpatrick	McClintock	Thompson (MS)
Fleischmann	McHenry	Thompson (PA)
Fleming	McKinley	Thornberry
Flores	McMorris	Tiberi
Forbes	Rodgers	Tipton
Fortenberry	McSally	Trott
Fox	Meadows	Turner
Frelinghuysen	Meehan	Upton
Garrett	Messer	Valadao
Gibbs	Mica	Veasey
Gibson	Miller (FL)	Vela
Gohmert	Miller (MI)	Wagner
Goodlatte	Mooleenaar	Walberg
Gosar	Mooney (WV)	Walden
Gowdy	Mullin	Walker

Walorski	Williams	Young (AK)
Weber (TX)	Wilson (SC)	Young (IA)
Webster (FL)	Wittman	Young (IN)
Wenstrup	Womack	Zeldin
Westerman	Woodall	Zinke
Westmoreland	Yoder	
Whitfield	Yoho	

NOT VOTING—22

Black	Grijalva	Sánchez, Linda
Cárdenas	Hahn	T.
Duffy	Hardy	Sanchez, Loretta
Ellmers (NC)	Herrera Beutler	Sires
Farr	Jeffries	Takai
Fattah	Lieu, Ted	Walters, Mimi
Fincher	Nadler	Waters, Maxine
Franks (AZ)	Payne	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1644

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. NORTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from the District of Columbia (Ms. NORTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 239, not voting 23, as follows:

[Roll No. 280]

AYES—171

Adams	Cummings	Honda
Aguilar	Davis (CA)	Hoyer
Ashford	Davis, Danny	Huffman
Bass	DeFazio	Israel
Beatty	DeGette	Jackson Lee
Becerra	Delaney	Johnson (GA)
Bera	DeLauro	Johnson, E. B.
Beyer	DelBene	Kaptur
Blumenauer	DeSaulnier	Keating
Bonamici	Deutch	Kelly (IL)
Boyle, Brendan	Dingell	Kennedy
F.	Doggett	Kildee
Brady (PA)	Doyle, Michael	Kilmer
Brown (FL)	F.	Kind
Brownley (CA)	Duckworth	Kirkpatrick
Bustos	Edwards	Kuster
Butterfield	Ellison	Langevin
Capps	Engel	Larsen (WA)
Capuano	Eshoo	Larson (CT)
Carney	Esty	Lawrence
Carson (IN)	Foster	Lee
Cartwright	Frankel (FL)	Levin
Castor (FL)	Fudge	Lewis
Castro (TX)	Gabbard	Lipinski
Chu, Judy	Gallago	Loeb sack
Cicilline	Garamendi	Lofgren
Clark (MA)	Graham	Lowenthal
Clarke (NY)	Grayson	Lowe y
Clay	Green, Al	Lujan Grisham
Cleaver	Green, Gene	(NM)
Clyburn	Grijalva	Luján, Ben Ray
Cohen	Gutiérrez	(NM)
Connolly	Hastings	Lynch
Conyers	Heck (WA)	Maloney,
Cooper	Higgins	Carolyn
Courtney	Himes	Maloney, Sean
Crowley	Hinojosa	Matsui

McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascarell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis

Price (NC)
Quigley
Takano
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)

Speier
Swalwell (CA)
Rangel
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Rush
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker

Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)

Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Black
Cárdenas
Duffy
Ellmers (NC)
Farr
Fattah
Fincher
Franks (AZ)

Hahn
Hardy
Herrera Beutler
Jeffries
Johnson (OH)
Lieu, Ted
Nadler
Payne

Sánchez, Linda
T.
Sanchez, Loretta
Sires
Takai
Walters, Mimi
Waters, Maxine
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1647

So the amendment was rejected.

The result of the vote was announced
as above recorded.

The Acting CHAIR. The question is
on the committee amendment in the
nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule,
the Committee rises.

Accordingly, the Committee rose;
and the Speaker pro tempore (Mr.
WOMACK) having assumed the chair,
Mr. HULTGREN, Acting Chair of the
Committee of the Whole House on the
state of the Union, reported that that
Committee, having had under consider-
ation the bill (H.R. 4775) to facilitate
efficient State implementation of
ground-level ozone standards, and for
other purposes, and, pursuant to House
Resolution 767, he reported the bill
back to the House with an amendment
adopted in the Committee of the
Whole.

The SPEAKER pro tempore. Under
the rule, the previous question is or-
dered.

Is a separate vote demanded on any
amendment to the amendment re-
ported from the Committee of the
Whole?

If not, the question is on the com-
mittee amendment in the nature of a
substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The
question is on the engrossment and
third reading of the bill.

The bill was ordered to be engrossed
and read a third time, and was read the
third time.

MOTION TO RECOMMIT

Mr. RUSH. Mr. Speaker, I have a mo-
tion to recommit at the desk.

The SPEAKER pro tempore. Is the
gentleman opposed to the bill?

Mr. RUSH. I am opposed in its cur-
rent form.

Mr. OLSON. Mr. Speaker, I reserve a
point of order against the motion to re-
commit.

The SPEAKER pro tempore. A point
of order is reserved.

The Clerk will report the motion to
recommit.

The Clerk read as follows:

Mr. Rush moves to recommit the bill H.R.
4775 to the Committee on Energy and Com-
merce with instructions to report the same
back to the House forthwith, with the fol-
lowing amendment:

Page 5, after line 11, insert the following:

(c) LIMITATION.—If the Administrator, in
consultation with the Clean Air Scientific
Advisory Committee, finds that application
of subsection (a) could increase the incidence
of asthma attacks, respiratory disease, car-
diovascular disease, stroke, heart attacks,
babies born with low birth weight and im-
paired fetal growth, neurological damage,
premature mortality, or other serious harms
to human health, especially for vulnerable
populations such as pregnant women, chil-
dren, the elderly, outdoor workers, and low
income communities, then this section shall
cease to apply.

The SPEAKER pro tempore. The gen-
tleman from Illinois is recognized for 5
minutes.

Mr. RUSH. Mr. Speaker, this is the
final amendment to the bill, which will
not kill the bill or send it back to com-
mittee. If adopted, the bill will imme-
diately proceed to final passage, as
amended.

Mr. Speaker, it appears that the Re-
publican Party has truly fallen in line
behind its standard-bearer, Donald
Trump, and is content to put industry
profits over the public interest. Mr.
Speaker, the art of the deal should not
mean putting corporate welfare over
the public well-being.

Mr. Speaker, our agreement is non-
negotiable. Protecting the public
health is absolutely why we are here in
this Congress today.

Mr. Speaker, H.R. 4775 is a disastrous
bill that will put our most vulnerable
citizens, including the elderly, the
young, pregnant women, and low-in-
come communities, at substantial risk.

This bill unacceptably delays imple-
mentation of EPA's 2015 ozone stand-
ards for another 8 years, while also de-
laying any new evidence regarding the
health implications from ozone and
other harmful pollutants for at least a
decade, despite what the science may
say in the interval.

In fact, under this legislation, not
only will States be exempt from com-
plying with the 2015 standards until
2016, but parents—our parents—and our
loved ones, Mr. Speaker, will not even
be informed if their communities were
in violation of clean air standards until
the year 2025.

Mr. Speaker, I can think of no ben-
efit to the public interest of denying
citizens information directly tied to
their health and to their well-being.

The research, Mr. Speaker, informs
us that breathing in dirty pollutants
such as ozone, carbon monoxide, lead,
nitrogen, sulfur dioxide, and other
dirty pollutants can lead to a host of
problems, including asthma, inflamma-
tion of the lungs, respiratory disease,
and even premature death.

Yet, Mr. Speaker, despite all of the
scientific research, this bill will stall

NOES—239

Abraham
Aderholt
Allen
Amash
Amden
Babin
Barletta
Barr
Barton
Benishke
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Buchoon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs

Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows

Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi

the new ozone standards, permanently weaken the Clean Air Act, and hamstring EPA's ability to regulate these harmful contaminants, both now and in the future.

Mr. Speaker, in order to address some of the deficiencies found in this bill, I am offering an amendment that would nullify sections from taking effect if they may result in adverse public health impacts.

This amendment simply states that section 2(a) would cease to apply if the EPA Administrator, in consultation with the Clean Air Scientific Advisory Committee, finds that it could increase health problems, including asthma attacks, respiratory disease, cardiovascular disease, stroke, heart attacks, babies with low birth weight and impaired fetal growth, neurological damage, premature mortality, or other serious harms to human health, especially for America's most vulnerable populations such as pregnant women, children, the elderly, outdoor workers, and low-income communities.

Mr. Speaker, this is a commonsense and compassionate amendment that seeks to put the interests of the public health above the profits of industry, and I urge all my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. OLSON. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. OLSON. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Speaker, I want healthy air. Everyone here in this Chamber wants healthy air. Every American wants healthy air.

Where I live in the greater Houston area, we have struggled with air quality, but we are making great progress. In fact, communities all across America have cut ozone levels by one-third in the last few decades. That progress must continue, and that is why this bill is not about blocking the path forward on clean air.

As a top air official in California said about H.R. 4775: "It does not roll back anything that is already in the Clean Air Act in the form of protections for public health . . . it will not slow down our progress as we move forward to reduce air pollution and improve public health."

There has never been a regulator in this country who wants to drag their feet on clean air. Our States have said for years that they face real challenges under current law. Addressing those real challenges is what this bill is all about.

□ 1700

That is why we need H.R. 4775. It gives our local officials the tools they

need to make the Clean Air Act work. It tackles the challenges of States being asked to implement overlapping regulations.

H.R. 4775 will let EPA consider whether its rules are achievable, but never putting cost ahead of public health when setting a new standard.

H.R. 4775 will make sure that clean air rules are implemented fairly, and that communities like mine and yours aren't penalized for emissions they can't control.

In 2008, the Bush administration put out lower ozone standards. In 2015, the Obama administration finally put out rules for 2008 standards. America lost 7 years of cleaner air. And then, in late 2015, the Obama administration put out even lower standards.

Are we going to lose 7 more years of cleaner air?

Albert Einstein said that the definition of insanity is doing the same thing over and over again and expecting different results. Let's not repeat the last 7 years of ozone insanity.

I urge my colleagues to vote "no" on the motion to recommit. Give our local communities the ozone sanity they crave and deserve. Vote "yes" for final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. RUSH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 173, noes 239, not voting 21, as follows:

[Roll No. 281]

AYES—173

Adams	Cartwright	DeLauro
Aguilar	Castor (FL)	DelBene
Ashford	Castro (TX)	DeSaulnier
Bass	Chu, Judy	Deutch
Beatty	Cicilline	Dingell
Becerra	Clark (MA)	Doggett
Bera	Clarke (NY)	Doyle, Michael
Beyer	Clay	F.
Bishop (GA)	Cleaver	Duckworth
Blum	Clyburn	Edwards
Blumenauer	Cohen	Ellison
Bonamici	Connolly	Engel
Boyle, Brendan	Conyers	Eshoo
F.	Cooper	Esty
Brady (PA)	Courtney	Foster
Brown (FL)	Crowley	Frankel (FL)
Brownley (CA)	Cuellar	Fudge
Bustos	Cummings	Gabbard
Butterfield	Davis (CA)	Gallego
Capps	Davis, Danny	Garamendi
Capuano	DeFazio	Graham
Carney	DeGette	Grayson
Carson (IN)	Delaney	Green, Al

Green, Gene	Lujan Grisham	Ruiz
Grijalva	(NM)	Ruppersberger
Gutiérrez	Luján, Ben Ray	Rush
Hastings	(NM)	Ryan (OH)
Heck (WA)	Lynch	Sarbanes
Higgins	Maloney,	Schakowsky
Himes	Carolyn	Schiff
Hinojosa	Maloney, Sean	Schrader
Honda	Matsui	Scott (VA)
Hoyer	McCollum	Scott, David
Huffman	McDermott	Serrano
Israel	McGovern	Sewell (AL)
Jackson Lee	McNerney	Sherman
Johnson (GA)	Meeks	Slaughter
Johnson, E. B.	Meng	Smith (WA)
Jones	Moore	Speier
Kaptur	Moulton	Swalwell (CA)
Kelly (IL)	Murphy (FL)	Takano
Kennedy	Napolitano	Thompson (CA)
Kildee	Neal	Thompson (MS)
Kilmer	Nolan	Titus
Kind	Norcross	Tonko
Kirkpatrick	O'Rourke	Torres
Kuster	Pallone	Tsongas
Langevin	Pascrell	Van Hollen
Larsen (WA)	Pelosi	Vargas
Larson (CT)	Perlmutter	Veasey
Lawrence	Peters	Vela
Lee	Pingree	Velázquez
Levin	Pocan	Visclosky
Lewis	Polis	Walz
Lipinski	Price (NC)	Wasserman
Loeback	Quigley	Schultz
Lofgren	Rangel	Watson Coleman
Lowenthal	Rice (NY)	Welch
Lowe	Richmond	Wilson (FL)
	Roybal-Allard	Yarmuth

NOES—239

Abraham	Emmer (MN)	Kinzing (IL)
Aderholt	Farenthold	Kline
Allen	Fitzpatrick	Knight
Amash	Fleischmann	Labrador
Amodei	Fleming	LaHood
Babin	Flores	LaMalfa
Barletta	Forbes	Lamborn
Barr	Fortenberry	Lance
Barton	Fox	Latta
Benishek	Franks (AZ)	LoBiondo
Billirakis	Frelinghuysen	Long
Bishop (MI)	Garrett	Loudermilk
Bishop (UT)	Gibbs	Love
Blackburn	Gibson	Lucas
Bost	Gohmert	Luetkemeyer
Boustany	Goodlatte	Lummis
Brady (TX)	Gosar	MacArthur
Brat	Gowdy	Marchant
Bridenstine	Granger	Marino
Brooks (AL)	Graves (GA)	Massie
Brooks (IN)	Graves (LA)	McCarthy
Buchanan	Graves (MO)	McCaul
Buck	Griffith	McClintock
Bucshon	Grothman	McHenry
Burgess	Guinta	McKinley
Byrne	Guthrie	McMorris
Calvert	Hanna	Rodgers
Carter (GA)	Harper	McSally
Carter (TX)	Harris	Meadows
Chabot	Hartzler	Meehan
Chaffetz	Heck (NV)	Messer
Clawson (FL)	Hensarling	Mica
Coffman	Hice, Jody B.	Miller (FL)
Cole	Hill	Miller (MI)
Collins (GA)	Holding	Moolenaar
Collins (NY)	Hudson	Mooney (WV)
Comstock	Huelskamp	Mullin
Conaway	Huizenga (MI)	Mulvaney
Cook	Hultgren	Murphy (PA)
Costa	Hunter	Neugebauer
Costello (PA)	Hurd (TX)	Newhouse
Cramer	Hurt (VA)	Noem
Crawford	Issa	Nugent
Crenshaw	Jenkins (KS)	Nunes
Culberson	Jenkins (WV)	Olson
Curbelo (FL)	Johnson (OH)	Palazzo
Davis, Rodney	Johnson, Sam	Palmer
Denham	Jolly	Paulsen
Dent	Jordan	Pearce
DeSantis	Joyce	Perry
DesJarlais	Katko	Peterson
Diaz-Balart	Keating	Pittenger
Dold	Kelly (MS)	Pitts
Donovan	Kelly (PA)	Poe (TX)
Duncan (SC)	King (IA)	Poliquin
Duncan (TN)	King (NY)	Pompeo

Posey	Sanford	Upton	Johnson, Sam	Mooney (WV)	Sensenbrenner	Ruppersberger	Slaughter	Van Hollen
Price, Tom	Scalise	Valadao	Jolly	Mullin	Sessions	Rush	Smith (NJ)	Vargas
Ratcliffe	Schweikert	Wagner	Jones	Mulvaney	Sewell (AL)	Ryan (OH)	Smith (WA)	Veasey
Reed	Scott, Austin	Walberg	Jordan	Murphy (PA)	Shimkus	Sanford	Speier	Vela
Reichert	Sensenbrenner	Walden	Joyce	Neugebauer	Shuster	Sarbanes	Stefanik	Velázquez
Renacci	Sessions	Walker	Katko	Newhouse	Simpson	Schakowsky	Swalwell (CA)	Visclosky
Ribble	Shimkus	Walorski	Kelly (MS)	Noem	Chiff	Scott	Takano	Walz
Rice (SC)	Shuster	Weber (TX)	Kelly (PA)	Nugent	Smith (MO)	Schrader	Thompson (CA)	Wasserman
Rigell	Simpson	Webster (FL)	King (IA)	Nunes	Smith (NE)	Scott (VA)	Thompson (MS)	Schultz
Roby	Sinema	Wenstrup	King (NY)	Olson	Smith (TX)	Scott, David	Titus	Watson Coleman
Roe (TN)	Smith (MO)	Westerman	Kinzinger (IL)	Palazzo	Stewart	Serrano	Tonko	Welch
Rogers (AL)	Smith (NE)	Westmoreland	Kirkpatrick	Palmer	Stivers	Sherman	Torres	Wilson (FL)
Rogers (KY)	Smith (NJ)	Whitfield	Kline	Paulsen	Stutzman	Sinema	Tsongas	Yarmuth
Rohrabacher	Smith (TX)	Williams	Knight	Pearce	Thompson (PA)			
Rokita	Stefanik	Wilson (SC)	Labrador	Perry	Thornberry			
Rooney (FL)	Stewart	Wittman	LaHood	Peterson	Tiberi			
Ros-Lehtinen	Stivers	Womack	LaMalfa	Pittenger	Tipton	Black	Hardy	Sánchez, Linda
Roskam	Stutzman	Yoder	Lamborn	Pitts	Trott	Cárdenas	Herrera Beutler	T.
Ross	Thompson (PA)	Yoho	Lance	Poe (TX)	Turner	Duffy	Hultgren	Sanchez, Loretta
Rothfus	Thornberry	Young (AK)	Latta	Pompeo	Upton	Ellmers (NC)	Jeffries	Sires
Rouzer	Tiberi	Young (IA)	Long	Posey	Valadao	Farr	Lieu, Ted	Takai
Royce	Tipton	Young (IN)	Loudermilk	Price, Tom	Wagner	Fattah	Nadler	Walters, Mimi
Russell	Trott	Zeldin	Love	Ratcliffe	Walberg	Fincher	Payne	Waters, Maxine
Salmon	Turner	Zinke	Lucas	Reed	Walden	Hahn	Pingree	

NOT VOTING—21

Black	Hardy	Sanchez, Loretta
Cárdenas	Herrera Beutler	Sires
Duffy	Jeffries	Takai
Ellmers (NC)	Lieu, Ted	Walters, Mimi
Farr	Nadler	Waters, Maxine
Fattah	Payne	Woodall
Fincher	Sánchez, Linda	
Hahn	T.	

□ 1707

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PALLONE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 234, nays 177, not voting 22, as follows:

[Roll No. 282]

YEAS—234

Abraham	Clawson (FL)	Frelinghuysen
Aderholt	Coffman	Garrett
Allen	Cole	Gibbs
Amash	Collins (GA)	Gohmert
Amodi	Collins (NY)	Goodlatte
Ashford	Comstock	Gosar
Babin	Conaway	Gowdy
Barletta	Cook	Granger
Barr	Costa	Graves (GA)
Barton	Costello (PA)	Graves (LA)
Benishek	Cramer	Graves (MO)
Bilirakis	Crawford	Griffith
Bishop (GA)	Crenshaw	Grothman
Bishop (MI)	Cuellar	Guinta
Bishop (UT)	Culberson	Guthrie
Blackburn	Davis, Rodney	Hanna
Blum	Denham	Harper
Bost	Dent	Harris
Boustany	DeSantis	Hartzler
Brady (TX)	DesJarlais	Heck (NV)
Brat	Diaz-Balart	Hensarling
Bridenstine	Donovan	Hice, Jody B.
Brooks (AL)	Duncan (SC)	Hill
Brooks (IN)	Duncan (TN)	Holding
Buchanan	Emmer (MN)	Hudson
Buck	Farenthold	Huelskamp
Bucshon	Fitzpatrick	Huizenga (MI)
Burgess	Fleischmann	Hunter
Byrne	Fleming	Hurd (TX)
Calvert	Flores	Hurt (VA)
Carter (GA)	Forbes	Issa
Carter (TX)	Fortenberry	Jenkins (KS)
Chabot	Fox	Jenkins (WV)
Chaffetz	Franks (AZ)	Johnson (OH)

Adams	Doggett	Levin
Aguilar	Dold	Lewis
Bass	Doyle, Michael	Lipinski
Beatty	F.	LoBiondo
Becerra	Duckworth	Loeb
Bera	Edwards	Lofgren
Beyer	Ellison	Lowenthal
Blumenauer	Engel	Lowey
Bonamici	Eshoo	Lujan Grisham
Boyle, Brendan	Esty	(NM)
F.	Foster	Lujan, Ben Ray
Brady (PA)	Frankel (FL)	(NM)
Brown (FL)	Fudge	Lynch
Brownley (CA)	Gabbard	Maloney,
	Galleo	Carolyn
Bustos	Garamendi	Maloney, Sean
Butterfield	Gibson	Matsui
Capps	Graham	McCollum
Capuano	Grayson	McDermott
Carney	Green, Al	McGovern
Carson (IN)	Green, Gene	McNerney
Cartwright	Grijalva	Meeks
Castor (FL)	Gutiérrez	Meng
Castro (TX)	Hastings	Moore
Chu, Judy	Heck (WA)	Moulton
Cicilline	Higgins	Murphy (FL)
Clark (MA)	Himes	Napolitano
Clarke (NY)	Hinojosa	Neal
Clay	Honda	Nolan
Cleaver	Hoyer	Norcross
Clyburn	Huffman	O'Rourke
Cohen	Israel	Pallone
Connolly	Jackson Lee	Pascarella
Conyers	Johnson (GA)	Pelosi
Cooper	Johnson, E. B.	Perlmutter
Courtney	Kaptur	Peters
Crowley	Keating	Pocan
Cummings	Kelly (IL)	Poliquin
Curbelo (FL)	Kennedy	Polis
Davis (CA)	Kildee	Price (NC)
Davis, Danny	Kilmer	Quigley
DeFazio	Kind	Rangel
DeGette	Kuster	Reichert
Delaney	Langevin	Rice (NY)
DeLauro	Larsen (WA)	Richmond
DeBene	Larson (CT)	Ros-Lehtinen
DeSaulnier	Lawrence	Roybal-Allard
Deutch	Lee	Ruiz
Dingell		

NAYS—177

□ 1714

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HARDY. Mr. Speaker, rollcall No. 273—I would have voted “yes.” Rollcall No. 274—I would have voted “yes.” Rollcall No. 275—I would have voted “yes.” Rollcall No. 276—I would have voted “yes.” Rollcall No. 277—I would have voted “no.” Rollcall No. 278—I would have voted “no.” Rollcall No. 279—I would have voted “no.” Rollcall No. 280—I would have voted “no.” Rollcall No. 281—I would have voted “no.” Rollcall No. 282—I would have voted “yes.”

MAKING IN ORDER CONSIDERATION OF VETO MESSAGE ON H.J. RES. 88

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that when a veto message on House Joint Resolution 88 is laid before the House on this legislative day, then after the message is read and the objections of the President are spread at large upon the Journal, further consideration of the veto message and the joint resolution shall be postponed until the legislative day of Wednesday, June 22, 2016; and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Is there objection to the request of the gentleman from Texas?

There was no objection.

NULLIFY DEPARTMENT OF LABOR'S FINAL CONFLICT OF INTEREST RULE—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-140)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.J. Res. 88, a resolution that would nullify the Department of Labor's final conflict of interest rule. This rule is critical to protecting Americans' hard-earned savings and preserving their retirement security.

The outdated regulations in place before this rulemaking did not ensure that financial advisers act in their clients' best interests when giving retirement investment advice. Instead, some firms have incentivized advisers to steer clients into products that have higher fees and lower returns—costing America's families an estimated \$17 billion a year.

The Department of Labor's final rule will ensure that American workers and retirees receive retirement advice that is in their best interest, better enabling them to protect and grow their savings. The final rule reflects extensive feedback from industry, advocates, and Members of Congress, and has been streamlined to reduce the compliance burden and ensure continued access to advice, while maintaining an enforceable best interest standard that protects consumers. It is essential that these critical protections go into effect. Because this resolution seeks to block the progress represented by this rule and deny retirement savers investment advice in their best interest, I cannot support it. I am therefore vetoing this resolution.

BARACK OBAMA.

THE WHITE HOUSE, June 8, 2016.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the joint resolution will be printed as a House document.

Pursuant to the order of the House of today, further consideration of the veto message and the bill are postponed until the legislative day of Wednesday, June 22, 2016, and that on that legislative day, the House shall proceed to the constitutional question of reconsideration and dispose of such question without intervening motion.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

SECURING AMERICA'S FUTURE ENERGY: PROTECTING OUR INFRASTRUCTURE OF PIPELINES AND ENHANCING SAFETY ACT

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 2276) to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016” or the “PIPES Act of 2016”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of appropriations.
- Sec. 3. Regulatory updates.
- Sec. 4. Natural gas integrity management review.
- Sec. 5. Hazardous liquid integrity management review.
- Sec. 6. Technical safety standards committees.
- Sec. 7. Inspection report information.
- Sec. 8. Improving damage prevention technology.
- Sec. 9. Workforce management.
- Sec. 10. Information-sharing system.
- Sec. 11. Nationwide integrated pipeline safety regulatory database.
- Sec. 12. Underground gas storage facilities.
- Sec. 13. Joint inspection and oversight.
- Sec. 14. Safety data sheets.
- Sec. 15. Hazardous materials identification numbers.
- Sec. 16. Emergency order authority.
- Sec. 17. State grant funds.
- Sec. 18. Response plans.
- Sec. 19. Unusually sensitive areas.
- Sec. 20. Pipeline safety technical assistance grants.
- Sec. 21. Study of materials and corrosion prevention in pipeline transportation.
- Sec. 22. Research and development.
- Sec. 23. Active and abandoned pipelines.
- Sec. 24. State pipeline safety agreements.
- Sec. 25. Requirements for certain hazardous liquid pipeline facilities.
- Sec. 26. Study on propane gas pipeline facilities.
- Sec. 27. Standards for certain liquefied natural gas pipeline facilities.
- Sec. 28. Pipeline odorization study.
- Sec. 29. Report on natural gas leak reporting.
- Sec. 30. Review of State policies relating to natural gas leaks.
- Sec. 31. Aliso Canyon natural gas leak task force.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

(a) GAS AND HAZARDOUS LIQUID.—Section 60125(a) of title 49, United States Code is amended—

(1) in paragraph (1) by striking “there is authorized to be appropriated to the Department of Transportation for each of fiscal years 2012 through 2015, from fees collected under section 60301, \$90,679,000, of which \$4,746,000 is for carrying out such section 12 and \$36,194,000 is for making grants.” and inserting the following: “there is authorized to be appropriated to the Department of Transportation from fees collected under section 60301—

“(A) \$124,500,000 for fiscal year 2016, of which \$9,000,000 shall be expended for carrying out such section 12 and \$39,385,000 shall be expended for making grants;

“(B) \$128,000,000 for fiscal year 2017 of which \$9,000,000 shall be expended for carrying out such section 12 and \$41,885,000 shall be expended for making grants;

“(C) \$131,000,000 for fiscal year 2018, of which \$9,000,000 shall be expended for carrying out such section 12 and \$44,885,000 shall be expended for making grants; and

“(D) \$134,000,000 for fiscal year 2019, of which \$9,000,000 shall be expended for carrying out such section 12 and \$47,885,000 shall be expended for making grants.”;

(2) in paragraph (2) by striking “there is authorized to be appropriated for each of fiscal years 2012 through 2015 from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355), \$18,573,000, of which \$2,174,000 is for carrying out such section 12 and \$4,558,000 is for making grants.” and inserting the following: “there is authorized to be appropriated from the Oil Spill Liability Trust Fund to carry out the provisions of this chapter related to hazardous liquid and section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note; Public Law 107-355)—

“(A) \$22,123,000 for fiscal year 2016, of which \$3,000,000 shall be expended for carrying out such section 12 and \$8,067,000 shall be expended for making grants;

“(B) \$22,123,000 for fiscal year 2017, of which \$3,000,000 shall be expended for carrying out such section 12 and \$8,067,000 shall be expended for making grants;

“(C) \$23,000,000 for fiscal year 2018, of which \$3,000,000 shall be expended for carrying out such section 12 and \$8,067,000 shall be expended for making grants; and

“(D) \$23,000,000 for fiscal year 2019, of which \$3,000,000 shall be expended for carrying out such section 12 and \$8,067,000 shall be expended for making grants.”; and

(3) by adding at the end the following:

“(3) UNDERGROUND NATURAL GAS STORAGE FACILITY SAFETY ACCOUNT.—To carry out section 60141, there is authorized to be appropriated to the Department of Transportation from fees collected under section 60302 \$8,000,000 for each of fiscal years 2017 through 2019.”.

(b) OPERATIONAL EXPENSES.—There are authorized to be appropriated to the Secretary of Transportation for the necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration the following amounts:

(1) \$21,000,000 for fiscal year 2016.

(2) \$22,000,000 for fiscal year 2017.

(3) \$22,000,000 for fiscal year 2018.

(4) \$23,000,000 for fiscal year 2019.

(c) ONE-CALL NOTIFICATION PROGRAMS.—

(1) IN GENERAL.—Section 6107 of title 49, United States Code, is amended to read as follows:

“§ 6107. Funding

“Of the amounts made available under section 60125(a)(1), the Secretary shall expend \$1,058,000 for each of fiscal years 2016 through 2019 to carry out section 6106.”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 61 of title 49, United States Code, is amended by striking the item relating to section 6107 and inserting the following:

“6107. Funding.”.

(d) PIPELINE SAFETY INFORMATION GRANTS TO COMMUNITIES.—The first sentence of section 60130(c) of title 49, United States Code, is amended to read as follows: “Of the amounts made available under section 2(b) of the PIPES Act of 2016, the Secretary shall expend \$1,500,000 for each of fiscal years 2016 through 2019 to carry out this section.”

(e) PIPELINE INTEGRITY PROGRAM.—Section 12(f) of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note) is amended by striking “2012 through 2015” and inserting “2016 through 2019”.

SEC. 3. REGULATORY UPDATES.

(a) PUBLICATION.—

(1) IN GENERAL.—The Secretary of Transportation shall publish an update on a publicly available Web site of the Department of Transportation regarding the status of a final rule for each outstanding regulation, and upon such publication notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives that such publication has been made.

(2) DEADLINES.—The Secretary shall publish an update under this subsection not later than 120 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been published in the Federal Register for each outstanding regulation.

(b) CONTENTS.—The Secretary shall include in each update published under subsection (a)—

(1) a description of the work plan for each outstanding regulation;

(2) an updated rulemaking timeline for each outstanding regulation;

(3) current staff allocations with respect to each outstanding regulation;

(4) any resource constraints affecting the rulemaking process for each outstanding regulation;

(5) any other details associated with the development of each outstanding regulation that affect the progress of the rulemaking process; and

(6) a description of all rulemakings regarding gas or hazardous liquid pipeline facilities published in the Federal Register that are not identified under subsection (c).

(c) OUTSTANDING REGULATION DEFINED.—In this section, the term “outstanding regulation” means—

(1) a final rule required under the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90) that has not been published in the Federal Register; and

(2) a final rule regarding gas or hazardous liquid pipeline facilities required under this Act or an Act enacted prior to the date of enactment of this Act (other than the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90)) that has not been published in the Federal Register.

SEC. 4. NATURAL GAS INTEGRITY MANAGEMENT REVIEW.

(a) REPORT.—Not later than 18 months after the date of publication in the Federal Register of a final rule regarding the safety of gas transmission pipelines related to the notice of proposed rulemaking issued on April 8, 2016, titled “Pipeline Safety: Safety of Gas Transmission and Gathering Pipelines” (81 Fed. Reg. 20721), the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report regarding the integrity management programs for gas pipeline facilities required under section 60109(c) of title 49, United States Code.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of stakeholder perspectives, taking into consideration technical, operational, and economic feasibility, regarding ways to enhance pipeline facility safety, prevent inadvertent releases from pipeline facilities, and mitigate any adverse consequences of such inadvertent releases, including changes to the definition of high consequence area, or expanding integrity management beyond high consequence areas;

(2) a review of the types of benefits, including safety benefits, and estimated costs of the legacy class location regulations;

(3) an analysis of the impact pipeline facility features, including the age, condition, materials, and construction of a pipeline facility, have on safety and risk analysis of a particular pipeline facility;

(4) a description of any challenges affecting Federal or State regulators in the oversight of gas transmission pipeline facilities and how the challenges are being addressed; and

(5) a description of any challenges affecting the natural gas industry in complying with the programs, and how the challenges are being addressed, including any challenges faced by publicly owned natural gas distribution systems.

(c) DEFINITION OF HIGH CONSEQUENCE AREA.—In this section, the term “high consequence area” has the meaning given the term in section 192.903 of title 49, Code of Federal Regulations.

SEC. 5. HAZARDOUS LIQUID INTEGRITY MANAGEMENT REVIEW.

(a) REPORT.—Not later than 18 months after the date of publication in the Federal Register of a final rule regarding the safety of hazardous liquid pipeline facilities related to the notice of proposed rulemaking issued on October 13, 2015, titled “Pipeline Safety: Safety of Hazardous Liquid Pipelines” (80 Fed. Reg. 61610), the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report regarding the integrity management programs for hazardous liquid pipeline facilities, as regulated under sections 195.450 and 195.452 of title 49, Code of Federal Regulations.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) taking into consideration technical, operational, and economic feasibility, an analysis of stakeholder perspectives on—

(A) ways to enhance hazardous liquid pipeline facility safety;

(B) risk factors that may warrant more frequent inspections of hazardous liquid pipeline facilities; and

(C) changes to the definition of high consequence area;

(2) an analysis of how surveying, assessment, mitigation, and monitoring activities, including real-time hazardous liquid pipeline facility monitoring during significant flood events and information sharing with Federal agencies, are being used to address risks associated with rivers, flood plains, lakes, and coastal areas;

(3) an analysis of the impact pipeline facility features, including the age, condition, materials, and construction of a pipeline facility, have on safety and risk analysis of a particular pipeline facility and what changes to the definition of high consequence area could be made to improve pipeline facility safety; and

(4) a description of any challenges affecting Federal or State regulators in the over-

sight of hazardous liquid pipeline facilities and how those challenges are being addressed.

(c) DEFINITION OF HIGH CONSEQUENCE AREA.—In this section, the term “high consequence area” has the meaning given the term in section 195.450 of title 49, Code of Federal Regulations.

SEC. 6. TECHNICAL SAFETY STANDARDS COMMITTEES.

(a) APPOINTMENT OF MEMBERS.—Section 60115(b)(4)(A) of title 49, United States Code, is amended by striking “State commissioners. The Secretary shall consult with the national organization of State commissions before selecting those 2 individuals.” and inserting “State officials. The Secretary shall consult with national organizations representing State commissioners or utility regulators before making a selection under this subparagraph.”.

(b) VACANCIES.—Section 60115(b) of title 49, United States Code, is amended by adding at the end the following:

“(5) Within 90 days of the date of enactment of the PIPES Act of 2016, the Secretary shall fill all vacancies on the Technical Pipeline Safety Standards Committee, the Technical Hazardous Liquid Pipeline Safety Standards Committee, and any other committee established pursuant to this section. After that period, the Secretary shall fill a vacancy on any such committee not later than 60 days after the vacancy occurs.”.

SEC. 7. INSPECTION REPORT INFORMATION.

(a) INSPECTION AND MAINTENANCE.—Section 60108 of title 49, United States Code, is amended by adding at the end the following:

“(e) IN GENERAL.—After the completion of a Pipeline and Hazardous Materials Safety Administration pipeline safety inspection, the Administrator of such Administration, or the State authority certified under section 60105 of title 49, United States Code, to conduct such inspection, shall—

“(1) within 30 days, conduct a post-inspection briefing with the owner or operator of the gas or hazardous liquid pipeline facility inspected outlining any concerns; and

“(2) within 90 days, to the extent practicable, provide the owner or operator with written preliminary findings of the inspection.”.

(b) NOTIFICATION.—Not later than October 1, 2017, and each fiscal year thereafter for 2 years, the Administrator shall notify the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of—

(1) the number of times a deadline under section 60108(e) of title 49, United States Code, was exceeded in the prior fiscal year; and

(2) in each instance, the length of time by which the deadline was exceeded.

SEC. 8. IMPROVING DAMAGE PREVENTION TECHNOLOGY.

(a) STUDY.—The Secretary of Transportation, in consultation with stakeholders, shall conduct a study on improving existing damage prevention programs through technological improvements in location, mapping, excavation, and communications practices to prevent excavation damage to a pipe or its coating, including considerations of technical, operational, and economic feasibility and existing damage prevention programs.

(b) CONTENTS.—The study under subsection (a) shall include—

(1) an identification of any methods to improve existing damage prevention programs

through location and mapping practices or technologies in an effort to reduce releases caused by excavation;

(2) an analysis of how increased use of global positioning system digital mapping technologies, predictive analytic tools, public awareness initiatives including one-call initiatives, the use of mobile devices, and other advanced technologies could supplement existing one-call notification and damage prevention programs to reduce the frequency and severity of incidents caused by excavation damage;

(3) an identification of any methods to improve excavation practices or technologies in an effort to reduce pipeline damage;

(4) an analysis of the feasibility of a national data repository for pipeline excavation accident data that creates standardized data models for storing and sharing pipeline accident information; and

(5) an identification of opportunities for stakeholder engagement in preventing excavation damage.

(c) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives a report containing the results of the study conducted under subsection (a), including recommendations, that include the consideration of technical, operational, and economic feasibility, on how to incorporate into existing damage prevention programs technological improvements and practices that help prevent excavation damage.

SEC. 9. WORKFORCE MANAGEMENT.

(a) **REVIEW.**—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a review of Pipeline and Hazardous Materials Safety Administration staff resource management, including—

(1) geographic allocation plans, hiring and time-to-hire challenges, and expected retirement rates and recruitment and retention strategies;

(2) an identification and description of any previous periods of macroeconomic and pipeline industry conditions under which the Pipeline and Hazardous Materials Safety Administration has encountered difficulty in filling vacancies, and the degree to which special hiring authorities, including direct hiring authority authorized by the Office of Personnel Management, could have ameliorated such difficulty; and

(3) recommendations to address hiring challenges, training needs, and any other identified staff resource challenges.

(b) **DIRECT HIRING.**—Upon identification of a period described in subsection (a)(2), the Administrator of the Pipeline and Hazardous Materials Safety Administration may apply to the Office of Personnel Management for the authority to appoint qualified candidates to any position relating to pipeline safety, as determined by the Administrator, without regard to sections 3309 through 3319 of title 5, United States Code.

(c) **SAVINGS CLAUSE.**—Nothing in this section shall preclude the Administrator of the Pipeline and Hazardous Materials Safety Administration from applying to the Office of Personnel Management for the authority de-

scribed in subsection (b) prior to the completion of the report required under subsection (a).

SEC. 10. INFORMATION-SHARING SYSTEM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation shall convene a working group to consider the development of a voluntary information-sharing system to encourage collaborative efforts to improve inspection information feedback and information sharing with the purpose of improving gas transmission and hazardous liquid pipeline facility integrity risk analysis.

(b) **MEMBERSHIP.**—The working group convened pursuant to subsection (a) shall include representatives from—

(1) the Pipeline and Hazardous Materials Safety Administration;

(2) industry stakeholders, including operators of pipeline facilities, inspection technology, coating, and cathodic protection vendors, and pipeline inspection organizations;

(3) safety advocacy groups;

(4) research institutions;

(5) State public utility commissions or State officials responsible for pipeline safety oversight;

(6) State pipeline safety inspectors;

(7) labor representatives; and

(8) other entities, as determined appropriate by the Secretary.

(c) **CONSIDERATIONS.**—The working group convened pursuant to subsection (a) shall consider and provide recommendations to the Secretary on—

(1) the need for, and the identification of, a system to ensure that dig verification data are shared with in-line inspection operators to the extent consistent with the need to maintain proprietary and security-sensitive data in a confidential manner to improve pipeline safety and inspection technology;

(2) ways to encourage the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis;

(3) opportunities to share data, including dig verification data between operators of pipeline facilities and in-line inspector vendors to expand knowledge of the advantages and disadvantages of the different types of in-line inspection technology and methodologies;

(4) options to create a secure system that protects proprietary data while encouraging the exchange of pipeline inspection information and the development of advanced pipeline inspection technologies and enhanced risk analysis;

(5) means and best practices for the protection of safety- and security-sensitive information and proprietary information; and

(6) regulatory, funding, and legal barriers to sharing the information described in paragraphs (1) through (4).

(d) **PUBLICATION.**—The Secretary shall publish the recommendations provided under subsection (c) on a publicly available Web site of the Department of Transportation.

SEC. 11. NATIONWIDE INTEGRATED PIPELINE SAFETY REGULATORY DATABASE.

(a) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the feasibility of establishing a national integrated pipeline safety regulatory inspec-

tion database to improve communication and collaboration between the Pipeline and Hazardous Materials Safety Administration and State pipeline regulators.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include—

(1) a description of any efforts underway to test a secure information-sharing system for the purpose described in subsection (a);

(2) a description of any progress in establishing common standards for maintaining, collecting, and presenting pipeline safety regulatory inspection data, and a methodology for sharing the data;

(3) a description of any inadequacies or gaps in State and Federal inspection, enforcement, geospatial, or other pipeline safety regulatory inspection data;

(4) a description of the potential safety benefits of a national integrated pipeline safety regulatory inspection database; and

(5) recommendations, including those of stakeholders for how to implement a secure information-sharing system that protects proprietary and security sensitive information and data for the purpose described in subsection (a).

(c) **CONSULTATION.**—In implementing this section, the Secretary shall consult with stakeholders, including each State authority operating under a certification to regulate intrastate pipelines under section 60105 of title 49, United States Code.

(d) **ESTABLISHMENT OF DATABASE.**—The Secretary may establish, if appropriate, a national integrated pipeline safety regulatory database—

(1) after submission of the report required under subsection (a); or

(2) upon notification to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the need to establish such database prior to the submission of the report under subsection (a).

SEC. 12. UNDERGROUND GAS STORAGE FACILITIES.

(a) **DEFINED TERM.**—Section 60101(a) of title 49, United States Code, is amended—

(1) in paragraph (21)(B) by striking the period at the end and inserting a semicolon;

(2) in paragraph (22)(B)(iii) by striking the period at the end and inserting a semicolon;

(3) in paragraph (24) by striking “and” at the end;

(4) in paragraph (25) by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following:

“(26) ‘underground natural gas storage facility’ means a gas pipeline facility that stores natural gas in an underground facility, including—

“(A) a depleted hydrocarbon reservoir;

“(B) an aquifer reservoir; or

“(C) a solution-mined salt cavern reservoir.”.

(b) **STANDARDS FOR UNDERGROUND GAS STORAGE FACILITIES.**—Chapter 601 of title 49, United States Code, is amended by adding at the end the following:

“§ 60141. Standards for underground natural gas storage facilities

“(a) **MINIMUM SAFETY STANDARDS.**—Not later than 2 years after the date of enactment of the PIPES Act of 2016, the Secretary, in consultation with the heads of other relevant Federal agencies, shall issue minimum safety standards for underground natural gas storage facilities.

“(b) **CONSIDERATIONS.**—In developing the safety standards required under subsection (a), the Secretary shall, to the extent practicable—

“(1) consider consensus standards for the operation, environmental protection, and integrity management of underground natural gas storage facilities;

“(2) consider the economic impacts of the regulations on individual gas customers;

“(3) ensure that the regulations do not have a significant economic impact on end users; and

“(4) consider the recommendations of the Aliso Canyon natural gas leak task force established under section 31 of the PIPES Act of 2016.

“(c) **FEDERAL-STATE COOPERATION.**—The Secretary may authorize a State authority (including a municipality) to participate in the oversight of underground natural gas storage facilities in the same manner as provided in sections 60105 and 60106.

“(d) **RULES OF CONSTRUCTION.**—

“(1) **IN GENERAL.**—Nothing in this section may be construed to affect any Federal regulation relating to gas pipeline facilities that is in effect on the day before the date of enactment of the PIPES Act of 2016.

“(2) **LIMITATIONS.**—Nothing in this section may be construed to authorize the Secretary—

“(A) to prescribe the location of an underground natural gas storage facility; or

“(B) to require the Secretary’s permission to construct a facility referred to in subparagraph (A).

“(e) **PREEMPTION.**—A State authority may adopt additional or more stringent safety standards for intrastate underground natural gas storage facilities if such standards are compatible with the minimum standards prescribed under this section.

“(f) **STATUTORY CONSTRUCTION.**—Nothing in this section shall be construed to affect the Secretary’s authority under this title to regulate the underground storage of gas that is not natural gas.”.

(c) **USER FEES.**—Chapter 603 of title 49, United States Code, is amended by inserting after section 60301 the following:

“§ 60302. User fees for underground natural gas storage facilities

“(a) **IN GENERAL.**—A fee shall be imposed on an entity operating an underground natural gas storage facility subject to section 60141. Any such fee imposed shall be collected before the end of the fiscal year to which it applies.

“(b) **MEANS OF COLLECTION.**—The Secretary of Transportation shall prescribe procedures to collect fees under this section. The Secretary may use a department, agency, or instrumentality of the United States Government or of a State or local government to collect the fee and may reimburse the department, agency, or instrumentality a reasonable amount for its services.

“(c) **USE OF FEES.**—

“(1) **ACCOUNT.**—There is established an Underground Natural Gas Storage Facility Safety Account in the Pipeline Safety Fund established in the Treasury of the United States under section 60301.

“(2) **USE OF FEES.**—A fee collected under this section—

“(A) shall be deposited in the Underground Natural Gas Storage Facility Safety Account; and

“(B) if the fee is related to an underground natural gas storage facility subject to section 60141, the amount of the fee may be used only for an activity related to underground natural gas storage facility safety.

“(3) **LIMITATION.**—No fee may be collected under this section, except to the extent that the expenditure of such fee to pay the costs of an activity related to underground nat-

ural gas storage facility safety for which such fee is imposed is provided in advance in an appropriations Act.”.

(d) **CLERICAL AMENDMENTS.**—

(1) **CHAPTER 601.**—The table of sections for chapter 601 of title 49, United States Code, is amended by adding at the end the following:

“60141. Standards for underground natural gas storage facilities.”.

(2) **CHAPTER 603.**—The table of sections for chapter 603 of title 49, United States Code, is amended by inserting after the item relating to section 60301 the following:

“60302. User fees for underground natural gas storage facilities.”.

SEC. 13. JOINT INSPECTION AND OVERSIGHT.

Section 60106 of title 49, United States Code, is amended by adding at the end the following:

“(f) **JOINT INSPECTORS.**—At the request of a State authority, the Secretary shall allow for a certified State authority under section 60105 to participate in the inspection of an interstate pipeline facility.”.

SEC. 14. SAFETY DATA SHEETS.

(a) **IN GENERAL.**—Each owner or operator of a hazardous liquid pipeline facility, following an accident involving such pipeline facility that results in a hazardous liquid spill, shall provide safety data sheets on any spilled hazardous liquid to the designated Federal On-Scene Coordinator and appropriate State and local emergency responders within 6 hours of a telephonic or electronic notice of the accident to the National Response Center.

(b) **DEFINITIONS.**—In this section:

(1) **FEDERAL ON-SCENE COORDINATOR.**—The term “Federal On-Scene Coordinator” has the meaning given such term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) **NATIONAL RESPONSE CENTER.**—The term “National Response Center” means the center described under section 300.125(a) of title 40, Code of Federal Regulations.

(3) **SAFETY DATA SHEET.**—The term “safety data sheet” means a safety data sheet required under section 1910.1200 of title 29, Code of Federal Regulations.

SEC. 15. HAZARDOUS MATERIALS IDENTIFICATION NUMBERS.

Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall issue an advanced notice of proposed rulemaking to take public comment on the petition for rulemaking dated October 28, 2015, titled “Corrections to Title 49 C.F.R. §172.336 Identification numbers; special provisions” (P-1667).

SEC. 16. EMERGENCY ORDER AUTHORITY.

Section 60117 of title 49, United States Code, is amended by adding at the end the following:

“(o) **EMERGENCY ORDER AUTHORITY.**—

“(1) **IN GENERAL.**—If the Secretary determines that an unsafe condition or practice, or a combination of unsafe conditions and practices, constitutes or is causing an imminent hazard, the Secretary may issue an emergency order described in paragraph (3) imposing emergency restrictions, prohibitions, and safety measures on owners and operators of gas or hazardous liquid pipeline facilities without prior notice or an opportunity for a hearing, but only to the extent necessary to abate the imminent hazard.

“(2) **CONSIDERATIONS.**—

“(A) **IN GENERAL.**—Before issuing an emergency order under paragraph (1), the Secretary shall consider, as appropriate, the following factors:

“(i) The impact of the emergency order on public health and safety.

“(ii) The impact, if any, of the emergency order on the national or regional economy or national security.

“(iii) The impact of the emergency order on the ability of owners and operators of pipeline facilities to maintain reliability and continuity of service to customers.

“(B) **CONSULTATION.**—In considering the factors under subparagraph (A), the Secretary shall consult, as the Secretary determines appropriate, with appropriate Federal agencies, State agencies, and other entities knowledgeable in pipeline safety or operations.

“(3) **WRITTEN ORDER.**—An emergency order issued by the Secretary pursuant to paragraph (1) with respect to an imminent hazard shall contain a written description of—

“(A) the violation, condition, or practice that constitutes or is causing the imminent hazard;

“(B) the entities subject to the order;

“(C) the restrictions, prohibitions, or safety measures imposed;

“(D) the standards and procedures for obtaining relief from the order;

“(E) how the order is tailored to abate the imminent hazard and the reasons the authorities under section 60112 and 60117(1) are insufficient to do so; and

“(F) how the considerations were taken into account pursuant to paragraph (2).

“(4) **OPPORTUNITY FOR REVIEW.**—Upon receipt of a petition for review from an entity subject to, and aggrieved by, an emergency order issued under this subsection, the Secretary shall provide an opportunity for a review of the order under section 554 of title 5 to determine whether the order should remain in effect, be modified, or be terminated.

“(5) **EXPIRATION OF EFFECTIVENESS ORDER.**—If a petition for review of an emergency order is filed under paragraph (4) and an agency decision with respect to the petition is not issued on or before the last day of the 30-day period beginning on the date on which the petition is filed, the order shall cease to be effective on such day, unless the Secretary determines in writing on or before the last day of such period that the imminent hazard still exists.

“(6) **JUDICIAL REVIEW OF ORDERS.**—

“(A) **IN GENERAL.**—After completion of the review process described in paragraph (4), or the issuance of a written determination by the Secretary pursuant to paragraph (5), an entity subject to, and aggrieved by, an emergency order issued under this subsection may seek judicial review of the order in a district court of the United States and shall be given expedited consideration.

“(B) **LIMITATION.**—The filing of a petition for review under subparagraph (A) shall not stay or modify the force and effect of the agency’s final decision under paragraph (4), or the written determination under paragraph (5), unless stayed or modified by the Secretary.

“(7) **REGULATIONS.**—

“(A) **TEMPORARY REGULATIONS.**—Not later than 60 days after the date of enactment of the PIPES Act of 2016, the Secretary shall issue such temporary regulations as are necessary to carry out this subsection. The temporary regulations shall expire on the date of issuance of the final regulations required under subparagraph (B).

“(B) **FINAL REGULATIONS.**—Not later than 270 days after such date of enactment, the Secretary shall issue such regulations as are necessary to carry out this subsection. Such regulations shall ensure that the review process described in paragraph (4) contains

the same procedures as subsections (d) and (g) of section 109.19 of title 49, Code of Federal Regulations, and is otherwise consistent with the review process developed under such section, to the greatest extent practicable and not inconsistent with this section.

“(8) IMMINENT HAZARD DEFINED.—In this subsection, the term ‘imminent hazard’ means the existence of a condition relating to a gas or hazardous liquid pipeline facility that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of such death, illness, injury, or endangerment.

“(9) LIMITATION AND SAVINGS CLAUSE.—An emergency order issued under this subsection may not be construed to—

“(A) alter, amend, or limit the Secretary’s obligations under, or the applicability of, section 553 of title 5; or

“(B) provide the authority to amend the Code of Federal Regulations.”.

SEC. 17. STATE GRANT FUNDS.

Section 60107 of title 49, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

“(b) PAYMENTS.—After notifying and consulting with a State authority, the Secretary may withhold any part of a payment when the Secretary decides that the authority is not carrying out satisfactorily a safety program or not acting satisfactorily as an agent. The Secretary may pay an authority under this section only when the authority ensures the Secretary that it will provide the remaining costs of a safety program, except when the Secretary waives this requirement.”; and

(2) by adding at the end the following:

“(e) REPURPOSING OF FUNDS.—If a State program’s certification is rejected under section 60105(f) or such program is otherwise suspended or interrupted, the Secretary may use any undistributed, deobligated, or recovered funds authorized under this section to carry out pipeline safety activities for that State within the period of availability for such funds.”.

SEC. 18. RESPONSE PLANS.

Each owner or operator of a hazardous liquid pipeline facility required to prepare a response plan pursuant to part 194 of title 49, Code of Federal Regulations, shall—

(1) consider the impact of a discharge into or on navigable waters or adjoining shorelines, including those that may be covered in whole or in part by ice; and

(2) include procedures and resources for responding to such discharge in the plan.

SEC. 19. UNUSUALLY SENSITIVE AREAS.

(a) AREAS TO BE INCLUDED AS UNUSUALLY SENSITIVE.—Section 60109(b)(2) of title 49, United States Code, is amended by striking “have been identified as” and inserting “are part of the Great Lakes or have been identified as coastal beaches, marine coastal waters,”.

(b) UNUSUALLY SENSITIVE AREAS (USA) ECOLOGICAL RESOURCES.—The Secretary of Transportation shall revise section 195.6(b) of title 49, Code of Federal Regulations, to explicitly state that the Great Lakes, coastal beaches, and marine coastal waters are USA ecological resources for purposes of determining whether a pipeline is in a high consequence area (as defined in section 195.450 of such title).

SEC. 20. PIPELINE SAFETY TECHNICAL ASSISTANCE GRANTS.

(a) PUBLIC PARTICIPATION LIMITATION.—Section 60130(a)(4) of title 49, United States Code, is amended by inserting “on technical pipeline safety issues” after “public participation”.

(b) AUDIT.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit to the Secretary of Transportation, the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report evaluating the grant program under section 60130 of title 49, United States Code. The report shall include—

(1) a list of the recipients of all grant funds during fiscal years 2010 through 2015;

(2) a description of how each grant was used;

(3) an analysis of the compliance with the terms of grant agreements, including subsections (a) and (b) of such section;

(4) an evaluation of the competitive process used to award the grant funds; and

(5) an evaluation of—

(A) the ability of the Pipeline and Hazardous Materials Safety Administration to oversee grant funds and usage; and

(B) the procedures used for such oversight.

SEC. 21. STUDY OF MATERIALS AND CORROSION PREVENTION IN PIPELINE TRANSPORTATION.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a study on materials, training, and corrosion prevention technologies for gas and hazardous liquid pipeline facilities.

(b) REQUIREMENTS.—The study required under subsection (a) shall include—

(1) an analysis of—

(A) the range of piping materials, including plastic materials, used to transport hazardous liquids and natural gas in the United States and in other developed countries around the world;

(B) the types of technologies used for corrosion prevention, including coatings and cathodic protection;

(C) common causes of corrosion, including interior and exterior moisture buildup and impacts of moisture buildup under insulation; and

(D) the training provided to personnel responsible for identifying and preventing corrosion in pipelines, and for repairing such pipelines;

(2) the extent to which best practices or guidance relating to pipeline facility design, installation, operation, and maintenance, including training, are available to recognize or prevent corrosion;

(3) an analysis of the estimated costs and anticipated benefits, including safety benefits, associated with the use of such materials and technologies; and

(4) stakeholder and expert perspectives on the effectiveness of corrosion control techniques to reduce the incidence of corrosion-related pipeline failures.

SEC. 22. RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit to the Com-

mittee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report regarding the Pipeline and Hazardous Materials Safety Administration’s research and development program carried out under section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note). The report shall include an evaluation of—

(1) compliance with the consultation requirement under subsection (d)(2) of such section;

(2) the extent to which the Pipeline and Hazardous Materials Safety Administration enters into joint research ventures with Federal and non-Federal entities, and benefits thereof;

(3) the policies and procedures the Pipeline and Hazardous Materials Safety Administration has put in place to ensure there are no conflicts of interest with administering grants pursuant to the program, and whether those policies and procedures are being followed; and

(4) an evaluation of the outcomes of research conducted with Federal and non-Federal entities and the degree to which such outcomes have been adopted or utilized.

(b) COLLABORATIVE SAFETY RESEARCH REPORT.—

(1) BIENNIAL REPORTS.—Section 60124(a)(6) of title 49, United States Code, is amended—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) a summary of each research and development project carried out with Federal and non-Federal entities pursuant to section 12 of the Pipeline Safety Improvement Act of 2002 and a review of how the project affects safety.”.

(2) PIPELINE SAFETY IMPROVEMENT ACT.—Section 12 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 60101 note) is amended—

(A) by striking subsection (d)(3)(C) and inserting the following:

“(C) FUNDING FROM NON-FEDERAL SOURCES.—The Secretary shall ensure that—

“(i) at least 30 percent of the costs of technology research and development activities may be carried out using non-Federal sources;

“(ii) at least 20 percent of the costs of basic research and development with universities may be carried out using non-Federal sources; and

“(iii) up to 100 percent of the costs of research and development for purely governmental purposes may be carried out using Federal funds.”; and

(B) by adding at the end the following:

“(h) INDEPENDENT EXPERTS.—Not later than 180 days after the date of enactment of the PIPES Act of 2016, the Secretary shall—

“(1) implement processes and procedures to ensure that activities listed under subsection (c), to the greatest extent practicable, produce results that are peer-reviewed by independent experts and not by persons or entities that have a financial interest in the pipeline, petroleum, or natural gas industries, or that would be directly impacted by the results of the projects; and

“(2) submit to the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Committee on Science, Space, and Technology of the

House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the processes and procedures implemented under paragraph (1).

“(i) **CONFLICT OF INTEREST.**—The Secretary shall take all practical steps to ensure that each recipient of an agreement under this section discloses in writing to the Secretary any conflict of interest on a research and development project carried out under this section, and includes any such disclosure as part of the final deliverable pursuant to such agreement. The Secretary may not make an award under this section directly to a pipeline owner or operator that is regulated by the Pipeline and Hazardous Materials Safety Administration or a State-certified regulatory authority if there is a conflict of interest relating to such owner or operator.”.

SEC. 23. ACTIVE AND ABANDONED PIPELINES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall issue an advisory bulletin to owners and operators of gas or hazardous liquid pipeline facilities and Federal and State pipeline safety personnel regarding procedures of the Pipeline and Hazardous Materials Safety Administration required to change the status of a pipeline facility from active to abandoned, including specific guidance on the terms recognized by the Secretary for each pipeline status referred to in such advisory bulletin.

SEC. 24. STATE PIPELINE SAFETY AGREEMENTS.

(a) **STUDY.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall complete a study on State pipeline safety agreements made pursuant to section 60106 of title 49, United States Code. Such study shall consider the following:

(1) The integration of Federal and State or local authorities in carrying out activities pursuant to an agreement under such section.

(2) The estimated staff and other resources used by Federal and State authorities in carrying out inspection activities pursuant to agreements under such section.

(3) The estimated staff and other resources used by the Pipeline and Hazardous Materials Safety Administration in carrying out interstate inspections in areas where there is no interstate agreement with a State pursuant to such section.

(b) **NOTICE REQUIREMENT FOR DENIAL.**—Section 60106(b) of title 49, United States Code, is amended by adding at the end the following:

“(4) **NOTICE UPON DENIAL.**—If a State authority requests an interstate agreement under this section and the Secretary denies such request, the Secretary shall provide written notification to the State authority of the denial that includes an explanation of the reasons for such denial.”.

SEC. 25. REQUIREMENTS FOR CERTAIN HAZARDOUS LIQUID PIPELINE FACILITIES.

Section 60109 of title 49, United States Code, is amended by adding at the end the following:

“(g) **HAZARDOUS LIQUID PIPELINE FACILITIES.**—

“(1) **INTEGRITY ASSESSMENTS.**—Notwithstanding any pipeline integrity management program or integrity assessment schedule otherwise required by the Secretary, each operator of a pipeline facility to which this subsection applies shall ensure that pipeline integrity assessments—

“(A) using internal inspection technology appropriate for the integrity threat are com-

pleted not less often than once every 12 months; and

“(B) using pipeline route surveys, depth of cover surveys, pressure tests, external corrosion direct assessment, or other technology that the operator demonstrates can further the understanding of the condition of the pipeline facility are completed on a schedule based on the risk that the pipeline facility poses to the high consequence area in which the pipeline facility is located.

“(2) **APPLICATION.**—This subsection shall apply to any underwater hazardous liquid pipeline facility located in a high consequence area—

“(A) that is not an offshore pipeline facility; and

“(B) any portion of which is located at depths greater than 150 feet under the surface of the water.

“(3) **HIGH CONSEQUENCE AREA DEFINED.**—For purposes of this subsection, the term ‘high consequence area’ has the meaning given that term in section 195.450 of title 49, Code of Federal Regulations.

“(4) **INSPECTION AND ENFORCEMENT.**—The Secretary shall conduct inspections under section 60117(c) to determine whether each operator of a pipeline facility to which this subsection applies is complying with this section.”.

SEC. 26. STUDY ON PROPANE GAS PIPELINE FACILITIES.

(a) **IN GENERAL.**—The Secretary of Transportation shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study examining the safety, regulatory requirements, techniques, and best practices applicable to pipeline facilities that transport or store only petroleum gas or mixtures of petroleum gas and air to 100 or fewer customers, in accordance with the requirements of this section.

(b) **REQUIREMENTS.**—In conducting the study pursuant to subsection (a), the Transportation Research Board shall analyze—

(1) Federal, State, and local regulatory requirements applicable to pipeline facilities described in subsection (a);

(2) techniques and best practices relating to the design, installation, operation, and maintenance of such pipeline facilities; and

(3) the costs and benefits, including safety benefits, associated with such applicable regulatory requirements and the use of such techniques and best practices.

(c) **PARTICIPATION.**—In conducting the study pursuant to subsection (a), the Transportation Research Board shall consult with Federal, State, and local governments, private sector entities, and consumer and pipeline safety advocates, as appropriate.

(d) **DEADLINE.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of the study conducted pursuant to subsection (a) and any recommendations for improving the safety of such pipeline facilities.

(e) **DEFINITION.**—In this section, the term “petroleum gas” has the meaning given that term in section 192.3 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this Act.

SEC. 27. STANDARDS FOR CERTAIN LIQUEFIED NATURAL GAS PIPELINE FACILITIES.

(a) **NATIONAL SECURITY.**—Section 60103(a) of title 49, United States Code, is amended—

(1) in paragraph (5), by striking “; and” and inserting a semicolon;

(2) in paragraph (6), by striking the period and inserting “; and”; and

(3) by inserting after paragraph (6) the following:

“(7) national security.”.

(b) **UPDATE TO MINIMUM SAFETY STANDARDS.**—The Secretary of Transportation shall review and update the minimum safety standards prescribed pursuant to section 60103 of title 49, United States Code, for permanent, small scale liquefied natural gas pipeline facilities.

(c) **SAVINGS CLAUSE.**—Nothing in this section shall be construed to limit the Secretary’s authority under chapter 601 of title 49, United States Code, to regulate liquefied natural gas pipeline facilities.

SEC. 28. PIPELINE ODORIZATION STUDY.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives that assesses—

(1) the feasibility, costs, and benefits of odorizing all combustible gas in pipeline transportation; and

(2) the affects of the odorization of all combustible gas in pipeline transportation on—

(A) manufacturers, agriculture, and other end users; and

(B) public health and safety.

SEC. 29. REPORT ON NATURAL GAS LEAK REPORTING.

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration shall submit to Congress a report on the metrics provided to the Pipeline and Hazardous Materials Safety Administration and other Federal and State agencies related to lost and unaccounted for natural gas from distribution pipelines and systems.

(b) **ELEMENTS.**—The report required under subsection (a) shall include the following elements:

(1) An examination of different reporting requirements or standards for lost and unaccounted for natural gas to different agencies, the reasons for any such discrepancies, and recommendations for harmonizing and improving the accuracy of reporting.

(2) An analysis of whether separate or alternative reporting could better measure the amounts and identify the location of lost and unaccounted for natural gas from natural gas distribution systems.

(3) A description of potential safety issues associated with natural gas that is lost and unaccounted for from natural gas distribution systems.

(4) An assessment of whether alternate reporting and measures will resolve any safety issues identified under paragraph (3), including an analysis of the potential impact, including potential savings, on rate payers and end users of natural gas products of such reporting and measures.

(c) **CONSIDERATION OF RECOMMENDATIONS.**—If the Administrator determines that alternate reporting structures or recommendations included in the report required under subsection (a) would significantly improve the reporting and measurement of lost and unaccounted for gas and safety of natural gas distribution systems, the Administrator shall, not later than 1 year after making such determination, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 30. REVIEW OF STATE POLICIES RELATING TO NATURAL GAS LEAKS.

(a) **REVIEW.**—The Administrator of the Pipeline and Hazardous Materials Safety Administration shall conduct a State-by-State review of State-level policies that—

(1) encourage the repair and replacement of leaking natural gas distribution pipelines or systems that pose a safety threat, such as timelines to repair leaks and limits on cost recovery from ratepayers; and

(2) may create barriers for entities to conduct work to repair and replace leaking natural gas pipelines or distribution systems.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the review conducted under subsection (a) and recommendations on Federal or State policies or best practices to improve safety by accelerating the repair and replacement of natural gas pipelines or systems that are leaking or releasing natural gas. The report shall consider the potential impact, including potential savings, of the implementation of such recommendations on ratepayers or end users of the natural gas pipeline system.

(c) **IMPLEMENTATION OF RECOMMENDATIONS.**—If the Administrator determines that the recommendations made under subsection (b) would significantly improve pipeline safety, the Administrator shall, not later than 1 year after making such determination, and in coordination with the heads of other relevant agencies as appropriate, issue regulations, as the Administrator determines appropriate, to implement the recommendations.

SEC. 31. ALISO CANYON NATURAL GAS LEAK TASK FORCE.

(a) **ESTABLISHMENT OF TASK FORCE.**—Not later than 15 days after the date of enactment of this Act, the Secretary of Energy shall lead and establish an Aliso Canyon natural gas leak task force.

(b) **MEMBERSHIP OF TASK FORCE.**—In addition to the Secretary, the task force established under subsection (a) shall be composed of—

(1) 1 representative from the Department of Transportation;

(2) 1 representative from the Department of Health and Human Services;

(3) 1 representative from the Environmental Protection Agency;

(4) 1 representative from the Department of the Interior;

(5) 1 representative from the Department of Commerce;

(6) 1 representative from the Federal Energy Regulatory Commission; and

(7) representatives of State and local governments, as determined appropriate by the Secretary and the Administrator.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the task force established under subsection (a) shall submit a final report that contains the information described in paragraph (2) to—

(A) the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Natural Resources of the House of Representatives;

(C) the Committee on Environment and Public Works of the Senate;

(D) the Committee on Transportation and Infrastructure of the House of Representatives;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Energy and Commerce of the House of Representatives;

(G) the Committee on Health, Education, Labor, and Pensions of the Senate;

(H) the Committee on Education and the Workforce of the House of Representatives;

(I) the President; and

(J) relevant Federal and State agencies.

(2) **INFORMATION INCLUDED.**—The report submitted under paragraph (1) shall include—

(A) an analysis and conclusion of the cause and contributing factors of the Aliso Canyon natural gas leak;

(B) an analysis of measures taken to stop the natural gas leak, with an immediate focus on other, more effective measures that could be taken;

(C) an assessment of the impact of the natural gas leak on—

(i) health, safety, and the environment;

(ii) wholesale and retail electricity prices; and

(iii) the reliability of the bulk-power system;

(D) an analysis of how Federal, State, and local agencies responded to the natural gas leak;

(E) in order to lessen the negative impacts of leaks from underground natural gas storage facilities, recommendations on how to improve—

(i) the response to a future leak; and

(ii) coordination between all appropriate Federal, State, and local agencies in the response to the Aliso Canyon natural gas leak and future natural gas leaks;

(F) an analysis of the potential for a similar natural gas leak to occur at other underground natural gas storage facilities in the United States;

(G) recommendations on how to prevent any future natural gas leaks;

(H) recommendations regarding Aliso Canyon and other underground natural gas storage facilities located in close proximity to residential populations;

(I) any recommendations on information that is not currently collected but that would be in the public interest to collect and distribute to agencies and institutions for the continued study and monitoring of natural gas storage infrastructure in the United States; and

(J) any other recommendations, as appropriate.

(3) **PUBLICATION.**—The final report under paragraph (1) shall be made available to the public in an electronically accessible format.

(4) **FINDINGS.**—If, before the final report is submitted under paragraph (1), the task force established under subsection (a) finds methods to solve the natural gas leak at Aliso Canyon, finds methods to better protect the affected communities, or finds methods to help prevent other leaks, the task force shall immediately submit such findings to the entities described in subparagraphs (A) through (J) of paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous material on S. 2276, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENHAM. Mr. Speaker, I yield myself such time as I may consume.

I thank the Chair for the time to express my support for the Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016. This is the PIPES Act of 2016.

The United States has the largest network of energy pipelines in the world—over 2.6 million miles of pipe. Pipelines are a critical part of our energy infrastructure, with over 64 percent of our energy being transported by our pipes within this country. The sustained oversight of the Department of Transportation's pipeline safety programs is critical for pipelines to continue to safely transport our energy products.

This bill was developed in a bipartisan manner over the past several years. My subcommittee held a number of hearings and roundtables to hear from stakeholders on the need for reauthorization. On April 20, the Transportation and Infrastructure Committee unanimously approved our bill. Similarly, the Energy and Commerce Committee, with which we share jurisdiction, passed its version on April 27. Since then, both House committees have worked on a bipartisan basis to meld this version with the Senate's version, which passed last December. This collaborative, constructive process has resulted in the bill we are considering today, which we believe is a solid safety improvement.

First, we require PHMSA to set minimum Federal standards for underground natural gas storage facilities—a critical issue for my home State of California after the Aliso Canyon leak.

We make sure PHMSA is focused on finishing outstanding issues from the last reauthorization by requiring PHMSA to update Congress every 90 days on its progress.

The bill also authorizes emergency order authority for the pipeline sector but with important preorder requirements to make sure, if the DOT uses such authority, it does it right.

This legislation promotes the better use of data and technology to improve safety, including studying the latest innovations in pipeline materials and corrosion prevention.

Ultimately, our goal is to make sure that we have the safest pipeline network in the world.

We have worked in a bipartisan, bicameral manner to develop this bill. I believe that this bill will improve the safety of our pipeline infrastructure.

I thank Messrs. CAPUANO, SHUSTER, and DeFAZIO for their work on this bill. I also thank Energy and Commerce Committee Chairman UPTON, who has

worked tirelessly on this with Ranking Member PALLONE. Lastly, I thank the Senate Committee on Commerce, Science, & Transportation for its hard work. Together, we have made a great bill that will create a safer infrastructure for our pipelines.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Speaker, I yield myself such time as I may consume.

As you have just heard, this is a great piece of legislation. This is exactly the way that Congress is supposed to work. We had our differences, but we worked them out because everybody gave a little bit to get to the middle—to get something good for America. This is the kind of bill that, on an average day, will not get any of us elected or unelected, but it is something that is good for the safety of America on pipelines and hazardous materials.

I would like to point out just a few items that, I think, are particularly important:

For the first time, we have added an emergency order authority so that our regulators, when there is a problem, can quickly address it as opposed to having to wait around and let it burn out on its own;

We added some provisions in there to boost funding to the States and the localities so that they can train their own people on how to deal with these things, because they are, after all, the first responders;

We added some information relative to oil spill response plans. For me, I thought it was very important that we added a section that makes sure that there are no conflicts of interest on the studies done by PHMSA, on which we rely.

There are many other provisions in this bill that are deserving of our support—as always, like with any bill. Any one of us can point out things that we don't like or that we wanted more on, but that is what compromise is all about. I am proud to be here again with another bill that comes out of the Committee on Transportation and Infrastructure and for the traditional way that we have worked for many, many years in a bipartisan way.

I thank Messrs. DENHAM, SHUSTER, and DEFAZIO, all of the members of the Transportation and Infrastructure Committee and the members of the Energy and Commerce Committee.

This particular bill is more difficult than usual because there were two committees involved. It makes four different sides and eight different sides on the House, plus the Senate; yet we did it in a reasonable fashion and in a relatively quick way. It proves the system can work when you have people at the table who want it to work.

I thank everybody who has been involved with this, and I look forward to the passage of the bill.

I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, I appreciate the opportunity to support this legislation today and to commend the committees for their work on pipeline safety and pipeline safety improvement. I also have to take this opportunity, because the committee has done very good work on the FAST Act, to talk about rail safety.

This rail accident occurred over the weekend just 7 miles from my home in the national scenic area of the Columbia River Gorge. I was there not long after it happened. I met with the incident commanders. I met with the fire chief. I met with city officials and county officials. Let me just say that, while you are protecting pipelines—and that is really important—we need to continue to make progress on rail safety and to make sure that the new cars that were ordered by this Congress get put into service, especially in these critical waterway areas, as soon as possible. We need to make sure that track improvements are required—that new fasteners are used to deal with issues where, in this case, perhaps, it is a track separation issue. We need to make sure that our first responders get all of the training and that the Department of Transportation finishes its work on its rule for spill response and for safety.

This is a critically important issue for the people I represent on both the Oregon and Washington sides of the Columbia River because these trains are going through, and we are having these kinds of situations. We need to make sure we have the most up-to-date safety, the most up-to-date training, and the safest cars and tracks possible. We are going to stay on this until that happens.

Mr. CAPUANO. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. I thank my friend from Massachusetts.

Mr. Speaker, I want to echo what Mr. CAPUANO said about the bipartisan nature of this bill and in our working together between the two committees to achieve success.

The vast network of energy pipelines in this country is essentially out of sight, out of mind for most Americans, but when something goes wrong, these facilities can make themselves known in devastating and sometimes deadly ways.

This is something that both Representative CAPPS and Representative SHERMAN, unfortunately, have experienced since the start of this Congress. My own district experienced the devastation of a pipeline failure in 1994 when a pipeline exploded in Edison, New Jersey, and destroyed about 300 homes.

Ever since then, I have sought to make our Nation's pipelines safer by making the law and its regulator stronger.

The legislation before us, while not the bill that maybe we would have written, as Mr. CAPUANO said, is a good proposal that moves the ball forward on safety. It is the result of a number of weeks of bipartisan, bicameral negotiations. While some compromises were made, this is a product that in many ways is greater than the sum of its parts. I am particularly pleased that it includes versions of important provisions that were authored by a number of Energy and Power Subcommittee members, including Mrs. CAPPS, Messrs. GREEN, ENGEL, MCNERNEY, and WELCH, and Ranking Member BOBBY RUSH.

In particular, the House amendment gives the Secretary of Transportation, for the first time ever, emergency order authority to address the threats to public health, safety, and the environment that are posed by dangerous pipelines on a comprehensive, industrywide basis. It also changes the existing pipeline safety information grant program, which helps ensure adequate funding of pipeline safety technical assistance grants to communities and nonprofit organizations. I am pleased that the legislation improves the protection of coastal beaches and marine coastal waters—areas that are vital to my district and to the districts of many others—by explicitly designating them as areas that are unusually sensitive to the environmental damage that is caused by pipeline failures. It also contains a provision that establishes a program for regulating underground natural gas storage facilities.

I urge the passage of the bill.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), the full committee chair of the Energy and Commerce Committee.

Mr. UPTON. Mr. Speaker, pipeline safety is especially personal for me. Back in 2010, we experienced a bad spill just outside of my district in southwest Michigan that impacted the Kalamazoo River. Ask anyone who was directly affected. Seeing the aftermath firsthand smacks the senses and leaves a lasting impression. While a spill can happen in an instant, the damage can take decades and, in fact, more than \$1 billion to fix. Underscoring the need for strong safety laws is what this bill does.

Congress asked the Department of Transportation's Pipeline and Hazardous Materials Safety Administration—that is PHMSA for short—to develop and enforce pipeline safety regulations. PHMSA doesn't do the job by itself. It relies heavily on partnerships with States and local governments to inspect the pipelines and, yes, to enforce the law; but the reality is that more can be done to prevent accidents from occurring and to mitigate spills when the unthinkable happens.

□ 1730

The amendment to the Senate bill before us today, this bill, incorporates texts from two House bills, which were both approved unanimously in committee: H.R. 5050, the Pipeline Safety Act, which passed the Committee on Energy and Commerce; and H.R. 4937, the PIPES Act of 2016, which passed the Transportation and Infrastructure Committee.

This important legislation will reauthorize PHMSA's pipeline safety through 2019, press PHMSA to complete overdue safety regs, and impose additional new safety requirements for pipeline operators.

I have often said that pipelines should be subject to greater scrutiny and more frequent inspections, and those that cross the Straits of Mackinac are a perfect example. The Straits of Mackinac is a narrow waterway that separates Michigan's two peninsulas. It connects Lake Michigan and Lake Huron. The exceptionally strong and complex currents hundreds of feet deep make this area tremendously sensitive. If a spill were to occur, the consequences would be unthinkable.

Our solution improves protections for the Great Lakes and other areas around the country where the threat of a spill poses the greatest risk to public safety and the environment. It also requires pipeline operators to consider a worst-case discharge into icy waters and conduct more frequent and transparent and, in some cases, annual inspections of deep underwater crossings. This bill does that.

We also update and improve PHMSA's pipeline safety program in a number of other ways by closing the gaps in Federal standards for underground natural gas storage and liquefied natural gas facilities. It promotes better use of data and technology and improves communication with pipeline operators to incorporate the lessons learned from past incidents.

We promised action, and today that is what this bill does. I am proud of the bipartisan agreement that will make a real difference. I am proud of the relationship that our committee has with Chairman SHUSTER and the House Transportation and Infrastructure Committee and all the good work that everyone has done—Mr. PALLONE, Mr. RUSH, and our colleagues in the Senate. This is a bipartisan bill. Let's get 'er done.

Mr. CAPUANO. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I rise in support of the Protecting our Infrastructure of Pipelines and Enhancing Safety Act, the PIPES bill.

I thank the chairmen of the subcommittee, the full committee, and also the members of the Energy and

Commerce Committee, Representative MIKE CAPUANO, and members of the Energy and Commerce Committee on our side. This is a good bipartisan product, something that is pretty rare around here these days.

It reauthorizes the Department of Transportation's pipeline safety program for 4 years and includes a number of important measures that will better protect our communities, ensuring that pipelines are a safe means to transport natural gas, hazardous liquids, and crude oil.

Most importantly, this bill gives the Secretary of Transportation new emergency order authority to impose certain emergency restrictions and safety measures on pipeline operators to address an imminent hazard resulting from an incident or an unsafe practice, which is authority that doesn't currently exist.

Here is a good example. Fairly recently, we had a defective pipeline from China. We shouldn't be buying pipeline from China. But anyway, we had some defective, junky Chinese product pipeline, and there was an incident. But the administrator of the Pipeline and Hazardous Safety Materials Agency does not have the authority to order a nationwide inspection or removal of an imminent hazard, i.e., defective Chinese pipeline. All they could do was voluntary guidance.

Now, we will have emergency order authority. Some were concerned that they would use this as a way to end-run the regulatory process on other matters that are not an imminent hazard to health and safety, and there are provisions in the bill that would prevent that.

We are also pushing them to complete the mandates of the last bill, 2011, a bipartisan bill, where they have 16 mandates that Congress required that we felt were needed and prudent. And they are not through the regulatory process as yet. So we are moving them forward on that, and hopefully, the trolls down at the Office of Management and Budget who hold these things up—hello, do you live near a pipeline—that they will get the message and they will get these vital provisions that have been too long delayed.

It gives Federal, State, and emergency local responders MSDS sheets, safety sheets, so we know what the oil is. We have had past spills where we couldn't figure out what they were dealing with for days, and that is not acceptable.

It gives the agency the authority to have standards for underground natural gas storage facilities, but it allows States like Oregon, which has seven of these, to go above those standards so that the States can better protect their citizens.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAPUANO. Mr. Speaker, I yield the gentleman from Oregon an additional 1 minute.

Mr. DEFAZIO. Mr. Speaker, it would put a small fee on operators of underground storage tanks that would help to support the safety programs.

I would say with respect to funding, the bill is funded at current baseline levels. We should have provided them additional funds to carry out their numerous pipeline safety missions, but unfortunately, we couldn't reach bipartisan agreement on providing additional resources.

This bill does, however, increase grants to States to help them carry out their intrastate pipeline safety programs. It reauthorizes funding for pipeline safety information grants to communities, which are important to my constituents.

There are pipelines in places that no one is aware. There is one that runs down the middle of the Willamette Valley, all the way down, that supplies the Eugene Airport and a storage facility down in Eugene. A number of years ago, there was a news story, like: what pipeline? There are new developments going in. The signs are buried under blackberry bushes, and people aren't aware of these things. So we have to make certain those pipelines are safe.

The new provisions for coastal areas are absolutely critical to make sure those are maintained at the highest standard and built to the highest standard in other critical resource areas.

All in all, I congratulate my colleagues and recommend this bill.

Mr. DENHAM. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I rise today in support of the PIPES Act. I want to commend Chairman DENHAM, Ranking Member CAPUANO, and Ranking Member DEFAZIO for all the work they have put into this bill. I also want to thank Chairman FRED UPTON from the Energy and Commerce Committee for the great relationship we have been able to develop. In these bills, we share jurisdiction, so we have been able to work and incorporate provisions from both the committees.

I also want to thank my colleagues on the Senate Commerce, Science, and Transportation Committee who have worked with us over the past month to produce the legislation we are considering today.

Pipelines are vital for getting energy products to markets and users. It is one of the safest modes of transportation, if not the safest. I believe this bill will build on the safety advances that we have been making.

Congress last authorized the pipeline safety bill in 2011, and that bipartisan act charged DOT with updating regulations and procedures across a host of

issues. But DOT needs to finish out those provisions, and this bill includes strong transparency and reporting requirements to keep pressure to finish the 2011 work.

Another major provision in this act provides PHMSA with emergency order authority for pipelines. Most other Department of Transportation modal administrations have EO authority, which allows regulators to act quickly when they identify an industrywide safety issue that poses an imminent hazard to the public.

As we crafted this language, we took great care to balance a variety of concerns. This bill maintains the Transportation Committee language that requires PHMSA to consult with industry stakeholders and other regulators prior to issuing an EO so that PHMSA understands the potential impact on the economy, end users, and safety.

We also included extensive due process procedures on the back end so that if the agency makes a wrong call, affected parties will have redress, both administratively and judicially.

PHMSA is also required to issue regulations to carry out this authority, including requiring administrative law judge procedures that mirror similar requirements in the hazmat EO authority.

This is a good bill. It builds on the work that we did in 2011. It is developed in a bipartisan, bicameral manner.

Again, I thank Mr. CAPUANO, Mr. DENHAM, Mr. DEFazio, Mr. UPTON, Mr. PALLONE, and the Senate for their work and their leadership on this bill.

Mr. CAPUANO. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of the Subcommittee on Energy and Power—which, of course, I love that name—from the Energy and Commerce Committee.

Mr. RUSH. Mr. Speaker, I would like to acknowledge some of my colleagues who worked together diligently with my office to draft this bipartisan PIPES Act that will help to modernize and secure our Nation's vast network of energy pipeline infrastructure.

Specifically, Mr. Speaker, I recognize my colleagues from the Energy and Commerce Committee, including Chairman UPTON and Ranking Member PALLONE, as well as Energy and Power Subcommittee Chairman ED WHITFIELD.

Additionally, Mr. Speaker, I would like to acknowledge my colleagues from the Transportation and Infrastructure Committee, including Chairman SHUSTER and Ranking Member DEFazio, as well as Railroads, Pipelines, and Hazardous Materials Subcommittee Chairman DENHAM and Ranking Member CAPUANO, the fine gentleman from Massachusetts.

Mr. Speaker, this bipartisan piece of legislation improves safety by closing

gaps in Federal standards and improving protection of coastal areas, including the Great Lakes.

Additionally, this bill will enhance the quality and timeliness of Pipeline and Hazardous Material Safety Administration rulemakings, promote better use of data and technology to improve pipeline safety, and leverage Federal and State pipeline safety resources to assist State and local communities.

Mr. Speaker, this is a fine piece of bipartisan legislation, and I am honored and privileged to stand before the House and ask all of my colleagues to support this outstanding bipartisan piece of legislation.

Mr. DENHAM. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the chairman for yielding.

Mr. Speaker, I certainly rise in strong support of this legislation, which really includes some critical protections for one of our Nation's most precious assets. And that, of course, is the Great Lakes, which has 20 percent of our Nation's freshwater drinking supply, as well as it provides hundreds of jobs and billions of dollars of economic activity.

Today, there are millions of gallons per day of hazardous liquids which are transported through a number of lines in the Great Lakes. Mr. Speaker, we absolutely need energy in all transparency. We need the energy, but we need to make sure that we are transiting in a very safe and environmentally secure way because there is zero room for error in the Great Lakes.

There is a 62-year-old pipeline that is called line 5 that runs under the Straits of Mackinac, which is right in between Lake Huron and Lake Michigan. Any rupture there would be very, very difficult, if not impossible, to contain. This bill has a number of provisions in regards to line 5, for instance, that would conduct internal integrity assessments at least once a year.

This bill also designates the Great Lakes as a USA ecological resource, which is very important.

As well, it also makes sure that we have emergency spill response plans if, in the case of ice coverage, which really considers the unique environment of the Great Lakes.

In regards to Enbridge, there is also a line 6B which runs under the Saint Clair River, which is in my district. A number of years ago—and Chairman UPTON was talking about this particular line that had a spill just outside of his district—but this part of 6B runs under something called the Saint Clair River, again, a very environmentally sensitive artery for the Great Lakes.

We talked to Enbridge. And long story short, they came to the right conclusion there. They actually completely replaced almost 3,600 feet of this pipeline under the Saint Clair

River. So they did the right thing there. They had been reluctant to address that.

Again, we need the energy, Mr. Speaker, but we need to make sure that we are transiting energy in a very safe way and in an environmentally sensitive way. I think this bill today goes a long way to address many of the concerns that we have had in the Great Lakes.

I thank Chairman DENHAM again for yielding the time and for taking these issues into consideration.

Mr. CAPUANO. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), my friend who serves on the Energy and Commerce Committee.

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleagues from the Transportation and Infrastructure Committee for letting us Energy and Commerce folks have some time.

According to the Congressional Research Service, the United States has more than 2.9 million miles of pipelines in our vast network. According to the Texas Pipeline Association, Texas has more than 320,000 miles of intrastate pipelines.

□ 1745

As a lifelong Houstonian, there has never been a time in my life when I haven't lived along a pipeline easement. Needless to say, in Texas, we know pipelines, but we also know about the importance of safety.

Every day, industry moves millions of gallons or cubic feet of domestically produced and refined product without any problems. Since 2005, the United States has seen a general decline in the number of pipeline releases or accidents that result in environmental damage or personal injury.

We understand that the compounds moved via pipeline pose a risk, and we must effectively manage and mitigate that risk to protect our citizens and the environment. Today I think we are taking another step in the right direction.

The bill before the House today is a good bill that attempts to lay down concrete rules of the road for the next 5 years. For the sake of our constituencies, we need to pass this bipartisan bill in a bipartisan way. I would like to voice my support for this bill and ask my colleagues on both sides of the aisle to do the same.

Four years ago we gave PHMSA a job to do. While some of their work has been completed, there is still work to do. That is why this bill directs PHMSA to prioritize rulemaking and complete the work before them. We should not continue to add requirements on their plate. We should allow PHMSA the time and, most importantly, give them the resources required to finish this important job. I would like to express support for the

PHMSA workforce management language.

We need inspectors in the field working closely with their industry partners to avoid another emergency situation. In my opinion, robust inspection is the best option available for everyone involved. If we reach the enforcement stage, that means something has gone wrong and we are too late. Industry, PHMSA, and the workers support this provision.

The second provision I would like to support is the emergency authority for PHMSA. While this provision may not be perfect, it represents a strong balance between enforcement and review. It is important to keep in mind that this is emergency authority. Unfortunately, when there is an incident involving a pipeline, we need to act with speed, efficiency, and resolve.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. CAPUANO. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. GENE GREEN of Texas. Mr. Speaker, I want our executive agencies on the scene ensuring we are protecting the people and the environment. We must ensure that people have confidence in the pipeline system, and effective crisis management will help build that belief.

I appreciate the hard work that went into crafting this provision. Compromise is not easy, so I want to thank both sides for drafting these provisions. I know there is more work ahead, but I look forward to supporting the current bill.

Mr. DENHAM. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Speaker, on October 23, a gas leak was discovered at one of the 115 wells at the Aliso Canyon natural gas storage facility located in my district near Porter Ranch, California. I want to thank Congressman BRAD SHERMAN, who lives in Porter Ranch and was a great partner in this terrible tragedy, making sure that people were taken care of and we could move past this and move quickly to getting this taken care of.

This leak persisted for 118 days and was recognized as one of the largest disasters of 2015. During this time, residents of the surrounding neighborhoods suffered. Some temporarily relocated their families. Two schools were permanently relocated, at least for that semester, and many businesses were put on hold.

As the Representative for Porter Ranch, my immediate priority was to protect my constituents who live there and then ensure that this situation was resolved as quickly as possible. At the same time, I wanted to make sure that a crisis like this can never happen in our communities again. Today we take a giant step forward in doing just that.

In February, I introduced the Natural Gas Leak Prevention Act, which would require the Secretary of Transportation to issue adequate safety standards for natural gas storage facilities like Aliso Canyon in Porter Ranch and another very large facility, Honor Rancho in Valencia, which is also in my district.

The SAFE PIPES Act contains the language from the Natural Gas Leak Prevention Act as well as provisions to create an Aliso Canyon task force that would investigate the causes of the leak and recommend further actions to prevent such disasters in the future.

This is the type of swift and effective action that we need in order to prevent our communities and our families from tragedies like the Porter Ranch gas leak.

I want to thank many people who were involved in this situation. A special thanks to Paula Cracium and the entire neighborhood council for providing support to the community in its time of need. I would also like to thank my colleague, Representative JEFF DENHAM, for his efforts to move this measure forward, including flying down to my district in March to tour the facility with the people involved.

I would like to thank, as well, Senator DEB FISCHER and Chairman BILL SHUSTER for their immense support and the many staff members who worked tirelessly on this legislation.

This terrible tragedy had real impacts on the lives of thousands of people I represent. We cannot undo the damage that was done in Porter Ranch, but we can and must make sure every effort to mitigate the impacts on their day-to-day lives and assist in the recovery process.

It is time to move forward on comprehensive legislation to prevent another incident from happening in our communities ever again. I would like to say that this would never, ever happen again; but without action, without us moving forward, without people working together and Congress working together, this can happen. So this type of legislation is needed, and the people who are affected appreciate this; and the people who have worked on this, I appreciate very much.

Mr. CAPUANO. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, as my colleague from California pointed out, we in Porter Ranch experienced the largest natural gas leak in history. Seven thousand families were evacuated for months, and yet, as I speak, there are no Federal regulations for underground natural gas storage facilities, and the State regulations are surprisingly minimal, even in famously green California. Why? Because the natural gas industry and regulators believed that natural gas was only a problem if you were within a few hundred feet.

What we have experienced with this multibillion-cubic-foot leak is 7,000 families evacuated from an area in a 5-mile radius because the volatile organic compounds and the mercaptan in that natural gas caused enormous health problems. That is why I went to the President of the United States and the Vice President at the caucus that we attended and got a public commitment that we would get regulations probably this year.

This legislation is important because it makes it clear that, while PHMSA has the regulatory authority to act, if they don't act, they are required to act within 2 years under this legislation.

I am pleased to say that the legislation includes a provision that I think is very important and which I have championed from the beginning, and that is to clarify that a State can adopt tougher standards than whatever the Federal Government adopts.

The legislation also officially establishes the Department of Energy's Aliso Canyon natural gas task force. That task force is already up and running. We are working with it. It is the brainchild of Senators BOXER and FEINSTEIN, and I think formally establishing it in this regulation makes sense.

We need to adopt tough natural gas storage safety regulations for this entire country because Aliso Canyon, the storage facility next to Porter Ranch, was only the fifth largest natural gas storage field. There could be others. It could be in your district. That is why we need tough standards, and if we don't get them from PHMSA this year, we will have legislation requiring them within 2 years after the enactment of this legislation.

I urge a "yes" vote.

Mr. DENHAM. Mr. Speaker, I reserve the balance of my time.

Mr. CAPUANO. Mr. Speaker, I yield myself the balance of my time.

I would just like to close out by simply repeating what I said earlier. I am very happy, very proud to have worked on this bill. I am very happy and very satisfied with the way we worked cooperatively. I want to thank the staff on our side who worked on it, Jennifer Esposito Homendy and Steve Carlson on my staff. I want to thank all the staff on the Republican side.

I know that America has this view that we hate each other and we never talk to each other and we do nothing but call each other names. I have done that in private, of course, but the truth is this is exactly the way it is supposed to work. Absent not getting a few things I wanted, this was actually a pleasure to work on. I am very proud of the work product. I am very proud of the work environment that we have. I think this is a bill that the American people can be proud of. I think it is a bill that the Congress can be proud of.

Again, I want to thank everyone who worked with us on this. I look forward to the President's signature.

Again, I want to thank the staff. Let's be honest, we take all the credit. We do the big speeches and all that kind of stuff, but without the staff, we couldn't get this done. I want to thank everybody involved with it for their professionalism, for their enthusiasm, for their long nights and difficult time. I look forward to doing this again in 4 years.

Mr. Speaker, I yield back the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield myself the balance of my time.

I thank the gentleman from Massachusetts. Mr. CAPUANO has been a great partner in this. This has been going on for many years now, many months of roundtables, many months of hearings, and it has been a true pleasure working together in a bipartisan way to address our differences, but most importantly, to actually address the safety of the American public.

This is a big bill: 2.6 million miles of pipeline, 64 percent of our Nation's energy. We didn't take it lightly. We wanted to hear from the public. We wanted to hear from stakeholders across the country, and we wanted to hear from Members across the country representing their districts. It was truly a bipartisan effort.

We appreciate the support and work of the ranking member and full committee chairman of the Committee on Energy and Commerce as well as the ranking member and the committee chairman of the Committee on Transportation and Infrastructure.

Specifically, I want to thank Mr. KNIGHT for his leadership on this issue. You never expect to have an emergency in the middle of deliberating on a bill. In this case, we did. He showed real leadership in coming to the table and inviting us out to his district to see it firsthand so that we could actually address safety concerns in this bill as well. It is a great bill to improve the safety of the country.

Mr. Speaker, I urge my colleagues to join me in supporting the final passage of this bill.

I yield back the balance of my time.

Mrs. CAPPS. Mr. Speaker, I rise in support of the House Amendment to S. 2276.

Millions of miles of natural gas and hazardous liquid pipelines crisscross our country and touch countless communities. While these pipelines are an essential part of our nation's energy infrastructure, we all know—many from first-hand experience—that our reliance on these pipelines is inherently risky. Too often we hear of a pipeline failure, just like the Plains pipeline spill in my congressional district last year, which harms the health of local communities, the regional economy, and the environment. And we know that it really isn't a question of if there will be another spill in another community, but when.

With that in mind it is clear that we must do all we can to prevent the next spill from occurring and mitigate the damage when it does. We need to make the oil and gas industries

that rely on these vulnerable methods of transportation more transparent and safer. We need to ensure that the federal regulator, the Pipeline and Hazardous Material Safety Administration (PHMSA), has the tools it needs to ensure the safe operation of natural gas and hazardous liquid pipelines under federal jurisdiction. And we owe it to the communities who are still picking up the pieces from these incidents to do all we can to learn from these tragedies to protect others in the future.

The bill before us today is an important step to do just that. This bill would provide PHMSA with the emergency order authority to appropriately respond to systemic pipeline issues. And it would ensure that important, long overdue rules are finalized and implemented, including the rules for automatic shutoff valves and leak detection. This technology is critical to minimizing the damage when a spill does occur.

This bill also includes specific provisions that apply the lessons learned from the Plains spill. Specifically, this legislation would mandate a study on the causes of corrosion including risks associated with insulated pipelines—the underlying cause of the Plains failure—and the best methods to prevent corrosion from occurring in this infrastructure. This legislation would also improve protection of coastal areas, including coastal beaches, marine coastal waters, and the Great Lakes, by explicitly designating them as “unusually sensitive areas.” This will bring more stringent safety requirements to these particularly vulnerable areas like my community. Finally, this legislation would require a report examining ways to improve hazardous liquid pipeline safety through integrity management actions, including an analysis of risk factors that may warrant more frequent inspections.

While nothing can take us back to prevent the Plains spill, this bill as a whole is an important, bipartisan effort to protect my and other communities going forward. And that is why I support it. We must embrace this opportunity for the sake of the health and safety of our constituents and the environment.

I would like to thank Energy and Commerce Committee Chairman UPTON and Ranking Member PALLONE as well as subcommittee Ranking Member RUSH for working with me to craft a bill that addresses the failures that led to the Plains spill. I would also like to commend staff from both the Energy and Commerce Committee and the Transportation and Infrastructure Committee for working in a bipartisan and bicameral way to get to this final product.

Our constituents are relying on us. I urge my colleagues to support this important legislation, and I hope we are able to send S. 2276 to the President for his signature in the very near future.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DENHAM) that the House suspend the rules and pass the bill, S. 2276, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONGRATULATIONS TO DuBOIS AREA MIDDLE SCHOOL ON BEING NAMED A “SCHOOL TO WATCH”

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate the students and staff at the DuBois Area Middle School on being named a Pennsylvania Don Eichhorn School to Watch. This is the 12th consecutive year that the middle school has earned this distinction, one of only two middle schools in the State to do so.

The Schools to Watch program was started in 1999 as a national program to identify exceptional middle schools across the country. As part of the program, State teams observe classrooms; interview administrators, teachers, parents, and students; and look at achievement data, suspension rates, quality of lessons, and student work.

DuBois Area Middle School will be formally recognized at an event coming up on June 25 in Arlington at the national Schools to Watch Conference.

Maintaining this level of excellence over more than a decade is hard work. I have the highest respect for the students, the staff, and the administration at the DuBois Area Middle School. I wish them the best of success in the future.

HONORING THE LIFE OF MUHAMMAD ALI

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YARMUTH. Mr. Speaker, one of the great joys of representing Louisville in the House of Representatives is that I get to constantly claim that I represent Muhammad Ali and the home of Muhammad Ali. It has always been a source of pride not just to me, but to all of my fellow Louisvillians that we could say that the Louisville Lip, the greatest of all time, called Louisville home.

Now one of the brightest lights in the world has extinguished. Muhammad Ali passed away last Friday after a long and courageous battle with Parkinson's disease, and the world has experienced a collective grief period. The joy

of his accomplishments, the recognition of his commitment to peace, to tolerance, to respect, to love, all of those things, have come from all over the world.

□ 1800

So tonight, some of my colleagues and I have come to the floor to talk about Muhammad Ali, his life, his legacy, personal stories, the impact that he has had on our lives and on this country's life and on the world. He will be laid to rest this Friday in Louisville. Former President Clinton will eulogize him, and many leaders from around the world will be there to pay their respects.

But I go back many, many years. When I was 16 years old, living in Louisville, having watched him—then, Cassius Clay, an 8-to-1 underdog—upset the great, terrifying Sonny Liston in Miami, and then going to the airport the next day to welcome him home.

I stood outside the airport. There weren't a lot of people there that day. And as Cassius Clay emerged from that terminal and looked around and drew himself up, I said I had never seen a more beautiful human specimen in my life.

So when he called himself not just the greatest of all time, but the prettiest of all time, I was not going to argue with him. Of course, I wasn't going to argue with him about much.

That was my first personal exposure to Muhammad Ali. He was a man who gained fame in a violent game, but he earned his immortality as a kind, gentle, and caring soul. In the later years, when I got to know him better and spent more time around him, that is the one thing that always came through: his wonderful soul.

I don't know that I have ever known a person or seen a person who got more joy out of making a child smile as Muhammad Ali. And there was never a time when he was in the presence of children where he didn't make an effort to stop, joke with them, play with them. That was a source of incredible joy for him.

So, as we remember Muhammad Ali tonight, we remember not just his boxing prowess. We remember the courage he showed outside the ring.

He came to age in a very, very turbulent period in American history: during the civil rights demonstrations, when America was experiencing a convulsion over how to deal with the issue of race. And then the Vietnam war—a war whose opposition Ali paid a dear price for in 1967—refusing to be drafted into the armed services, knowing that it would cost him his boxing career, understanding that he might well go to jail and never fight again, but willing to stand for principles. And in doing that, I think he turned the country around and made them view the Vietnam war in a different light. It

wouldn't have happened, but for Muhammad Ali. He was not the only one, of course, but he was the most prominent one.

Later, who can forget lighting that torch in the Atlanta Olympics in 1996, shaking from the Parkinson's disease that he had, but inspiring millions. And, again, making a statement about disabilities that meant so much to so many.

So tonight, as we hear from various Members about Muhammad Ali, I think what will come through is not just, again, his skills as an athlete, but his contributions as a citizen of the world and someone who has left a lasting legacy, not just on people's lives individually, but on the civilization as a whole.

I yield to the gentleman from Tennessee (Mr. COHEN).

MR. COHEN. I want to thank Mr. YARMUTH for putting together this hour. I think it is important that we recognize icons in our society and people who have contributed so much, as you well expressed, to American culture and to the thinking in our country about war, about race, and about people with disabilities. Those are three very, very major areas that Muhammad Ali had a great impact on.

You related back to when you were 16 years old. I was not quite 15 years old. At that time, my family had moved to Coral Gables, Florida. We lived there from 1961 to 1964. During that period, Muhammad Ali's second home was Miami Beach and the 5th Street Gym.

During that period is when Ali, as Cassius Clay, had won the Olympic gold medal—and I remember him winning the Olympic gold medal in 1960, in Rome—and when his professional career started. He probably started in Louisville, but he was quickly in Miami Beach fighting.

So he was on the news all the time in Miami Beach and on the sports shows and whatever else, but always on TV and a personality in Miami Beach.

My granddad gave me \$20, which was a lot of money, on February 25, 1964, if I remember—and I went to that fight. I was sitting probably in the highest seat in the Miami Beach Convention Center and watching that fighting by myself. My dad wasn't so much into it, but my grandfather gave me that \$20 and I went to it.

I have got my docket. It's a great looking Clay-Liston ticket, in good shape, and a couple of programs from that event, which I am proud to have. I have been a fan of his, and I know how much of an impact he had on our world.

I was also a boxing fan of Floyd Patterson. Floyd Patterson was a previous champion. The first time that Floyd fought Muhammad Ali, I have to admit that I was cheering for Floyd. Floyd didn't do too well. He hurt his back and was taunted by Ali. He wanted him to

say his name. And he punished him pretty good through 12 rounds.

But the second time they fought, which was in the early seventies, Patterson did a lot better. They stopped the fight at the end of the sixth or the beginning of the seventh. And it was closer to even. After the fight, as I understand it, Ali told the referee not to stop the fight because Patterson is fighting so well and he should be able to continue fighting and it wasn't fair to stop it.

I saw an interview with then-Cassius Clay with Steve Allen from 1963 that is on the Internet. In that interview, they said something about Floyd Patterson. First, Clay made a joke and he said that Liston knocked him out twice in one round. And Floyd's jaw was somewhat challenged. He said his leg should sue his body for lack of support. And then he kind of stopped and laughed and chuckled and said: I shouldn't say that; I like Floyd. Of course, that was before. Floyd didn't recognize his new name.

Louisville was the home of Cassius Clay/Muhammad Ali. One of the great attractions in Louisville is the Muhammad Ali Center, which I have had the opportunity to visit and go through. You can sit and watch all of Ali's fights, any one of them. Sit in a chair and push a button and there it is. And just watch any fight. I watched that second Patterson-Ali fight. Floyd was doing pretty good through those six rounds.

It is more than for boxing. It is a center. And it is about what he did for children and there are a lot of displays about what he did for children and what he did for peace and his efforts around the world. I think that is the great thing about Muhammad Ali. They didn't build a boxing museum. They built a center about all of his desires for freedom and for helping people around the globe and showing we are all one.

As he said back in I think January of this year, his religion of Islam was not about San Bernardino and Brussels or Paris or any other place there have been attacks. Islam was a religion of love, and it should be that way. And it was not the religion he knew. Anybody who thought it was that way and wanted to discriminate against people based on their religion were wrong, because it wasn't that type of religion.

So he was still, up until this year, taking positions of conscience to try to steer people in the right direction.

I keep under my glass on my office desk a quote from Muhammad Ali. It is on a postcard that I got at the Muhammad Ali Center. It shows Muhammad Ali in the ring kind of dancing around. And it says: "The fight is won or lost away from witnesses—behind the lines, in the gym, and out there on the road, long before I dance under those lights."

And it made me think about what we do in politics. Our elections are generally not won—if you are serious about your job and your constituents—right before elections. It is done during your term of office and what you do for your constituents and how you vote and what you do for folks, which is the same thing as a fighter being out there in the gym and on the road doing roadwork, hitting the bag, and training.

So Ali is what I look at when I sit down. It is right underneath my desk. And I see that and he kind of guides me—and he guides everybody—in that way, if you think about that. That is what life is about: preparation and having a plan and taking action to implement the plan.

Mr. YARMUTH. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I thank the gentleman from Louisville for organizing this Special Order this evening.

I can't think of an athlete who more impacted my life and certainly the lives of people in our generation.

The gentleman from Louisville started in 1960—or maybe it started when you were 16—but watching then-Cassius Marcellus Clay in the 1960 Olympics in Rome—a legendary Olympics that produced so many highlights of American athleticism, from Bob Hayes to Rafer Johnson and, of course, this young, boyish-looking, but eloquent and masterful heavy-weight that moved like nothing else I had ever seen or would ever see since.

My father worked three jobs. About the only time he was home on a Friday night, we would watch the Gillette Sports Hour, which was the boxing matches that would occur.

My dad loved to follow boxing. He was a big Joe Louis and Rocky Marciano fan. Of course, my dad's generation, when Cassius Marcellus Clay came along, were not happy with his poetry and braggadocio manner. As a kid, we thought it was the coolest thing. And I would always remind my dad that he never made a boast that his fists couldn't back up.

And the poetry. He was ahead of his time in terms of rap, but he also was ahead of his time in terms of what he brought to the sport.

As the distinguished gentleman from Louisville pointed out, when he stepped into the ring with Sonny Liston, we all feared for his life. But as it turned out, he had that speed and that endurance and his incredible skills. He did everything that a boxer shouldn't do, but he was able to do it because of the exceptional ability.

How do I know this? We are fortunate to have in this Chamber somebody who was in the ring with Muhammad Ali. He was in the ring with him, Sonny Liston, and Joe Frazier. BOB BRADY of Philadelphia was a sparring partner and used in the ring.

As you all know, BOB BRADY is a pretty big guy. And he also can move. He maybe doesn't look so nowadays, but he still looks pretty fierce. I wouldn't want to get in the ring with BOB BRADY.

But I asked him once to explain what that might have been like. And he was dear friends with Joe Frazier. He said: But you wouldn't get in a ring with Sonny Liston unless you had a lot of people around you. He said he was the meanest person he ever met or got in the ring with in his life.

And I said: What about Muhammad Ali? He said: There is nothing like him. He said he was a freak. I said: What do you mean, a freak? He said: A freak of nature, because of what he was able to do with his speed, with his grace, and the simplistic thing of just being able to move away, from skills that, when you watch these films today, you are in awe of them.

I can remember coming in and talking about the Ali shuffle when we saw him do that against Cooper in England. No one had ever seen anything like that. And when he came back and he got in the ring and he would dance, you just knew that he was going to win—the confidence that he always exuded.

□ 1815

Then, as JOHN YARMUTH pointed out, he became so much bigger than the sport itself because of his conviction, and he did it during a tumultuous time.

The sixties will probably go down and forever be remembered as a great crucible for the history of this country when, converging at the same time were the civil rights movement, an education movement that was spawned by the launching of Sputnik, the civil rights movement that also spawned the antiwar movement, that spawned the woman's movement, that spawned the ecological movement—all came about during this tumultuous time.

And who was one of the leaders? One of the most recognized faces in America, beyond perhaps John F. Kennedy and Martin Luther King, was Muhammad Ali, and he brought so much more because of his conviction.

I remember my experience of meeting him for the first time in East Hartford, Connecticut, working at Woodland Auto Body, putting tire black on cars. If you ever had this luxurious duty, you would not appreciate it.

All of a sudden, this gold Toronado pulled into Woodland Auto Body. Now, most of the people who worked at Woodland Auto Body were of African American lineage. I saw this Toronado pull in—and if you know anything about a Toronado, it has one long window—and when they rolled down the window, there was Bundini Brown. He said: Do you know how to get to WINF radio station?

I said: Well, yes, sir. It's just up the street here.

I looked in the back, and there was Muhammad Ali, and I said: The champ.

I said: Wait right here. And I went inside because I knew my coworkers, who certainly enjoyed seeing me have to put tire black on cars—I came running in and I said: Muhammad Ali is out here. The champ is here.

And they looked at me and said: Yeah, right, and Santa Claus is coming also.

But they came out. And emerging from this gold Toronado was this unbelievably gracious human being, of course, at 6 foot 3, certainly towering above me, and even among some of the brothers who were out there talking. But we couldn't believe that he was actually there in our midst.

If you believe there is a certain aura that people have around them, he had it. He was given a gift, and he used it.

That picture that appeared in *The New York Times*, with so many athletes of the period, the legendary Jim Brown and Bill Russell all sitting at that table, understanding what this youthful but spiritual individual had done not just for Black America, but what he did for the world in terms of speaking truth to power.

I will always remember that grace and elegance and rooting for him, and even being scared to death, in the Rumble in the Jungle, that George Foreman might do him harm, and said, "Oh, my God. What is he doing, hanging on the ropes?" which later became famous for rope-a-dope.

But he was the most unique athlete that I have ever observed in my life. And beyond that unique talent that he brought to the ring, and those skills that he brought to bear with unprecedented grace and ability, he also made the world a better place, as the gentleman from Louisville pointed out, and distinguished himself far beyond what he accomplished in the ring by his simple pleas to America.

I was so happy to see him, in his later years, atone for some of the cruel things he had said during his life to Joe Frazier and to other people and some of the taunts that he did. It just showed the depth and the character of someone we so admired.

I thank the gentleman so much for allowing me the opportunity to share that reminiscence about The Greatest.

Mr. YARMUTH. I thank the gentleman, and since he referenced the poetry and the facts that Muhammad Ali is sometimes actually considered the godfather of rap, I would like to read one thing that he wrote. This is right after the Olympics in 1960:

To make America the greatest is my goal,
So I beat the Russian and I beat the Pole,
And for the USA won the medal of gold,
Italians said, you're greater than the Cassius of old.

We like your name, we like your game,
So make Rome your home if you will.
I said, I appreciate the hospitality,
But the USA is my country still,

Because they're waiting to welcome me in Louisville.

Mr. Speaker, I yield to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. I thank my colleague, Congressman YARMUTH.

Mr. Speaker, to the rest of my colleagues, it is indeed an honor for me to come tonight to share in the life and the legacy of The Greatest, of the champ, of Muhammad Ali.

Like my colleagues, I followed his career and was mesmerized by his wit, his poetry, and, more specifically, his boxing skill.

But for me tonight, it was a special honor when I became a Member of this United States Congress. It was during the 113th Congress and the 44th Congressional Black Caucus Foundation's Annual Legislative Conference. During that conference, each member of the Congressional Black Caucus can submit the name of someone they think has made a difference in the lives of others, whether it was for health care, whether it was for civil rights, or making a difference through philanthropy.

As I thought about all of the individuals that I could submit, I was very proud that I submitted the name Muhammad Ali. It was even a greater honor when he received the most votes from my colleagues, and he received one of our Phoenix Awards, named after Ralph Metcalfe.

So when I stood on that stage before thousands and thousands of individuals, including the President of these United States, President Barack Obama, and watched the video that his family sent because he wasn't able to attend that dinner, I sat there, honored and proud because this Black man made a difference in the lives of so many young children, so many adults. And today, we come here and we salute and we honor a great legacy.

So I want to thank you, Congressman YARMUTH, for letting me make this small contribution.

Mr. YARMUTH. I thank the gentlewoman.

Mr. Speaker, I yield to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. I thank the gentleman from Louisville.

Mr. Speaker, when I heard of the greatest of all time's passing, my heart was filled and heavy because he was very significant in my life. When you just think of him—and I got to meet him first as a young boy. I was about 10 years old.

My dad was a professional boxer. He is one of 49, one of 49 individuals to get knocked out by Rocky Marciano. But that also brought him into the area where he got to know many of the boxers in training, et cetera. He would train in the same gym in New York where Sugar Ray Robinson was, and where Bundini and Youngblood were, who were always in Ali's corner. So I got to see Ali, this Cassius Clay train

at an early age, and fell in love with him immediately.

Number one what you could do when you saw Muhammad Ali, at that time you saw a young man who was confident. And yes, as I hear my colleagues talking about his athletic ability and skills, he had all of that.

But what I would like to talk about briefly tonight, what was the highest of esteem for Muhammad Ali was his brain. There is nothing that Ali did that he didn't think about. Everything that he did, there was a reason for it.

When he first saw this wrestler and how people hated him, this George guy, but he saw how all the people were coming to watch and paying all of their money because they were talking, he was talking. He said here's a good way to promote myself and to make sure that he could make some money, and so he did that.

Then he thought about calling and naming the round that he was calling people in and all of that. And so he did all of those things, but there was a reason for it. He was a promoter. He knew what it took. People at that time, many of them wanted to go see the Louisville Lip shut up, but each time he would win.

What I just want to say about Ali, though, his brain and his heart, his brain and his heart. Because throughout my lifetime, I had several times to be with him and to get to know him a little bit. I will just, for brevity of time, talk about one real quick.

I can recall I used to drive him at times when he was in New York. So I would get in the car, and he would get in the car. Of course, he is the funniest guy in the world. He would be telling jokes and doing everything else. So we were driving down the street in Brooklyn, New York. I remember it like it was yesterday. I stopped at a light. All of a sudden, Muhammad is looking around, and he jumps out of the car. He jumps. There were some kids on the corner. He jumps out, and he goes and starts shadowboxing with them. The kids are saying: Oh, the champ, the champ is here, the champ is here.

He would just talk to them. He was encouraging them to go to school and encouraging them to do good things. I know because when you listened to all of the stories afterwards, individuals were giving personal stories. Never would you see an individual as popular and well known as Ali where an individual could actually talk about a personal story, because Ali wasn't one that was hidden behind bodyguards or this one or that one. He was one that always wanted to be the man on the street involved with people to make a difference in their life. He set an example for individuals.

So I think of the example, too, because of the size of Ali, I heard somebody talking about the rumble in the jungle. I used to go up to the camp and

watch them train in Deer Lake. I was there when he was training for George Foreman. I was there, stayed up there for about a week. There, again, talk about consciousness, he had these huge rocks, talking about all of the great African American fighters before him because he never forgot who he was or where he came from, but he had these rocks there, and he was in the gym training.

I can remember he would get up on the ropes. He put his hands up, and Angelo Dundee would say: Get off the ropes, champ. Get off the ropes. Get off the ropes, champ. You are going to get killed on those ropes.

About the second round of training, he went over, and he said to Angelo: Shut up. I know what I am doing.

Nobody knew what he was doing, but he knew what he was doing. He always outthought everyone. He outthought them. That was the key to this thing, the greatest of all time.

So, Ali, I say this—I say this because I remember you saying this one time to someone:

If you want some gin, I'll get you in 10.
If you like wine, it will be round number nine.

If you think you're great, you'll fall in eight.
If you want to go to heaven, it will be round number seven.

But if you want to mix, I'll get you in six.
Talk that jive, you'll fall in five.

If you want to go like old Moore, I'll get you in four.

Mess with me, I'll reduce you to three.
If that won't do, you'll fall in two.
If the crowd wants some fun, you'll fall in one.

Why?
Because I float like a butterfly, and I sting like a bee. That's why nobody mess with Muhammad Ali.

Ali, we love you. We thank you for your contribution not only to Louisville, not only to the United States of America, not only to African Americans and to Africa, but to everyplace on this planet. You are, indeed, God's gift to this great planet. We thank God for your life and times. You will live on forever as the greatest of all time—and the prettiest.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentleman from Kentucky (Mr. YARMUTH) for yielding this evening.

I am absolutely embarrassed to come after my friend, Congressman GREG MEEKS.

Why in the world would the gentleman put me on the schedule to come to the podium at this very moment?

But I thank the gentleman, in any event, for his friendship, and I thank the gentleman for his extraordinary leadership. I was in the gentleman's hometown of Louisville, Kentucky, a few weeks ago and absolutely enjoyed

going to church with him and meeting many of his friends there in Louisville. The gentleman is a great Member of this body, and I thank the gentleman so very much.

But, Mr. Speaker, I stand with Congressman MEEKS and Congressman COHEN and all of my colleagues today to recognize and to remember a great American, a true American hero. We honor and we remember this extraordinary life and the accomplishments and the countless contributions of Muhammad Ali.

Born just 5 years before me in 1942 in Louisville, Kentucky, Cassius Marcellus Clay, Jr., was born to Cassius Marcellus Clay and Mrs. Odessa Lee Grady Clay. Those were his parents. On March 6, 1964, when I was a junior in high school, after joining the Nation of Islam, Cassius Clay became known as Muhammad Ali.

□ 1830

Mr. COHEN, I remember it like it was yesterday.

His interest in boxing began at the age of 12 after he reported a stolen bicycle to a local police officer named Joe Martin, who was also a boxing trainer. In 1959, Muhammad Ali was the National Golden Gloves Light Heavyweight Champion and National Amateur Athletic Union champion. After winning his first 19 fights—and that was absolutely incredible, winning his first 19 fights—including 15 knockouts, Muhammad Ali defeated Sonny Liston on February 25, 1964, to become the World Heavyweight Champion.

Muhammad Ali would then become the World Heavyweight Champion in 1964, 1974, and 1978, making him the first fighter to capture the heavyweight title on three separate occasions. In 1981, Muhammad Ali retired from professional boxing and dedicated his life to promoting world peace, fighting for civil rights, hunger relief, and just basic human values.

His humanitarian work included helping secure the release of 15 U.S. hostages. Many of my colleagues may have forgotten about that, but Muhammad Ali helped to release 15 U.S. hostages held in Iraq during the first Gulf War, four hostages held in Lebanon, and conducted goodwill missions to Afghanistan and to Cuba. Muhammad Ali even had the distinct honor of traveling to South Africa to meet Nelson Mandela following President Mandela's release from prison.

Ali received numerous awards in his life following his boxing career, including being inducted into the International Boxing Hall of Fame, receiving the Arthur Ashe Courage Award by ESPN, the Essence Living Legend Award, the Presidential Medal of Freedom in 2005 by then-President George W. Bush. The footage of that ceremony has been all over the news for the last few days, and I would encourage all of

my colleagues to look at it if you haven't. He was given the Presidential Medal of Freedom in 2005 by President George W. Bush and the Otto Hahn Peace Medal for his work with the U.S. civil rights movement and the United Nations.

Mr. Speaker, I have used enough time this evening. I will simply close. I cannot close like my friend, Congressman GREG MEEKS, did a moment ago. That was a masterpiece, and I cannot wait to see the video of his closing on another day. It was extraordinary.

But I will conclude by saying that Muhammad Ali, the greatest of all time, was not only a champion in the boxing ring, but a champion of human rights and civil rights, who, during a difficult time in our Nation's history, stood on principle to end racism and bigotry in this country.

Muhammad Ali, we love you. May God bless you, and may God bless your family.

To the fans of Muhammad Ali all across the world, I thank you for supporting this great American, and I thank you for allowing us to come into your homes and be a part of this tribute this evening.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. Speaker, I yield to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank both of my colleagues for allowing me to come before this body to speak on behalf of the people of the city of Chicago, the people of the First Congressional District.

Mr. Speaker, I must say that although Muhammad Ali was and is a native of Louisville—that is his birthplace—I must also claim that Chicago is his adoptive city. He spent many, many years in Chicago. He bought a home on South Kenwood Avenue in my district.

Mr. Speaker, as a young man, a young civil rights activist myself, I can't even express the pride that I had when I would travel down the street and point out to my young sons and anybody else who was with me that that is where Muhammad Ali lives. He was a man of the neighborhoods in Chicago. He touched many people—young people, old people, and people who didn't necessarily share his same political or religious ideas, but he touched them anyhow.

Mr. Speaker, Muhammad Ali was a man for all seasons. Yes, he achieved prominence in the boxing arena, in the sweet science of boxing, but he achieved greatness because of the life that he led both inside of boxing and outside of boxing.

Mr. Speaker, on Saturday afternoons, many of us who had few heroes would gather around television sets and watch Muhammad Ali fight in the heavyweight division against other

fighters and other boxers. One of his predictions came true when he defeated and knocked out his opposition in the time that he said he would, and there was a collective cheer that you could hear throughout the neighborhoods of Chicago.

He meant something to me. He meant something to others. Muhammad Ali not only achieved, worked hard, and sacrificed for excellence, but he also inspired excellence in others.

Muhammad Ali would walk down some of the main thoroughfares in Chicago: 47th Street, 79th Street, and Madison Avenue. He would walk down those streets, and the crowds would just gather around him and follow him. His beam in his eyes, the halo and the charisma that he had just made for an exciting time, a grand time for all of us.

Mr. Speaker, Muhammad Ali not only was a great boxer, but he was indeed a man for all times. Look at his following not just in Louisville, not just on the south and west sides of Chicago, but all across the Nation, all across the world, foreign countries, African countries specifically. The same kind of enthusiasm that he inspired, the same kind of reverence that he inspired to the young men and young women in Chicago, you could see the same kind of inspiration ran up in the Congo, in Nigeria, in Zaire, and in other places all across the world.

Mr. Speaker, when he retired, I remember as a freshman here in Congress when we had a session and we honored the 50 greatest athletes of the century. Here were some great athletes, but the one who I wanted to be with, the one who I was most excited about, the one who I wanted to be photographed with was only Muhammad Ali. Bart Starr, Kareem Abdul-Jabbar, and many, many others were here; but Muhammad Ali was here, and he kind of sucked the air out of the room.

Later, Mr. Speaker, when I chaired the Annual Legislative Conference, for the dinner, the gala—I chaired the gala—I was so honored that he came to me to accept an award from the Congressional Black Caucus with his lovely wife, Lonnie; another great time, another great memory.

But, Mr. Speaker, the greatest honor, the greatest moment of inspiration, my most profound memory of Muhammad Ali was when he refused to go to fight in the Vietnam war. I think, in my humble opinion, had he just been a great champion—we have had other great champions who are African American: Jack Johnson, Sugar Ray Robinson, and many others, many, many others who are great champions. But Muhammad Ali wasn't just a boxer. He didn't just inspire others to take up boxing.

I was a political activist in the sixties, and Muhammad Ali spoke to the quintessential aspect of all my activism when he said: Hell no, I won't go.

Hell no, I won't go. No Vietnamese have ever called me the N word.

And he said it. I don't want to say it on the floor, but he said it.

□ 1845

Mr. Speaker, from that moment on, he solidified his appeal, his essence, his relationships; he solidified himself with all of the struggling people of the Nation, of the world.

Let me just say this: I thought about Muhammad Ali when I heard of his death, and I thought of trying to recapture some of my memories of him—how he walked, his gait, how he talked. I remember his size. I remember the face that was also a beautiful face. He was proud of how he looked.

But, Mr. Speaker, I guess what inspired me most about Muhammad Ali was how he did not surrender his faith, surrender his belief, surrender his core values to the U.S. Selective Service which drafted him.

Mr. Speaker, I don't remember the names of the men who were on that Selective Service committee. I don't remember anything about them. They thought that they were destroying The People's Champion, but they could not destroy The People's Champion. He rose even above all of those people who were officially appointed to bring him down. Nobody could knock out Muhammad Ali, in a real sense.

Mr. YARMUTH. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Kentucky for yielding, and I thank all of my friends.

We are friends when we come to celebrate someone as potent and powerful and, certainly, symbolic. But we should really recognize that The Greatest, Muhammad Ali, who had many homes—many of us can claim having had the privilege of him walking through many of our streets—was a husband, father, grandfather, and son to all of his family members that loved him.

Today I offer my deepest sympathy to his beautiful wife who worked so hard to create the Muhammad Ali Center, all of his children who gained his magnificent talents in many different forms and capacities, to be able to now not only suffer this loss, but mourn someone who probably in their life created such a space for so many years.

I rise today to join in celebrating—for that is what I would like to do—The People's Champion. He was truly the voice of a generation, advocating for the ending of inequality regarding African Americans, but as well, I believe he stood for opposing injustices all around the world.

The three-time world heavyweight boxing champion helped define the turbulent times in which he reigned as the most charismatic and controversial

sports figure of the 20th century. We all know that he was born Cassius Marcellus Clay, Jr.

Over the past 30 years, he had his own boxing battle. I believe that time after time he knocked out Parkinson's disease because he lived with it, he let others know that they could live with it, and he worked every day to support the advocacy groups who were trying to battle Parkinson's.

I am reminded of a gold medal at the 1960 Olympic Games in Rome and being crowned the World Heavyweight Champion so many times. As I had watched him over these past years, the admiration and affection and respect grew much more looking at him as the iconic figure, the real spirit of can-do, the best of America, a man whose faith was very special to him, so much so that he was a conscience objective which was not understood. That Selective Service committee was right in Houston, Texas. He walked those streets, his case was tried there, and victory came because he refused to yield on his principles.

As one of his noteworthy opponents, Floyd Patterson, told author David Remnick some years ago: "I came to see that I was a fighter and he was history."

Ali traded banter with United States presidents and world leaders alike, verbally sparring with musical greats—The Beatles—and shaking hands with Mother Teresa.

His greatest triumph lies in his legacy as a champion, leader, social activist, and humanitarian, but also a mentor by distance of so many boys and girls, particularly our young men.

In my own hometown, a young boxer by the name of Eric Carr, first met him with one of our great sports figures, Lloyd Wells, down at the Hyatt Regency. He said that when the champ met him, the champ treated him like a longtime friend. He played around with him, maybe boxed with him. I may be adding something to it. But Eric Carr, as the day went on—it was in the boxing beginnings of his life—told him he wanted to be a champ just like him. Eric Carr went on to win boxing championships, but he will always remember how real Muhammad Ali was.

Let me say that as he fought for the future, he envisioned that we all would enjoy. I love to hear the bantering because it was wisdom of a philosopher.

His greatest triumph, as I indicated, was a humanitarian. At the apex of his career, lauded for his unparalleled physique and mesmerizing moves—I wish I could do a few of those right now—but he is more than a sum total of his athletic gifts.

His agile mind, buoyant personality, brash self-confidence, wouldn't you love him?

I often remember some of those words that he said:

Float like a butterfly, sting like a bee. His hands can't hit what his eyes can't see.

Now you see, now you don't. George thinks he will, but I know he won't. Don't count the days; make the days count. I'm young; I'm handsome; I'm fast. I can't possibly be beat.

But then he said:

Service to others is the rent you pay for your room here on Earth.

And so his inspiration continues.

I would often say that as he lived his life, we took joy.

As I close, Mr. Speaker, let me offer you these words, and let me thank him for the life that he has lived. Let me borrow from Shakespeare and say of Muhammad Ali:

He was a man. Take him for all in all. We shall not look upon his like again.

May The Greatest rest in peace.

Mr. Speaker, I thank my colleague for yielding to me. I still see that "float like a butterfly, sting like a bee."

Muhammad Ali, again, rest in peace.

Mr. Speaker, I rise today to commemorate the life of boxing legend and social activist Mr. Muhammad Ali, whose words floated like a butterfly and punches stung like a bee, who died Friday at the age of 74.

The people's champion, was truly the voice of a generation, advocating for the African Americans battling racial inequality.

The three-time world heavyweight boxing champion helped define the turbulent times in which he reigned as the most charismatic and controversial sports figure of the 20th century.

The man who would come to be known as the "Greatest of All Time," was born Cassius Marcellus Clay Jr. on Jan. 17, 1942 in Louisville, Kentucky.

Despite baffling Parkinson's disease for 30 years Muhammad Ali would live a full and consequential life, winning the Gold Medal at the 1960 Olympic Games in Rome and being crowned the world Heavyweight champion an unsurpassed three times.

As one of his noteworthy opponents, Floyd Patterson, told author David Remnick some years ago, "I came to see that I was a fighter, while he was history."

Ali traded banter with United States presidents and world leaders alike, verbally sparring with musical greats The Beatles, shaking hands with Mother Teresa.

His greatest triumph lies in his legacy as a champion, leader, social activist and humanitarian.

At the apex of his career, lauded for his unparalleled physique and mesmerizing moves.

He carried into the ring a physically lyrical, unorthodox boxing style fusing speed, agility and power more seamlessly than any boxer before him or since.

But, he was more than the sum total of his athletic gifts; he was a man of uncompromising principles.

His agile mind, buoyant personality, brash self-confidence and evolving set of personal convictions fostered a magnetism that the ring alone could not contain.

A masterful entertainer, Ali captivated audiences as much with his mouth as with his fists, narrating his life with a patter of inventive doggerel.

He was targeted by his country when, in 1966, he exercised his First Amendment right

voicing political dissension and concern for humanitarian observation.

Ali was a purposeful fighter, and even more so, a principled human being, once reminding us all that he would, "Fight for the prestige, not for [himself], but to uplift [his] little brothers who are sleeping on concrete floors today in America . . . living on welfare, . . . who can't eat, . . . who don't [have] knowledge of themselves, . . . [and cannot see a] future."

Ali fought for the future he envisioned and that we all enjoy today.

As a conscientious objector to the Vietnam War, he refused to be inducted into drafting leading him to be banned from the sport he loved at the height of his career.

His inspiring courage and anti-war stance helped spearhead the growing anti-war movement of the 1960s.

The press called him the Louisville Lip. He called himself the Greatest.

Ali was the most important political-cultural figure to survive the deadly tumult of the 1960s and flourish during the 1970s.

Ali reawakened the American consciousness stating, "Champions are made from something they have deep inside them—a desire, a dream, a vision."

He eventually retired for good in 1981 and after being diagnosed with Parkinson's disease in 1984 as the only fighter to be heavyweight champion three times.

In 2005 Muhammad Ali was presented with the Presidential Medal of Freedom by President George W. Bush.

Ali received the President's Award from the NAACP soon after Obama's inauguration in 2009.

In 1996, he was trembling and nearly mute as he lit the Olympic caldron in Atlanta, but his smile induced a thunderous roar in what was one of the most celebrated Olympics moments ever.

His post-boxing humanitarian endeavors include putting his name to many initiatives for peace and humanitarian aid as well as anonymous donations of millions of dollars to a variety of individuals and organizations surpassing race and class barriers.

Despite battling with Parkinson's disease for three decades, he has inspired millions of people.

His work as a humanitarian has been immortalized in the Muhammad Ali Centre.

Explaining his resolve later in life, Ali said that, "All my life, growing up as a little boy, I always said that if I got famous I'd do things for my people that other people wouldn't do."

"I am an ordinary man who worked hard to develop the talent I was given," he said.

He was truly a legend—a statesman of the people.

Muhammad Ali was a product of America but a citizen of the world, at first hated and misunderstood but eventually beloved for the way he carried himself in dignified decline.

He will remain one of the most well-known and respected sports figures of all time—may his legacy be revered.

In closing, Mr. Speaker, let me borrow from Shakespeare and say of the Muhammad Ali:

"He was a man.

Take him for all in all.

We shall not look upon his like again."

May the "The Greatest" rest in peace.

THE SAYINGS OF MUHAMMAD ALI—THE GREATEST OF ALL TIME

Muhammad Ali, considered to be the greatest heavyweight boxer, died June 3, 2016 in a Phoenix-area hospital.

He was 74 years old.

Here is a list of some of his best quotes (in no particular order):

1. "Float like a butterfly, sting like a bee. His hands can't hit what his eyes can't see. Now you see me, now you don't. George thinks he will, but I know he won't."

2. "Service to others is the rent you pay for your room here on earth."

3. "I'm young; I'm handsome; I'm fast. I can't possibly be beat."

4. "Don't count the days; make the days count."

5. "If my mind can conceive it, and my heart can believe it—then I can achieve it." Jesse Jackson said this as early as 1983, according to the Associated Press, and Ali used it in his 2004 book.

6. "It's hard to be humble when you're as great as I am."

7. "It isn't the mountains ahead to climb that wear you out; it's the pebble in your shoe."

8. "If you even dream of beating me you'd better wake up and apologize."

9. "Braggin' is when a person says something and can't do it. I do what I say."

10. "I am the greatest, I said that even before I knew I was."

11. "Only a man who knows what it is like to be defeated can reach down to the bottom of his soul and come up with the extra ounce of power it takes to win when the match is even."

12. "I'm so mean, I make medicine sick."

13. "I should be a postage stamp. That's the only way I'll ever get licked."

14. "Impossible is just a big word thrown around by small men who find it easier to live in the world they've been given than to explore the power they have to change it. Impossible is not a fact. It's an opinion. Impossible is not a declaration. It's a dare. Impossible is potential. Impossible is temporary. Impossible is nothing."

15. "He who is not courageous enough to take risks will accomplish nothing in life."

16. "A man who views the world the same at 50 as he did at 20 has wasted 30 years of his life."

17. "If they can make penicillin out of moldy bread, they can sure make something out of you."

18. "I shook up the world. Me! Wheel!"

19. "I hated every minute of training, but I said, 'Don't quit. Suffer now and live the rest of your life as a champion.'"

20. "At home I am a nice guy; but I don't want the world to know. Humble people, I've found, don't get very far."

21. "A man who has no imagination has no wings."

22. "He's (Sonny Liston) too ugly to be the world champ. The world champ should be pretty like me!"

23. "I am the astronaut of boxing. Joe Louis and Dempsey were just jet pilots. I'm in a world of my own."

24. "I've wrestled with alligators. I've tussled with a whale. I done handcuffed lightning. And throw thunder in jail."

25. "Hating people because of their color is wrong. And it doesn't matter which color does the hating. It's just plain wrong."

26. "It's not bragging if you can back it up."

27. "I'm the most recognized and loved man that ever lived cuz there weren't no sat-ellites when Jesus and Moses were around, so

people far away in the villages didn't know about them."

28. "It's just a job. Grass grows, birds fly, waves pound the sand. I beat people up."

29. "I'm not the greatest, I'm the double greatest."

30. "Live everyday as if it were your last because someday you're going to be right."

Mr. YARMUTH. Mr. Speaker, I thank the gentlewoman.

I yield once again to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, there is so much that has been said appropriately about Muhammad Ali that people in this era might not realize that when he was fighting, all of America really looked forward to his fights and watched them. The eyes of the Nation were glued to the television to see him fight and to see afterwards Howard Cosell speaking the sports talk to him and reviewing those fights.

He was a lot about Louisville. There is a street in Louisville named after him, Muhammad Ali Boulevard, and the Muhammad Ali Center.

Nobody carries on and will carry on Muhammad Ali's love of Louisville more than you, Mr. YARMUTH. I appreciate you having this hour. He was to Louisville in such a great way, and he was a great man to America. I thank you for putting this hour together.

Mr. YARMUTH. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield to the gentlewoman from California (Ms. MAXINE WATERS).

Ms. MAXINE WATERS of California. Mr. Speaker, I thank Mr. YARMUTH for hosting this hour.

Muhammad Ali was a good friend. He was someone that I had known that I had worked on some projects with. But more than that, my husband was one of those athletes. My husband was then the linebacker for the Cleveland Browns when Bill Russell and my husband, Sidney Williams, and Jim Brown all got together to support Muhammad Ali when, of course, he was not allowed to be a conscientious objector and was threatened with prison.

I got to know him sometime after that. We used his home for a very special event. I got to know his former wife, Veronica, and his children. One of his children worked in one of my programs.

This comes at a very difficult time for all of us. I loved him because he had courage. He had the courage to give up his career, had the courage to threaten to be imprisoned, and had the courage to fight. The Nation of Islam stood with him, and these athletes all stood with him. He was a great man. When he said he was The Greatest, he really was, because he was an unusual extraordinary.

I will be at the funeral on Friday. I will be there with the family and the rest of the athletes that are still living that are going to be there to honor him.

Mr. YARMUTH. Mr. Speaker, I thank the gentlewoman.

I yield again to the gentlewoman from Texas (Ms. JACKSON LEE) for a quick comment.

Ms. JACKSON LEE. Mr. Speaker, let me thank Mr. YARMUTH and say that I couldn't leave the mic without acknowledging that George Foreman is in Houston, and Evander Holyfield, only to say that the people that he fought became his dear friends. I know they would want me to say that.

Thank you so very much for allowing us to pay tribute to The Greatest.

Mr. YARMUTH. Mr. Speaker, as we wrap up this tribute to the life of Muhammad Ali, I just want to express what I know all of my colleagues would feel, and that is our outpouring of love and support for Lonnie, his wife of 25 years, his many children, and his extended family. Lonnie's love and dedication inspired and energized Ali, even when his body was failing him. I know that the hearts of this body as well as the world go out to her and the rest of Muhammad Ali's family.

May he rest in peace. I thank him on behalf of everyone for his great contributions to humanity.

I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise today in honor of a man who was a three-time heavyweight champion of the world, a victor at the Supreme Court of the United States, and one of the most remarkable men of the 20th Century—a man who truly earned his title: The Greatest.

Muhammad Ali was born Cassius Marcellus Clay Jr. in Louisville, Kentucky on January, 17, 1942. By age 18, he was the Light Heavyweight Gold Medalist at the 1960 Olympics. In 1964, he won the heavyweight world title. He would go on to hold that title—off-and-on—for another 15 years.

But Muhammad Ali was not merely one of the greatest fighters in history—he was also a champion of justice in a country struggling to find its way. Like Detroit's own great champion, Joe Louis, he was a lightning rod for controversy. His success angered those who disagreed with the simple principle that a person's worth was never lessened by the color of their skin. He showed courage when he stood up for civil rights at a time when it was dangerous to do so. He never backed down, never allowed his voice to be silenced because of his faith or his race. He was an example for countless men, women, and children who needed one.

Beyond his work in the ring and as part of the civil rights movement, Muhammad Ali was also an advocate for peace. He grew into his faith in a way that shows that Islam is a religion of peace and America is a place of tolerance when—at great personal cost—he spoke out against the Vietnam War. As a conscientious objector, he was stripped of his title and unable to fight for three years during his prime.

Convicted of refusing to report for military service, he appealed to the United States Supreme Court, where he won a unanimous (8-0) opinion reversing his conviction.

A champion boxer, a champion for civil rights, and a champion of peace—it is not possible to overstate Muhammad Ali's achievements. He was quite simply, The Greatest.

We will mourn his memory going forward, and we will remember him for his work. Most of all, we will continue to draw strength and inspiration from a man who knew the true meaning of being a Champion.

STOP THE FRANK

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. WOODALL) is recognized for 60 minutes as the designee of the majority leader.

Mr. WOODALL. Mr. Speaker, I am slow to come to the floor because you can't compete with a Muhammad Ali commemorative Special Order. That is too much passion to follow. I just have little old legislative business on my mind. I am not talking about changing the world. I am just talking about changing our little part of the world.

I don't know if you remember, Mr. Speaker, when you first got here, you had to go downstairs and sign your name so that we could use that instead of a postage stamp on every piece of mail that you sent out the door. It is called the franking privilege.

I have a bill—it is H.R. 1873—that TAMMY DUCKWORTH and I introduced together to abolish that franking privilege. It is not going to take a lot to get that done. It is something that is within the complete control of us here in this institution, but it has been a challenge that is hundreds of years in the making.

I put mine on here, Mr. Speaker. This is my signature there on the front of every envelope I send out. If you want to know how to forge a check in my name, all you need to do is look at any envelope I send out the door.

Back in the day, had we been here in 1817, it might have been hard to find a postage stamp. In the name of getting congressional business done, the law of the land, carried over from England, was that you could sign your name on all of your government documents in order to get that important government business done. You couldn't just walk down to the local grocery store and buy stamps. You had to have a mechanism for getting your constitutional responsibilities accomplished.

□ 1900

We do that still here today. In these cynical times, Mr. Speaker, I would tell you that I hear most often from folks that they think one of two things is going on with the franking privilege: one, that we are involved in some sort of incumbent protection plan—self-promotion here in this institution, self-glorification—by sending our names

out on the front of all of the mail that goes out the door. If not that, I hear the second criticism, which is, ROB, why do Members of Congress get free mail? The Postal Service is in dire straits—free mail for all Members of Congress.

It is not free mail. For every letter that goes out the door that reads "ROB WOODALL" up at the top, I get a bill. I get a bill from the United States Postal Service for what a stamp would have cost had I put it on that letter. For every piece of mail that goes out the door with "ROB WOODALL" written up at the top, I get a bill from the Postal Service for whatever the bulk rate would have been for the large amounts of mail that I send out the door. It is not free mail for Members of Congress. I want to dispel that myth.

I get all of the emails that I know so many of my colleagues do, which read: "Go and serve one term in Congress, and get your pension for life." Nonsense. Not true. I do get the emails that come in and that talk about the special health care privileges that Congress has and that nobody else can have access to. Come on down, and join the ObamaCare exchange. You can have the same health care privileges that I have. Of all of the myths that go on out there, the myth of free mail continues still today. It is not free mail. We just don't put a stamp on it. Why don't we end this confusion once and for all?

I would like to tell you that this was my brilliant idea—a small idea but my brilliant idea. Not true. We, actually, went down this road in the 1800s. I hold here—Mr. Speaker, you can't read it—an article from The New York Times on March 3, 1875.

It reads:

By a vote of 113-65, the House has concurred in the Senate amendment to the postal appropriations bill partially restoring the franking privilege. The precise extent of this restoration is an allowance of free transmission through the mail on a Congressional frank of the Congressional Record, agricultural reports and seeds, and all public documents now printed or authorized to be printed.

The New York Times, as it is still known for today, goes on to editorialize just a bit:

So far, as our observation goes, there has never been any demand for the restoration of the franking nuisance except on the part of Congressmen. The new men, especially, long for a taste of the sweets of privilege.

This the New York Times in 1875. The "sweets of privilege" is how they described the signing of one's name to a constituent's response so you can tell your constituents how it is that you feel about the war in Iraq, so you can tell folks how you feel about the FCC's new regulations, so that you can respond to that young Eagle Scout applicant who wants to get the Citizenship in the Nation merit badge.

We knew in the 1800s that something just didn't seem right about not using

stamps like everybody else did. We knew that something didn't feel quite right. For several years, we abolished the franking privilege, and then we brought it back.

I don't have any problem finding stamps, Mr. Speaker. If anybody in this institution has problems finding stamps, I have several local locations that are here by the Capitol. You can send a staffer down to pick up stamps in bulk. For me, I am in the Longworth House Office Building, up on the seventh floor, so I have got to go all the way down to the basement in order to buy my stamps. It is about seven floors away.

They don't do that anywhere else in Washington, D.C. They don't do that. If you are at the IRS and if you need to send out a tax form, you don't sign your name at the top of the letter. If you work over at the Department of Agriculture and if you need to send out a newsletter, you don't sign your name at the top, because everybody else in government uses what is called "penalty mail." It is the same stamp up at the top of a corner that any businessperson would use, that any bulk mail house would use. It is section 3202. It is called "penalty mail."

It reads:

Subject to limitations imposed by sections 3204 and 3207 of this title, there may be transmitted as penalty mail official mail of officers of the Government of the United States, the Smithsonian Institution, the Pan-American Union, the Pan-American Sanitary Bureau, the United States Employment Service, and the system of employment offices operated by it in conformity with the provisions of section 4949(c).

Understand that we have a special section in the United States Code that deals with how mail gets out the door, because it is very difficult. We have only been doing it for a couple of hundred years. It requires some special attention from the United States Code, so we have a special section of the Code that allows officers of the Government of the United States, of the Smithsonian Institution, of the Pan-American Union, of the Pan-American Sanitary Bureau, and of the United States Employment Service some special dispensation so they can get mail out the door.

But was that good enough for Congress? The answer is "no." Congress has yet another special exception beyond the special exception, as is highlighted in section A, "officers of the Government of the United States other than Members of Congress," because what we have is our special signature program.

Mr. Speaker, we have got big things we have got to solve in this country—big things we have got to solve. You can't solve those big things when folks believe that you are not telling them the truth about the little things. You have got to build trust with one another. You have got to build trust with

one another not just here in this institution but with our constituencies back home; but when people see what they think is free mail that is going out the door, it undermines that trust.

I refer now to the House Manual, Mr. Speaker:

Postal expenses incurred only when the frank is insufficient, such as certified, registered, insured, express, foreign mail, and stamped, self-addressed envelopes related to the recovery of official items, are reimbursable. Postage may not be used in lieu of the frank.

I got to Capitol Hill, Mr. Speaker, and I thought: Do you know what? I know what it is like not to be on Capitol Hill. I am going to go get a bulk mail permit.

They said, No, ROB. You can't get a bulk mail permit to send out mail on Capitol Hill.

I said, Most of what I do isn't bulk mail. I will go buy stamps to send that out.

They said, No, ROB. You can't buy stamps to send out mail. You have to sign your card. You have to put your signature on it. We have to have a special congressional mail privilege for you.

TAMMY DUCKWORTH and I—one Republican, one Democrat—say we can do better than that. It is an election year. Do you know what happens in an election year? The law of the land is: you can't send out mail anymore. If I have a town hall meeting that is going on next week, I couldn't have sent out an invitation last month to have invited you to come meet your Congressman. I couldn't have sent out a newsletter last month to have told you what we were doing with the National Defense Authorization Act. I couldn't have sent out a newsletter last month to have told you about an employment and jobs fair program that was going on, because the law of the land so recognizes this privilege as something that incumbents use to boost their election prospects that it is banned in the 90 days before any election.

So I ask you: If this practice is so offensive that we ban it within 90 days before any election, why don't we just do away with it altogether? If it is so offensive that it must be banned for 180 days out of the year, why don't we do away with it for the other 180 days, too?

I don't need my name on the front of every letter that goes out the door, and I don't need someone to protect me from the challenges of buying stamps; but I have rules in place that prevent postage from being used in lieu of the frank.

I serve on the Budget Committee, Mr. Speaker. I want to balance the Federal budget. We are not going to do it with this bill. I am the lead sponsor of the FairTax. It is the most fundamental reconstruction of our Tax Code that has happened since the income tax came

into being in the early 1900s. It is the most prominently cosponsored piece of fundamental tax reform legislation in this body. Those are serious pieces of legislation. This is something minor—this is around the edges—but the National Taxpayers Union has seen fit to say that repealing the so-called "franking privilege" is a simple reform to introduce pay-as-you-go budgeting. It is absolutely right. Public Citizen hardly supports the Woodall-Duckworth legislation to rein in the abuse of taxpayer-funded franked mail.

I want to do the big things together, and I want to do the things that matter together. When silly things like this undermine the sacred trust that we have with our constituents, they need to go. Our colleagues who served in this body in the 1870s knew it. They abolished it, but they just couldn't let it go, and they brought it back. Even *The New York Times* asked: Where was the outcry for free congressional mail? Why was it brought back yet again?

I tried to get this done on my own. I say to my colleagues that I didn't want to waste your time in this way. I tried to go to the Chief Administrative Office to see if I could just get an exception so I didn't have to send out this mail. I tried to go through the House Administration Committee to see if there was some sort of dispensation so that I could opt out of this system. I tried to go through the Office of the Speaker to see if my MRA could be spent in a different way so I didn't have to perpetuate this. Again, it is a practice that is, apparently, so hideous it is outlawed for 180 days out of the year; but I couldn't get any of those things done.

Now it has come down to us to pass that simple line of code. It is a bipartisan bill—ROB WOODALL, TAMMY DUCKWORTH, a host of other cosponsors. I invite you to join me to abolish the franking privilege. You are welcome to use our hashtag of "Stop the Frank" any time you feel like you can move that forward. We are not going to reestablish trust overnight, but with one little accountability action at a time, we can do it. Let's do this little one today. Let's show up again and do another one and tomorrow and do another one and the next day and do another one and the next day and do another one. Then we are going to wake up a year from now or a month from now or a week from now, and we are going to find out that we have really made a difference together.

Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX), my friend from the Rules Committee.

SKILLS GAP

Ms. FOXX. I thank my colleague from Georgia.

Mr. Speaker, I frequently hear from employers who are struggling to find employees with the right experience

and technical skills to meet workforce needs.

The passage of the bipartisan Workforce Innovation and Opportunity Act was an important step for the millions of Americans who are looking for work and for the employers who have 5 million-plus job opportunities that remain unfilled due to the skills gap. However, great jobs are still going unfilled. Americans are still missing out on rewarding careers, and many businesses are still suffering.

For example, in the AED Foundation's 2016 Workforce Survey Report, more than 50 percent of equipment distributors indicated that the skills gap hindered company growth and increased costs and inefficiencies while nearly 75 percent said the lack of skilled technicians made it difficult to meet customer demand.

It is imperative that the Department of Labor finalizes regulations for WIOA and that Congress strengthens the Carl D. Perkins Career and Technical Education Act.

I appreciate very much my friend from Georgia and my colleague on the Rules Committee for yielding to me in order to discuss this important issue to so many of us.

Mr. WOODALL. If my colleagues don't know, one is used to seeing the gentlewoman from North Carolina leading on the Education and the Workforce Committee. All day today, she has been leading on the Rules Committee—chairing those actions that are going on up there. I hoped she was here to file a rule to tell us that that process had been moved right along, but we will have to wait for that.

Mr. Speaker, I yield back the balance of my time.

□ 1915

FLOODING IN THE STATE OF TEXAS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 30 minutes.

GENERAL LEAVE

Mr. AL GREEN of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of my Special Order. That subject, Mr. Speaker, will be flooding in the State of Texas.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. AL GREEN of Texas. Mr. Speaker, I and a good many of my colleagues will speak tonight about circumstances that are occurring in Texas more often than we would care to see. In a sense, Mr. Speaker, this is a continuation of a

mission of mercy that we embarked upon earlier this year when we were having flooding in Houston, Texas.

These floods that we are having across the length and breadth of our State are causing great property damage, and that is worthy of a lot of consideration and it is worthy of being addressed on the floor of the House of Representatives. But we also have a good many lives that have been lost across the length and breadth of our State, and these, of course, are of paramount importance to us. So while we may make some references to the property damages and there will be some things said about possible solutions, I believe that we will say a good deal about the lives that have been lost.

At this time, Mr. Speaker, I yield to the gentleman from Texas' 27th Congressional District (Mr. FARENTHOLD) to give his comments.

Mr. FARENTHOLD has experienced some flooding, and I am honored to have him appear and tell us about what is happening to his constituents in the 27th Congressional District.

Mr. FARENTHOLD. Mr. Speaker, it is an honor and a privilege to be here.

A little over a year ago, there were some horrible floods just outside the district I represent in Wimberley, Texas, that took the lives of several constituents vacationing there in Corpus Christi, Texas. In fact, some of the bodies of the young children who perished in that horrible flood have yet to be recovered. My family's prayers and the prayers of the Nation go to those grieving families and the survivors and for the repose of the souls of those who passed.

There has been a lot of flooding in Texas over the past year or so, just as recently as last week. I represent Wharton, Texas. The river in Wharton rose just as it had gotten repairs from the previous flood a few months earlier. All the Sheetrock was newly installed and ready to go; and sure enough, another flood comes and the damage to the property continues.

Unfortunately, the floods of last week and the previous weeks did not result in loss of life in the district that I represent. Thank the Lord for that.

I tell you, in the past 14 months, another county I represent, Bastrop, has experienced the worst flooding it has seen in 35 years. It is currently dealing with \$2.5 million in damaged infrastructure, and 20 roads still remain closed today. Of the 100-plus homes damaged in the past 14 months, more than half were determined to be unlivable, and four families still remain in temporary housing.

Earlier, in Wharton County, more than 1,000 people were evacuated and 150 homes flooded. It has really been tough.

I was driving through and visited with the emergency management folks in Wharton. You look at the fields of

green. I posted on Instagram the picture of a milo field. It said, "Amber waves of flooded grain." Cotton fields are under water as well.

In addition to the property damage, I think our farmers in Texas may suffer from an overabundance of water. As I grew up in a farming family, our complaint was it either rained too much, too little, or at the wrong time. I will tell you that these floods have just been horrible in Texas.

I do want to thank the folks from FEMA, the Federal Emergency Management Agency, for their quick response.

What it has told us is that we are taking way too much time for projects to stem the flooding, levees and the like, to get approved by the Army Corps of Engineers and the other Federal agencies. The funding for it is difficult to come by.

We end up spending all this money with FEMA. If some of that money were redirected to preventive maintenance or preventing these floods, we might save lives and certainly save property as well. I think it is something that this Congress should look at: preventing problems rather than just reacting to them.

I also want to commend the first responders and the emergency management personnel throughout Texas who have done so much. I also want to offer my thoughts and prayers to those brave servicemen who perished in Texas in the training exercises as well.

It has been a tough few months here back in Texas. But you know what? We are Texans, and we will survive. We will mourn those we have lost, and we will rebuild, and we will continue to reflect that which is the greatest of the American spirit: perseverance through adversity.

I thank Mr. AL GREEN for the opportunity to speak.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman from Texas (Mr. FARENTHOLD) for the unity that is engendered by his being here tonight.

It is important for people to know that this is not a time for Democrats or a time for Republicans. This is a time for Texans to come together and to talk about some of the concerns that we have and to remember those who have lost their lives in these floods.

At this time, I am honored to yield to a neighbor who is from the 22nd Congressional District of Texas. He is south of me. Of course, I speak of the Honorable PETE OLSON. We are honored to have him with us tonight, and we welcome your commentary about some of the concerns in your district and, indeed, across the State.

I yield to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I thank my friend and neighbor to the east, Mr. AL GREEN, for holding this very Special

Order about floods we have had in Texas.

It has been a rough year in Texas' 22nd Congressional District. Last Memorial Day, we had the 100-year flood and lost one life, one who drove into a flooded small creek and died in their vehicle.

Tax day 2016, there was lots of street flooding. I had to move my pickup truck off my street before it was taken over by the water.

The worst came 2 weeks ago, the 500-year flood. The Brazos River came out of its banks like never before. That river cuts through the heart of my district. It first hit Simonton, a small town in the northwest part of Fort Bend County. They had a mandatory evacuation on May 29. Every home, except for 12, left. Almost all the homes have been flooded.

Next, was Richmond and Rosenberg. Two days after Simonton, they, too, had mandatory evacuations and had homes north of the railroad track flooded.

Next came my hometown of Sugar Land. We had to cancel our Memorial Day celebration because our park was flooded.

Next came Missouri City, Sienna Plantation, floods there. It crossed over Brazoria County and went down to Rosharon, and that place was flooded out as well. Luckily, God willing, we lost no lives these past couple of weeks.

I saw the greatest in Texans this past week. I put 500 miles on my pickup truck in 8 days. At our Fort Bend emergency command operations center, people from all over the region had taken pizza, Chick-fil-A, coffee, Shipley Do-Nuts, kolaches, making sure these people who were working 24/7 are fed.

I saw an old-fashioned cattle drive. Sheriff Troy Nehls led other sheriffs on a cattle drive, moving some cattle down flooded 90, away from the threat of floods.

But the best, my friend, was 2 days ago. My wife, Nancy, and I drove over the river and went down to Rosenberg, Texas, to be with B.F. Terry High School. There was a recovery center giving out goods to people in need. This effort was started by what is called The Church, Second Mile Ministry, and Lamar Consolidated Independent School District, who opened up B.F. Terry High School. Every single day they said, "We need more rooms. We have to have more space," and they got it.

Nancy and I were assigned to stuffing small bags with one roll of toilet paper, a toothbrush, some toothpaste, some shampoo, some soap, and a razor. We were supervised by three young ladies: Rachel, Isabella, and Layla. They were a true team of Texans, my friend. I called Rachel "the skipper" because, man, she was in charge. I called Isa-

bella "the executive officer" because she was number two in making sure everything worked well. And Layla was "the weapons officer." Don't mess with Layla. I failed my inspection the first two times. I could not get the bag closed. They got on my back and made sure that I closed that bag so people could have all they needed in times of crisis.

That is what makes Texas so great, my friend: not waiting for D.C., but neighbors helping neighbors in need. Those ladies know what the Bible says: love thy neighbor more than thyself.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentleman for not only what he has said tonight, but for what he has been doing in his district to help persons in times of need. It is greatly appreciated by his constituents, and I greatly appreciate you coming to the floor tonight to let people know that we in Texas are standing together, and we are going to work together and we will get through this, but it won't hurt if we can get a little bit of help.

I am honored to have another colleague, who has a district that is in Houston. Of course, he has been in Congress for many years, and I consider him a very dear friend, the Honorable GENE GREEN, from the 29th Congressional District in Houston, Texas.

I yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague and namesake from Houston, Congressman AL GREEN. I appreciate his effort, both on the legislation that we are cosponsors of, but also setting up these Special Orders. It is great to have bipartisan support.

As we found out in Houston, it doesn't matter if you are a Democrat or a Republican. If your house gets flooded, your cars get flooded, in some cases, the lives of your family and your neighbors are in jeopardy, as Texans, we work together.

I have watched this over the years because we have had some terrible floods over the years, whether it be Tropical Storm Allison in 2001, Hurricane Ike in 2008, or what we are seeing now in May of 2015, which we called the Memorial Day flooding that was devastating and included more than 11 inches of rain and \$3 billion in damage. But in April of 2016, this year, Houston and areas experienced what we call the devastating tax day flooding on April 18 that claimed lives and caused hundreds of millions of dollars in damage.

In the last 3 weeks, just before Memorial Day, we also have seen historic rainfalls and subsequent flooding. The rain in the Houston area has ceased, but downstream in Brazoria County is my colleague from Fort Bend, just southwest of Houston, the flooding has continued. An estimated 200,000 residents, nearly two-thirds of the population of Brazoria County, have been

affected by the flooding. Once again, I stand before this body while southeast Texas is under water.

Once again, I stand with my Houston colleagues and ask the House of Representatives to give our constituents the resources we need to protect lives and property in the future.

I have worked with my colleague, AL GREEN, on H.R. 5025, to appropriate \$311 million to complete our bayou system. These projects are not imaginary. They are ideas that would help, and these projects during the process would save lives. These are projects that the Corps of Engineers have said that they have approved. We just don't have the money to complete them.

In the Houston area, we have a number of bayou systems that actually start in Congressman OLSON's, Congressman AL GREEN's, Congressman CULBERSON's, and Congressman MCCAUL's districts. But it runs through my area because I have the eastern side of Harris County, where Buffalo Bayou and the Houston Ship Channel are located. We are downstream from those, and we see that flooding ourselves. I ask the House to bring our bill to the floor and to help mitigate the suffering of these thousands of Texans.

Earlier this month, our office received early notification that the United States is entering hurricane season as of June 1. Once again, the problem could be expanded. Like I said earlier, in 2001, Tropical Storm Allison hit the Texas Gulf Coast and devastated my area of east and north Houston. In 2008, Hurricane Ike caused citywide flooding and hundreds of millions of dollars in damage. Again, it came over our district in east Harris County.

Now we face another hurricane season with the possibility of extended damage and no protection for our vulnerable citizens. Houstonians continue to suffer the effects of Mother Nature, and we have the ability to help them. The President has declared Houston a disaster area a number of times.

Again, with hurricane season upon us, we would like to see that Congress responds and acts on H.R. 5025 as the best option now.

□ 1930

Again, these are flood control projects that have been approved. We just don't have the money. Of course, in Houston, Harris County, we have a flood control district that we pay our property tax to. They have to come up with a match for the Federal funding, so it is not all Federal funding taking care of our problems. It is actually local folks also paying up to be able to keep our houses and homes from flooding and our families and neighbors from drowning.

Again, I ask my colleagues to support H.R. 5025. I want to thank my colleague, AL GREEN, for his leadership on

this. We will continue to ask our colleagues to help even through this hurricane season. It doesn't end until typically the end of October. Again, I thank the gentleman for yielding to me.

Mr. AL GREEN of Texas. I thank my colleague for coming to the floor. I know a good many of his constituents—he and I are often in each other's districts. I know that they are exceedingly pleased that he has taken up this cause. My hope is that he and I will continue with this mission of mercy, if you will, such that we will bring to fruition some solutions for the problems that we encounter not only in Houston, but also across the length and breadth of our State.

I am honored to yield, Mr. Speaker, to the gentleman from the 20th Congressional District of Texas (Mr. CASTRO), who is in Congress not as a neophyte. I believe he has been here now into his second term. He has done an outstanding job since he arrived in Congress. We are honored to hear from him about some of his concerns and his constituents.

Mr. CASTRO of Texas. Mr. Speaker, I thank Congressman GREEN for yielding me this time and for organizing tonight's discussion on the devastation our State has seen in recent weeks and months. I know that his city of Houston has experienced truly horrific flooding and destruction, and I offer my condolences to him and to the entire Houston community.

These storms have been severe and deadly. We all mourn the loss of nine soldiers training at Fort Hood whose lives were taken way too soon in floodwaters last week. Six other people across Texas have also died as a result of the storms as well. My prayers are with the families and loved ones of all those whose lives were claimed by this terrible flooding.

Some of the most destructive weather that my hometown, San Antonio, experienced was back in April when three hailstorms struck our city. The Insurance Council of Texas estimates that those storms caused more than \$2 billion in damage, and the Council projects \$1.93 billion in losses from auto and homeowner claims.

It is not unusual for San Antonio to get a foot of rain by early June each year, but rainfall totals are already double that amount so far in 2016. All of this precipitation is a major economic hit to our city, and it poses a real threat to people's well-being.

I urge folks in San Antonio and across Texas to educate themselves on storm and flood safety. I also encourage Texans who have questions about what help the Federal Government can provide during this trying time to reach out to their Members of Congress. You see a number of us here on the House floor tonight drawing attention to this issue, specifically the issue

of flooding in Texas. We are deeply concerned, and we are here to offer any assistance that we can.

I would also say to Congressman GREEN that in addition to what has been the tragic loss of life and the obvious property destruction wrought by these floods, there is also an untold cost in the flooding. I grew up in a few neighborhoods in San Antonio where we didn't have sidewalks, for example.

Often in lower income areas or even in middle-income areas, older parts of the city that don't have sidewalks and don't have the proper infrastructure to deal with even mid-level flooding. People's basements or garages will flood, ruining a lot of property. These are folks who oftentimes are renters or don't have insurance, and so there is really no recourse for them. They end up just paying the price.

It really speaks to the importance of the work that we do, the States do, and the local governments do in making sure that infrastructure is properly built, that it is built across cities and counties, and that flooding is prevented everywhere it can be.

Mr. AL GREEN of Texas. Mr. Speaker, I greatly appreciate the gentleman sharing time with us on the floor tonight. He has spoken very eloquently about some of the concerns that go beyond the visible property damages.

Ostensibly things happen, but there are some other things that are happening that we don't always uncover. When these things happen to poor people, the damages can exceed far more than the eye can see. I am grateful that he has called some of these things to our attention. Thank you very much.

At this time, I am going to call upon another colleague. All of these are dear friends. These are persons who have come to the floor tonight, quite frankly, not in a bipartisan effort, but more in a nonpartisan effort. There is no partisanship associated with what we do. We work together on these issues.

I am honored to yield to the gentleman from the 14th Congressional District, the Honorable RANDY WEBER. He is one of my neighbors as well. I welcome you, and I yield to him, my dear friend.

Mr. WEBER of Texas. I thank my good friend, Congressman GREEN from Houston, for yielding to me. I appreciate that. He is the consummate gentleman. I appreciate him lining this up and helping us to draw attention to it.

Mr. Speaker, all the recent rains in Texas have devastated parts of up to 31 counties in our beloved State. Governor Greg Abbott has declared them a disaster area. I happen to represent the lower half of Brazoria County, from the south side of Alvin going south, and it has been the recipient of a lot of flooding.

On Monday, I toured the Emergency Management Office Command Center

in Angleton, Texas, which is the county seat for Brazoria County. I was privileged to meet with County Judge Matt Sebesta and others as I was introduced to the Brazoria County first responders working night and day to take care of our citizens, our citizens' animals and their livestock, and their property as much as we could.

I was also privileged, Mr. Speaker, to go up in a Texas DPS helicopter with two of our great Department of Public Safety pilots. Wow. What devastation, Congressman GREEN, in Brazoria County. I have pictures on my iPhone. I mean, it is just unbelievable the flooded areas. The devastation and destruction is astounding. Waters from the Brazos River, the San Bernard, and other creeks and bayous are out of their banks and wreaking havoc in our area.

Mr. Speaker, I want my constituents to know that our office is already on the ground in the area, already working to ensure that FEMA is in gear, and that our constituents are taken care of. I would like to give a shout out to my great staff, Ms. Dodie Armstrong, Ms. Carmen Galvan, and Jed Webb, who have been on the ground there at the Emergency Management Center monitoring this almost night and day and interfacing with the county to provide them any assistance needed. We have assured Brazoria County that anything we can do, as my good friend JOAQUIN CASTRO was saying, from our end to assist, we would be glad to do that.

Let me just add that we, too, mourn the loss of the Fort Hood soldiers. Our thoughts and prayers go out to them and their families.

Mr. Speaker, we will bounce back from this. Our great Brazoria County first responders are on top of the situation, and our great Brazoria County folks are resilient. I have to say that about Congressman GREEN's Houston constituents as well, our Texas people.

I have lived on the Gulf Coast of Texas almost 63 years. In fact, it will be 63 years this July 2nd coming up. I have seen nothing quite of this magnitude in flooding in our area, but I have seen a lot of hurricanes, a lot of disasters. Texans are a resilient people. They are going to need our help. They are going to need our prayers. They are going to need some time to heal and get back to business as usual.

I want to say, again, thank you to my good friend, AL GREEN from Houston, for setting this up in a very bipartisan way. We just appreciate that.

Mr. AL GREEN of Texas. Mr. Speaker, I thank the Honorable RANDY WEBER. I especially thank him for signing on early to the legislation that Congressman GENE GREEN called to our attention. I appreciate it greatly. We look forward to working with the gentleman. I thank him for the outstanding effort.

Mr. Speaker, you heard one of our Members mention that we were having 100-year and 500-year floods. This is debatable, I suppose, whether they are 100-year floods or 500-year floods, but there is one fact that is beyond dispute. It is beyond reproach. The fact is this: We are having billion dollar floods. Billion dollar floods, Mr. Speaker, in Houston, Texas.

Within the last year, a little more than a year now, but within a 12-month period of time, Houston, Texas, has been declared a disaster area twice. Twice. Over the last 20 years, billions of dollars spent, and we have had 4 to 5 days of flooding each year over the last 20 years.

This flooding is causing great harm to property. There are people who have just moved back into their homes, Mr. Speaker, and they find themselves now being evicted by floodwaters again, waters that they cannot extricate themselves from. Their homes are stationary and fixed. They have to cope with these floods. They have to cope with their life after the floods. We are here tonight to let the country know that we in Houston, Texas, are tough. We are Texas tough. But there is something that we can do to help the people in Houston, Texas.

I don't want to talk about that right now, to be quite candid with you. After losing the lives of our military persons in Fort Hood, Texas, I believe it is very important for us to make some special reference to them. These are people who have served this country, who were prepared to live and die for the country. They are persons who were in training, and they were among the finest that we have. I regret that we have lost them.

All lives are precious. All lives are special. I came to the floor earlier, and I recited the names of persons who had lost their lives, some 16 persons in the Memorial Day flood and the tax day flood. At this time, I believe it necessary and appropriate to mention the persons who lost their lives in Fort Hood, nine soldiers.

Mr. Speaker, we had a staff sergeant lose his life, Staff Sergeant Miguel Angel Colonvazquez, 38 years of age. Mr. Speaker, he served with honor. He received five Army Commendation Medals and Army Achievement Medals, three Army Good Conduct Medals, two Korea Defense Service Medals, the Army Service Ribbon, the North Atlantic Treaty Organization Medal, and other honors as well.

Specialist Yingming Sun, age 25, from California. He received the National Defense Service Medal, the Global War on Terrorism Medal, the Korea Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon.

Specialist Christine Faith Armstrong, age 27, from California. She received the National Defense Service

Medal, Global War on Terrorism Medal, Korea Defense Service Medal, Army Service Ribbon, and the Overseas Service Ribbon.

Private First Class Brandon Austin Banner, 22 years of age. He received the National Defense Service Medal, Global War on Terrorism Medal, Korea Defense Service Medal, Army Service Ribbon, Overseas Service Ribbon, Marksmanship Qualification Badge.

Private First Class Zachery Nathaniel Fuller, age 23, Floridian. He received the National Defense Service Medal, Global War on Terrorism Medal, Army Service Ribbon.

Private Isaac Lee Deleon, age 19. He received the National Defense Service Medal, Global War on Terrorism Medal, Army Service Ribbon.

Private Eddy Gates, age 20, North Carolina. She received the National Defense Service Medal, Global War on Terrorism Medal, Army Service Ribbon.

Private Tysheena James, age 21. She received the National Defense Service Medal, Global War on Terrorism Medal, Army Service Ribbon.

Finally, Cadet Mitchell Alexander Winey, age 21. He was majoring in Engineering Management at West Point.

Mr. Speaker, I am grateful for the time, and I would like to close with this, if you will allow. All of these people were meeting the measure of life that Ruth Smeltzer called to our attention: Some measure their lives by days and years, others by heartthrobs, passions and tears; but the surest measure under God's sun is what for others in your lifetime have you done.

□ 1945

These were persons who were committed to doing for others in this great country; and they were committed to doing it to the extent that, unfortunately, with all of their honors, they lost their lives in circumstances from which they could not extricate themselves under adverse weather conditions.

I believe that they are worthy of a moment of a silence. They are worthy of much more, to be quite candid with you, but I believe that tonight this House should recognize all of them and all of those who have lost their lives with a moment of silence. And I shall ask that we engage in such at this time.

Mr. Speaker, I would have the families of all of them note that they may be gone physically, but they will never be forgotten. We want the record to show that they served their country with distinction and with honor.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in recognition of the ongoing flooding in my home state of Texas. Texas has experienced numerous incidences of heavy rain and extreme weather events since

last summer, which have resulted in extensive flooding, property damage, and tragic loss of life.

Flooding and heavy rain has affected much of our vast state this spring. Flood warnings continue throughout Dallas County along the Trinity River this week, while my district has been the focus of flash flooding and severe weather for the better part of this year. Further throughout Texas, rain gauges at the Austin-Bergstrom International Airport, College Station-Bryan, and San Angelo have recorded the wettest spring seasons on record for these areas.

Recent flooding in Texas has so far claimed the lives of 16 individuals and has resulted in significant costs associated with property damage. Even more alarming is the fact that these catastrophic floods seem to be occurring with greater severity and frequency over time. More than ever, we need to recognize the effects of climate change on our normal weather systems. Before we can begin to seriously address these severe acts of nature, we must trace these events back to their root cause. Climate change is undeniably a significant contributing factor of the increase in frequency and severity of these storms.

The State of Texas has fostered a strong relationship with our federal partners, such as the Department of Homeland Security, to deliver critical funding and emergency response for rescue and clean-up efforts. As long as these floods continue, we need to continue to build on our cooperation and work over the past year by not only improving our response to current events, but also by taking deliberate steps to mitigate future risks.

Mr. Speaker, the extreme weather events that we are experiencing in Texas are emblematic of the potentially devastating consequences of climate change—and this is only the beginning. As we continue our efforts to assist the people of Texas, I urge for more federal assistance in our fight to address the recent rain and flooding while also mitigating future flooding concerns throughout the state.

Ms. JACKSON LEE. Mr. Speaker, on April 17–18, 2016 Houston experienced a historic flood event that claimed the lives of eight people; damaged over 1,150 households; disrupted hundreds of businesses; closed community centers, schools, and places of worship due to flood waters.

On Monday, April 25, I led a tour and held a press conference with the Army Corps of Engineers, local and state elected officials to focus on the damage caused by the flood and to refocus our efforts on reducing the damage and frequency of flooding in the Houston area.

On April 25, President Obama granted the request for federal Individual Assistance for Harris County residences and business owners who were affected by severe weather and flooding. I would like to thank all the local, state and federal officials who helped in making this possible.

On May 3, 2016, I held a town hall for the residents of Houston, which includes my constituents in the 18th Congressional District so that they could learn from FEMA what resources were available to assist them with recovery.

Unfortunately, that was not the end of the story of flooding in Houston for 2016—in early

June another record setting rainfall led to catastrophic flooding throughout the Houston area.

At the beginning of this month Houston once again was flooded and another Disaster Assistance request was submitted to the White House.

I am grateful to the President and the great work of those at the Department of Homeland Security who worked tirelessly to help people after both events.

I spoke on the House Floor several times over the last six weeks about the floods and the suffering caused by the waters that came through our communities—damaging homes, our schools, places of business, and our places of worship.

I am gratified that the House approved my amendments to The Energy and Water Appropriations Act which will help facilitate the \$3 million needed to fund the Army Corps of Engineers' Houston Regional Watershed Assessment flood risk management feasibility study.

The Energy and Water Appropriations Act for Fiscal Year 2017 (H.R. 5055) provides that the Secretary of the Army may initiate up to six new study starts during fiscal year 2017, and that five of those studies are to consist of studies where the majority of the benefits are derived from flood and storm damage reduction or from navigation transportation savings.

My discussion on the House floor about Jackson Lee Amendment with Chairman SIMPSON and Ranking Member KAPTUR of the Energy and Water Appropriations Subcommittee made a compelling case and legislative record that the Houston Regional Watershed Assessment Flood Risk Management Feasibility study is most deserving to be selected by the Secretary of the Army as one of the new study starts.

The Energy and Water Appropriations Act is still under consideration in the House, and I continue to work with my colleagues in moving this important effort forward.

The Houston Regional Watershed Assessment study is critically needed given the frequency and severity of historic-level flood events in recent years in and around the Houston metropolitan area.

The purpose of the Houston Regional Watershed Assessment is to identify risk reduction measures and optimize performance from a multi-objective systems performance perspective of the regional network of nested and intermingled watersheds, reservoir dams, flood flow conveyance channels, storm water detention basins, and related Flood Risk Management (FRM) infrastructure.

Special emphasis of the study, which covers 22 primary watersheds within Harris County's 1,756 square miles, will be placed on extreme flood events that exceed the system capacity resulting in impacts to asset conditions/functions and loss of life.

The Federal government should not run every aspect of our lives—but it is an umbrella on a rainy day—it is a shelter in a powerful storm.

The Federal government is help when no other source of help can meet the challenges we may be facing is sufficient.

It takes all sectors of a community to effectively prepare for, protect against, respond to, recover from, and mitigate against any disaster.

We come together as community—we come together as Houstonians—we come together as Texans and yes—we come together as Americans to provide support, help and assistance to each other during difficult times.

This is a difficult time for many in our city of Houston.

Some of those who were hit hard by the flood are here tonight, but there are many others who suffered losses who were not able to be here.

I ask that you take material with you to share with your neighbors, friends, family, and co-workers who had flood damage or economic impacts due to the flood, but were not able to join us tonight so that they can get the help they may need to recover from the historic flooding.

You may qualify for FEMA Individual Assistance grants of up to \$33,000 from the federal government, and low-interest disaster loans from the U.S. Small Business Administration.

An estimated 240 billion gallons of water fell in the Houston area over a 12 hour period, which resulted in several areas exceeding the 100 to 500 year flood event record.

The records on floods are based upon the time period of rain fall, the location of the rain fall, and the duration of the event over a watershed.

The areas that experienced these historic rain falls in April were west of 1–45, north of 1–10, and Greens Bayou.

An estimated 140 billion gallons of water fell over the Cypress Creek, Spring Creek, and Addicks watershed in just 14 hours.

The flooding problems in the Houston area are frequent, widespread, and severe, with projects to reduce flood risks in place that are valued at several billion dollars.

Recent historical flooding in the region was documented in 1979, 1980, 1983, 1989, 1993, 1994, 1997, 2001 (Tropical Storm Allison), 2006, 2007, and 2008 (Hurricane Ike).

In 2015, the Houston and surrounding area experienced widespread historic flooding; and again two weeks ago we saw significant flooding damage and loss of life during the 12 hour flood event from April 17–18, 2016.

On June 6, 2016, I held a tour of the flood damage in Houston, Texas with the President and CEO of The American Red Cross Gail McGovern.

Following the flooding in April I worked with FEMA and the city of Houston to provide housing to those left homeless by the flooding in April.

Organized a Houston area delegation letter to appropriators to fund a study.

Sent letters to appropriators on the impact of flooding on the region and requested that a similar effort to deal with storm surge be undertaken for the upper Texas Gulf Coast.

On March 10, 2016, I held what is likely one of the first Congressional events to raise public awareness regarding Zika Virus and to ascertain the needs of local and state agencies who would be responsible for responding to the threat.

On June 1, 2016, CDC reports are there are 1,732 confirmed Zika cases in the continental United States and U.S. Territories.

Cases of the Zika Virus have been reported in every state in the United States except Alaska; Idaho; North Dakota; South Dakota; and Wisconsin.

At that meeting I called for the following directives to happen:

1. Establish a national task force to discuss the Zika virus;

The First meeting of the Task Force occurred on Tuesday, June 7, 2016.

Other objectives that I outlined included:

2. Creation of public service messages explaining what the word DEET means and why it is important to protect yourself with insect repellent;

3. We must make sure that untreated mosquito bed netting is available to women and girls in high risk areas;

4. Post posters in all public hospitals highlighting the dangers of the Zika virus and how one can protect themselves from the Zika virus;

5. Hold a MAJOR briefing in Houston with officials from the CDC regarding the Zika virus;

6. Conduct a Houston/Harris County Public service campaign to inform the community about traveling to Zika Virus mosquito borne infected regions around the world; and

7. We must secure public and private funds to cleanup illegally dumped tires and other debris where mosquitos may breed near people.

We must also rethink how testing is conducted for the Zika Virus.

Dr. Peter Hotez, Dean of the School of Tropical Medicine at Baylor College of Medicine recommends that an aggressive testing and disease surveillance approach be adopted for areas of greatest risk along the Gulf Coast like the city of Houston.

Sub-tropical climate;

Areas of Extreme Poverty;

Presence of the most threatening Zika Virus carrying mosquitoes the *Aedes Aegypti*;

Mosquito breeding conditions that are supportive of spread of the disease from travelers who come to the Houston area with the illness.

The CDC guidance for persons who seek testing for the disease should allow for greater testing in areas that have these conditions along the Gulf Coast from Texas to Florida.

Mosquito surveillance along the Gulf Coast is not even near as well-resourced as it once was due to budget cuts and a lack of concern regarding mosquito borne disease, which has greatly reduced capacity and competence in this critical area.

The mosquito that carries Zika Virus is known as the greatest killer of people—it is also known as the yellow fever mosquito.

This *Aedes* mosquito is the real threat and it must be battled from the neighborhood level up to the county or parish level.

President Obama's request for \$1.9 Billion in Zika Virus Emergency Response Funding.

The Senate passed a Zika Virus Appropriations of \$1.1 billion, but unfortunately the House only provided \$622 million.

The Senate has called for a conference to reconcile the differences between the two bills. The CDC reported on May 30, 2016, that it has confirmed cases of the Zika Virus include 279 pregnant women in the United States or U.S. Territories.

This number is double the number of cases reported the previous week.

The CDC is reporting all pregnant women who have "any laboratory evidence" of possible infection, no matter what.

The CDC made the change after seeing reports of asymptomatic pregnant women—women with no symptoms who delivered children with known Zika Virus birth defects.

These are sobering and troubling numbers this early in our mosquito season.

These cases of Zika Virus include both travel related and those that were contracted from mosquito bites.

The 13 Local Cases of the Zika Virus are all travel related thus far.

Seven cases of the Zika Virus recorded by Harris County Public Health Environmental Services.

Six reported by the City of Houston Public Health Department Reported cases of the Zika Virus.

We know that 4 in 5 people who contract the Zika Virus have no symptoms.

This is especially problematic for pregnant women who may become infected with the Zika Virus and have no symptoms.

Although the contracting of the disease is most associated with mosquitoes it has been transmitted sexually.

This presents other challenges to Zika Virus public education and preparedness.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 46 minutes p.m.), the House stood in recess.

□ 2203

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BYRNE) at 10 o'clock and 3 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-610) on the resolution (H. Res. 770) providing for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 114-611) on the resolution (H. Res. 771) providing for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the

fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARDY (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a death in the family.

Mr. JEFFRIES (at the request of Ms. PELOSI) for June 7 and today.

Mr. PAYNE (at the request of Ms. PELOSI) for today on account of being in district.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 9, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5627. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Removal of the Equal Employment Opportunity; Policy, Procedures and Programs Regulation [Docket No.: FR-5645-F-01] (RIN: 2501-AD78) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5628. A letter from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's interim final rule — Form 10-K Summary [Release No.: 34-77969; File No.: S7-09-16] (RIN: 3235-AL89) received June 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5629. A letter from the Chief Counsel, National Telecommunications and Information Administration, Department of Commerce, transmitting the Department's final rule — Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management [Docket No.: 160523450-6450-01] (RIN: 0660-AA32) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5630. A letter from the Deputy Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted in Feed and Drinking Water of Animals; Chromium Propionate [Docket No.: FDA-2014-F-0232] received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5631. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Food Labeling: Revision of the Nutrition and Supplement Facts Labels [Docket No.: FDA-2012-N-1210] (RIN: 0910-AF22) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5632. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to Definitions in the Export Administration Regulations [Docket No.: 141016858-6004-02] (RIN: 0694-AG32) received June 3, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5633. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Rewrite of GSAR Part 515, Contracting by Negotiation [GSAR Case 2008-G506; Docket 2008-0007; Sequence 14] (RIN: 3090-AI76) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5634. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Rewrite of GSAR Part 517, Special Contracting Methods [GSAR Change 71; GSAR Case 2007-G500; Docket No.: 2008-0007; Sequence No.: 3] (RIN: 3090-AI51) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5635. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — General Services Administration Acquisition Regulation (GSAR); Purchasing by Non-Federal Entities [GSAR Change 73; GSAR Case 2010-G511; Docket No.: 2014-0008; Sequence No.: 1] (RIN: 3090-AJ43) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5636. A letter from the Acting Chief, Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Zuni Bluehead Sucker [Docket No.: FWS-R2-ES-2013-0002; 4500030114] (RIN: 1018-AZ23) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5637. A letter from the Acting Chief, Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting the Department's critical habitat determination — Endangered and Threatened Wildlife and Plants; Determination That Designation of Critical Habitat Is Not Prudent for the Northern Long-Eared Bat [Docket No.: FWS-R3-ES-2016-0052; 4500030113] (RIN: 1018-AZ62) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5638. A letter from the Chief, Wildlife Trade and Conservation Branch, Division of

Management Authority, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revision of the Section 4(d) Rule for the African Elephant (*Loxodonta africana*) [Docket No.: FWS-HQ-IA-2013-0091; 96300-1671-0000-R4] (RIN: 1018-AX84) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5639. A letter from the Acting Manager, Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Oregon Spotted Frog [Docket No.: FWS-R1-ES-2013-0088; 4500030114] (RIN: 1018-AZ56) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5640. A letter from the Senior Advisor, Office of Offshore Regulatory Programs, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Technical Corrections [Docket ID: BSEE-2016-0006; EEEE500000 16XEL700DX EXISF0000.DAQ000] (RIN: 1014-AA15) received June 6, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5641. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 140918791-4999-02] (RIN: 0648-XE504) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5642. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Medicare Shared Savings Program; Accountable Care Organizations—Revised Benchmark Rebased Methodology, Facilitating Transition to Performance-Based Risk, and Administrative Finality of Financial Calculations [CMS-1644-F] (RIN: 0938-AS67) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 3738. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to improve the transparency, accountability, governance, and operations of the Office of Financial Research, and for other purposes (Rept. 114-608). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4638. A bill to amend the Securities Exchange Act of 1934 to allow for

the creation of venture exchanges to promote liquidity of venture securities, and for other purposes; with an amendment (Rept. 114-609). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 770. Resolution providing for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes (Rept. 114-610). Referred to the House Calendar.

Mr. WOODALL: Committee on Rules. House Resolution 771. Resolution providing for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-611). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FITZPATRICK (for himself and Ms. SLAUGHTER):

H.R. 5403. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to liability under State and local requirements respecting devices; to the Committee on Energy and Commerce.

By Mr. FITZPATRICK (for himself, Ms. SLAUGHTER, and Mr. ZINKE):

H.R. 5404. A bill to amend the Federal Food, Drug, and Cosmetic Act to require physicians and physician's offices to be treated as covered device users required to report on certain adverse events involving medical devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Mr. KINZINGER of Illinois, Mr. CÁRDENAS, and Mrs. WAGNER):

H.R. 5405. A bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system; to the Committee on Energy and Commerce.

By Mrs. NOEM (for herself, Mr. ASHFORD, Mr. SMITH of Nebraska, Mr. FORTENBERRY, Mr. CRAMER, and Ms. MCCOLLUM):

H.R. 5406. A bill to amend the Indian Health Care Improvement Act to improve access to tribal health care by providing for systemic Indian Health Service workforce and funding allocation reforms, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 5407. A bill to amend title 38, United States Code, to direct the Secretary of Labor to prioritize the provision of services to homeless veterans with dependent children in carrying out homeless veterans reintegration programs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO (for herself, Mr. CONYERS, Ms. BROWN of Florida, Ms. NOR-TON, Mr. CICILLINE, and Mr. GUTIÉRREZ):

H.R. 5408. A bill to provide for the treatment and extension of temporary financing of short-time compensation programs; to the Committee on Ways and Means.

By Mr. HILL:

H.R. 5409. A bill to help individuals receiving disability insurance benefits under title II of the Social Security Act obtain rehabilitative services and return to the workforce, and for other purposes; to the Committee on Ways and Means.

By Mr. FLORES:

H.R. 5410. A bill to amend the Patient Protection and Affordable Care Act to better align the grace period required for non-payment of premiums before discontinuing coverage under qualified health plans with such grace periods provided for under State law; to the Committee on Ways and Means.

By Mr. KENNEDY (for himself, Ms. SCHAKOWSKY, Mr. TONKO, and Ms. MATSUI):

H.R. 5411. A bill to amend title XIX of the Social Security Act to provide under the State plan under the Medicaid program early and periodic screening, diagnostic, and treatment services to individuals under age 21 who are receiving services in institutions for mental diseases; to the Committee on Energy and Commerce.

By Mr. KILMER (for himself, Ms. STEFANK, and Ms. DELBENE):

H.R. 5412. A bill to provide the right of American Indians born in Canada or the United States to pass the borders of the United States to any individual who is a member, or is eligible to be a member, of a Federally recognized Indian tribe in the United States or Canada, and for other purposes; to the Committee on the Judiciary.

By Mr. SALMON:

H.R. 5413. A bill to amend the Consumer Financial Protection Act of 2010 to provide additional requirements for the consumer complaint website of the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Financial Services.

By Mr. UPTON (for himself and Mr. PALLONE):

H.R. 5414. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for establishment of one or more Intercenter Institutes within the Food and Drug Administration for a major disease area or areas, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Mr. NADLER, Ms. DEGETTE, Ms. SPEIER, Ms. DELBENE, Mrs. WATSON COLEMAN, Mr. PALLONE, Mr. CONYERS, Mr. CUMMINGS, and Ms. SLAUGHTER):

H. Res. 769. A resolution terminating a Select Investigative Panel of the Committee on Energy and Commerce; to the Committee on Rules.

By Mr. AL GREEN of Texas (for himself, Mr. CICILLINE, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. POCAN, Mr. HINOJOSA, Mr. POLIS, Mr. GRIJALVA, Mr. SEAN PATRICK MALONEY of New York, Mr. LEWIS, Ms. JACKSON LEE, Mr. TAKANO, and Mrs. WATSON COLEMAN):

H. Res. 772. A resolution encouraging the celebration of the month of June as LGBTQ Pride Month; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

252. The SPEAKER presented a memorial of the Legislature of the State of West Virginia, relative to House Concurrent Resolution No. 20, urging the United States Congress to provide funding for the West Virginia National Guard to sustain and enhance

its capabilities in its role in a regional catastrophe and to modernize the antiquated avionics of its fleet of C130s and other aircraft to meet global airspace requirements for 2020; to the Committee on Armed Services.

253. Also, a memorial of the Senate of the State of Iowa, relative to Senate Resolution 118, calling upon the Congress of the United States, the United States Environmental Protection Agency, the President of the United States, and this country's future President of the United States and administration, to continue to support the RFS in order to encourage American energy production and to strengthen rural communities; to the Committee on Energy and Commerce.

254. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 119, to recognize May 2016 as "Amyotrophic Lateral Sclerosis Awareness Month" and to memorialize the Congress of the United States to enact legislation to provide additional funding for research for the treatment and cure of Amyotrophic Lateral Sclerosis; to the Committee on Energy and Commerce.

255. Also, a memorial of the Legislature of the State of Colorado, relative to House Joint Resolution 16-1013, condemning atrocities against Christians and other ethnic and religious minorities; to the Committee on Foreign Affairs.

256. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 66, memorializing the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to rectify the revenue sharing inequities between coastal and interior energy producing states; to the Committee on Natural Resources.

257. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 90, to memorialize the Congress of the United States to designate the Louisiana Highway 8/Louisiana Highway 28 corridor as Future Interstate 14; to the Committee on Transportation and Infrastructure.

258. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 91, designating Wednesday, April 27, 2016, as the fourth annual Liquefied Natural Gas Day at the state capitol; jointly to the Committees on Energy and Commerce and Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FITZPATRICK:

H.R. 5403.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. FITZPATRICK:

H.R. 5404.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COHEN:

H.R. 5405.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. NOEM:

H.R. 5406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sections 7 and 8 of the Constitution of the United States

By Ms. BROWN of Florida:

H.R. 5407.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. DELAURO:

H.R. 5408.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. HILL:

H.R. 5409.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. FLORES:

H.R. 5410.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KENNEDY:

H.R. 5411.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KILMER:

H.R. 5412.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 Clause 18 "To make all Laws which shall be necessary and proper . . ."

By Mr. SALMON:

H.R. 5413.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power . . . To make Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. UPTON:

H.R. 5414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 188: Mr. SEAN PATRICK MALONEY of New York,

H.R. 244: Mr. WITTMAN, Mr. PITTENGER, and Mrs. MILLER of Michigan.

H.R. 250: Mr. BLUM.

H.R. 302: Mr. SCHRADER.

H.R. 379: Mr. GARRETT and Ms. EDWARDS.

H.R. 391: Ms. KAPTUR, Mr. LOEBSACK, Mrs. DINGELL, Mr. CLYBURN, Mrs. WATSON COLEMAN, Mr. KILDEE, and Ms. PLASKETT.

H.R. 415: Mr. CICILLINE, Ms. NORTON, and Mr. TED LIEU of California.

H.R. 448: Mr. GARAMENDI.

H.R. 542: Miss RICE of New York.

H.R. 605: Mr. LOBIONDO.

H.R. 612: Mr. HARDY.

H.R. 711: Mr. THORNBERRY.

H.R. 769: Mr. RENACCI.

H.R. 836: Mr. TROTT and Mr. MARCHANT.

H.R. 921: Mr. BARTON, Mr. ISSA, Mr. DESANTIS, and Mr. BUTTERFIELD.

H.R. 927: Ms. MCCOLLUM.

H.R. 969: Mr. ROHRBACHER.

H.R. 1062: Mr. BARTON.

H.R. 1130: Ms. ROYBAL-ALLARD.

H.R. 1148: Mr. CHAFFETZ.

H.R. 1151: Mrs. ROBY and Mr. MEEHAN.

H.R. 1197: Mr. LAHOOD.

H.R. 1218: Ms. DELBENE.

H.R. 1258: Mr. GUTIÉRREZ and Mr. KIND.

H.R. 1427: Ms. VELÁZQUEZ and Mr. LOBIONDO.

H.R. 1516: Mr. SHUSTER.

H.R. 1549: Mr. MESSER.

H.R. 1559: Mr. TROTT and Mr. RIGELL.

H.R. 1581: Mr. DESJARLAIS.

H.R. 1603: Mr. POLIQUIN.

H.R. 1652: Mr. MEEHAN.

H.R. 1655: Mr. HECK of Washington.

H.R. 1706: Miss RICE of New York and Mr. PERLMUTTER.

H.R. 1717: Mr. ROYCE, Mr. BUTTERFIELD, and Mr. LOBIONDO.

H.R. 1845: Mr. ASHFORD.

H.R. 1860: Mrs. HARTZLER.

H.R. 1904: Mrs. DINGELL.

H.R. 1905: Mrs. DINGELL.

H.R. 2411: Ms. LOFGREN.

H.R. 2434: Mr. LARSON of Connecticut and Mr. BRADY of Pennsylvania.

H.R. 2500: Mr. SARBANES and Mr. ALLEN.

H.R. 2513: Mr. THORNBERRY.

H.R. 2698: Mr. BROOKS of Alabama.

H.R. 2737: Mr. NADLER, Mr. SMITH of Missouri, Mr. COLE, Mr. JOYCE, Mrs. BEATTY, Mr. TONKO, Mr. ISRAEL, Mr. CUELLAR, Mr. BOUTANY, Ms. PINGREE, Mr. RUIZ, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2739: Mr. DOLD, Mr. PERLMUTTER, Mr. FOSTER, and Mr. PRICE of North Carolina.

H.R. 2752: Mr. POCAN.

H.R. 2759: Mr. SHIMKUS.

H.R. 2889: Mr. TAKANO and Mr. TONKO.

H.R. 2903: Mr. ISRAEL, Mr. DENHAM, and Mr. BUTTERFIELD.

H.R. 2911: Ms. TITUS.

H.R. 2992: Mr. ROKITA, Mr. ROONEY of Florida, Mr. COLE, Mr. TOM PRICE of Georgia, Mr. HUDSON, Mr. KELLY of Pennsylvania, Mr. AMODEI, Mr. MOULTON, Mr. HANNA, and Miss RICE of New York.

H.R. 3094: Mr. ZINKE, Mrs. LUMMIS, and Mr. MOONEY of West Virginia.

H.R. 3099: Mrs. WATSON COLEMAN, Mrs. CAROLYN B. MALONEY of New York, Mr. MACARTHUR, and Mr. CURBELO of Florida.

H.R. 3180: Mr. WITTMAN.

H.R. 3222: Mr. CRAMER.

H.R. 3235: Ms. ROS-LEHTINEN and Mr. MEEHAN.

H.R. 3238: Mr. PAULSEN.

H.R. 3255: Mr. AUSTIN SCOTT of Georgia.

H.R. 3268: Mr. RYAN of Ohio.

H.R. 3316: Ms. DELBENE.

H.R. 3535: Mr. PETERS.

H.R. 3539: Mr. ENGEL.

H.R. 3580: Mr. RYAN of Ohio and Mr. BISHOP of Utah.

H.R. 3632: Ms. DUCKWORTH.

H.R. 3720: Mr. ENGEL.

H.R. 3765: Mr. LUCAS.

H.R. 3799: Mr. RUSSELL.

H.R. 3861: Mr. YOUNG of Iowa.

H.R. 3880: Mr. RENACCI.

H.R. 3957: Mr. NUGENT.

H.R. 4013: Ms. LOFGREN.

H.R. 4019: Mr. RANGEL.

H.R. 4061: Mr. LANGEVIN.
H.R. 4247: Mr. ROONEY of Florida, Mr. RUSSELL, Mr. ROGERS of Kentucky, and Mr. PEARCE.
H.R. 4262: Mr. BILIRAKIS and Mr. LATTA.
H.R. 4352: Mr. RIBBLE, Mr. TOM PRICE of Georgia, and Mr. SESSIONS.
H.R. 4365: Mr. LABRADOR and Mr. ROGERS of Kentucky.
H.R. 4381: Mr. ALLEN.
H.R. 4424: Mr. HUNTER.
H.R. 4435: Mr. GRAYSON, Mr. HIGGINS, Mr. DOGGETT, Ms. LORETTA SANCHEZ of California, and Mr. LYNCH.
H.R. 4469: Mr. CHABOT, Mr. ZINKE, Mr. ISSA, and Mr. ROE of Tennessee.
H.R. 4481: Mr. KILMER and Mr. DESJARLAIS.
H.R. 4488: Mr. LYNCH.
H.R. 4559: Mr. BARTON, Mrs. BLACKBURN, and Mr. MULLIN.
H.R. 4567: Mrs. WAGNER.
H.R. 4585: Ms. HAHN and Ms. LOFGREN.
H.R. 4625: Mrs. CAROLYN B. MALONEY of New York.
H.R. 4626: Mr. LUCAS, Mr. LAMALFA, Mr. NOLAN, Mr. COSTA, Mr. WEBSTER of Florida, Mr. MCGOVERN, and Mr. WITTMAN.
H.R. 4646: Mr. ENGEL, Ms. DUCKWORTH, Mr. COURTNEY, Mr. CICILLINE, Mr. TED LIEU of California, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 4653: Mr. O'ROURKE and Ms. DELBENE.
H.R. 4662: Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, and Mr. CÁRDENAS.
H.R. 4665: Mr. ROSS and Mr. WALZ.
H.R. 4695: Mr. RYAN of Ohio, Ms. DELAURO, and Mr. LANGEVIN.
H.R. 4708: Mr. MURPHY of Pennsylvania and Mr. GRAYSON.
H.R. 4764: Mr. BILIRAKIS.
H.R. 4768: Mr. ROE of Tennessee, Mrs. WAGNER, Mr. AUSTIN SCOTT of Georgia, and Mr. CRAMER.
H.R. 4773: Mr. KELLY of Mississippi and Mr. CARTER of Texas.
H.R. 4795: Mr. HECK of Washington.
H.R. 4798: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. POLIS.
H.R. 4817: Mr. LOWENTHAL, Mrs. BROOKS of Indiana, Ms. CLARKE of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CURBELO of Florida, and Mr. POLIS.
H.R. 4854: Mr. SCHWEIKERT.
H.R. 4855: Mr. SCHWEIKERT.
H.R. 4918: Ms. DELAURO and Mr. TONKO.
H.R. 4931: Ms. DELAURO.
H.R. 4989: Mr. CICILLINE.
H.R. 5025: Mr. O'ROURKE.
H.R. 5044: Mr. LOWENTHAL, Mr. TAKAI, Mr. HOYER, Mr. THOMPSON of Mississippi, Mr.

RUSH, Mr. MEEKS, Mr. RANGEL, Mr. JEFFRIES, Mr. NEAL, Mr. BRADY of Pennsylvania, Mr. DAVID SCOTT of Georgia, Mr. NOLAN, and Mr. BERA.
H.R. 5051: Mr. SWALWELL of California, Mr. POLIS, Mr. QUIGLEY, Mr. PETERS, Mr. CARNEY, Ms. DUCKWORTH, Miss RICE of New York, Mr. COOPER, Mr. DESAULNIER, Mr. DELANEY, Mr. BUCSHON, Mr. CONNOLLY, Mr. SCHWEIKERT, and Mr. ISSA.
H.R. 5082: Mr. KING of New York, Mr. DUFFY, and Mr. BARR.
H.R. 5135: Mr. BOUSTANY.
H.R. 5166: Mrs. MILLER of Michigan, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MOONEY of West Virginia, and Mr. PETERSON.
H.R. 5177: Mr. PAYNE.
H.R. 5180: Mr. MARCHANT and Mr. HUDSON.
H.R. 5182: Mr. CONNOLLY.
H.R. 5190: Mr. FARENTHOLD.
H.R. 5203: Mr. BARLETTA.
H.R. 5207: Mr. DEUTCH and Mr. KEATING.
H.R. 5210: Mr. MCKINLEY, Mr. NEUGEBAUER, Mr. ALLEN, Mr. RODNEY DAVIS of Illinois, Mr. ROGERS of Kentucky, Mr. GRAVES of Georgia, and Mr. POCAN.
H.R. 5224: Mr. WITTMAN and Mr. GIBBS.
H.R. 5254: Mr. KEATING, Mr. HASTINGS, Ms. MOORE, Mr. POCAN, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 5258: Mr. KELLY of Mississippi.
H.R. 5272: Ms. ESHOO, and Ms. CLARK of Massachusetts.
H.R. 5275: Mr. LUETKEMEYER.
H.R. 5285: Mr. LOEBSACK, Mr. KENNEDY, and Mr. TIBERI.
H.R. 5292: Mr. CARTER of Georgia, Mr. HURD of Texas, Mr. LONG, Mr. FLORES, Mr. MULVANEY, Mr. RODNEY DAVIS of Illinois, Mrs. MIMI WALTERS of California, Ms. ROSLEHTINEN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. KIND, Mr. ROGERS of Kentucky, Mr. COURTNEY, Mr. GIBBS, and Mr. MEEHAN.
H.R. 5294: Mr. GIBBS and Mr. KELLY of Mississippi.
H.R. 5307: Mr. PEARCE, Mr. LAMALFA, Mr. GOHMERT, and Mr. KELLY of Mississippi.
H.R. 5319: Mr. GIBBS.
H.R. 5320: Ms. JENKINS of Kansas, Mr. ROSKAM, Mr. LATTA, Mrs. BLACK, Mr. JOYCE, Mr. ISSA, and Mr. MEEHAN.
H.R. 5340: Miss RICE of New York.
H.R. 5351: Mr. BYRNE.
H.R. 5361: Mr. RENACCI.
H.R. 5362: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 5368: Mr. CARTWRIGHT.
H.R. 5369: Ms. CLARK of Massachusetts.
H.R. 5386: Mrs. DINGELL.
H.R. 5400: Mr. RANGEL.

H.J. Res. 48: Mr. CONYERS.
H. Con. Res. 19: Mr. BARR and Ms. SCHAKOWSKY.
H. Con. Res. 128: Mr. LAMALFA.
H. Con. Res. 132: Mrs. DINGELL and Mr. TAKANO.
H. Res. 494: Ms. GRANGER and Mr. ROUZER.
H. Res. 590: Mr. COFFMAN and Mr. LIPINSKI.
H. Res. 617: Mr. MICA.
H. Res. 625: Mr. MEEHAN and Mr. CALVERT.
H. Res. 650: Mr. HUNTER.
H. Res. 660: Mr. MCCAUL and Ms. KELLY of Illinois.
H. Res. 667: Mr. MEEHAN.
H. Res. 668: Mr. GENE GREEN of Texas.
H. Res. 703: Mr. LANGEVIN.
H. Res. 712: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H. Res. 729: Mr. KILMER, Mr. GOSAR, Mr. MOONEY of West Virginia, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, Mr. YOUNG of Alaska, Mr. PALLONE, Mr. WALBERG, Mrs. ROBY, Mr. STEWART, Mr. MULVANEY, and Mr. WEBSTER of Florida.
H. Res. 730: Mr. POLIQUIN.
H. Res. 750: Ms. ROS-LEHTINEN, Mr. YOUNG of Indiana, Mr. SCHIFF, and Miss RICE of New York.
H. Res. 759: Mr. COSTA.
H. Res. 766: Mrs. BEATTY, Mr. BECERRA, Ms. WILSON of Florida, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CONYERS, Mr. DEUTCH, Mrs. DINGELL, Mr. GALLEG0, Mr. GRIJALVA, Mr. HECK of Washington, Mr. HIGGINS, Ms. NORTON, Ms. JACKSON LEE, Mr. KEATING, Mr. KENNEDY, Mr. KILMER, Mr. LANGEVIN, Ms. LEE, Mr. LEVIN, Mr. LOEBSACK, Mr. MCGOVERN, Mr. MEEKS, Mr. PALLONE, Mr. PERLMUTTER, Mr. PIERLUISI, Mr. RYAN of Ohio, Mr. SABLÁN, Mrs. WATSON COLEMAN, Ms. BORDALLO, and Mr. JEFFRIES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative ROB BISHOP, or a designee, to H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

SENATE—Wednesday, June 8, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who blesses us beyond what we deserve, we place our trust in You. Because of You, our future is brighter than we can imagine. Thank You for Your unfailing love and compassion, which You have shown from long ages past.

Continue to protect our Nation and world. Lord, give our lawmakers the grace to cherish and cultivate the virtues and values that make a nation great. Save our Senators from those transgressions that bring national ruin. May they keep ever before them Your vision for the people they serve and strive to leave the world better than they found it.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

ZIKA VIRUS

Mr. MCCONNELL. Mr. President, we all agree that the Zika virus is a real threat and needs to be addressed. Republicans and Democrats worked together to pass a bill here in the Senate to provide funding and resources. The House passed its own version. We are now ready to go to conference and complete a final bill. I will have more to say on that soon, but I appreciate the hard work of Members on both sides of the aisle in crafting the Senate's response.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR THE 21ST CENTURY ACT

Mr. MCCONNELL. Mr. President, after months of hard work and collaboration between both Chambers, last

night we were able to pass the first major environmental reform bill in two decades. I know Bonnie Lautenberg has waited for this day for a very long time. The Lautenberg act bears her husband's name and will go a long way toward modernizing our Nation's chemical safety regulations. It will look out for public safety, enhance transparency, and help support manufacturing and our economy. It is good legislation that languished for years until a new Senate majority made it a renewed priority. I want to thank Senators INHOFE and VITTER for all their work with Senators UDALL and MARKKEY to move this important measure forward. Its passage represents the latest example of how the Senate is back to work for the American people.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, on another important matter, the issue before us today, there are an array of threats facing our country. As the chairman of the Armed Services Committee recently observed, "[I]nstead of one great power rival, the United States now faces a series of trans-regional, cross-functional, multi-domain, and long-term strategic competitions."

There are the conventional military challenges, such as adversaries who have been developing and modernizing their missiles, airframes, ships, and ground forces; there are the asymmetric threats, such as cyber warfare, propaganda, and espionage; and there are nations, such as China, Iran, and Russia, which represent both conventional and asymmetric threats at the very same time.

If we are going to keep Americans safe, we have to prepare for all of these challenges. We have to modernize our defenses, keep up with technological advances, and recognize threats. Passing the National Defense Authorization Act before us would put our country on the path to doing these things. It is a reform bill that will encourage defense innovation. It is a forward-looking bill that will upgrade our missile defenses and modernize our military equipment. It is a responsible bill that will ensure that America's men and women in uniform receive more of the resources they need to confront the challenges of today and the threats of tomorrow.

As I have said before, we should use the remaining months of the Obama administration to prepare the next administration, whether Republican or Democratic, for the variety of challenges it will inherit. These are com-

plex challenges without simple answers. Passing a pro-reform, pro-innovation, pro-modernization defense bill such as this one will leave us better equipped to solve them. It will leave us better equipped to keep Americans and our allies safe in the face of ever-evolving security challenges.

WELCOMING THE PRIME MINISTER OF INDIA

Mr. MCCONNELL. Mr. President, later today we will welcome the Prime Minister of India as he visits the Capitol. Although this is Narendra Modi's fourth trip to the United States as Prime Minister, it marks the first time he will address a joint meeting of Congress. It also marks the fifth time an Indian Prime Minister has done so since the 1980s. It shows how far our relationship has come in recent decades. Mutual misgivings have given way to mutual benefits in both the economic and security spheres. We are now key trading partners. We are the two largest democracies in the world. Our relationship is an important one, and there are more benefits that can be shared from future cooperation.

Today's address by Prime Minister Modi provides an important opportunity for all involved—an opportunity to hear his perspective on India's economic growth and how he feels we can strengthen the strategic partnership between our countries, an opportunity to learn more about his ideas for pursuing areas of common ground and advancing shared interests, and an opportunity to better understand his view of the challenges currently facing India and his outlook for overcoming them.

We welcome Prime Minister Modi. We are interested in learning more about his vision, both for India and for the country's continued partnership with the United States in the years ahead.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

WELCOMING THE PRIME MINISTER OF INDIA

Mr. REID. Mr. President, I join the Republican leader in welcoming the Prime Minister from India to America.

Mr. President, in my office I have a wonderful memento of my first meetings with Indians. I went to school at Utah State University in Logan, UT. It was so cold. My wife and I lived off

campus, and we would drive a couple miles up a hill to the Utah State campus. Along the way, I would see Indian students walking to school. They were engineering students and agricultural students at the college. I would give them rides. I did that for a couple of years.

When it came time for me to graduate, one of the Indians I had gotten to know asked if Landra and I would be willing to stay over an extra day and they would make us a traditional Indian feast. We did that. It was a feast. They were dressed in their Indian garb. They had worked a lot on that food. It was the first Indian food we had eaten. We have eaten a lot of it since. It was a wonderful, warm occasion that we will always remember.

They gave us some presents, and with five children and moving quite a bit, most of those presents are history. I don't know what they were. But one that I have always protected is a little bone-carved statue of Gandhi that they gave me. He is in his regular clothes that we see him in. He has a staff in his hand like he had most of the time. It is finely carved. You can pull that staff out even today. It is a miracle that it made it through my five children, but I have done everything I could to protect it. Now I have it in my office in a little glass enclosure, and I show my Indian guests that meaningful memento of mine.

The other reason I am going to have the opportunity in an hour or so to meet with the Prime Minister with Senator MCCONNELL, the Speaker, and Leader PELOSI—I hope I have the opportunity to tell him of my fondness for Indians but especially those named Modi because the spokesperson's name from the group of Indians that I met was Modi. I have come to the realization in recent years that that was his last name. Everybody called him Modi. He was an engineer. He moved to New Jersey, and we kept in touch.

I am happy that the Prime Minister is going to be able to address our Nation in the House of Representatives, and I am sure his people look forward to that.

Again, I tell everyone here about my warmness for India, this great democracy. The second largest Muslim population in the world is in India. So it is a friend that we have, and we must maintain that friendship.

ZIKA VIRUS

Mr. REID. Mr. President, I just left a meeting, a stunningly important meeting where every one of the guests were prominent, but the two I want to refer to briefly are Dr. Frieden, head of the Centers for Disease Control and Prevention, and Dr. Fauci, head of one of the health institutes at the National Institutes of Health, Infectious Diseases, among other things. What they

told us was very frightening. As we speak, there are three confirmed cases of babies born in the United States with the Zika virus. Of course, they are all very sick. The life expectancy is not very long.

They said in unison how vitally important it is and has been for months to get them some money so they can do the research needed to stop the spread of this virus. They have borrowed money from malaria research, TB research—all terribly difficult problems we are having in the world and the United States—to take care of the immediate funding for research on Zika. They have taken huge amounts of money—more than half a billion dollars—out of the Ebola fund, which is still a very serious problem. There are active cases as we speak.

This is not an effort we can just walk away from. This money has been needed for a long time, and it is sad that the Presidential request of \$1.9 billion has been opposed.

The senior Senator from Florida was at the meeting today talking about how every day there are new cases in Florida. Yesterday there were five new ones. We needed to do something on that yesterday, not wait until the fall, as has been suggested by my Republican colleagues.

DONALD TRUMP AND FILLING THE SUPREME COURT VACANCY

Mr. REID. Mr. President, Senate Republicans are waiting with gleeful anticipation for Donald Trump to fill the vacancy on the Supreme Court. Donald Trump, who last week attacked a Federal judge because of his Mexican heritage—even though the judge was born in Indiana—said that District Judge Curiel shouldn't be allowed to preside on his case because of his ethnicity. Donald Trump, moments later, said that he would feel the same way if the judge were Muslim.

This is the man—Donald Trump—for whom Senate Republicans are blocking a supremely qualified nominee for the Supreme Court, a man by the name of Merrick Garland. This is the man—Donald Trump—for whom Republicans are abdicating their constitutional responsibility. This is the man—Donald Trump—whom Senate Republicans want to determine the makeup of the Supreme Court for at least the next generation.

The Senate Republicans are united in blocking Judge Merrick Garland's nomination to the Supreme Court. Republicans are united in refusing to provide their advice and consent to President Obama's nominee to the Supreme Court. The Republicans are united in doing it for Donald Trump. They say so. They should be ashamed.

It is hard to imagine anything more humiliating than holding a Supreme Court seat open so that Donald Trump

can fill that seat. Is this why my Republican colleagues entered public service—to march in lockstep behind a man who spews hate and attacks the basic rule of law in America?

The Republican leader says: "We know that Donald Trump will make the right kind of Supreme Court appointments."

This is sad for the Republican Party. If my Republican colleagues aren't embarrassed, they aren't thinking very well.

President Obama has nominated a moderate, experienced, brilliant jurist to the Supreme Court, but instead of giving Judge Garland the impartial treatment he deserves, Republicans are refusing to do their jobs. And for what? So Donald Trump, a man who routinely insults Republican Senators to their faces, among others, denigrates Senator MCCAIN's heroism, says people's heritage makes them unable to perform their jobs, and all the terrible stuff about women, handicapped people—we want this man to appoint someone to the Supreme Court? The Republicans should come to their senses. It is time to drop the charade and give Garland a fair hearing and a vote.

AMENDMENT NO. 4549

Mr. REID. Mr. President, on another subject, Americans share many common values, and one of the most fundamental is this: If you make a commitment, you should keep it. If you reach an agreement, abide by it. Simply put, a promise is a promise. Unfortunately, the pending amendment from the chairman of the Armed Services Committee would undermine this basic tenet.

Last year, Democrats and Republicans made an agreement. Democrats were committed to helping the middle class. Republicans were focused only on the Pentagon. Ultimately, we reached a compromise that was based on the principle of parity. We want to help the military, and they should be helped, but there should also be help for programs that are also important for our national security that are not the Pentagon. We provided additional resources to the Pentagon, as I said, but we also provided the same level of help for the middle class. That included improving our security through efforts of domestic agencies like the FBI, Drug Enforcement Administration, Department of Homeland Security, and others. That was our agreement, but now some Republicans want to break their word. Senate Republicans are demanding billions more from the Pentagon but refuse to provide an extra penny for the middle class, and that is wrong. It is completely inconsistent with last year's agreement, and it is blind to the many serious needs here at home that Republicans continue to ignore, and

Zika is one. That is why I support the amendment offered by the distinguished Senator from Rhode Island, JACK REED, along with the leader we have on the Appropriations Committee, BARBARA MIKULSKI.

The Reed-Mikulski amendment would provide the same extra support for our middle class that Senator MCCAIN is demanding for the Pentagon, and it recognizes that our security depends on more than just the Defense Department. The Reed amendment includes more funding to address the dangerous Zika virus and fight the scourge of opioids. It also would help mitigate lead contamination, which is long overdue, in Flint, MI.

This amendment strengthens domestic security through support of the FBI and the Department of Homeland Security. It will improve airport security and community policing, and it will address the threat of cyber crime and terrorism.

The amendment by the Senator from Rhode Island and the Senator from Maryland will create jobs and address our Nation's crumbling infrastructure. It will not only improve our transportation system but medical facilities for our veterans and our National Park System.

The Reed amendment is also an investment in our future. The legislation will promote science and innovation through support for the National Institutes of Health, National Science Foundation, among others, and it will support education.

I urge my colleagues to support this important proposal which will make America a better and stronger country.

The bottom line is this: A promise is a promise. The middle class needs help at least as much as the Pentagon. Republicans should keep their promise to hard-working American families.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

Reed/Mikulski amendment No. 4549 (to amendment No. 4229), to authorize parity for

defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 4549

Mr. REED. Mr. President, I rise to discuss my amendment, which will provide partial relief from the caps imposed by the Bipartisan Budget Act of 2015 on both the defense and nondefense portions of the budget for fiscal year 2017. The chairman has offered an amendment that will provide relief for the Department of Defense activities. My amendment will provide a comparable amount of relief for activities that are beyond the Department of Defense but critical to our national security and critical to our national economy.

It is long past time to replace the senseless sequester with a balanced approach that keeps America safe and strong at home and abroad. Senator MCCAIN and I both believe that sequestration has to be eliminated. What I would suggest is that it has to be done in a balanced way. It has to keep the intent of the Bipartisan Budget Act and the Budget Control Act by treating defense and nondefense spending equally.

Let me also be clear. The bill before us provides the amount outlined under current law as well as the budget request of the Secretary of Defense who, along with the Service Secretaries and Chiefs, has testified in support of this amount. They certainly would like more, but they have testified that for this year these resources are at least adequate. Now they have also made it very clear that if we do go into sequestration in the next year, it would be absolutely devastating to the Department of Defense. As a result, we share—the chairman and I—the same commitment to ensuring that sequestration is eliminated and we move to a more rational budget process.

These military professionals would like to have the certainty of year-long funding at the committee level reported at least. That certainly is extremely important. I don't think they want to roll the dice. They recognize that this lengthy fight for parity could last all the way through this year. I believe what they would like to see us do is what they said in their testimony. We can operate under the budget as proposed by the President, as recognized in the underlying budget committee mark, and that will give us the certainty we need.

The bill reported out of the Senate Armed Services Committee includes \$523.9 billion in discretionary spending for defense base budget requirements and \$58.9 billion for overseas contingency operations, or OCO account. It includes \$19.3 billion for Department of Energy-related activities resulting in a top-line funding level of approximately \$602 billion for discretionary national defense spending.

While these funding levels adhere to the spending limits mandated by the Bipartisan Budget Act, or BBA, concerns have rightly been raised that the Department may require additional resources to carry out the missions it has been assigned and to adequately maintain the readiness of our military forces. As my colleagues are aware, when the Senate considered the BBA last fall, it established the discretionary funding level for defense spending for fiscal year 2017. That agreement passed this Chamber with support from Senators from both political parties. Furthermore, the BBA split the increase in discretionary spending evenly between the defense and nondefense categories.

It is important to remember that we have repeatedly made incremental changes to the discretionary budget caps for both defense and nondefense accounts. We have done so in order to provide some budgetary certainty to the Department of Defense and our domestic agencies. These spending caps were first revised with the American Taxpayer Relief Act of 2012, the Bipartisan Budget Act of 2013, and most recently with the Bipartisan Budget Act of 2015.

In each instance, bipartisan majorities in Congress voted to increase the spending caps and provide additional resources, evenly split between defense and nondefense accounts. Unfortunately, providing relief to the budget caps for defense spending, as the underlying amendment by the chairman proposes, while taking no action on nondefense spending, would renege on those bipartisan agreements and the sense of common purpose that motivated us in the last several adjustments to the Sequestration Act.

In contrast, my amendment, would keep the pressure on for a permanent solution to the budget caps and sequestration by treating defense and nondefense discretionary funding equally. We can't afford to miss any opportunity to make progress on this issue of sequestration relief. It also reinforces and underscores the sense of the Senate passed by the committee that states "sequestration relief should include both defense and nondefense relief." Again, that is a concept that has motivated all of us or the vast majority for many years.

Specifically, my amendment would revise the budget caps to allow for an additional \$18 billion in nondefense and defense-focused domestic spending to match the additional \$18 billion in defense spending.

The additional nondefense funds are intended primarily to help address security challenges facing our Nation that do not fall within the purview of the Department of Defense, including funds to implement the integrated

campaign plan to counter ISIL, enhance Federal cyber security, and provide additional resources for border security, first responders, counter-narcotics, refugee assistance, Zika prevention and treatment, and infrastructure security and vulnerabilities.

True national security involves more than just the activities of DOD, and so non-DOD departments and agencies should also receive relief from the budget caps. The Pentagon simply cannot meet the complex set of national security challenges we face without the help of other government departments and agencies, including State, Justice, and Homeland Security.

There is a symbiotic relationship between the DOD and other civilian departments and agencies that contributes to our national security. It has to be recognized that providing security for the American people requires a truly whole-of-government approach that goes beyond just a strong DOD.

The budget caps are based on a misnomer, that discretionary spending is divided into security and nonsecurity spending. But Members need to be clear, essential national security functions are performed by government departments and agencies other than the Department of Defense.

As retired Marine Corps General Mattis said, "If you don't fund the State Department fully, then I need to buy more ammunition." General Mattis's point is perhaps best illustrated in the administration's nine lines of effort to counter ISIL. Of these nine lines of effort, only two fall squarely within the responsibilities of the Department of Defense and intelligence communities; i.e., traditional security activities. The remaining seven elements of our counter-ISIL strategy fall primarily on the State Department and other civilian departments and agencies.

My amendment includes \$1.9 billion to support this counter-ISIL strategy, including supporting effective governance in Iraq. No amount of military assistance to the Government of Iraq will be effective in countering the ISIL threat in Iraq if the Abadi government doesn't govern in a more transparent and inclusive manner that gives Sunnis hope that they will participate politically in Iraq's future. We need our diplomatic and political experts at the State Department to engage with Sunni, Shia, Kurd, and minority communities in Iraq to promote reconciliation in Iraq and build the political unity among the Iraqi people needed to defeat ISIL. Those resources will come through the State Department, primarily.

Building partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL. While the efforts to build the capacity of the Iraqi security

forces and some of our other foreign partners are funded by the Department of Defense, the State Department and USAID are also responsible for billions of dollars in similar activities and across a broader spectrum of activities. Under the underlying amendment, none of the State and USAID programs will receive additional funding for these purposes.

We have to disrupt ISIL, particularly their finances. Countering ISIL's financing requires the State Department and Treasury Department to work with their foreign partners and the banking sector to ensure our counter-ISIL sanctions regime is implemented and enforced. These State- and Treasury-led efforts are nonsecurity in the very simple dichotomy that has been drawn under the budget caps. It is also notable that the Office of Foreign Asset Control, OFAC, and the Office of Terrorism and Financial Intelligence, TFI, Treasury Department, are also categorized as nonsecurity activities under the budget caps. The Republican funding strategy not only means that our counter-ISIL efforts will be hampered, so, too, will our efforts to effectively impose sanctions against Iran, Sudan, and individuals who support their illicit activities.

We also have to continue to expose ISIL's true nature. Our strategic communications campaign against ISIL requires a truly whole-of-government effort, including the State Department, Voice of America, and USAID. The Republican approach to funding our strategic communications strategy is a part-of-government plan, not a whole-of-government plan, since the additional funds that could be used by State, USAID, Voice of America, and other agencies would not be there.

We have to stop the flow of foreign fighters. Foreign fighters are the lifeblood of ISIL. Without the efforts of our diplomats around the world prodding our foreign partners to pass laws and more effectively enforce the laws on their books, the efforts of the coalition to stem the flow of foreign fighters will never be successful.

Of course, we have to protect the homeland. While a small portion of the Department of Homeland Security is considered security-related activities under the budget caps, the vast majority of the Department falls into the nonsecurity portion of the budget. Providing no relief from the budget caps to the Department of Homeland Security shortchanges efforts to secure our communities and borders against ISIL threats.

Again, we have to provide support because of the huge humanitarian crisis that causes instability worldwide, particularly in areas of concern. Virtually none of the activities that support our humanitarian efforts in the region—in the Middle East and many other parts of the world—are considered security

activities. Military commanders routinely state that the efforts of the State Department, the USAID, and the Office of Foreign Disaster Assistance to provide for refugees and other vulnerable populations overseas are critical to our broader security efforts, and that is particularly true on the counter-ISIL campaign.

The administration's two remaining lines of effort against ISIL—namely, denying ISIL safe havens and enhancing intelligence collection—are under the so-called defense or security accounts. However, the continued presence and activities of our diplomats overseas significantly enable both of these lines of effort. Therefore, our amendment would also authorize additional funds to provide for improved Embassy security to help keep these personnel safe.

The importance of adequately funding other security-focused civilian departments and agencies was also underscored by the former commander of U.S. Northern Command ADM William Gortney when he testified before the Senate Armed Services Committee earlier this year. Admiral Gortney stated:

Our trusted partnerships are our center of gravity and are critical to our success across the spectrum of our missions. Homeland partnerships . . . underscore every one of our mission areas, and are best represented by the integration in our headquarters of nearly 60 DOD and non-DOD federal agencies, department representatives, and liaison officers. I view homeland defense as a team effort, and I rely on partnerships with my fellow combatant commands, the Services, and our interagency partners to accomplish this mission.

Recognizing this reality, my amendment also includes additional funding for critical domestic security efforts, including \$2 billion for cyber security. Cyber attacks are a real threat to our national security. Cyber threats are increasing as our country and government become more digitally connected. There is no question the Federal Government must do a better job of protecting its systems. This amendment provides an additional \$2 billion to address our cyber security vulnerabilities in nondefense agencies.

I was particularly struck in hearings we had with the Department of Transportation IG and Department of Housing IG. When asked to give their major concerns, both indicated the potential for cyber attacks and cyber security within their Departments. So this issue of cyber security certainly transcends the Department of Defense, and funding cyber security is a critical primary objective included in the amendment that I propose.

We are also asking for \$1.4 billion for law enforcement and the Department of Homeland Security. This money will help State and local law enforcement and first responder efforts. It will also allow the Department of Homeland Security to hire 2,000 new Customs and

Border Protection officers and reduce wait times and improve security.

It is a good sign for our economy that more and more people have been using air travel since the economic recovery started in 2009. We have seen, particularly at many of our larger airports, passengers experiencing significant delays trying to clear security. For instance, BWI Airport is advising passengers to show up 2 hours early for domestic flights in order to clear security. The flight to Providence is 1 hour 15 minutes, and I take it often. So it is possible that people flying to Rhode Island will spend more time in the security lines than on the plane. We all know how much that affects the people we represent.

It is also important we have an adequate number of Customs officers not only at the southern border but all ports of entry across the country. T.F. Green Airport in my home State has a growing international service, but it has become a challenge for the existing number of Customs agents and inspectors to meet new demands for service.

One of the areas we talked about extensively on both sides of the aisle over the last several months has been the opioid epidemic. The amendment I propose would provide resources in the amount of \$1.1 billion to help with this epidemic. In the United States, drug overdoses have exceeded car crashes as the No. 1 cause of injury death. Two Americans die of drug overdoses every hour. In my State of Rhode Island, there were more than 230 opioid overdose deaths in 2014. We acted earlier this year on the Comprehensive Addiction and Recovery Act to help deal with this issue, but so far the funding efforts have been blocked. So we have a situation where there is authority but no funds. I think we need both, and I think we have to continually ensure we have both authorities and funds. It is critical that we provide real resources to States and local entities to confront this epidemic and to ensure that people have access to the treatments they need.

Another issue which threatens our national security that is not a traditional Department of Defense issue by any means is the threat of the Zika virus. It is on every front page and on every news show at almost every moment. This legislation would authorize \$1.9 billion for Zika prevention and treatment.

The threat of the Zika virus is a serious public health issue. It has been over 2 months since the administration asked for funds to speed up the development of vaccines and for a comprehensive response to the Zika virus. This should not be a partisan issue, and continued inaction leaves us more susceptible to this serious public health emergency. Already, there are over 1,700 cases of the Zika virus in the United States and U.S. territories, in-

cluding over 300 involving pregnant women. We have seen seven cases so far in my home State of Rhode Island. The virus is spreading. It is not going away on its own, and we will certainly see these numbers increase as we approach the summer months. Again, I think we have to see this as a threat to our national security and deal with it as we are trying to deal with other threats to national security.

But our national security is not just about being strong abroad, it is also being strong at home. A growing, vital economy allows us to meet the fiscal challenges we need to fully fund defense and to fully fund our nondefense security activities. So, as Secretary Carter has said, underfunding the non-defense portion of the budget, in his words, “disregards the enduring long-term connection between our Nation’s security and many other factors. Factors like scientific R&D to keep our technological edge, education of a future all-volunteer military force, and the general economic strength of our country.”

The words of the Secretary of Defense, I think, are right on target. Furthermore, the men and women of our military volunteer to protect and are fighting overseas for American ideals, including a good education, economic opportunity, safe communities, and functioning infrastructure. There is a reason why our past budget agreements have provided budget parity between defense and nondefense spending. We have done so because we all recognize that we must protect our Nation as well as keep our Nation worth protecting.

Our servicemembers and their families also rely on many of the services provided by non-DOD departments and agencies. Efforts to support all these goals will be hampered unless civilian departments and agencies also receive relief from the budget caps.

Therefore, my amendment also revises the budget caps to allow for additional spending on important programs carried out by civilian agencies, including \$5.1 billion for infrastructure improvement. President Eisenhower understood the importance of a strong highway infrastructure to our national defense. In fact, I think, at least colloquially, his legislation was referred to at times as the “national defense highway system.” But it was the Federal-Aid Highway Act of 1956 which led to our interstate transportation system.

Today, many elements of that transportation system, both roads and bridges, have fallen below acceptable standards. We need to take action now to prevent further decline in that vital system. The unrealistic and arbitrary budget caps will result in deep cuts to critical infrastructure programs. We need more resources to invest in our transportation and infrastructure systems—not less.

In response to these shortfalls, my amendment would provide \$5.1 billion to help meet critical infrastructure needs for roads, bridges, rail, affordable housing, VA construction projects, water infrastructure, and funds to mitigate lead contamination.

Here are a few facts for the consideration of my colleagues. Barely one-third of our roads are in good condition, and one-quarter of our bridges need significant repair. In my State, we have the highest percentage of structurally deficient bridges. Without increased investment, that number could double in the next decade.

The Department of Transportation has identified an \$86 billion state-of-good-repair backlog for bus and rail transit. That backlog continues to increase at a rate of \$2.5 billion per year due to inadequate Federal funding. Amtrak’s busy Northeast corridor has a \$28 billion state-of-good-repair backlog and relies on bridges and tunnels that are over 100 years old.

The Federal Aviation Administration’s maintenance backlog has grown to \$5 billion, and the FAA has identified over \$400 million in needs for immediate facilities repairs that we are not able to meet under our current allocation. If we do not invest in our transportation system, efficiency and safety will be compromised.

Meanwhile, we have also an affordable housing crisis. Nearly 8 million low-income Americans are paying more than 50 percent of their income on rent, living in substandard housing, or both. In fact, for every four families that are eligible to receive HUD assistance, only one can be served within this fiscal environment. Families cannot pay for higher education or get ahead if the majority of income goes to simply keeping a roof over their heads.

It is also important to continue to adequately fund the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund and to work to mitigate lead contamination. State revolving fund resources are critical to modernize our water infrastructure, reducing pollution, and protecting public health.

As the tragic events in Flint, MI, illustrate, when water quality is compromised, it becomes a public health crisis. Water quality oversight isn’t just about pipes and infrastructure. It is also about preserving an ecosystem and keeping our sources of drinking water free from harmful contaminants. Inadequately funding these basic necessities means that we cannot meet the needs of our communities.

We also understand, particularly as we look across the globe at our competitors—our military competitors—that our technological edge is narrowing. One reason is that they are investing a great deal in their research infrastructure and we are not investing as we were in the past, again, partly as a result of these budget caps.

So, my amendment would authorize an additional \$3.5 billion for science and technological investment. Federal research centers like NIH, the National Science Foundation, NASA, and ARPA-E, all provide hope for treatments and cures for life-threatening and debilitating diseases, generate new technology, and make scientific breakthroughs. They are also key in helping to strengthen our economy and maintain our competitive edge—the foundation of our national security.

Again, the technological edge that we enjoyed over our near-peer competitors in the past is narrowing. Every defense official will say that. We are not simply going to fix it by putting some more money into defense-directed DOD research. We have to put money throughout our entire research enterprise. One other area is increasing our basic education. This funding would support full implementation of several bipartisan legislative efforts, including the Every Student Succeeds Act, the Individuals with Disabilities Education Act, the Workforce Innovation and Opportunity Act, and efforts to improve college affordability.

We can never be fully secure if we are not fully providing for the development of the children of this country, because they will eventually rise to positions of leadership, not just in the military but in other critical areas that will make this Nation strong and continue our ability to provide the finest military force in the world.

We have tried to articulate throughout that our national security is much more than simply the funding we give to the Department of Defense. A well-trained and educated workforce, a productive workforce contributes to our economy, and that contributes to our defense. Innovation through scientific research is important to our national security.

The agencies that I cited, particularly the Department of Homeland Security, the Department of State, and all of these agencies have a critical role overseas. They will not be able to play that role if we simply increase funding for the Department of Defense and not for these other agencies. For some time now, the President and Secretaries Carter, Hagel, Panetta, and Gates have implored Congress to end the harmful efforts of the arbitrary spending caps and sequestration.

During last year's debate, I repeatedly and forcefully argued that using the OCO account as a way to skirt the budget caps set a dangerous precedent. That was the reason why I reluctantly had to vote against last year's bill. I was deeply concerned that if we used this OCO approach for 1 year, it would be easy to do it next year and every year after that, ensuring an enduring imbalance between security and domestic spending. Such an approach would be completely counter to the

original rationale of the Budget Control Act, which imposed proportionally equal cuts to defense and nondefense discretionary spending to force a bipartisan compromise.

Ultimately, we must return to an era of budget deliberations in which all discretionary spending, both defense and nondefense, is judged by its merit and not by arbitrary limits. We need to begin working together now to remove the budget caps and the threat of sequestration, not just for the Department of Defense but for all Federal agencies that contribute to national and economic security. Providing relief from the caps to only the defense portion of the budget, while ignoring the very real consequences of continuing to underfund the nondefense portion of the budget, moves us farther away from that goal.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT MEETING OF THE TWO HOUSES—ADDRESS BY THE PRIME MINISTER OF INDIA

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 10:30 a.m., took a recess subject to the call of the Chair, and the Senate, preceded by the Secretary of the Senate, Julie E. Adams; the Deputy Sergeant at Arms, James Morhard; and the Vice President of the United States, JOSEPH R. BIDEN, Jr., proceeded to the Hall of the House of Representatives to hear an address delivered by His Excellency Narendra Modi, Prime Minister of India.

(The address delivered by the Prime Minister of India to the joint meeting of the two Houses of Congress is printed in the Proceedings of the House of Representatives in today's RECORD.)

At 2:20 p.m., the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Mrs. ERNST).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I thank the distinguished Presiding Officer. What is our parliamentary situation?

The PRESIDING OFFICER. The Senate is considering S. 2943.

Mr. LEAHY. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENCE OF OUR FEDERAL JUDICIARY

Mr. LEAHY. Madam President, I wanted to speak based on my experience over the years as a member of the Senate Judiciary Committee—as the ranking member, as the chairman—on something very public that has happened.

Many Senators in both parties have appropriately condemned the racist comments recently made by the Republican Party's presumptive Presidential nominee about Judge Curiel. Sadly, these baseless allegations he has made against a distinguished Federal judge come as no surprise. We have seen for months that personal insults are the calling card of the Republican standard bearer. But I would say, similar to what many in both parties have said, anyone seeking the highest office of this great Nation has to understand the fundamental role that judges play in our democracy. The rule of law protects all of us, but only when administered by an independent judiciary.

I am deeply troubled by this attack on a sitting Federal judge, but make no mistake—it is not the first, nor will it be the last Republican attack on the independence of our Federal judiciary. This may be the most extreme example, but it is just the latest in a series of Republican actions that seek to undermine and compromise a coequal branch of government.

For more than 7 years, Senate Republicans have tried to block judicial nominations through stalling and delaying. They have even distorted the records of the men and women nominated to serve on the Federal bench. This systematic—and it has been systematic—obstruction has hurt courts across the country. But it is not just the courts I am worried about; it is the American people who go to those courts seeking justice. Judicial vacancies have soared under Republican leadership, even though we have dozens of nominations that have bipartisan support, and they are languishing on the Senate floor.

Earlier this year, Senate Republicans took their obstruction one totally unprecedented step further. Within hours of the news of Justice Scalia's passing, the Republican leader declared his unilateral refusal to allow anyone to be confirmed to the Supreme Court until the following year, even though he said this in February. It was an extraordinarily partisan decision, and there is no precedent for it in the United States Senate under either Democratic or Republican leadership. Since confirmation hearings began a century ago, never, never has the Senate denied a Supreme Court nominee a hearing.

Recently, two law professors extensively analyzed the history of the Supreme Court. They concluded that there is no historical precedent for this refusal to consider Chief Judge Garland's nomination. In fact, according to their report, there have been 103 prior times in history when an elected President has filled a Supreme Court vacancy prior to the election of the next President and has done so with the advice and consent of the Senate—103 times. The Republicans' unprecedented obstruction—and I quote here—“threatens to damage the appointments process in the future and risks significant harm to the Court.”

The Senate Republican leadership has chosen to put the functioning of our highest Court in jeopardy for more than a year. That is the partisan attack on our independent judicial system that more Americans need to understand. When the dust settles on this latest series of accusations by the Republican's standard bearer, I hope the American people remember what this says about his disrespect for the rule of law, what it says about his disrespect for our justice system, what it says about how he will treat those who may disagree with him, and what it says about those who fail to hold him accountable.

Our Founders understood that this great Nation needs an independent judiciary. They designed our courts to be insulated from the political whims of the moment. They designed our judiciary to serve as a check on the political branches, including on the power of the President. Can you imagine a future President who does not respect the role judges play? A President who thinks judges should be disqualified from doing their jobs simply based on their race or their gender?

For the good of the country, I call on my Republican friends to stop diminishing our independent Federal judiciary. It is too important to be treated like an election-year pawn. Our Federal courts, from the Supreme Court all the way down, deserve to be at full strength, and the Senate needs to treat fairly the dozens of nominees before us, all of whom have earned bipartisan support.

It is not fair to attack sitting judges for political gain when they cannot even respond to the attack. It is also not fair to make allegations against judges who, as nominees, cannot respond because Senate Republicans refuse to have a public hearing.

If the Republican leaders of this body want to distinguish themselves from the rhetoric of the campaign trail, they should change course here in the Senate. Actions speak louder than words. They should allow Chief Judge Garland a public hearing and a confirmation vote this month. They should allow an up-or-down vote on the 22 judicial nominees who have been reported fa-

vorably by the Senate Judiciary Committee and who just sit here, waiting for a vote.

The American people deserve leaders who respect and support our Federal courts and have the courage to take action.

Let me say from a personal point that I remember the day I stood before the Vermont Supreme Court as though it was yesterday. I took my oath as the newest lawyer in Vermont, and I was the youngest lawyer in the State of Vermont. I was very conscious of that, being both the youngest and the newest. But I remember the senior partner of our law firm, who was a well-known conservative Republican throughout the State, and as a young lawyer he told me: Do the best job you can. Always tell the truth. But you do not criticize the judges. You might not like their decisions. You can always appeal them. Maybe you will win; maybe you will lose. But protect the integrity of our courts. They are above politics. They should not be brought into it.

Frankly, the attacks against a judge born in Indiana, a man who has defended our Constitution, the people of this country, even when his life was threatened—to attack him, to make racist comments about him, to demean the courts, to demean our judiciary, our Federal system, the best in the world—it made my skin crawl. It was puerile; it was wrong. I hope that all of us in both parties will stand above that and protect the integrity of our Federal judiciary.

Madam President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask unanimous consent to speak about my amendment No. 4299.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, not a lot of Americans know this, but we are at war in the Middle East. We are part of the Saudi-led coalition that is in the middle of a very dangerous and catastrophic war inside Yemen. The Saudi-led campaign inside Yemen began on March 26, 2015. The Houthis, a group within Yemen, had captured the capital in September of 2014. The Saudi-led campaign, of which the United States is a member, had intended to push the Houthis out of the capital.

The war has been absolutely devastating from both a humanitarian perspective and a U.S. national security perspective. Senator PAUL and I have submitted an amendment that I will

not call up right now—but I may do so later in the proceedings—which would place some very reasonable conditions on the U.S. participation in this coalition, and in particular on the U.S. transfer of munitions to Saudi Arabia in order to continue this campaign.

What is the status of this civil war inside Yemen today? Well, first of all, as I mentioned, it has been an absolute humanitarian disaster. The war has left 3,000 civilians dead, and the total number of deaths is 6,200. At this time 80 percent of Yemen's population is wholly dependent on international humanitarian relief because they don't have adequate food, water, or medical care.

The capital, Sanaa, has been without electricity or running water for over a year. The capital of this country has had no electricity or running water for over a year. Nearly the entire population of an entire country, Yemen, is now dependent on international humanitarian aid in order to subsist.

During this time, the U.N. has documented 101 attacks on Yemeni schools and hospitals, 48 of which were attributed to this coalition-led bombing campaign that the United States is a part of. Hundreds of health facilities have closed due to damage and lack of fuel for generators, supplies, and shortage of medical personnel.

There have been multiple reports of cluster bombs—U.S. made cluster bombs being used in or near civilian populations. The United States has enabled this campaign. It would not happen without U.S. participation. There would not be a Saudi-led bombing campaign in Yemen without the United States. Why? Well, first of all, it is billions of dollars in U.S. weapons and U.S. munitions that are being dropped inside Yemen, including those cluster bombs. It is our intelligence that is providing the basis, the foundation, for all the targeting that is being done. One can argue that targeting has been dramatically insufficient given the number of civilian casualties, but there would be little way for the Saudis to do targeting at all without U.S. intelligence. It is Air Forces Central Command that has flown 709 air-to-air refueling sorties, offloading 26 million pounds of fuel to coalition aircraft. It is American refueling missions that allow for the coalition planes to fly. So the United States is an indispensable part of this coalition; thus, the United States is at war inside Yemen today, and very few people are talking about it. But we should, because in addition to a U.S. and Saudi-led coalition resulting in the death of thousands of civilians inside Yemen, this war is in direct contravention with U.S. national security interests.

First, the damage done to U.S. credibility in the region and amongst Muslim populations should be obvious to all of us when it is our bombs that are

killing civilians. If you talk to Yemeni Americans, they will tell you that in Yemen this is not a Saudi bombing campaign; this is a U.S.-Saudi bombing campaign, so every death inside Yemen is attributed to the United States. We need to accept that as a consequence of our participation in this campaign.

Secondly, this coalition has made a very purposeful decision to target the Houthis instead of targeting terrorist groups, such as AQAP, which have used this civil war to expand their base of operations. The coalition has made a very purposeful decision to target the Houthis instead of targeting ISIS, which had virtually no footprint in Yemen before this bombing campaign and now is growing by the day.

Here is what the State Department's annual counterterrorism report states about the civil war inside Yemen:

AQAP benefitted during 2015 from the conflict in Yemen by significantly expanding its presence in the southern and eastern governorates. . . . The group was able to increase its recruiting and expand its safe haven in Yemen. It also insinuated itself among multiple factions on the ground, which has made it more difficult to counter.

I almost want to read that again because what our own counterterrorism report has told us is that the U.S. intervention in Yemen has resulted in the dramatic growth in the strength of AQAP, an element of Al Qaeda, a named enemy of the United States.

We don't have a resolution that commits the United States to war against the Houthis. We have never given the administration the power to fight the Houthis. We have given the administration the power to fight Al Qaeda. There is still a pending effective authorization of war against Al Qaeda. Inside Yemen, there are the Houthis and there is Al Qaeda. A Saudi-led campaign, with participation from the United States, is fighting the Houthis—not a named enemy of the United States—while largely ignoring AQAP, which has grown in scale and scope.

The State Department further affirms that both AQAP and ISIL have “carried out hundreds of attacks” in Yemen last year, including suicide bombings, car bombings, assassinations, et cetera, et cetera.

So why are we doing this? Why is the United States relatively quietly facilitating a Saudi-led bombing campaign in Yemen that is in contravention to our national security interests? Well, there are a lot of guesses as to why.

One is that as a consequence of the Iran nuclear agreement, we have to make a renewed commitment to the Saudis to push back on Iranian influence in and around the region. There is no doubt that there is a very direct connection between the Houthis and the Iranians. Houthis are not an Iranian proxy, but there is a link, and there are going to be times where I would support U.S. efforts to push back

on Iranian influence in the region. But in this instance, there is an indirect connection between the Houthis and the Iranians and all sorts of damage done to U.S. credibility and national security interests by participating in this coalition in the way that we are today.

The second argument is that if the United States weren't involved, the targeting would be even worse. There wouldn't be 3,000 civilian deaths; there would be 20,000 civilian deaths if the United States were not helping. Well, that may be true, but that is not an invitation to be involved in a civil war, because U.S. intelligence and targeting could probably always mean that fewer civilians would be killed. The fact is that it is likely that Saudi Arabia wouldn't engage in this conflict or bombing campaign at all if it weren't for U.S. support.

I think it is time for this body to do some oversight on a conflict that has been raging for over a year with billions of U.S. dollars at stake, the consequence being the dramatic increase of the power of terrorist organizations that have plots against the United States. Remember, AQAP is the most lethal and most dangerous element of Al Qaeda when it comes to potential threats directly to the U.S. homeland. It is AQAP that sits at the pinnacle of Al Qaeda's potential ability to strike the United States. Yet this Congress has remained almost completely silent as a bombing campaign funded and orchestrated in part by the United States has allowed for AQAP to get stronger.

God forbid that AQAP is successful in attacking the United States and that they do it from a base in Yemen that was made possible by U.S. paid for and directed bombs dropped on that country.

I think the White House has recently recognized the danger of continuing along this same pace. There are reports that the White House recently placed a hold on a pending arms transfer of U.S.-origin cluster munitions to Saudi Arabia over concerns about their use in Yemen in areas inhabited by civilians. But we have to do our due diligence and our oversight as well. If we are really serious about upholding our article I responsibilities to oversee the foreign policy of this Nation, then we have to add some conditions as well.

The amendment that I have helped offer to the NDAA would place two pretty simple conditions on our support for the Saudi-led coalition. Importantly, my amendment doesn't prohibit the United States from continuing to fund this effort. If I had my druthers, I certainly would argue that we at least take a pause, but I understand that the consensus may not be here in this body to temporarily or permanently halt our support for this campaign.

All I am suggesting is that we place effectively two conditions on our finan-

cial support and logistical support for this campaign inside Yemen:

No. 1, that the Saudi-led coalition make a commitment that it is doing everything necessary to reduce civilian casualties and that they are conducting this campaign in concert with international humanitarian law. I can't figure out why anybody would oppose that. Let's just say that if we are going to fund this bombing campaign, those we are funding should make a commitment to try to kill fewer civilians instead of more civilians.

Second, those in the coalition should make a commitment to use U.S. support to fight terrorist groups—Al Qaeda and ISIS—instead of just fighting the Houthis. The United States isn't at war with the Houthis. We haven't declared war on that group. We have declared war on Al Qaeda, and Al Qaeda is growing in its lethality, influence, and territorial control inside Yemen.

Another condition, as contemplated by our amendment, is to simply have the President certify as a condition of continued support for the bombing campaign that the coalition is fighting terrorist groups alongside the Houthis.

I think if I had 100 different conversations with Members of the Senate, I can't imagine there would be a lot of objection because of course we want to fight terrorism. Of course that is our priority, not the Houthis. And of course we want to do everything possible to reduce civilian casualties.

I am grateful to Senator MCCAIN, Senator REED, and also Senator CARDIN and Senator CORKER, who have some jurisdiction here, too, that they are willing to take a look at this amendment. I am not offering it today because we are contemplating ways to structure the language to make it acceptable to the chair and to the ranking member.

I will end this with a plea for the Senate to get back in the game when it comes to the oversight of this administration's foreign policy, in particular in places like Yemen. We have been out to lunch when it comes to authorizations of military force for a long time. There is no authorization right now to fight ISIS, but we are doing it. There is a decade-old authorization to fight Al Qaeda that we should renew. If we are going to be involved in spending all of this money and all of this time putting our soldiers and airmen at risk in the Yemen campaign, then we should authorize that, too, and if we don't authorize it, then the administration shouldn't do it.

So this is not an authorization I am proposing; it is simply a couple of commonsense conditions. I hope we can find a pathway to get a vote on this amendment, and I hope this body has the courage in the future to step up and call a spade a spade and do our constitutional duty, perform our constitutional responsibility to provide

oversight of the foreign policy by this administration.

Thank you very much, Mr. President, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. BALDWIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4549

Ms. BALDWIN. Mr. President, it is no secret we are living in a dangerous time. We face a variety of threats to our security at home and abroad. We all agree we need to make investments in a strong military to protect and defend our national security. We have also come together in agreement on the need to take on our national security challenges and our challenges here at home in a balanced way.

The bipartisan budget agreement that we passed into law last year was far from perfect, but it provided much needed certainty for our economy by preventing the ongoing threats of a government default or a government shutdown. It restored investment in both our national and our economic security, ensuring that every dollar of investment in defense was matched by a dollar of investment in a stronger economy and a stronger middle class.

A balanced approach has served us well. It was a necessary compromise grounded in fairness that should guide our bipartisan work going forward. I understand that the chairman would like to give the Defense Department \$18 billion more than they currently have from the American taxpayer, but I also know the American people need stronger investments in the challenges they face each and every day just trying to get ahead.

If we are going to spend more on our military, then it is only fair that we also invest more in education, in job training, and workforce readiness to raise incomes and create a stronger economy for all. If we are going to spend more on the Pentagon, then it is only fair we also invest more in putting people to work and rebuilding our crumbling infrastructure and transportation and water infrastructure.

I also know we have unfinished business in the Congress to bolster our vulnerable cyber security and to boost TSA security and to better support our law enforcement needs. We also have a responsibility to act on the public health crisis posed by Zika. We simply must do more and approve the necessary funding to prevent, protect, and respond to this serious and dangerous threat.

We need to provide relief to the people in Flint, MI, who are still suffering from the impacts of lead contamination.

I understand the military has asked for more helicopters and more fighter jets, but I also know that the American people need Washington to be stronger partners in the fights we are confronting in communities across our country today. That is why I am pleased to support Senator REED's amendment to invest \$18 billion to help our middle class, to keep our country safe, and to respond to the Zika virus, lead contamination, heroin, opioids, and the crisis that we are facing with drug abuse throughout our Nation.

As I have traveled in Wisconsin, it is clear that we face a heroin and opioid epidemic. I know that many of my colleagues in the Senate face that same crisis in their home States.

In Wisconsin, it is a big problem, and it demands a bold response from Washington. We are in the midst of a crisis that is touching far too many across our State. I have heard stories from family members who have tragically lost loved ones to addiction, and I have heard from people who are on the path of recovery.

At one of my community meetings in Pewaukee, a father came up to me to courageously share a story of tragically losing his youngest son to addiction right after Christmas a couple of years ago.

Recently, I heard from Leonard, from Colfax, WI, whose grandson Nathan was killed in a car accident when he was just 16 years old. The driver of the other car was under the influence of heroin at the time.

I have also heard from a mother from South Milwaukee whose son suffered from addiction for 20 years. While he is now in recovery, at one point she found him on their bathroom floor, unconscious from a heroin overdose.

Another mother from Mukwonago wrote to tell me that her own son's life was saved by paramedics who administered the drug naloxone during his overdose, allowing him to survive.

The message is clear. Families simply cannot afford to wait any longer for help from Washington. It should not be easier for Wisconsinites to get their hands on opioids or heroin than it is for them to get treatment for their addiction.

Today, as we consider increasing our spending for our military, let's not forget American law enforcement, first responders, health care providers, and citizens fighting on the frontlines to combat our opioid and heroin crisis. Let's not forget those struggling to get sober and to stay healthy.

As communities continue to confront this epidemic on a daily basis, Washington needs to step up and needs to be a strong partner with State, local, and nonprofit efforts.

The first place we can start is by making emergency investments for prevention, crisis intervention, treatment, and recovery efforts. I was proud

to support bipartisan legislation that provides this funding because these resources are vital as we continue to respond to this national emergency. Unfortunately, this funding was blocked by congressional Republicans. This epidemic knows no political party, and it should be an issue that unites us all.

We must do more because fighting this nationwide epidemic is a shared responsibility. Everyone has a role to play in addressing this crisis, and Congress should be no exception. The communities we represent need the resources necessary to win this fight.

From talking to the people I work for in Wisconsin, I know that the opioid and heroin epidemic is a problem that neither law enforcement nor the health care system can tackle alone. The Federal Government cannot solve this problem by itself, just as we cannot expect State and local communities to address it by themselves.

Together we must continue our fight and rise to this challenge. Let's work together to help our communities recover from this epidemic and stay healthy.

The Senate will soon vote on the Reed amendment. This amendment would provide \$1.1 billion to respond to the opioid and heroin crisis. The amendment would invest a total of \$18 billion, equal to the amount of funding that my Republican colleague, Chairman MCCAIN, is proposing to spend on the Department of Defense.

The vote is about fairness and priorities. I believe that, if we are going to provide more funding to the Pentagon, we should also invest in our middle class, ensure our security here at home, and step up to the plate and provide the resources Americans need to respond to the serious emergencies they face here at home.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAUL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

AMENDMENT NO. 4229

Mr. MCCAIN. Mr. President, on Monday I came to the floor to speak about the important provisions of the NDAA, sweeping reforms to the organization of the Department of Defense, to the Defense Acquisition System, and to the Military Health System. But I noted there was one challenge the Committee on Armed Services could not address in the NDAA: the dangerous mismatch between growing worldwide threats and arbitrary limits on defense spending in current law. This mismatch has very real consequences for the thousands of

Americans who are serving in uniform and sacrificing on our behalf all around the Nation and the world.

From Afghanistan to Iraq and Syria, from the heart of Europe to the seas of Asia, our troops are doing everything we ask of them, but for too long we in Congress have failed to do everything we can for them.

Shamefully, our military is being forced to confront growing threats with shrinking resources. This year's defense budget is more than \$150 billion less than fiscal year 2011, before the Budget Control Act imposed arbitrary caps on defense spending. Over the last 5 years as our military has struggled under the threat of sequestration, the world has only grown more complex and dangerous.

Since 2011, we have seen Russian forces invade Ukraine, the emergence of the so-called Islamic State and its global campaign of terrorism, increased attempts by Iran to destabilize U.S. allies and partners in the Middle East, growing assertive behavior by China and the militarization of the South China Sea, numerous cyber attacks on U.S. industry and government agencies, and further testing by North Korea of nuclear technology and other advanced military capabilities. Indeed, the Director of National Intelligence, James Clapper, testified to the Armed Services Committee in February that over the course of his distinguished five-decade career, he could not recall "a more diverse array of challenges and crises" than our Nation confronts today.

The Bipartisan Budget Act of 2015—or BBA—provided our military servicemembers with much needed relief from the arbitrary caps on defense spending in the Budget Control Act. The BBA was a credit to the congressional leadership, and many of us supported it as a necessary compromise that provided our military with vital resources for fiscal year 2016 but was more constrained in the resources it could provide for fiscal year 2017. The fact remains that despite periodic relief from the budget caps that have imposed those cuts, including the BBA, each of our military services remains underfunded, undersized, and unready to meet current and future threats.

By the end of this fiscal year, the Marine Corps will be reduced to 182,000 marines, even though the Commandant of the Marine Corps, General Neller, testified last year that the optimal size for the force is 186,800. Facing a shortage of eight amphibious ships, the Marine Corps has been forced to examine options for deploying forces aboard foreign vessels, and a recent news report revealed the crisis in Marine Corps aviation. Years of budget cuts have left us with a Marine Corps that is too small and has too few aircraft. The aircraft it does have are too old and can barely fly—and only by cannibalizing

parts from other aircraft. Pilots cannot train and receive fewer flight hours a month than their Chinese and Russian counterparts. Young marines are working around the clock to keep planes in the air with shrinking resources, knowing that if they fail, their comrades flying and riding in those aircraft could pay a fatal price.

Another news report showed what it means to have the oldest, smallest, and least ready Air Force in history, as our Nation now does. The service is short 700 pilots and 4,000 maintainers for its fleet, which is smaller than its mission requirement and lacks the spare parts it needs to keep flying. It is so bad that airmen are stealing parts from retired aircraft in "the boneyard" in my home State of Arizona and even museum pieces just to get their planes back into combat. Our aircraft are aging, but even worse, our airmen are left "burnt out" and exhausted. This is the predictable consequence of years of relentless operational tempo combined with misguided reductions in defense spending. Today, less than 50 percent of the Air Force's combat squadrons are ready for full-spectrum operations. The Air Force does not anticipate a return to full-spectrum readiness for another decade, and this will only grow worse as budget cuts force the Air Force to retire more aircraft than it procures.

The story is similar in the Army. The Army has been reduced by 100,000 soldiers since 2012, bringing the Army to a size that Army Chief of Staff Mark Milley testified has put the Army at "high military risk." As the size of the Army has shrunk, readiness has suffered. Just one-third of Army brigade combat teams are ready to deploy and operate decisively. Indeed, just two—just two—of the Army's 60 brigade combat teams are at the highest level of combat readiness. To buy readiness today, the Army is being forced to mortgage its future readiness and capability by reducing end strength and delaying vital modernization programs, and the result of budget cuts, force reductions, and declining readiness is clear. In an unforeseen contingency, General Milley testified in March that the Army "risks not having ready forces available to provide flexible options to our national leadership . . . and most importantly, [risks] incurring significantly increased U.S. casualties." I repeat, "significantly increased U.S. casualties." U.S. casualties are the men and women who are serving.

By any measure, the fleet of 272 ships in the Navy today is too small to address critical security challenges. Even with recent shipbuilding increases, the Navy will not achieve its current requirement of 308 ships until 2021, and there is no plan to meet the bipartisan National Defense Panel's unanimous recommendation for a fleet of between 323 and 346 ships. A shrinking fleet op-

erating at a higher tempo has forced difficult tradeoffs. Extended deployments have taken a heavy toll on our sailors, ships, and aircraft, and the Navy is no longer able to provide constant carrier presence in the Middle East or the Western Pacific.

In short, as threats grow, and the operational demands on our military increase, defense spending in constant dollars is decreasing. The President's defense budget is \$17 billion less than what the Department of Defense planned for last year. In order to make up for that shortfall, the military was forced to cut things it needs right now: Army fighting vehicles, Air Force fighters, Navy ships, Marine Corps helicopters, and critical training and maintenance across the services. As a result, the military services' unfunded requirements total nearly \$23 billion for the coming fiscal year alone.

Then there is a massive and growing defense bill that we keep pretending does not exist. Over the next 5 years, the Department of Defense says it needs a minimum of \$100 billion above the Budget Control Act caps on defense spending, add to that nearly \$30 billion in base budget requirements that are currently hiding in the emergency account for contingency operations—or OCO. That is another \$150 billion over 5 years.

Put simply, according to our own Department of Defense and our own military leaders, our Nation needs an additional quarter of a trillion dollars over the current Budget Control Act caps over the next 5 years just to execute the current defense strategy—a strategy that I think many of us would agree is not doing enough to address the many global threats we face. My colleagues, we are fooling ourselves and we are misleading the American people about the true cost of defending our Nation. This makes no sense, and it is time to put a stop to this madness. That is what my amendment would begin to do.

This amendment would increase defense spending by \$18 billion. These additional resources would be used to restore military capabilities that were cut from the President's defense budget request; address unfunded requirements identified by military commanders, especially those aimed at restoring readiness in the military services; and support national security priorities consistently identified by military leaders and defense experts in testimony and briefings before the Senate Armed Services Committee.

This amendment would increase the pay raise for our troops to 2.1 percent. The President's budget request sets pay raises at 1.6 percent, which would make this the fourth year in a row that pay raises for our troops were below inflation. Our troops deserve better, and if this amendment passes, a 2.1-percent pay raise would match the employment

cost index and keep pace with private sector wage growth.

This amendment prioritizes restoring military readiness. Over the past 5 years, the combination of expanding threats, high operational tempo, budget cuts, shrinking forces, and aging equipment have created a growing readiness crisis in our military. Indeed, of the \$23 billion in unfunded requirements identified by the military services, almost \$7 billion were directly related to readiness. The NDAA took a first step in addressing these requirements by redirecting about \$2 billion in targeted savings toward improving readiness. My amendment would add an additional \$2.2 billion to help alleviate the readiness crisis and mitigate the growing risk posed to the lives of our servicemembers.

This amendment would stop misguided cuts to the size of our military that are based on outdated assumptions about the world. For example, cuts to the size of the Army were set in motion before the Russian invasion of Ukraine and the rise of ISIL. There is simply no strategic logic for continuing these cuts now and placing a dangerous burden on the backs of our soldiers. That is why my amendment cancels the planned reduction of 15,000 Active Army soldiers. It also restores end strength in the Navy, Marine Corps, and Air Force, as well as the National Guard and Reserve. The amendment also prevents cutting a 10th carrier air wing.

Our military confronts an ongoing strike fighter shortfall, which is especially severe in the Navy, and a readiness crisis across aviation in the services. This amendment would begin reversing this dangerous trend by increasing aircraft procurement, including 14 F/A-18 Super Hornets and 11 F-35 Joint Strike Fighters.

The amendment also accelerates Navy shipbuilding to mitigate a looming funding crunch in the next decade. My amendment provides the balance of funding necessary to fully fund an additional *Arleigh Burke*-class destroyer. It also replaces funds for a third Littoral combat ship in the next fiscal year.

This amendment supports the recommendations of the National Commission on the Future of the Army. In order to support combat aviation across the total Army, including the Guard and Reserve, the amendment includes funding for 36 additional UH-60 Black Hawks and 17 LUH-72 Lakotas, 5 CH-47 Chinooks, and 5 AH-64 Apache helicopters. The amendment also includes advanced procurement funding for 10 more Apaches.

Despite the fact that our troops are still in harm's way in Afghanistan, where the Taliban is making steady gains and ISIL is now present on the battlefield, the President's budget request funds less than two-thirds of the

current level of U.S. forces in Afghanistan. Both Republicans and Democrats on the Armed Services Committee have recognized that U.S. troop levels in Afghanistan should be based on conditions on the ground. That is why this amendment provides full funding for the current level of 9,800 troops in Afghanistan to help our Afghan partners preserve the gains of the last 15 years and take the fight to terrorists who seek to destabilize the region and attack American interests.

This amendment supports the European Reassurance Initiative by modernizing 14 M1 Abrams tanks and 14 M2 Bradley fighting vehicles for deployment to Eastern Europe to deter Russian aggression.

The amendment also provides vital support for our allies and partners. My amendment provides \$150 million in security assistance for the Ukrainian people to defend themselves against Vladimir Putin's aggression. It also provides an additional \$320 million for Israeli missile defense programs, including cooperative programs with U.S. industry in order to protect one of our closest allies from a growing missile threat.

In short, my amendment gives our troops the resources, training, and equipment they need and deserve to rise to the challenge of a more dangerous world.

I would also add one important fact about this amendment. Whatever some of my colleagues on the other side of the aisle may say, this amendment is completely compliant with last year's budget agreement, the Bipartisan Budget Act. That legislation set binding spending caps on defense and non-defense discretionary spending, but the BBA set what the Congressional Research Service called nonbinding target levels of funding for overseas contingency operations, or OCO. In other words, the BBA gave Congress the flexibility to increase OCO spending to meet current and future threats if it saw fit. There is no doubt that this additional spending is needed, and this amendment provides it in full compliance with last year's budget agreement.

That said, I understand that some of my colleagues on the other side of the aisle believe we also need increases in nondefense spending. That is why the Senator from Rhode Island has offered a second-degree amendment that would add \$18 billion in nondefense spending. This amendment has some laudable programs.

I have long said that national security is not just the Department of Defense. I agree that we should provide additional funding for the Department of Homeland Security, the FBI, and the Coast Guard. I would have added the CIA and some of our other intelligence agencies. But I do not believe there is any national security justification for

adding billions in taxpayer dollars to a defense bill to pay for infrastructure, national parks, affordable housing programs, or agricultural research.

While the Senate may not reach full agreement on the amendment by the Senator from Rhode Island, what I believe his amendment does show is that we all agree our military needs the additional resources my amendment provides.

I do not know whether the amendment by the Senator from Rhode Island will succeed or fail, but if it does fail, my Democratic colleagues will be left to answer a simple question: Will you vote to give our military servicemembers the resources, training, and equipment they need and deserve? This vote will be that simple.

Let's be clear what voting no would mean.

Voting no would be a vote in favor of another year where the pay for our troops does not keep pace with inflation or private sector averages.

Voting no would be a vote in favor of cutting more soldiers and marines at a time when the operational requirements for our Nation's land forces—from the Middle East and Africa to Europe and Asia—are growing.

Voting no would be a vote in favor of continuing to shrink the number of aircraft that are available to the Air Force, Navy, and Marine Corps at a time when they are already too small to perform their current missions and are being forced to cannibalize their own fleets to keep our Nation's pilots flying at far higher risk.

Voting no would be a vote in favor of letting arbitrary budget caps set the timelines for our mission in Afghanistan instead of giving our troops and our Afghan partners a fighting chance at victory.

In short, voting no is a vote in favor of continuing to ask our men and women in uniform to perform more and more tasks with inadequate readiness, inadequate equipment, an inadequate number of people, and unacceptable levels of risk to their missions and themselves. This is unfair, and it is wrong. It is wrong.

For the sake of the men and women in our military who, as we speak, are putting their lives on the line to defend this Nation, I hope my colleagues on both sides of the aisle will make the right choice.

For 5 years we have let politics, not strategy, determine what resources we give our military servicemembers. If we keep doing this, our military commanders have warned us that we risk sending young Americans into a conflict for which they are not prepared. I know the vast majority of my colleagues on both sides of the aisle recognize that the mistakes of the past 5 years have created this danger. Yet this is the reality our soldiers, sailors, airmen, and marines are facing. It is

our urgent and solemn task to confront it.

I say to my colleagues, Republican and Democrat alike, it doesn't have to be this way. We don't have to tolerate this anymore. Let's stop allowing politics to divide us when we should be united in support of our military servicemembers. Let's begin charting a better course today, one that is worthy of the service and sacrifice of those who volunteer to put themselves in harm's way on our behalf. Let's adopt this amendment to give our servicemembers the support they need and deserve, and in so doing, let's do our duty.

Mr. President, I know there are speakers on this amendment. I hope they will come to the floor to discuss these amendments so that we can set a time—hopefully this afternoon, if not tomorrow—on this amendment and the second-degree amendment by the Senator from Rhode Island.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Maryland.

AMENDMENT NO. 4549

Ms. MIKULSKI. Mr. President, I rise in support of the Reed-Mikulski amendment to respond to threats to our Nation by raising the caps for both defense and nondefense spending.

All agree that we must defend the security of the United States. So many argue that we need more money for DOD, even though DOD already consumes 50 percent of all discretionary spending.

Here is a quick tutorial on the Federal budget. Discretionary spending is \$1 trillion. The other two big expenditures are interest on the debt and trust funds, particularly for earned benefits like Social Security and Medicare. But on discretionary spending—what we can decide to spend of that \$1 trillion—about \$500 billion goes to defense.

We all know we are under some pretty big threats. We have fought a 15-year war. Our men and women deserve the best training, the best technology, and support for themselves and their families. I don't argue that. But I want people who like to say I am a numbers guy—let them know what the numbers are.

I take the position that we need to make sure our national security is what it should be, but I argue that not all of national security is in the Department of Defense. There are clear and present dangers to the people of the United States that are met by other agencies.

When we passed the Bipartisan Budget Act last October, we agreed on parity. What we said was that there would be parity between defense and nondefense. What does that mean? That means defense gets about \$500 billion and nondefense, which is all of the other programs for the United States of America, gets the other roughly \$500

billion. That means everything from Pell grants and the National Institutes of Health to Homeland Security, the FBI—I could go on and on.

I am willing to support the need to defend America by allowing more spending on defense, but I take the position that America faces other threats as well, and we need to maintain the parity.

The amendment being offered by Senator JACK REED and me, as an original cosponsor, says yes to the \$18 billion for defense needs and yes to \$18 billion for nondefense needs so we can make the Nation safe and more secure.

The Reed-Mikulski amendment does two things: It amends the 2015 Bipartisan Budget Act to allow \$18 billion of relief from sequestration for defense spending—the same amount in exactly the same way as described by my senior colleague from Arizona, the American war hero JOHN MCCAIN. But there is another \$18 billion in the Reed-Mikulski amendment for nondefense spending because there are threats to the United States of America in addition to the ones the DOD confronts.

So what does the Reed-Mikulski amendment fund? It funds those agencies that we think provide national security in addition to the Department of Defense. We are talking about more money for the State Department so they can do their diplomacy, so they can provide their Embassy security, and so we can meet the humanitarian need, where we are winning the hearts and minds of people and also making sure we help other people around the world. It will also give more to Homeland Security so that they can defend our coast and defend our borders, and it gives more money to the Department of Justice so they can track terrorists or keep an eye on things to make sure we don't have terrorist attacks here.

There are also other threats to the United States of America, one of which is in the area of cyber security. That occurs in order to have the protection of dot-military and dot-gov to maintain our continuity of government, and dot-com, which is essentially the functioning of our whole country that is not government or military. My gosh, everybody has been hacked. OPM was hacked. Look at all that we lost. There are over 1 million hacks a week going on against government agencies by people who want to steal our trade secrets from the Patent Office and NASA and NIH and FDA. Why invent a cure for cancer when you can steal it?

Then, of course, there is this threat to Zika. Make no mistake—these aren't cute little bugs coming from the Southern Hemisphere; these are bugs that when they infect people, particularly pregnant women, the results are horrific birth defects. Zika is a threat to the public health of the United States of America.

There is the danger of heroin, and there is a danger in terms of other

kinds of environmental dangers, such as what Flint, MI, is facing.

We are also running significant deficits in research infrastructure and human infrastructure. I am going to elaborate on that in a minute.

Why do we need the Reed-Mikulski amendment? Current spending caps are \$20 billion below the fiscal 2010 level. Let's make no mistake—we appropriators aren't exactly these wild big spenders. Neither is the Budget Act. The Budget Act we are working under is at the level of 2010. This amendment authorizes funding to meet real problems.

Other Members will come to discuss that, but I want to make clear that if you want to keep our troops safe, the best way is to give peace a chance. It is not a song from another era. If we want to try to prevent war, to contain war, or to end war, we need diplomacy. That is what the State Department does around the world—quelling conflict, stopping proliferation, supporting treasured allies.

We need to protect our people who work abroad, both our military and those who work at our Embassies. We need Embassy security. We need foreign aid to respond to real human needs while avoiding creating new enemies or new problems abroad. We need the State Department, but we also need Homeland Security. We need to protect our borders. We need the U.S. Coast Guard out there protecting us against drug dealers, terrorists, and helping to provide port security. We need Customs and Border Protection to secure borders. There are those who want to build a wall. I want to make sure we have the men, women, and technology to secure the borders. We need law enforcement to fight terrorism abroad and also to fight the drug dealers, human traffickers, cartel people, and organized crime. That is why we need the FBI's help and help from the Drug Enforcement Agency and the U.S. Marshals Service.

This would authorize \$1.4 billion for the Department of Homeland Security and the Department of Justice to make sure we have enough people and the right technology to protect us, in addition to the spartan situation we find in the Appropriations Committee. We need to be able to do that. When we look at cyber security, this is all hands on deck, all government on deck, all of us on deck. We do need DOD to help with threats to our military.

We are increasingly relying on digital technology. I am so proud of what we do at the National Security Agency, the mother ship of talent focused on protecting the Nation. I am proud of the cyber command, but I am also proud of what we do through our cyber security in terms of what we do with the Department of Homeland Security, the National Institute of Standards and Technology, and others, coming up

with new information for security technology. There are a lot of numbers and data, but I will skip over that.

Then there is the legacy of war. The legacy of war is what we owe our veterans. We just celebrated Memorial Day, honoring those who made the ultimate sacrifice, but we also extended our support for veterans everywhere.

Did the Presiding Officer know that 60 percent of Veterans Health Administration facilities are over 50 years old? The facilities are aging in place. The VA itself has cataloged \$10 billion worth of maintenance deficiencies and code violations at hospitals and clinics. We are not talking about new construction. We are talking about deficiencies in maintenance and actual code violations.

The VA tells us about leaking roofs, mold growing, and other serious problems. I could go on. We all remember Walter Reed and how the years of neglected maintenance led to horrible conditions for our injured veterans and their families. They deserve better. They deserve facilities that are as fit for duty as they are.

Then there is this other issue that I am very concerned about, which is in the area of research and development. Some of my colleagues might say: What the heck does that have to do with being in the military? We need research and development to be able to come up with the new ideas and new technologies to protect our Nation. Look at what the Department of Energy did. They are helping to develop big trucks that sip gas like a Honda Civic. What does that mean? It not only means our military can be more efficient, but we can also be more energy independent.

The National Science Foundation has done so much in the way of basic research that it has enabled us to come up with whole new fields like nanotechnology or miniaturization that enables our people not only to have the smart weapons of war but the smart weapons against disease. My gosh, look at what we are developing just in terms of new technology.

I don't know if the Presiding Officer is aware, but a lot of the work that was done at NASA, particularly in the area of space telescopes and rockets, helped us come up with the new digital mammography. Can you believe that? Because we studied space out there, we learned to protect our people right here, and it also helps others.

I also want to talk about the fact that we do help some domestic programs here in the area of children and human infrastructure. People say: What does that have to do with defense? I will tell you what General Dempsey told me. General Dempsey told me this, and he told others. So it wasn't like a little thing with General Dempsey. GEN Martin Dempsey, former head of the Joint Chiefs and

decorated war hero said: Senator MIKULSKI, did you know that for every four people who want to enlist in our military, only one is found fit to serve? Either people are physically unfit, can't read, or have had a problem with mental illness or addiction.

We need to invest in our children. If for nothing else, we need to make sure all Americans are fit for duty, and that is why we need to do this.

We have spoken eloquently as to why we need more money for Zika, the need to fight the addiction some have with opioid drugs, and the situation in Flint.

Mr. President, as I said, I rise in support of the Reed-Mikulski amendment to respond to threats to our Nation by raising the caps for both defense and nondefense spending. All agree that we must defend the security of the United States. So many argue we need more money for the Department of Defense, DOD, even though DOD consumes 50 percent of discretionary spending. But I argue not all of national security is in Department of Defense. There are clear and present dangers to Americans met by other agencies, such as the Departments of Homeland Security, DHS, State, and Veterans Affairs, VA.

The Bipartisan Budget Act, which passed with 64 votes in the Senate last October, was based on parity—equal relief from the consequences of sequestration—because there have been significant consequences of sequester for the American people.

We are willing to support the need to defend America by allowing more spending on defense. But America faces threats at home as well, and we need parity in responding to those threats. That is why we are offering this amendment to say yes to \$18 billion for defense needs and yes to \$18 billion for nondefense needs, so we can make the Nation safer and more secure.

The Reed-Mikulski amendment does two things. It amends 2015 Bipartisan Budget Agreement to allow both: \$18 billion of relief from sequestration for defense spending, the same amount authorized by the McCain Amendment, and \$18 billion of relief from sequestration for nondefense spending, because there are threats that DOD can't address.

What does the amendment fund? There are five categories: 1, national security spending, in addition to DOD, for DHS to defend our coasts and borders, Department of Justice to track down drug cartels and terrorists and State Department diplomacy, foreign aid, and embassy security; 2, funding to address urgent threats to America, including heroin, failing water infrastructure as exposed in Flint, the Zika virus, and cyber security; 3, physical infrastructure, including funding for roads, bridges, transit, and VA hospitals; 4, research infrastructure investments, creating jobs through new

products and cures; and 5, human infrastructure, providing more resources to underfunded, but overwhelmingly passed, authorizations for education and college affordability, workforce training, and food safety. This amendment meets threats to America with new funding not available in our appropriations bills due to austerity imposed by budget caps.

Current spending caps are \$20 billion below the fiscal year 2010 level, 7 years ago. These cuts have consequences. This amendment authorizes funding to meet real problems. Other members of the Appropriations Committee will come to the floor to discuss needs in their subcommittees, but first I want to talk about some of the dangers we are addressing with this amendment.

The best way to keep our troops safe is peace. But we live in turbulent times, which means we need diplomacy. The State Department works around the world to quell conflict and help displaced and threatened refugees, stop weapons proliferation, and support treasured allies, especially those absorbing refugees from Syria.

We need embassy security so we can bring our diplomats home safely. We need foreign aid to respond to real human needs while avoiding creating new enemies abroad. We need the State Department to help keep America safe. That is why the Reed-Mikulski amendment includes \$1.9 billion to continue the key security mission of the State Department.

Communities in the U.S. face lone-wolf terrorists, drug traffickers, and smugglers. The Department of Defense doesn't fight domestic crime and terrorism. We need the Department of Homeland Security's Coast Guard protecting our coasts; Transportation Security Administration, TSA, keeping air travel safe; and Customs and Border Protection, CBP, securing the border. We also need the Department of Justice's Federal Bureau of Investigation, FBI, Drug Enforcement Administration, and U.S. Marshals.

This amendment authorizes \$1.4 billion for DHS and the Department of Justice, so they can improve outrageous wait times at airports, meeting growing passenger volume, which is up 7.4 percent from 2015, without compromising safety; hire 2,000 officers on the borders; hire FBI, local police, and other Federal law enforcement to capture and prosecute criminals here in America—violent crime rose nearly 2 percent last year after falling in 2 prior years. The Department of Defense can't do those things.

I now want to turn to a threat that requires all hands on deck: cyber security. We need DOD to help threats to our military, which is increasingly reliant on digital technology, and threats from nation states. I am so proud of Cyber Command, Fort Meade, and the National Security Agency, NSA, the

mothership of talent, focused on protecting the Nation.

But we have not done enough to protect ourselves at home. More than 22 million Americans are at risk of identity theft because our own Office of Personnel Management couldn't keep their records safe. We need the FBI finding the criminals behind the keyboards, DHS advising Federal agencies, and the National Institute of Standards and Technology setting standards. And every agency needs to secure itself.

Last year, Federal agencies reported 77,000 cyber incidents—up 10 percent from fiscal year 2014. The Food and Drug Administration and the U.S. Patent and Trademark Office need to protect trade secrets, and the Social Security Administration needs to protect our personal information. That is why our amendment includes \$2 billion for cyber security, so our nondefense agencies can join DOD in the fight.

The Reed-Mikulski amendment helps America be more secure, but also safer. Americans are threatened daily with our roads and bridges failing, our waterways and ports needing modernization, and our transit systems clogged and crumbling.

Demand for flexible transportation investments is overwhelming. Since 2010, the Federal Aviation Administration's backlog has grown by \$1 billion to a total of \$5 billion, risking breakdowns in air traffic control. Amtrak carries 30 million passengers each year, but can't stop deadly derailments. Here in the National Capital Region, while "safe track" repairs clog highways and side streets, the Department of Transportation tells us there is an \$86 billion maintenance backlog for bus and rail systems nationwide.

It is not just our transportation infrastructure that fails us; 60 percent of Veterans Health Administration facilities are over 50 years old and facilities are beginning to show their age. VA has catalogued almost \$10 billion worth of maintenance deficiencies and code violations at existing hospitals and clinics. VA even classifies these deficiencies as Ds and Fs, from leaking roofs to air handling systems in need of replacement.

These deficiencies can cause serious problems. For example, old air handling units risk microbial contamination. If uncorrected, it could directly impact patient care because old ventilation systems would pump contaminated air into inpatient and outpatient areas. We all remember Walter Reed, where years of neglected maintenance led to horrible conditions for injured veterans and their families. Our veterans deserve better. That is why the Reed-Mikulski amendment includes \$3.2 billion to meet the physical infrastructure needs of the U.S.

It is not just our physical infrastructure. America's research infrastructure

has failed to keep pace with inflation. The National Institutes of Health, NIH, has lost more than 20 percent of its purchasing power since 2003. The history of economic growth shows we need civilian research to create new ideas and new jobs.

The National Aeronautics and Space Administration built a methane detector for its Mars rover that is helping find dangerous gas leaks on Earth. The National Science Foundation funded two Stanford graduate students' effort to build a search engine that formed the basis for Google. The Department of Energy is helping big trucks sip gas like a Civic. Our NIH researchers are on the cusp of finding cures for Alzheimer's, diabetes, and cancer. That is why the Reed-Mikulski amendment includes \$3.5 billion for research and development to create jobs and find cures.

We can't cure cancer without investing in NIH. Now, we are looking at a new health crisis and a new threat to America: Zika. Americans—particularly women and children—are in danger. The President has said \$1.9 billion is needed to fight Zika and stopping it from doing any more harm. That funding is included in our amendment.

As of June 6, there were more than 1,732 confirmed Zika cases, including 341 pregnant women, in the U.S. and its territories. The mosquitos that carry Zika are already in at least three of our States, and the Centers for Disease Control and Prevention estimates that soon they will be in 30 States.

There is still a lot we don't know, but what we do know for sure is that Zika has terrible consequences for women and babies. Scientists have confirmed the link between the Zika infection in pregnancy and serious birth defects in babies. The details about what Zika does to the brains of unborn children are truly horrific. Zika is a threat we can stop if we have the will and the funding to do so.

Another emergency we can stop is the heroin epidemic. Every Senator and Governor has heard about the resurgence of heroin, which knows no boundaries—geographic or socioeconomic. Since 1999, the rate of heroin and opioid deaths quadrupled to an average of 78 deaths each day.

The Senate passed the Comprehensive Addiction and Recovery Act, CARA, on March 10 with a vote of 94-1. Authorization is nice, but we need the money to fund law enforcement, treatment and recovery and better pain management so people don't get hooked on opioids in the first place. That is why the Reed-Mikulski amendment includes \$1.1 billion for heroin response and treatment.

Every community is dealing with addiction, but every State also worries about its water. The amendment also includes \$1.9 billion to upgrade water systems throughout the U.S. Today,

nearly 100,000 residents of Flint don't have clean and safe drinking water. Up to 9,000 children may have lead poisoning; some are already exhibiting signs in school. Flint's water is still contaminated because its pipes are permanently damaged.

This is a national crisis. Flint is ground zero. Contaminated drinking water is happening in cities and rural communities across America. This is about the infrastructure and our failure to replace it. But it is about more than just replacing pipes. It is about the human infrastructure. This is about the lives of our children. What happened in Flint, MI is a failure of a State's government to protect its own people. The threat from our aging water systems is real, and it can't be solved by DOD.

From our water infrastructure to our human infrastructure which includes the very troops who make up the DOD, we must do more to ensure readiness. Shockingly, General Dempsey tells us only one of every four recruits qualifies for duty. One can't read, one can't meet physical requirements, and one is disqualified due to legal or mental problems. They wanted to serve, but did we serve them?

We have overwhelmingly passed authorizations to help. The Every Student Succeeds Act, which passed the Senate 85-12, aims to give kids a better K-12 education so they are ready for college, careers, or military service. But implementation is underfunded in the fiscal year 2017 Labor-HHS-Education bill by more than \$1 billion. We can't say we want to solve problems with great policies, but then fail to fund the solutions. That's why the Reed-Mikulski amendment includes \$900 million for underfunded authorizations of education and college affordability, job training, and food safety policy.

I talked at the beginning about how the State Department makes America safe with diplomacy and foreign aid. But I want to end with how foreign aid can help make us safer by helping the lost generation of children across the globe that is on the move and on the march.

Nearly 60 million people worldwide are forced from their homes due to conflict and persecution. Refugees account for 20 million of those people, half of which are children. This is not an isolated problem. Millions of refugees are from Syria and Iraq, Yemen, South Sudan, Burundi, and other conflict zones. What do they have in common? They are desperately in need of life-saving assistance, including food, water, medical care, and shelter. Many will not be able to return home for years—if ever.

These refugees cannot survive indefinitely on relief aid. The children need to attend school. The adults need jobs. These refugees are scared and ready to

face the unknown, rather than endure the brutality at home. They are only asking for one thing: help. All of us remember a time when, as a child, we needed help or our parents needed help. We also remember the names and faces of those who helped and those who refused.

What do we think they are doing? Do we want these children to remember the United States as the people who helped, or as the people who refused? If we don't help, what are we creating? A generation of people who hate and distrust us because of our refusal when they were in need. We need the Reed-Mikulski amendment so our frugality doesn't create a generation that hates America.

We all want to protect America. I support the troops. I support the Department of Defense. I support the men and women at Maryland's nine military bases. The Chairman of the Armed Services says they need \$18 billion more to meet the threats around the world. I support that effort, but only if there is parity. That is why we are proposing \$18 billion to meet threats to America not funded by the Department of Defense. I urge my colleagues to support the Reed-Mikulski amendment to raise the caps for both defense and non-defense items that defend America.

I note that the distinguished majority leader is on the floor.

If we are going to spend more money on defense, even though we already spend roughly \$500 billion—about 50 percent of all discretionary spending—let's also spend money on other agencies that enable us to have a strong national security. Let's also put money into the other threats to the United States. Right now there is a public health crisis with Zika. There is a public health crisis with opioid and heroin addiction and a crisis in Flint, MI. Others are facing environmental problems. Let's make these other investments to make sure we keep America strong.

I yield the floor by saying: Let's please vote for the Reed-Mikulski second-degree amendment.

The PRESIDING OFFICER. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Ms. WARREN. Mr. President, our government has work to do, but when it comes to making sure that our courts have the judges they need, when it comes to making sure that the Federal agencies have the leaders they need, and when it comes to filling a vacant seat on the highest Court in this Nation, Senate Republicans refuse to do their job.

Senate Republicans have a long history of obstructing President Obama's nominees. Earlier this week, I released a report documenting that long history. The Republicans have slowed down the confirmation of judicial nominees to a crawl—the people needed

to resolve important legal disputes. They have stalled confirmations of key agency heads. These are the people needed to protect consumers, to protect our environment, and to defend our country.

They are blocking Merrick Garland, a judge whom our colleague from Utah, Senator ORRIN HATCH, previously called a "fine man" whom the President could "easily name" to fill the vacancy on the Supreme Court.

Instead of working to make government function and more efficient, Senate Republicans have made it their priority to keep key positions empty for as long as possible—to hamstring efforts to protect consumers and workers, to delay efforts to hold large corporations accountable, and to slow down work to promote equality.

The view of Senate Republicans seems to be pretty simple. If government isn't working for them, their rich friends, or their rightwing allies, then Senate Republicans aren't going to let it work for anyone. But it isn't too late. They still have time to put aside their extremism and start doing what they were sent here to do.

Start with district court judges, the men and women who resolve disputes over how government works and whether the Constitution or Federal laws are being respected. They do an enormous amount of work. Their work is not political. Democratic and Republican Senators have worked with the President to select these nominees.

As of today the Senate Judiciary Committee has cleared 15 people who were nominated for seats on the Federal district courts. These nominees have the support of Democrats and Republicans. They are ready to serve their country. One of them is from Massachusetts. We need our judge. This Nation needs its judges. So let's vote.

Mr. President, I rise today to ask unanimous consent that the Senate proceed to executive session to consider the following 15 nominations: Calendar Nos. 357, 358, 359, 362, 363, 364, 459, 460, 461, 508, 569, 570, 571, 572, and 573; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, we continue to process judicial nominations, and we have done so even when a

majority of the Republican conference did not support the nominee, as was the case with the district court nominee from Maryland, whom we confirmed before the recess. That is an example of a judge confirmed that a majority of Republicans did not approve of.

Just this past Monday, the first day after the recess, we confirmed two more article III judicial nominees. We tried to confirm them before the recess, by the way, but our Democratic colleagues would not clear them.

President Obama has had many more judicial nominees confirmed than President Bush did at the same point in his Presidency. We will continue to process his judicial nominations, but the minority is not going to dictate to the majority when and how we will do so.

I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. I ask through the Chair if the majority leader will yield for a question.

Mr. MCCONNELL. I yielded the floor.

Ms. WARREN. Mr. President, I am asking if the majority leader will yield for a question.

The PRESIDING OFFICER. The majority leader does not have the floor.

Ms. WARREN. All right, I will just ask my question.

On Monday, I wanted to come to the Senate floor to make the request I just made, but I guess the majority leader was taking a lot of heat about judges and Donald Trump's racist statements about them and didn't want to draw any more attention to the Republicans' unprecedented blockade of judicial nominations. So the Republicans offered me a deal: Just go away, and we will confirm two Court of International Trade judges.

The Court of International Trade is pretty important. It handles trade enforcement cases, and nearly half of that court has been empty for a year because Republicans refused to do their jobs.

These two uncontroversial nominees have been twisting in the wind for 336 days. They are highly qualified, honorable lawyers who are ready to serve their country. So on Monday, I took the deal. The Republicans released two hostages, and the Senate confirmed them by a voice vote, without objection—not a single objection nearly a year after they were nominated.

Today, the majority leader isn't offering to release any hostages, and my question for the majority leader is, What happened between Monday and today?

I yield the floor if the majority leader wishes to respond.

Mr. MCCONNELL. Mr. President, we tried to confirm the article III judges she is referring to before the recess and our Democratic colleagues would not clear them.

I don't know whether the Senator from Massachusetts has additional UCs to propound or not, but if she does, I would respectfully suggest she propound them.

Ms. WARREN. Then I certainly will.

Mr. President, last week the majority leader wrote an op-ed in the Wall Street Journal, and it was titled, without a hint of irony, "How the Senate Is Supposed to Work." In his article, Senator MCCONNELL declared: "On issues of great national significance, one party should simply never force its will on everybody else." He pleaded that "it's not an act of betrayal to work with one's political adversaries when doing so is good for the country."

Senator MCCONNELL agreed to confirm two highly qualified judges on Monday because it served his political interests. Today, he doesn't feel like it, so he forces his will on everyone else. That is not how the Senate is supposed to work.

The Constitution is clear. The Senate's job is to provide advice and consent on the President's judicial nominees. There is no asterisk that says "only when the majority leader has an embarrassing political problem" or "except when the President is named Barrack Obama."

It is not what the Founders had in mind because it is small, it is petty, and it is absurd. For these district court nominees, the U.S. Senate should be asking one question and one question only: Are these judges qualified or are they not qualified? That is it. But that is not what is happening in the U.S. Senate. Instead, good people twist in the wind, hung up as political hostages, and that is undermining the integrity of our courts.

So if you will not give all 15 judges their votes, let's at least have a vote on the 9 district court nominees who had their Judiciary Committee hearings last year. Senator TOOMEY called for some of these nominees to be confirmed last month. All of these nominees have been waiting for at least 6 months—almost 200 days—since their hearings. When President Reagan was in office, almost no uncontroversial nominees took longer than 100 days to confirm from the day they were nominated. The delay is ridiculous. Give them their votes.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nine nominations that have been pending since 2015: Calendar Nos. 357, 358, 359, 362, 363, 364, 459, 460, 461; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the

President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, so our colleagues are not confused, looking at the Bush years to today and the Obama years to today—apples and apples—President Obama has had 327 judges confirmed, and President Bush had 304. President Obama has not been treated unfairly. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Massachusetts.

Ms. WARREN. Mr. President, right this minute, right here on the floor of the Senate, we face one of those "issues of great national significance" that the majority leader wrote about in the Wall Street Journal. It is an exploding number of judicial vacancies.

The Washington Post recently reported:

Of 673 U.S. district court judgeships, 67—or 10 percent—are vacant under President Obama, nearly twice as many as at this point of Republican George W. Bush's presidency and 50 percent higher than at this time under Bill Clinton or George H.W. Bush.

The number of federally designated district court "judicial emergencies"—where seats carry particularly heavy caseloads or have been open for an extended period—is also roughly double what it was in May 2008 and May 2000.

Addressing those emergencies is good for the country. Keeping our courts functioning is good for the country. Confirming nominees who have the support of Republicans and Democrats is good for the country.

But just a minute ago, the majority leader blocked confirmation of all 15 noncontroversial judges who are waiting for votes. That is not putting the country first; that is putting politics first. It is forcing the will of a small number of extremist Republicans on the entire country, and the integrity of our judicial branch is suffering for it.

So let me try this again. Surely we can agree to confirm the four oldest nominations on this list—two Democratic recommendations and two Republican recommendations. They all had hearings in September, 9 months ago. What are we waiting for? Give them their votes.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following four nominations: Calendar Nos. 357, 358, 359, and 362; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's ac-

tion, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, I object, unfortunately.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. HATCH. Mr. President, I rise once again to discuss the state of our Nation's healthcare system.

The PRESIDING OFFICER. The Senator from Massachusetts still has the floor.

Mr. HATCH. Oh, she does?

Ms. WARREN. Yes.

Mr. President, I wish I could say that I am surprised by this, but I am not surprised.

The Republican leader can say whatever he wants today, but he has made his intentions very clear when it comes to President Obama. On the eve of the 2010 elections, Senator MCCONNELL said that "the single most important thing we want to achieve is for President Obama to be a one-term president."

Well, President Obama won reelection, but Senate Republicans have still stalled, delayed, and blocked his nominees. Since they took charge of the Senate last year, these Republicans are on pace for the lowest number of judicial confirmations in more than 60 years.

So can we at least confirm one noncontroversial district judge?

The nominee on the list who has been waiting the longest is Brian Martinotti. New Jersey needs this judge. He was nominated a year ago. He has been twisting in the wind for 9 months since his confirmation hearing. Give him a vote.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 357; that the Senate proceed to vote without intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Mr. President, I reserve the right to object. I will certainly look at this and see what can be done, but at this present time, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. Mr. President, Brian Martinotti deserves better than this. All these nominees deserve better than this. Merrick Garland deserves better than this, and the American people deserve better than this. We will keep fighting to try to get the Senate Republicans to do their job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I have only been here 40 years, and this happens every time at the end. They have not been mistreated. The fact is that they have had more judges confirmed in 7 years than President Bush had in a full 8 years, and they are going to have more judges. But it is the majority leader's determination as to when those judges will come up and when they will be confirmed, and I think he has been doing it on a regular basis.

I hate to go back in time, but I could go back in time and show how the delays on the Republican judges with the Republican Presidents were just unbelievable. All I can say is that it is nice to raise these fusses around here—and I don't blame the distinguished Senator from Massachusetts because she is doing her job—but let's allow the majority leader to do his job as well.

OBAMACARE AND THE ECONOMY

Mr. President, I rise once again to discuss the state of our Nation's health care system and what we can likely expect in 2017 under ObamaCare. This is a good subject following on to the judge-ship discussion because the Democrats are acting so offended and so mistreated. Well, I hate to tell you how we were mistreated time after time after time when we had Republican Presidents.

Let me just talk about what we can expect in 2017 under ObamaCare. However, before I delve into that discussion, it is important to provide a little context.

Roughly 7½ years ago, President Obama was sworn into office, riding on a wave of good will, optimism, and so many promises about what he was and was not going to do that it was difficult to keep track. Seven and a half years may not be all that long in the grand scheme of things, but it is surely long enough to evaluate the economic successes and failures of a single administration. Let's take a look at what we have witnessed in the years President Obama has been in office.

Since January 2009, our Nation's gross domestic product has grown at an average annual rate of only 1.7 percent. Think of that—1.7 percent in 7½ years—and the overall trajectory hasn't been improving. In the last quarter, our economy grew at the slowest rate in 2 years.

At the same time we have experienced that slow GDP growth, wage growth has been sluggish and median household income in the United States has actually gone down under this President, declining at an annual rate of almost one-half of 1 percent. Slow economic growth, slow wage growth, declining household incomes—and this past Friday we learned that the economy added only 38,000 jobs in May, with job gains having averaged a slug-

gish 112,000 per month since President Obama took office.

When are the American people going to wake up and realize these people are not doing their job? Not only are they not doing their job, they are doing a lousy job.

There is not a new normal here either. They are trying to pass off that they have low unemployment rates. They are not counting all the people who just don't even look for a job anymore. If you count them, it is well over 9 percent. That is what we have seen in the Obama economy.

Sadly, even that doesn't tell the whole sad story. Along with a stagnant economy and declining household income, the cost of health care has gone up almost exponentially—and exponentially in some areas. Health care premiums for families with employer-based coverage—one of a handful of benchmarks for measuring the costs of health care in the United States—have gone up by an average of 5 percent a year. That trend, according to both the Congressional Budget Office and the Joint Committee on Taxation, is expected to continue over the next decade, with premiums in the individual health insurance market going up at an even faster rate.

Meanwhile, the Federal Reserve projects that growth in our economy will range between 1.8 percent and 2.3 percent, well below historic averages and far below the growth rate for average health insurance premiums.

Do you think we are going to do any better with a new Democratic President? I don't think so. She has already admitted she is going to follow the principles of this President and the program of this President.

Long story short, under this President we have seen mostly lackluster economic growth and a decline in household income while the cost of health insurance has eaten up an increasingly larger share of American families' earnings and an ever-growing percentage of our national economy. According to most credible projections, it is only going to get worse. There are still 30 million people without health insurance, about the number there was when they came up with this colossal wasteful mess of the health care bill.

This correlation of economic stagnation and exploding health care costs is particularly damning for this President because his signature domestic achievement—his top priority after being elected—was passage of the so-called Affordable Care Act, a law that was, among many other things, supposed to bring down health care costs.

The word "affordable" is actually the operative word in the name of the law. Yet it is probably the least suitable word for describing what this statute has actually done to our health care system.

It has now been 3 years since the Affordable Care Act was fully imple-

mented and in effect. And in all 3 of those years, average health insurance premiums in the United States have gone up by double-digits in many markets. Insurers are currently making rate decisions for year 4 of ObamaCare, and from what we have seen thus far, things are only going to get worse. According to one analyst, the average of the weighted rate increases requested from 28 States and the District of Columbia is approximately 20 percent.

Indeed, over the past few months, it seems as though we have seen a new headline every day that highlights the failure of ObamaCare to bring down premiums.

For example, we have recently learned that in New York patients may see an average premium increase of 17 percent on the ObamaCare insurance exchanges. In fact, one major New York carrier requested a rate hike of 45 percent over what they charged last year—or should I say this year, I guess.

In the State of New Mexico, one major insurer requested a premium increase of more than 83 percent, and those States are not outliers. Average premiums in Mississippi could increase by over \$1,000 next year, according to recent reports. Insurers have requested average hikes of nearly 14 percent in the State of Washington. A major carrier in New Hampshire just requested an increase of more than 45 percent for 2017. Another insurer has submitted a request to raise premiums by more than 36 percent in Tennessee. People in other States, such as Virginia, Florida, Maine, Oregon, and Iowa, are all facing potential double-digit increases in premiums, with some in the 30-percent to 40-percent range.

Keep in mind these are just the States we know about thus far. More numbers and almost certainly more requested premium hikes will be made public very shortly. We are still waiting to see specifically what will happen for the people of my home State of Utah. Still, we already know that many Utahns are facing difficulties. I hear from my constituents all the time on these issues.

For example, a citizen from Roosevelt, UT, recently wrote to me to say this about her experience with ObamaCare:

I can't afford the monthly premiums, and as long as I have to pay extraordinary deductibles, I may as well just continue paying for the visits as I go and not have to worry about the extra money I would have to spend in premiums, which are outrageous. . . . I realize I will have to pay a penalty when I do my taxes, but it will be way less than the premiums I would have had to pay had I signed up for this health care debacle.

Another constituent named Richelle from Santa Clara, UT, said this in a recent letter:

As I am looking into purchasing the health care coverage we need; I'm finding that it is totally ridiculous. The catastrophic health care we were planning for a few years ago no

longer exists because of the health care laws. In order to get LEGAL health care for me, my spouse, and my 3 eligible children, I'm being required to pay close to \$1300 per month! These policies still require huge deductibles and will quickly eat up the money we've put away for such things.

Unfortunately, these stories are not isolated incidents. People throughout the country are growing more and more concerned about the cost of health care under the President's health care law. Even without the skyrocketing cost of health care, millions of American families would still be struggling to make it under the Obama economy. Yet for these people, all of whom have had to suffer through a period of stagnant economic growth and declining incomes, these rising health care costs are, at best, a slap in the face and, at worst, a nail in the financial coffin.

I have spent a lot of time on the Senate floor over the last 6 years describing what has gone wrong with the Affordable Care Act. I will not detail the substantive and structural problems with the law here today. Instead, I will just repeat what should be clear to everyone here. This law is not working. This law has imposed even greater burdens on virtually all the participants in our health care system, and this law is failing middle-class and lower income families throughout the country.

We can and we must do better, but in order to do so, we will have to turn our focus to the biggest problem that patients face as they navigate our health care system, and that is cost. We must bring down costs. Any future attempts at health care reform that are not cost-focused are, in my view—and I suspect the view of most Americans—a waste of time and effort.

As for me, my position is pretty clear. I support the repeal of ObamaCare, and I support a replacement that makes sense. I have worked with colleagues to come up with a replacement proposal designed specifically to contain costs for patients and consumers. A number of health care experts have concluded that our proposal, which we have called the Patient CARE Act, would do just that.

Of course, there are other proposals out there. For example, I know the House majority is working on a proposal, and I am anxious to see what they come up with. As chairman of the Finance Committee, which has jurisdiction over many major aspects of our health care system, I have begun reaching out to stakeholders to discuss in more detail the current premium prices and what needs to be done to address it.

But let's be clear. To bring down these rising health care costs, we will need significant buy-in from my friends on the other side of the aisle. Quite frankly, I don't know how any of them can read the recent news reports about premium hikes and hear the sto-

ries from their constituents about skyrocketing health care costs and think ObamaCare is working just the way it was supposed to.

As I have said before, my hope is that at some point my colleagues on the Democratic side will begin to acknowledge the failures of ObamaCare. At the very least, they should acknowledge it has failed to bring down costs for patients and consumers and is, in fact, driving up costs.

Until that acknowledgment comes, I plan to do all I can to make the case to the American people about the need for change and to work with anyone who is willing to put in the effort to address these monumental problems. I look forward to speaking more about these issues in the coming weeks and months.

With all the economic struggles the American people—particularly those in the middle class and with lower incomes—have had to deal with under the Obama administration, the last thing families in the United States need is the continuation of the skyrocketing health premiums we have seen as a result of ObamaCare. I plan to do all I can to reverse this trend.

I know there are some on the Democratic side who knew from the beginning it wasn't going to work. Then they would be able to throw their hands in the air and say: It is not working. We need to go to socialized medicine or one-size-fits-all Federal Government control of health care in this country. Anybody who thinks that is going to be a good system, boy, have I got a bridge to sell you.

The fact is, as bad as our system was before, it was better than what this is. We can make it better, but it is going to take Democrats and Republicans coming together in the best interests—and get rid of the stupid politics involved—to come up with a program that will work for the American people.

I can tell you this, the American people cannot live on the slow growth that is currently going on. We cannot compete with the rest of the world on the slow growth that is currently going on, and it has been a slow growth for all of President Obama's time in the Presidency.

It wasn't all his fault, but—by gosh—there could have been programs that would have made it better had they just relied a little bit more on the free market system that has made this country the greatest country in the world.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this afternoon to talk against an amendment that would undermine the spirit of bipartisanship we have cultivated with the last several

budget deals without fully addressing our national security and domestic needs and to speak in support of an alternative that would do so much more to protect our families, improve our national security, and build on our bipartisan budget deal in a truly fair and responsible way.

As I will go into a bit more, for an amendment to a bill focused on ensuring our Nation is prepared to meet future challenges here at home and across the world, the Republican amendment ignores too many priorities in the nondefense world that are critical to our Nation's security. It only supplements defense priorities, leaving by the wayside domestic challenges, such as the Flint water crisis, the Zika outbreak, the opioid crisis, and domestic law enforcement agencies like the FBI, to say nothing of investments that we also know improve national security in the long run, such as education, health care, a strong economy, and more. It casts aside the principles we laid down in our bipartisan budget deal that we should be building on, not tearing down.

I want to spend a minute or two on that last point, since it is a very important one. As many of us have said before, a budget is far more than simply numbers on a page. A budget truly is a statement of values, of priorities, of the kind of nation we are, and the kind of nation we want to be. That is why I am so proud that following the tea party government shutdown back in 2013, Democrats and Republicans were finally able to come together, break through the gridlock, and reach a bipartisan budget deal.

Our deal wasn't perfect. It wasn't what any of us would have written on our own, but it was a critical step in the right direction. It restored investments in health care and education, in research, and defense jobs. It halted the constant lurching from one crisis to the next, and it showed the American people that we in Congress can make things work when we work together.

We were able to get a bipartisan deal because we kept to a core principle, which was rolling back the cuts evenly across defense and nondefense investments. That wasn't the only hurdle, but it was a big one. Both sides agreed that we may not agree on everything, but we had to solve the problem in a fair and balanced way and one that addressed all of our budget challenges here at home and throughout the world.

Establishing this principle and then sticking to it in our 2015 deal is what helped us make the progress we have made and build a foundation for continued work. I believe it is a principle we need to stick to if we want that good work to continue.

We reached a 2-year bipartisan budget agreement just last fall. If the Senate is about to open that bipartisan

budget agreement on this bill, then we should be doing it in a thoughtful and productive manner that allows us to build on the 2-year deal and address a fuller range of security issues.

Unfortunately, the amendment we are going to vote on either later tonight or tomorrow would move us in the wrong direction when it comes to this productive bipartisan work. Instead of building on our deal, it tries to circumvent it. Instead of working together to truly restore investments, it uses a gimmick to pretend to restore investments, and instead of working with Democrats to restore cuts on the domestic side that support our national security as well, it only supports the defense side and leaves far too much behind. I don't think that is right, and I think we can actually do better.

If Republicans truly want to work with us to build on our budget deal in this bill in a way that truly prepares us to respond to domestic and foreign challenges facing our country, we have an alternative. Our amendment, the Democratic alternative, would restore investments that help workers, the middle class, veterans, and families all across our country at an equal level to the defense priorities. It would invest in critical priorities that clearly keep our country safe, including supporting the operations of the Federal Bureau of Investigation and supplying the Transportation Security Administration with the tools they need to keep our airports and other transit hubs safe that have become a target for terrorist attacks and allow us to tackle the opioid crisis that is devastating communities in my home State of Washington and across the country.

It would provide the resources for us to respond to the water and lead issues in Flint and many communities in our Nation, and provide resources to help us address so many of the challenges facing our workers, our families, our communities, and our middle class and do it in the fair and balanced way that we all know works by building on the bipartisan budget deal and treating defense and nondefense equitably and fairly.

I urge my colleagues to support the Democratic amendment so we can restore these investments in critical defense and nondefense programs and invest in priorities that keep us safe and strengthen our communities and the middle class. Having a powerful military is important to our country's safety but so is access to safe drinking water and so are TSA agents protecting our transit hubs, Zika research to prevent further spread of this disease, and so much more.

I hope we can work together to build on our bipartisan progress, stick to our bipartisan principles, and keep our country moving in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I came to the floor to talk about the visit of Prime Minister Modi of India and to speak about an amendment I have, but listening to the Senator from Washington, I have to express my sense of wonder and amazement at our Democratic colleagues for whom no amount of money, no growth in the size of government is too much.

While I am certainly sympathetic to the amendment by the Senator from Arizona which would increase defense spending at a time when there is a greater array and a greater diversity of threats to our country than Director of National Intelligence James Clapper has said he has seen in his 50-year career, the idea that because we want to take care of the No. 1 priority of the Federal Government, which is national security and self-defense, we have to somehow use that to leverage more spending in other areas that are non-defense-related is simply unacceptable, particularly at a time when our national debt is \$19 trillion.

The other day, I happened to be speaking to a young woman who said: Well, what would you tell me to tell my peers?

She must have been—who knows how old she was—in her early twenties.

She said: What would you tell me to tell my peers about politics and why they should care and why they should be involved?

I told her: Well, if I were you, I would be angry. I would be mad. Your generation should be angry with my generation because what we have done is spent a bunch of money we did not have, and we have simply passed the debt and the bill off to your generation.

It is not just the \$19 trillion in debt, it is also the pathway to Social Security and Medicare, the promises we made to our seniors for a secure late-in-life lifestyle that simply can't be kept unless we support and reform Social Security and make it sustainable for future generations.

So this is not the main reason I came to the floor to speak today, but I just have to express my own sense of wonder and amazement at our Democratic colleagues who want to continue to spend money we don't have because they know that if you end up spending this money they are asking for, it is just going to be added to the bill that is going to be paid for by the next generation, people like these young folks down here who are pages. That is, frankly, immoral, and it is not acceptable.

VISIT BY THE PRIME MINISTER OF INDIA

Mr. President, the main reason I came here to speak—today was really a historic day in Washington, DC, and in the relationship between the Government of the Republic of India and the

United States of America. Like many of my colleagues, I had a chance to listen to Prime Minister Modi speak to a joint meeting of Congress this morning over in the House of Representatives. I was reminded of how far our two countries have come in such a relatively short period of time.

My first visit to India was about 10 years ago. I had been encouraged to go because of some of my constituents back in Dallas, TX, who started the Dallas Indo-American Chamber of Commerce. We actually have a large Indian-American community in the Dallas-Ft. Worth area and also in Houston. Around the State of Texas, we probably have some 250,000 to 300,000 Indian Americans—part of the diaspora Prime Minister Modi talked about before and of which he said he was particularly proud and which binds our two countries together.

When I came back from my trip to India, at the same request of the same constituent—he encouraged us to create a U.S. Senate India caucus, knowing that our two countries had a lot more work to do together. I am happy to say that 10 years ago, when Secretary Clinton was Senator Clinton, she and I cofounded the U.S.-India caucus. Later on, Chris Dodd—after Senator Clinton became Secretary Clinton—and then after Senator Chris Dodd left, Senator MARK WARNER is my current cochair. We have about 30-some-odd members of this U.S.-India caucus, which demonstrates again the acknowledgment of how important this relationship has become.

I am grateful for the concrete manifestation—the evidence of that relationship, things like the fact that, as Prime Minister Modi said, India joins the United States in more joint military exercises than any other country.

We also have a robust civil nuclear agreement that allows for the exchange of critical information and technology. This has been a long time in coming. I think it was 2008 when the Bush administration advocated for this civil nuclear agreement which now, apparently, is coming to fruition. I noticed that President Obama and Prime Minister Modi announced the construction plans for a number of nuclear powerplants in India. India is a vast country—I think he mentioned 1¼ billion people. Many of them simply don't have electricity and live very impoverished lives. So it is an acknowledgment of our close-knit relationship but also of the need that India has, in order to advance and lift its own people to better living conditions, to have access to the electricity that is going to become available once these nuclear powerplants are constructed.

Of course, our economies continue to rely upon each other increasingly for trade and investment. As more and more American-made goods or American agricultural products are sold to

India—with the rising middle class, there are going to be more and more people purchasing those goods and services. Of course, that is going to help improve jobs here in the United States, as well as the quality of life there.

Perhaps most importantly, we share growing cultural ties. Fast-forward to today. When Prime Minister Modi spoke today, he talked about his vision for his country's future, including deepening and broadening the relationship with the United States. That is a very welcome statement by the Prime Minister.

Unfortunately, over the last few years—7 or 8 years of the Obama administration, many of our friends and allies around the world have questioned our commitment to those friendships and these alliances, and, conversely, many of our adversaries have become emboldened when they see America retreating from its engagement with the rest of the world. We do not need American boots on the ground around the globe, but we do need American leadership around the world. There is no other country with benign intent like the United States that can fill that leadership void.

So I was glad to hear Prime Minister Modi talking about the importance of it. I hope we all respond appropriately. Of course, this is important not just today, but it will become increasingly important in the 21st century. The safety and stability of the Asia-Pacific region in particular will depend more and more on the safety and stability of India. Here in the Senate, we have had ample opportunity to work with our friends from India in order to guarantee that goal.

There are a couple of pieces of legislation I have cosponsored with Senator WARNER, my cochair of the U.S.-India caucus, that will bolster our ties with India.

The first would help bring India into an existing trade structure, the Asia-Pacific Economic Cooperation Forum, or APEC. It would direct the Department of State to develop a strategy to facilitate India's membership status in this organization, and it would urge APEC nations to support India's membership. As the world continues to become more interconnected through trade, we need to make sure like-minded countries with economic might, such as India, have a seat at the table.

Of course, it is a truism that countries that do business together and trade together are much less likely to engage in some conflict against each other. So trade is good for national security and internal security as well, not just for the economy.

The second bill I have introduced will help cement India's status as a major partner of the United States. It would strengthen our defense and technology ties and also make sure that India is

equipped to handle the myriad threats coming its way. The truth is that India is at risk for many of the same sort of threats that the United States is. This morning, Prime Minister Modi mentioned the cyber threat. Certainly that is true, but we know India is a target for international terrorist attacks. Indeed, the Prime Minister mentioned the terrible attacks that occurred in Mumbai not that many years ago, when terrorists came in and killed a bunch of tourists there in Mumbai or Bombay.

I am proud to cosponsor an amendment to the Defense authorization bill filed by the junior Senator from Alaska. This amendment would encourage greater military cooperation with India. Even though it is at an alltime high, it could certainly be improved through more joint military operations and officer exchanges. This is really an incredible source of American diplomatic power and strength, particularly in our military-to-military relationship.

I can't tell you how many times I have been to countries around the world, the way I was, for example, in Cairo, Egypt, sitting there talking to the President of Egypt, President Sisi, who was talking about his military training here in the United States, in San Antonio, TX, my hometown. Of course I had to ask him how he likes the Tex-Mex, Mexican food. He said it was a little too spicy for him.

The point is that these military-to-military exchanges with countries like India and Egypt and others are a great opportunity for us to establish friendships and connections, and people who invariably—and I am sure nobody dreamed that then-Military Officer Sisi would become the President of Egypt, but he rose in that leadership position and now is the leader of that large country of some 92 million people. So those military-to-military relationships, those joint military exercises with countries like India are very important.

Let me close on the Prime Minister's comments this morning by thanking him publicly. It speaks volumes to his commitment to further the U.S.-India relationship. I look forward to continuing to play a small part in that effort through the work of the Senate India caucus.

As Prime Minister Modi's visit illustrates, the United States cannot afford to ignore our friends and those who share common values, as Prime Minister Modi spoke. The world is simply too unstable and too dangerous. Plus, it is just plain stupid not to maintain a good relationship with your friends and allies and people who share similar values. But we also have to look at the other side of the coin, and that is to push back on our adversaries. And as I said, unfortunately, over his 8 years in the White House, the President has

seemed somewhat detached from both of those—either encouraging stronger relationships with our friends and allies by demonstrating that we have their back and that we can be trusted or by pushing back on our adversaries when they take aggressive action. As I mentioned earlier this week, his first Secretary of State, Secretary Clinton, regularly lacked the ability to call a spade a spade, particularly with regard to challenges like our enemy in North Korea.

Not long ago—I guess it was in August of last year—I had a chance to visit with Admiral Harris, the four-star head of Pacific Command. When we asked him to list the danger spots in the world that keep him awake at night, he mentioned North Korea as the No. 1 threat. Of course, some of that may be the proximity of his command there in Hawaii. But the fact is, North Korea is ruled by a dangerous dictator who has nuclear weapons and intercontinental ballistic missiles, which is a dangerous mix.

Of course, unfortunately, under Secretary Clinton's watch and President Obama's watch, this has gotten nothing but worse. As we continue to consider the National Defense Authorization Act, we do have a chance to take up some of the slack, though. We are not without tools here in the Congress to fill in some of the gaps and to correct some of the misguided foreign policy prescriptions of the White House.

One way we can do that is by supporting an amendment I have filed that will help us hold Iran accountable for its recent hostile actions against U.S. sailors. We all remember that last January, two Navy riverine boats with 10 American sailors on board made headlines around the world when they strayed into Iranian waters. They were taken captive by members of Iran's Islamic Revolutionary Guard Corps after being forced at gunpoint to surrender. The sailors were blindfolded. They were hauled back to Iranian soil. They were interrogated and detained. The IRGC henchmen documented the event at almost every step along the way, quickly broadcasting those videos and photos of the captured sailors among state-run media outlets.

This is not in line with international norms. This is not the way we would treat a foreign country's navy if the same thing happened, and the Geneva Convention makes clear that when military forces from one country detain military forces of another those prisoners are to be protected from public displays of humiliation, not to be used for propaganda purposes, which is what the American sailors were used for. Something called the doctrine of innocent passage—a concept of what is known as customary international law—provides that all vessels have the right of travel through another country's territorial waters to get from point A to point B swiftly.

It is pretty apparent that Iran violated our sailors' right to innocent passage, but we haven't heard a peep out of the White House. Instead, the administration has patted itself on the back and claimed their bad Iran deal somehow brought these sailors home safely. They claim that somehow the enhanced credibility they had from the misguided Iran nuclear deal somehow gave them a seat at the table and an ability to negotiate the release of our own sailors from Iran. This is absolutely ridiculous, and it ignores the crux of the problem. These sailors shouldn't have been taken captive in the first place.

While the President may leave this kind of aggression unanswered, we don't have to. My amendment would require the President to answer two simple questions: Did Iran's hostile actions in January violate international law? And were any Federal funds paid to the Iranian regime to effect the release of our sailors? In other words, did the Obama administration pay ransom to bring them home? I think the American people, certainly our taxpayers, have a right to know whether the Obama administration used their hard-earned tax dollars to pay ransom to a rogue regime like Iran's.

If the administration does find that Iran violated international law, sanctions on those Iranians responsible would be triggered under my amendment. It is absolutely imperative we not turn a blind eye to aggression by the world's thugs, tyrants, and renegades, which is, unfortunately, what we seem to do too often.

We need to hold Tehran accountable in some way. Since the President, so far, has refused to do that on his own, it is incumbent on Congress to lead on this issue, and my amendment is a good start. I am hopeful my colleagues will support it so Iran knows, even if it doesn't have to answer to the President of the United States, it will have to answer to the American people through their elected representatives in Congress.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTEFUL SPENDING

Mr. COATS. Mr. President, it is week 45 of "Waste of the Week," where I have been here talking about waste, fraud, and abuse, and trying to find ways to save taxpayers' dollars. As I have said a number of times, our efforts since 2010 are to go big to address the real fiscal situation that this country is dealing with, the runaway enti-

tlements, the ever-shrinking discretionary pot, and the deficit spending, leading to borrowing that has taken us from \$10.7 trillion just in my first term here now in six years—from \$10.7 trillion—to \$19.2 trillion. I don't think any of us can contemplate what \$19.2 trillion really means. But what it means in terms of its impact and effect is that we are passing on to future generations a debt that they will not be able to repay without serious consequences to our economy and serious consequences to their pocketbooks. That is a speech for another time.

"Waste of the Week" is simply an attempt, since we have not been able to address the larger issue, to look at documented examples, exposed by inspector generals, the Government Accountability Office, and other agencies of clear waste, fraud, and abuse that has used taxpayers' dollars in an improper way. So this 45th edition now highlights close to \$170 billion, exceeding our goal of \$100 billion considerably and with no end in sight.

We are debating last week and this week the National Defense Authorization Act, critically important for our national security and to provide for the kinds of things our military needs to be an effective military. So I think it is appropriate to raise the issue that no agency is sacrosanct. While I am a committed supporter of national defense, while I served on the Senate Armed Services Committee for a 10-year period of time in my former time in the Senate and I support much of what the military does, it is important that we point out that they are not sacrosanct from falling into the category of abuse, waste, or money that should have been better accounted for and spent. So I am taking this opportunity during this debate to point out the fact that each agency of the Federal Government needs to be looked at, even those that we favor and want to support. Obviously, any penny, dime, nickel, dollar, or more saved from something that need not be spent is something that can help our soldiers be better trained and can help us have a stronger military. If not needed there, it can be used to offset other programs within the Federal Government, or, most importantly, hopefully sent back to the taxpayer or reduced from the taxes that we take from the taxpayer.

Today I want to talk about the acquisition process. The Department of Defense weapons acquisition system is the process by which DOD, or the Department of Defense, procures weapons systems or related items from various defense contractors. They include the design, development, deployment, and disposal of weapons used by our military.

Since 1990, the Government Accountability Office has included the Department of Defense's weapons acquisition system on its annual High Risk List.

Let me explain that. The High Risk List, which is put out every two years by the Government Accountability Office, or GAO, lists spending that falls under the category of, frankly, "Why are we spending this money in the first place?" or "Let's look at how we are spending this money and see if it can be spent in better and more efficient ways." It is looking at programs' vulnerabilities to waste, fraud, and abuse.

One of the biggest problems with the system is that frequently significant dollars are spent on weapons programs that end up never being completed. Between 2001 and 2011, the Department of Defense spent \$46 billion on a dozen different weapons systems programs that were never completed. Let me repeat that: \$46 billion of money was spent on programs, well intended, but never completed for various reasons. I want to use just one example of that \$46 billion category, and that is a program that was initiated but was never finished and is an example of how taxpayers' money can be spent in significant amounts and with no results.

It was clear that after 9/11 we ought to be looking at the Presidents' transportation. In this case, Marine One is the helicopter the President uses when transferring to Andrews Air Force Base to climb aboard Air Force One or is used overseas for special short trips. Marine One was deemed to be somewhat behind on its technological capabilities, especially its communications and security capabilities. The Department of Defense initiated an effort to build a new helicopter; yet the requirements and engineering needed for this new helicopter design were never finally fixed. As the process went forward and the money was being spent, new ideas and new technologies came into play, and the thought was this: Well, let's add this here and change that there and incorporate this into it. As a result, the original engineering that had been mapped out, the requirements, the design were not followed. There were constant changes, constant pleas that we need to spend more money, we need to do more and more. On and on it went. Without those fixed and agreed-on guidelines, the Department of Defense continued putting more add-ons over the years until, ultimately, the helicopter became so weighted with so much new technology and security position adjustments and so forth that the helicopter's mission capability was compromised. As such, the program finally had to be scrapped in 2009, and the cost to the taxpayers was \$3.7 billion—spent for no purpose whatsoever. It was a good idea, a good intent, probably the right thing to do, but without a sufficient acquisition system and development system, without an ability to say: Look, let's get this thing fixed in terms of what we want it to look like, what we want it to be, and let's go forward with it, and

perhaps there are a few adjustments that we can make. But, certainly, it would be better to incorporate the new technologies at a rate that we thought we could accomplish within a limited amount of time, rather than simply ongoing—2001, 2002, 2003, all the way to 2009—and finally say we are never going to get there, ending up, as I have said, with \$3.7 million of waste. That is just one example.

In the 2014 report, the Government Accountability Office found problems like this have persisted within weapons acquisitions for decades. GAO found that many defense programs are launched before officials have enough information needed to determine whether the proposed program is even viable. Meaning, there is a mismatch between the new defense system's wish list of all the things the DOD would like to have versus the current technology that would be able to provide within the current financial and time constraints for developing programs. In turn, the program sometimes gets the green light to move forward with unrealistic costs and timetables, leading to increased costs and development delays.

The Government Accountability Office and military experts have emphasized the need to increase DOD staff training on how to properly estimate project needs and technology capabilities before launching a project. Now, we would think this would have been simple. We would think this would be the guidelines from the very beginning: You don't start a project until you estimate what the project needs and the technological capabilities and the capabilities of providing those needs before you start. But there is a history within the Department of Defense—and, frankly, within policies of defense contractors—to get it started. Once it is started, they are not going to turn it back down. History is replete with Department of Defense acquisitions that have incorporated changes that, once started, you can't stop the thing. Then the narrative turns from this: Why are we doing this in the first place, because we never fixed the requirements and fixed the cost and agreed not to go beyond that cost? It turns into this: Oh, well, we need to spend more. We can't turn back now because otherwise we have wasted that money.

The Presidential helicopter is a perfect example. We are talking about \$3.7 billion. On and on it goes. I have just given one example.

I am pleased that Senator MCCAIN and Senator REED, the chairman and ranking member of the Senate Armed Services Committee, have acknowledged this. This National Defense Authorization Act of fiscal year 2017 makes some very important reforms to the DOD acquisition process. They have taken note of this, and the committee has taken note of this. Before

us now is this bill—the bill that sits on my desk and on every desk here and that we are debating and adding amendments to and hopefully will finish this week. In this legislation we are debating and talking about and hope to pass are a number of reform processes and reform legislation to help us address these problems. This legislation would reform the current regulatory process and make it easier for companies to compete for DOD contracts in order to boost competition and lower costs. In addition, the bill would increase training—maybe this is the most important of all—for those at the Department of Defense who plan and oversee the acquisition process. It will put greater emphasis on technological innovation, which could help save money while spearheading new, cutting-edge defense systems. That is the goal. That is the goal we have outlined in this legislation and why we need to support this legislation. It is an example of how the Senate can tackle waste, fraud, and abuse right now, and I encourage my colleagues to support these proposals.

Having said that, let me add, as we do each week, \$3.7 billion for failed efforts to develop the new helicopter for the President, which brings our total taxpayer price tag to nearly \$176 billion—not small change. Think what we could do with that if it was spent wisely or, more importantly, if we didn't have to take it from the taxpayer in the first place.

Mr. President, having said that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

PRESIDENTIAL TAX TRANSPARENCY ACT

Mr. WYDEN. Mr. President, I rise this afternoon to discuss the Presidential Tax Transparency Act—legislation that I have authored with Senators WARREN, BENNET, KAINE, BALDWIN, and BOXER. The reason I proposed this legislation is that ever since Watergate, it has been routine for Democratic and Republican Presidential nominees to release their tax returns. In effect, this has been the norm; this has been the standard operating procedure for almost four decades. That is because the American people expect transparency when it comes to a Presidential candidate's actions and values.

They are running for the highest office in our land. They are running to be Commander in Chief for the most powerful Nation in the history of the world. When transparency is the overwhelming expectation of the American people regarding the Presidency, my view is it ought to be the law.

We are in the midst of a Presidential election. The nominating conventions are weeks away. One of the candidates who has become his party's presumptive nominee has thus far refused to release his tax returns. In my view, this is a clean break from decades of tradi-

tions in our elections. It is a rebuke of the overwhelming majority of Americans, including a majority of Republicans, who are demanding openness and honesty from their Presidential candidates of both political parties on this issue.

The reason is that tax returns give the American people a lot of straightforward, honest answers. It is not just about what rate you pay; it is about whether you even pay taxes. Do you give to charity? Are you abusing loopholes at the expense of hard-working middle-class families? Do you keep your money offshore?

The fact is the tax return shines a light on your financial integrity. It will show if a person is trying to game the system, for example, by having their company pay for personal vacations on a private jet. Certainly, that is something far removed from the reaches of most hard-working families.

My view has been that running for President is pretty much like a job interview. Every candidate has to stand up before the public and show that they have the temperament, the background, and the character to lead our wonderful country and be Commander in Chief. I believe that after decades of tradition, releasing tax returns is a big part of the process.

When it comes to a candidate's financial background in taxes, I don't think the public should have to take somebody's word for it or just accept the kind of boasting you see on some of these shows that get wide viewership. The public has a right to know the facts, and the public has a right to know the truth.

The proposal that my colleagues and I have proposed is pretty simple. It says that within 15 days of becoming the nominee at the party conventions, the candidates would be required to release at least 3 years of tax returns. If a nominee stonewalls the law and refuses, then the Treasury Secretary would share the returns with the Federal Election Commission, and that Commission would make them public online. There would be an opportunity as well for redactions, which, in effect, are changes when appropriate.

When Presidents nominate individuals for Cabinet seats and executive branch jobs within the jurisdiction of the Finance Committee—the Treasury Secretary, the Secretary of Health and Human Services, Social Security—those nominees all submit 3 years of tax returns for the committee to review. When there is a need and where it is appropriate, information from those returns is made public. Remember, that is the standard for people who would serve under the President of the United States. In my view, the Commander in Chief ought to be required to do better. The fact is, nominees have traditionally released a lot more than 3 years. So probably it is a bit modest,

and a number of people who have looked at the proposal support what our colleagues and I are doing, like the transparency, like the disclosure. A number of them have said: You really ought to think about going further.

I think colleagues know that I probably have spent as much time here in the Senate as any colleague trying to promote ideas and policies and get beyond some of the partisanship that dominates these debates. I am talking about candidates on both sides being required to meet this new bar. The same rules would apply to all nominees from both parties.

A word about this notion of requiring a Presidential nominee to do this: I certainly wish that it weren't necessary to have a law requiring this. That would be my first choice. The fact is, it shouldn't take a law because this has been the norm; this has been the expectation.

This is how I came to believe that a law was necessary. You volunteer to run for President of our wonderful country. You are not required to do it; you volunteer to do it. In my view, when you volunteer, there has been this norm, and there has been this expectation. Since Watergate, almost 40 years, there has been this expectation that you would make public your tax return. The failure to do so deviates from the norm, deviates away from transparency and in favor of secrecy. So my view is, when a candidate for President of the United States is not willing to disclose their taxes voluntarily and deviates from the norm, deviates from the understandable expectation the American people have, then I think you need a law, and that is why I have proposed it.

For these four decades, the American people have been pretty clear: If you are a major party's nominee to be the leader of the free world, you do not get to hide your tax returns.

This is the first time I have discussed our proposal here on the floor. I hope our colleagues will support the Presidential Tax Transparency Act, and I hope our colleagues on both sides of the aisle will agree that the American people deserve this guarantee of tax transparency that I have described this afternoon.

RECOGNIZING HERMISTON HIGH SCHOOL

Mr. President, I am going to speak briefly on one other matter that was particularly striking last week when I was home. I am going to talk for a few minutes about the wonderful work taking place at Hermiston High School in Eastern Oregon.

Last week, I had the honor of visiting the terrific Career and Technical Education Program—the CTE Program—in Hermiston, and I had a chance to watch some very impressive students in action. One of the programs I visited was the Columbia Basin Student Homebuilders Program that got off the

ground with a small amount of State financial assistance. The reason I wanted to discuss it this afternoon is, I think that this program can be a model, not just for my State, but for the Nation. Students enrolled in the homebuilders program work with local construction professionals to actually build houses for their community. Under the supervision of a teacher, students learn all facets of planning, designing, and building a new energy-efficient home within a budget.

During my visit, Liz, a star high school senior and a future engineer, gave me a tour of this year's home. It is nothing short of gorgeous. At the end of the school year, this beautiful, custom-designed home is going to be sold to a lucky family. Students are involved in every bit of the process—from planning and design, to the actual construction, to the marketing and sale of the house. Revenue from the sale of the home funds the next project, so the next round of students in the program get to participate with no future funding required.

Hermiston High School's career and technical education courses demonstrate to students that their community leaders are committed to helping them prepare for a successful life right out of high school. One student I met, Hannah, told me about a recreation and tourism project that involves starting a hospitality business. She is working to expand her line of cupcakes to meet customer demands.

I note that the Presiding Officer has a great interest, as I do, in promoting recreation. That is why I have introduced the RNR bill, the Recreation Not Red-Tape Act.

I was struck by Hannah's expertise.

I note that the Presiding Officer probably saw this last Sunday. The Denver Post had an extraordinary article describing recreation as the economic engine of the future. I am not saying that just because they were kind to the RNR bill, but they talked about the promise of recreation and tourism, particularly for our part of the world.

I was so impressed with Hannah. I said: I am going to send you the RNR bill, and I would appreciate it if you and your colleagues would look for additional ways to cut the red-tape and promote recreation and tourism in Oregon, and throughout the West, and support our existing and future businesses.

The fact is that too many of our students are not graduating high school on time and far too many are unprepared for the workforce. Research has shown that students enrolled in career and technical education courses graduate from high school at a higher rate. In fact, the students at Hermiston High School told me their homebuilders program made them want to show up for school.

I am committed to increasing graduation rates in Oregon and across the country, and I think one of the best ways to do it is to support programs like the one in Hermiston, because I think it is tailor-made to achieve this goal.

Funding for Perkins Career and Technical Education Act courses is a way to make sure that programs like the one I just saw at Hermiston can be started around the country, but funding for these programs has been decreasing since 1998. At the same time, there is bipartisan consensus that career and technical education programs are important, not just for kids who want to be homebuilders but for all students. It seems to me that in overhauling the failed policies of No Child Left Behind, the Senate made a choice to move away from the era of over-tested "bubble kids" and towards an era of well-rounded, multi-skilled high school graduates. I am glad to see that the Senate HELP Committee is working hard on a proposal to reauthorize this career and technical education program, known as the Perkins Act. The last time it was reauthorized was in 1998. So I am going to work closely with my colleagues on both sides of the aisle to keep pushing for a new bill.

The fact is that the educators I saw last week are ambitious by any measure. They saw that their students were not graduating with the skills necessary to be successful in their future school and work lives. So the local educators started partnerships with local architects, engineers, and other professionals. They created a unique program that blends innovative classroom instruction with real-world application. We have businesses directly engaging with young people. Not only do they show what kinds of jobs are available in the community, but they also prove that school is an important stepping-stone in preparing students for the real world.

I have been in public service for a while. It is such a tremendous honor to represent Oregon in the Senate. But I will tell you, watching the way a small community in eastern Oregon, Hermiston, has come together and made a commitment to their young people is special. It is truly what we call the Oregon way.

I will close by way of saying that I am grateful to the school, Hermiston High School, for allowing me to visit. I will do everything I can to take the student homebuilder program that I saw last week and spread the word about what the potential is here. They already sold one house for a very healthy price, and I think we would be wise—again here in the Senate, Democrats and Republicans—to come together and support career technical education programs like the ones I saw in Hermiston and urge all of us here in the Senate, on a bipartisan basis, to

support Federal and State assistance for these kinds of programs, career and technical education programs, for even more students from one end of our country to the other.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FRANK R. LAUTENBERG CHEMICAL SAFETY FOR
THE 21ST CENTURY ACT

Mr. CARPER. Mr. President, for some time, including times on this floor, I have said that the choice between a clean environment and a strong economy is a false one. Some people say you can't have a clean environment and a strong economy at the same time. I just don't think that is correct. TSCA is an acronym for Toxic Substances Control Act.

The TSCA reform legislation that we approved in this body last night is proof of the fact that we can have a cleaner, safer, and healthier environment and also have a strong economy. They go together, and maybe, when I finish my remarks, folks will understand why that might be true.

Every day in this country manufacturers use a variety of chemicals. I am told there are tens of thousands of chemicals on this planet. It is in the air, in the ground, in the water, and in our bodies. Manufacturers use these chemicals to make everything from carpets—like the carpet we are standing on—to cosmetics, water bottles, and dish washing soap.

Former President Gerald Ford signed the Toxic Substances Control Act of 1976 and said it was landmark legislation. He said that this is huge legislation in terms of protecting the environment and public health. He said it was intended to give the EPA the authority to monitor, test, and regulate the chemicals that pose a risk to human health or the environment. That was the deal. Over the past four decades, since Gerald Ford signed that legislation into law, the Toxic Substances Control Act has never worked as intended, leaving the public at risk for toxic exposures and the private sector with a broken regulatory process that has undermined innovation. Frankly, it led to a lot of uncertainty and lack of predictability.

As a recovering Governor, I know that among the things we need in order to have a better and more nurturing environment for job creation and job preservation is to make certain that businesses, whether large or small, have predictability and certainty. When the Toxic Substances Control Act passed 40 years ago, it did not provide that predictability and certainty.

In fact, for the last 40 years, I think the EPA has fully vetted six toxic substances. Imagine that—six in 40 years. In the last 20 to 25 years, there were none. In the meantime, States have stood up and said: If the Federal Government is not going to do it, we will do it. Now we have a patchwork quilt of State requirements. We have businesses—not just chemical businesses but a wide variety of businesses—in this country that are trying to comply with laws in dozens of States, and the Federal standard that we set 40 years ago just does not work.

For a while, the Toxic Substances Control Act has been broken. That is a polite way of saying it. Over the past 39 years, we have learned a lot more about toxic chemicals. We have learned about how they can cause harm to our environment. They can cause harm to public health, and we also learned how best to identify and protect against these risks.

More than 3 years ago, two of my colleagues—one a Democrat, TOM UDALL of New Mexico, and the other a Republican, DAVE VITTER of Louisiana—wrote something called the Frank R. Lautenberg Chemical Safety for the 21st Century Act. That is a mouthful, isn't it?

Frank R. Lautenberg was a Senator from New Jersey for many years, whose birthday I remember to this day. He is now deceased, but his birthday is January 23, and the reason why I know that is because that is when my birthday is. This is an issue we actually shared a strong interest in doing something about.

My recollection—it is hard to remember when people move around from desk to desk—is that his seat was back here behind where I am standing today.

My colleagues TOM UDALL and DAVID VITTER wrote a bill and named it after Frank R. Lautenberg because this is an issue he cared a lot about. He tried several times to write legislation that could be enacted to take the 40-year-old Toxic Substances Control Act from 1976 and bring it into the 21st century and help it become effective and make sense for the digital age.

The bill written by Senators UDALL and VITTER reforms the old Toxic Substances Control Act, and it does it in ways to better protect the public—to protect us, our families, our businesses, and so forth. It is also designed to create a more manageable regulatory framework for American businesses and innovators so they have some predictability and certainty with what they are dealing with. Whether they happen to be doing business in Delaware, Maryland, Virginia, Wyoming, Idaho, or California, they would have some certainty as to what the rules of the road were going to be for toxic substances or the chemicals they might be using in their processes.

After the bill was introduced by Senators VITTER and UDALL, I worked

closely with both of them for more than a year as a member of the Environment and Public Works Committee. We led a number of meetings, had many discussions, and we were always focused on securing enhanced protections for public health and the environment while providing certainty and predictability for American businesses.

I focused especially on language to secure provisions that would protect children, pregnant women, and workers from toxic risk. The provisions I especially focused on included ensuring that the EPA had access to information in order for them to assess safety risks.

A third area that I looked at was to enact something to allow States to enforce Federal toxic safety law. If the EPA wasn't doing its job, could there be a State backstop in a way that made sense? I think that was not an unreasonable thing to ask. We did that in Dodd-Frank with respect to nationally chartered banks. If the Office of the Comptroller of the Currency in nationally chartered banks is not making sure consumers are being looked after, then we allow State attorneys general—not to write regulations or their own law but to enforce Federal standards and laws. I wanted to make sure that in the event that someday we had an EPA that frankly wouldn't enforce a new version of the substance control act, then States could enforce it for them.

Chemical manufacturers and consumers alike deserve legal clarity, a timely review process, and the ability to trust that products people use every day are safe. I might add that when Senator UDALL and Senator VITTER started to introduce this legislation and started to gather cosponsors—I don't mean to be presumptuous, but my guess is the Presiding Officer probably ended up as a cosponsor. At the end of the day, we had 30 Democrats and 30 Republicans. The idea was to add a Democrat, add a Republican, add a Democrat, add a Republican—a little bit of a look at how a bill is made or should be made. It is almost a textbook example of how legislation could be formed or should be formed, even on a difficult and contentious issue like the one I am talking about today.

I was involved at the very beginning in the initial efforts to rewrite the Toxic Substance Control Act. I was involved with DAVID VITTER and TOM UDALL and also the chairman of the committee, JIM INHOFE. But I got to a point where I said to the coauthors of the legislation—they were looking for cosponsors, and I said: I will be willing to cosponsor your version of the rewriting of the Toxic Substance Control Act, but there are 10 changes that I would like to consider making.

They said: What are they?

I said: Well, here they are.

And I gave them some idea of what they were. They asked me to put them

in writing, so I put them in writing in a letter to Senators VITTER and UDALL and said: These are the changes I would like to see made in the bill you have introduced. If you will make these changes or agree to these changes, I will cosponsor your bill, and not only will I cosponsor your bill, but so will 10 or 11 other Democrats. We all signed the letter. This was probably about a year and a half ago.

The letter was more to Senator VITTER than Senator UDALL; I think it went to both. But to his credit, Senator VITTER and his staff went through it piece by piece, proposal by proposal—all 10 of them. At the end of the day, they agreed essentially with all of them, and they said that they would incorporate all 10 of the proposals in the bill. They said: Now will you cosponsor the bill?

And I said: Yes, I will. And so did the rest of us who signed the letter—all 10 of us.

When I said that I would cosponsor the bill, I also said there were three areas that still needed some work. My passion for pushing for this legislation will be tempered somewhat by your willingness to also act on subsequent changes in the bill in these three areas. I will not go into those three areas, but I will say that later on, some of my colleagues—Senators CORY BOOKER, Senator WHITEHOUSE, Senator JEFF MERKLEY, and Senator ED MARKEY—sort of stepped up and said: We are interested in those three areas, and we want to see further changes made in the bill.

With those changes, we added even more cosponsors, and finally we ended up with 60. We said: Let's take that bill to the Senate. It reported out of committee and eventually worked through the Senate. It was not easy, but we finally got it done. We went to conference with the House, and, lo and behold, we passed a conference report unanimously last night by unanimous consent, and nobody objected. Considering how controversial this bill has been for years, that is amazing.

At a press conference we held today with the principal Democrats and Republicans in the Senate, one of the House Members came over. Senator TOM UDALL talked about how he felt elated to be able to unanimously pass a contentious bill after all these years. He likened it to standing on a mountaintop. He is a mountain climber. In New Mexico they have some tall mountains, and he said it was like standing on a mountain top. He said: I feel elation when I climb to the top of a tall mountain and stand atop the mountain. And he said this morning at the press conference that he felt elation as well.

Then, when I spoke after Senator UDALL, I said that in Delaware we don't have tall mountains. Delaware is the lowest lying State in America. We

really worry about climate change and sea levels rising. Besides that being some theory, it is something that we worry about. So the highest part of land in Delaware is a bridge. Every now and again, if I want to go up high and climb something, I can climb the bridge, but it is not really that high.

The thing that gave me elation in Delaware when I was Governor—and before that the State treasurer and all—was when we all worked together. Delaware has a tradition; we call it the Delaware way. It is where Democrats and Republicans work together, set aside partisan differences, and just ask: What is the right thing to do?

Delaware is a small State. We can get pretty much the key stakeholders in a room and work out a lot of our differences within a couple of hours. It is pretty amazing how it works sometimes.

I share with my colleagues today an African proverb. The Presiding Officer has probably heard this before, and he has probably used this one before. It goes something like this: "If you want to travel fast, go alone. If you want to travel far, go together."

Let me say that again. "If you want to travel fast, go alone. If you want to travel far, go together."

That is especially true in the Senate. In order to get anything of any consequence done, you need 60 votes. We are at about 55 Republicans, and roughly there are about 45 Democrats with maybe an Independent in there somewhere. So we have to figure out how to travel together.

We have been traveling a long way over the last 4 years or so, but we finally got to our destination, and I think we finally came to a good outcome in terms of the policy we have adopted. For the first time, the legislation that has been agreed to by the House and Senate and will be sent to the President will require that every product used in consumer products will be assessed for safety.

Let me say that again. Every chemical used in consumer products will be assessed for safety. At the same time, our legislation will offer businesses a predictable and manageable regulatory framework—not a whole bunch of different regulatory frameworks, but one—for chemicals that do not pose a safety hazard.

As I said, we have been struggling and negotiating this bill in the Senate for a long time—maybe as much as a half dozen years. There has been a lot of give and take on both sides of the aisle to get to where we are last night and today. We are where we are today because both sides worked together to compromise on policies without compromising on our principles.

I mentioned that Frank Lautenberg used to sit at one of these desks behind me, and so did Ted Kennedy. I will never forget going and having a lunch

with him when I was fairly new in the Senate. I wasn't sure that we had the kind of interpersonal relationship that I wanted, and as the Presiding Officer knows, this place works a lot on relationships.

I said to him: Maybe someday I can come to your office and just sit and talk with you for a while and have a cup of coffee.

He said: Why don't you come to my hideaway, and we will have lunch together.

I said: Really?

He said: Yes.

After about a week or two, we went to his hideaway, and we had lunch together. His hideaway was an amazing place. It was almost like a museum in terms of all the things about the Kennedy family and his brothers and his own life.

Among the things we talked about that day was his ability to find compromise and consensus with one of our current colleagues, a guy named MIKE ENZI—a wonderful guy named MIKE ENZI who the Presiding Officer knows is one of two Senators from Wyoming, a former mayor of Gillette, an accountant—I think maybe a CPA. When I was presiding over the Senate years ago, I remember MIKE ENZI coming to the floor of the Senate and speaking about the 80-20 rule and how the 80-20 rule allowed the folks in a committee he served on as the senior Republican called the HELP Committee, or the Health, Education, Labor, and Pensions Committee—Ted Kennedy was the senior Democrat on that committee. It was an incredibly productive committee. There were all kinds of bipartisan legislation coming out of it.

Later on that day I asked Senator ENZI off the floor: How do you and Ted Kennedy manage to get so much done in the Senate Health, Education, Labor, and Pension Committee? How do you do that?

He said: It is the 80-20 rule.

I said: What's that?

He said: Ted Kennedy and I agree on about 80 percent of this stuff, and we disagree on the other 20 percent. What we do is we focus on the 80 percent where we agree, and we set aside the other 20 percent to another day and we will figure that out some other time.

When I talked to Ted Kennedy about the same thing, he said: I am always willing to compromise on policy, process, but I just don't want to compromise on my principles. He and MIKE ENZI managed to have an incredibly productive partnership on that committee and here in the Senate.

Senator Kennedy had a similar relationship with ORRIN HATCH, who now chairs the Finance Committee, as we know.

But we are where we are today because both Democrats and Republicans have worked together to compromise on policy without having to compromise our principles. The final product is a testament to a robust and a

transparent committee process. I think it is a textbook example of how we ought to legislate around here. If we can get something that difficult, that complex, and that controversial behind us in an appropriate way and get support from environmental groups, business groups, Democrats and Republicans, maybe there are some other things we can get done, and God knows we need to.

I am proud of the work we have done together to reach this historic agreement. In addition to thanking Senator UDALL, Senator VITTER, and the chairman of the Environment and Public Works Committee, Senator INHOFE, I also want to say a special thank-you to the members of our staff. I think those of us who serve or are privileged to work here as Senators work hard, but on this issue—and some of us worked hard on this issue, but the folks who really worked hard on this issue are the members of our staff. I will not go through the names of all the folks who worked with this Senator and that Senator, but I just want to say to those of you who know who you are, thank you. You have done great work, and you have enabled us to do the people's work.

I would say to a fellow who was a member of my staff for the last maybe 3 years and who worked day and night on this legislation—a fellow named Colin Peppard who now works for the Los Angeles County Metropolitan Transportation Authority out on the west coast—a special shout out to him and a special thank-you to him for all his efforts.

Mr. President, I think that is pretty much it for me today. It looks as though the Senator from Minnesota is here and has a hungry look on his face. He hungers to share something with all of us.

With that having been said, I will yield the floor to Senator FRANKEN of Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I thank my good friend from Delaware.

NOMINATION OF MERRICK GARLAND

Mr. President, I rise today to address the nomination of Chief Judge Merrick Garland to the U.S. Supreme Court. Today marks 84 days since President Obama nominated Judge Garland to fill the vacant seat on the Supreme Court bench. In that time the consequences of permitting that vacancy to persist have become clear. The eight-member Court has now deadlocked four times, and in two cases where the Court found itself evenly divided and unable to reach consensus it punted, sending cases back to the lower courts.

There is no denying that the Senate's refusal to do its job, to take up the business of filling that vacancy, means that in some cases the Court is not able to fulfill its core function, mean-

ing in some cases the Court does not resolve circuit splits and cannot serve as the final arbiter of the law. That is not just my view, that is an opinion shared by one of the Court's current members, Associate Justice Anthony Kennedy. Testifying before the House Appropriations Committee back in 2013, Justice Kennedy described what happens when the Court is short-staffed. Although he is discussing the effect of recusals on the ability of the Court to do its job, his comments are no less relevant in the case of vacancies. This is what Justice Kennedy said: "On our Court, if we recuse without absolutely finding it necessary to do so, then you might have a 4-4 Court, and everybody's time is wasted."

Let me say that again. "Everybody's time is wasted." Well, my Republican colleagues don't seem to be bothered by wasting everybody's time.

Mr. President, 116 days ago, less than an hour after the news of Justice Scalia's death, the majority leader proclaimed that the Senate would not consider a replacement until after the Presidential election and said that "the American people should have a voice in the selection of their next Supreme Court Justice."

In the 116 days since the majority leader made that bold announcement, Republican Senator after Republican Senator has taken to the Senate floor to deliver variations on that theme. My good friend Senator CORNYN helpfully explained that Senate Republicans had made a decision to "give the voters a voice on who makes the next lifetime appointment to the Supreme Court." He said, "I want to be clear that the American people do deserve a voice here and we will make sure that they are heard."

We have been through this before. We agree. The American people should have a voice in this process. They did. They elected Barack Obama to be President of the United States. By my read of the Constitution—article II, section 1, to be exact—the President shall "hold his office during the term of 4 years"—a term which has not yet expired.

It seems clear to me that in the text of our founding documents, our democracy was designed to ensure that its citizens have a voice in this process. President Ronald Reagan made this point quite eloquently when he presided over the swearing in of not just William Rehnquist as Chief Justice of the Supreme Court but also one Antonin Scalia as Associate Justice. President Reagan explained that "the Founding Fathers recognized that the Constitution is the supreme and ultimate expression of the will of the American people." Of course, President Reagan was right. The Founding Fathers recognized that the very purpose of the Constitution was to embody the spirit and the voice of the American people.

I find it preposterous when my Republican colleagues, who purport to revere the Constitution and the Framers' original intent, insist that the only way to guarantee that the people's voice is heard is to delay filling the vacancy, because, after all, the Founding Fathers did not just contemplate such a situation, they actually experienced it.

When President John Adams—himself a Founding Father and a drafter of the Declaration of Independence—was presented with the opportunity to appoint a Supreme Court Justice, he himself was a lame duck President. The Chief Justice at the time, Oliver Ellsworth, resigned after the 1800 Presidential election—an election that President Adams lost. Nevertheless, Adams set about the work of selecting a replacement. When he eventually nominated John Marshall in January of 1801, more than 2 months after losing the election to a President of a different party—and the country still did not know who that would be because Thomas Jefferson and Aaron Burr had tied, but they were not his political party. Despite an unresolved election and in the face of great uncertainty, Adams nominated Justice Marshall, and the Senate took up John Marshall's nomination and confirmed him to the post of Chief Justice on January 27, 1801, by voice vote.

John Adams was by every definition of the term a lame duck President. The Senate could have refused to fill the vacancy. They could have left the Supreme Court short-staffed. Senators could have insisted that the seat not be filled until it was clear just exactly whom the American people had selected as their next President. But the Senate recognized that it had a constitutional obligation to confirm a replacement. That should come as no surprise because of the 32 Senators serving in the Sixth Congress, 5 of them had been delegates to the Constitutional Convention: Abraham Baldwin of Georgia; Jonathan Dayton of New Jersey; John Langdon of New Hampshire; Gouverneur Morris of New York, whose first name was Gouverneur, but he wasn't a Governor; his mother's maiden name was Gouverneur; and Charles Pinckney of South Carolina. All of them are real Founding Fathers. If anyone should have known what the Constitution required in this situation, it was they.

Now, picture them milling about the floor of the Old Senate Chamber on January 27, 1801, talking amongst themselves and their colleagues and whipping votes. At the time, the Senate's practice was to consider nominations in an executive session with the doors closed. Only Senators and certain staff were allowed in the Chamber and the proceedings were intended to be secret, so the CONGRESSIONAL RECORD contains no debate on John Marshall's

nomination. We can only imagine what Senators said, but I suspect it went something like this:

Well, John, Abraham, Gouverneur, I suppose we should vote now on the President's nomination to the Supreme Court.

Why, yes, Jonathan, of course. I remember when we wrote into the Constitution that when a vacancy occurs, the President shall appoint a nominee to fill the vacancy and we Senators shall provide our advice and consent.

Yes, John, I recall the day we wrote that. You were in a particularly good mood because your wife Betsy had arrived by carriage the night before from New Hampshire.

Yes, Abraham, I recall that well. After all, it was only 13 years ago, and the next day we wrote the provisions about the Supreme Court. I remember very well how specific we were. The President appoints a nominee in the event of a vacancy and we in the Senate do our job by providing advice and consent. So by all means, let's vote.

These men, these Founding Fathers set aside whatever reservations they may have had about the unique circumstances surrounding John Marshall's nomination and a lame-duck President of a different party than the party that won the Presidential election. They allowed the Senate to hold a vote. These are the Founding Fathers who wrote the Constitution. As a consequence, John Marshall went on to serve as our Nation's fourth Chief Justice, authoring opinions that make up the foundation of constitutional law. It was obvious to those Founding Fathers in the Senate, as it should be to all of us serving here today, that the Supreme Court is too important, too central to our democracy to ignore.

I urge my colleagues—particularly those motivated by a fidelity to the Framers' original intent—to end their obstruction and grant the President's nominee full and fair consideration.

Thank you.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I rise to speak on amendment No. 4251. I have filed the amendment; I have not yet requested it to be made pending. I would like to see this amendment move through. It seeks to remove the President's authority to deny troops their mandated pay raise.

The issue of paying our troops should not be a partisan issue any longer. We have fought this battle for too many years on the Senate floor. This year I put forth a bipartisan solution with my colleague from Montana, JON TESTER, and with Senators RUBIO, PORTMAN, and BOOZMAN. It is a long-term solution.

Since 2004, the President has been required by law to give troops a pay raise matching the Employment Cost Index, also called the ECI, but when we man-

dated that the President raise troop pay with the ECI, we gave the ability for an exemption; that is, when the country is facing serious economic conditions or for matters of national security.

Now, citing economic conditions, the President has used this exemption the past 3 years and he used it again this year—all while citing a growing economy. What happens is our troops are not getting the pay raise that Congress says they should, matching the ECI. When we are facing economic uncertainty, that is when our troops need it the most.

The amendment is very clear cut. It removes the President's authority and future Presidents' authority to cite economic concerns when sending over a Presidential budget request without the mandated pay raise. It is clear that this exemption is being abused. For example, in 2016, in his State of the Union Address, President Obama said that "anyone claiming that America's economy is in decline is peddling fiction." But just 1 month later, in his fiscal year 2017 budget request he sent to Congress, President Obama cited "economic concerns affecting the general welfare" and only asked for a 1.6-percent pay raise for our troops, despite the ECI being 2.1 percent.

As we continue to debate this bill and call up amendments, I urge my colleagues to support amendment 4251. Again, we have good bipartisan support on it. This is a long-term solution. This is not just about the current President, this is about future Presidents as well and the problems we continue to face; that is, our troops have not seen a pay raise over 2 percent in the past 6 years. As our Nation continues to find itself threatened abroad, we rely on our troops now more than ever. They deserve better. It is time to act.

I thank Senator TESTER, Senator RUBIO, Senator PORTMAN, and Senator BOOZMAN for their support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today to speak in support of an amendment offered by the senior Senator from Alaska, Ms. MURKOWSKI, to strike the changes to the basic allowance for housing, or BAH, that are proposed in section 604 of the Defense authorization bill. This amendment is very similar to one I filed this year as well as one I sponsored last year.

Currently, each servicemember receives a housing stipend based on his or her rank, geographic location, and dependency status. Under section 604, however, this part of the military compensation package would no longer be considered a cash allowance. Instead, servicemembers would be compensated on an actual cost basis similar to the system that was in place in the 1990s, which resulted in a burdensome and in-

efficient administrative approval process.

Notably, the 2015 Military Compensation and Retirement Modernization Commission established by the fiscal year 2013 National Defense Authorization Act examined the issue of allowances as it assessed the military's compensation and retirement system. The Commission found that the current allowance system strikes an appropriate balance in providing compensation to military members and assistance for their living expenses. The Commission deliberately chose not to recommend any changes to the allowance system, and this view is shared by the Department of Defense. In fact, the Secretary of the Navy called me today to express to his concerns about this provision.

In its Statement of Administration Policy, the administration notes that it strongly objects to section 604, which, in its words, "would inappropriately penalize some servicemembers over others by linking their BAH payments to their status as members of dual-military couples"—in other words, members of our military who are married to other servicemembers. Under section 604, both members of a dual military couple would be provided a lesser compensation package than other members of equal grade, sending a message that their service is not as highly valued.

The Statement of Administration Policy went on to note that "Section 604 would disproportionately affect female servicemembers and those military families in which both military members have chosen to serve their country." Twenty percent of servicewomen are married to other servicemembers. By comparison, only 3.8 percent—in other words, less than 4 percent of Active-Duty men—are married to other servicemembers. Thus, women are five times more likely to be affected by this reduction in housing allowances than their male counterparts—five times more likely for the women servicemembers to be affected because they are more likely to be married to servicemembers.

This proposed change would similarly penalize our junior servicemembers who are more likely to live with another servicemember as a roommate to help defray the cost-of-living expenses. As such, this provision could have a profound implication for both recruitment and retention of our all-volunteer force and discourage our best and our brightest from staying in the service.

I do recognize that the Department's personnel costs are a budget concern, but finding savings that unfairly single out some military members is not the way to do it, particularly when one considers the growing role women servicemembers are playing and which I strongly support and admire.

Last year I spearheaded a successful movement to remove a similar provision from the fiscal year 2016 NDAA. I

am disappointed to see that this proposal has resurfaced again this year. I am pleased to work with my colleague from Alaska Senator MURKOWSKI to remove a provision that I believe is both unfair and harmful.

I do recognize the very difficult task the Senate Armed Services Committee had in putting together this bill. I commend both the chairman, Senator MCCAIN, and the ranking member, Senator JACK REED, for their terrific work on so many issues. I do hope they will look again at this particular cut in the basic housing allowance and support our amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BILLY LAWLESS

Mr. DURBIN. Mr. President, we all know the Senate of the United States is composed of two Senators from each State. Today I have news. My home State of Illinois just picked up a third senator.

Last month, the Irish Prime Minister—Taoiseach—Enda Kenny, announced eight appointees to the Irish Senate. One of the appointees is my dear friend in Chicago, Billy Lawless.

Billy is the first Irish citizen living in the United States to be appointed to the Irish Senate. This is truly historic. Today Billy takes a seat in the Irish Senate. Ireland will get a senator who will fight for the disenfranchised, the dispossessed, and those yearning to work hard for a better life.

No one has been a stronger voice and advocate for the Irish diaspora and immigration reform than Billy Lawless of Chicago, IL. Prime Minister Kenny couldn't have made a better choice.

For generations, sons and daughters of the Emerald Isle have landed on our shores in search of the American dream. Billy Lawless is no different. As a young boy, he grew up on a dairy farm in Galway, a city in western Ireland, delivering unpasteurized milk to local restaurants and hotels.

As an adult, he made a name for himself as a prominent businessman in Galway. He ran several pubs, restaurants, and hotels. Life was good, but for years he had always had a dream of opening a restaurant in the United States. When his youngest daughter earned a full college scholarship in the United States, Billy took that as a sign from Heaven. He moved his family to America. After 48 years in Galway, he wanted to see if he could succeed in the United States and he personally could live the American dream.

He first went to Boston and Philadelphia, but on December 31, 1997, New Year's Eve, a historic day, Billy Lawless arrived in Chicago and knew he

had found a home. From Galway, that most Irish of Irish cities, to Chicago, the most Irish of American cities, it was a perfect transition.

Within 6 months, Billy opened an establishment known as Irish Oak, just a couple blocks south of Wrigley Field. Today he owns four restaurants and a fifth one is about to open. All the Lawless restaurants are known for three things—great food, great fun, and great people.

Simply put, the Lawless family is restaurant royalty in Chicago. The family business started with 10 employees. Now they have 300. Since arriving in Chicago nearly 20 years ago, Billy has brought new energy to the city—Irish energy—hard work, and a stubborn drive to succeed. With the great help of his great wife Anne and his four children—Billy, Jr., Amy, John Paul, and Clodagh—Billy achieved the American dream.

Billy could have said: I have achieved my American dream. Good luck with yours.

That is not who he is. After all, Billy is Irish. He looks out for his friends and neighbors.

The first bar Billy opened, the Irish Oak, became a favorite for Irish construction workers. Many of them were undocumented and asked for Billy's help in getting their papers in order. Billy never hesitated. He became their champion and a strong defender of Irish immigrants everywhere. When asked why he took such an interest in the issue, he said: "That's what we Irish do for each other." But he didn't stop there. When he learned that those same problems were shared by others, Billy became an eloquent and forceful advocate for all immigrants.

Billy Lawless gets it. He understands that protecting immigrants' rights is part of the strength of our immigrant Nation. I know he will continue to be an energetic and compassionate guardian of the Irish diaspora and all immigrants' rights from his seat in the Irish Senate.

The United States and Ireland have long and proud histories, forged in the fires of a proud and rebellious spirit and united in friendship. Having Billy Lawless's unique and authentic voice in the Irish Senate will only strengthen our countries here and abroad. He represents the very best of the both the Irish and American spirit.

It was only 2 years ago that I came to the Senate floor to congratulate Billy and his wife Anne on becoming citizens of the United States. They had waited a long time, and they had worked hard for it. I was proud to call them not just my friends but my fellow Americans. Today I am proud to call Billy Lawless my fellow Senator.

Congratulations on a well-deserved honor.

INDEPENDENCE OF OUR FEDERAL JUDICIARY

Mr. President, I rise to address an issue of serious constitutional gravity.

I rise to address the latest in a long line of appalling and insulting remarks made by the Republican Party's presumptive Presidential nominee.

Last week Donald Trump attacked the ethnicity of U.S. district court judge Gonzalo Curiel, who is presiding over a civil fraud lawsuit against Trump's so-called university.

Mr. Trump referred to Judge Curiel's heritage in a lengthy tirade about the judge's ruling in the case. He also called Judge Curiel a "hater" and "a total disgrace," suggesting that the judge should recuse himself due to his "negative" rulings.

When pressed on the issue, Mr. Trump doubled down. In an interview with the Wall Street Journal published last Thursday, Mr. Trump stated that Judge Curiel had "an absolute conflict" in presiding over the lawsuit because the judge is of "Mexican heritage."

Mr. Trump went on to explain that the judge's ethnicity presents an "inherent conflict of interest" because of Mr. Trump's campaign pledge to build a wall on the U.S. border with Mexico.

Let me be clear. Mr. Trump's attacks on Judge Curiel have been characterized—even by Republican Senators and Congressmen—as racist, inappropriate, and completely unfounded.

Judge Curiel is an American. He was born in East Chicago, IN, just steps away from the border with my State. His parents had emigrated from Mexico to the United States.

He has a distinguished record. After attending law school at Indiana University, Judge Curiel practiced law in Indiana and California. In 1989, he joined the U.S. Attorney's office in the Southern District of California.

As a Federal prosecutor, Judge Curiel served in the Narcotics Enforcement Division and worked to bring down drug cartels. After prosecuting a major cartel, he received a death threat and was forced to live under guard for months.

In 2007, he was appointed by a Republican Governor in California to serve as a State judge. President Obama later nominated Judge Curiel to the Federal bench. The Senate confirmed his nomination by a unanimous vote on September 22, 2012.

Judge Curiel is well respected in the legal community. A former colleague recently said: "His integrity is beyond reproach." And a California attorney who led the screening committee that reviewed Judge Curiel in 2011 said:

He was very highly recommended. No one could say a bad thing about him.

Despite these accomplishments, Donald Trump views Judge Curiel as incapable of serving as an impartial jurist in this case involving Trump University due to the judge's ethnicity. Mr. Trump believes the lawsuit that Judge Curiel is presiding over should have been dismissed long ago. Maybe

Mr. Trump should take a closer look at reality.

Multiple lawsuits have been filed against Mr. Trump's so-called university, and in one of the two lawsuits that Judge Curiel is presiding over, former students allege that Mr. Trump and Trump University defrauded them by making misrepresentations about the education they would receive.

The plaintiffs provided evidence to support their claims and, as a result, Judge Curiel denied a motion from Mr. Trump to grant summary judgment in his favor, which would have avoided a trial. Nothing in this ruling suggests a lack of impartiality. Instead, Judge Curiel's rulings indicate that a factual dispute exists in the case and the plaintiffs deserve their day in court.

Unfortunately, reality and the facts don't seem to matter to Mr. Trump. Instead of acknowledging the inappropriateness of his attacks on Judge Curiel's character and heritage, he has doubled down on them. Mr. Trump apparently believes that after he bullies and demeans a group of people, he should never have to face a member of that community in a courtroom.

One of Mr. Trump's most reprehensible statements—and there are many—calls for a total and complete ban on Muslim immigrants coming to the United States of America. In an interview that aired on "Face the Nation" on Sunday, Mr. Trump was asked:

If it were a Muslim judge, would you also feel like they wouldn't be able to treat you fairly because of that policy of yours?

He responded:

It's possible, yes. Yeah. That would be possible, absolutely.

Where does Mr. Trump's twisted logic end? Does his crude attack on a disabled reporter present a conflict of interest for a judge with a disability who presides over a case against him? Do his disparaging remarks about women disqualify female judges from ruling on lawsuits filed against his failed business ventures?

Mr. Trump's assertions are not only bigoted, they also endanger the independence of the Federal judiciary as he aspires to the highest office in the land. Despite those concerns, Senate Republicans are keeping 89 Federal judicial seats vacant, including an empty seat on the U.S. Supreme Court, in the hopes that Donald Trump will be able to fill those vacancies.

After Mr. Trump's racist diatribes, I would like to ask my colleagues how they can possibly trust Mr. Trump to appoint judges to the Federal bench. Are they comfortable with a potential President who apparently believes that the only qualified candidates for Federal judgeships are those who possess racial, religious, or other characteristics that he has not yet disparaged?

Trusting Donald Trump to fill judgeships in our Nation's Federal court-

rooms is a risky and constitutionally dangerous bet. Placing that trust in Trump would threaten grave harm to our system of justice and to our rule of law.

I thought—or had hoped—that we had moved past the dark time in our Nation's history when defendants believed it was appropriate to try to remove judges from a lawsuit on the basis of race. It was just over 40 years ago that an African-American Federal judge named A. Leon Higginbotham, Jr. presided over a class action lawsuit involving civil rights claims.

The defendants in the lawsuit filed motions to disqualify Judge Higginbotham from the case based on his race. In his opinion denying their motions, Judge Higginbotham wrote the following:

It would be a tragic day for the nation and the judiciary if a myopic vision of the judge's role should prevail, a vision that required judges to refrain from participating in their churches, in their non-political community affairs, in their universities. So long as Jewish judges preside over matters where Jewish and Gentile litigants disagree; so long as Protestant judges preside over matters where Protestant and Catholic litigants disagree; so long as White judges preside over matters where White and Black litigants disagree, I will preside over matters where Black and White litigants disagree.

In light of Mr. Trump's reprehensible remarks, Judge Higginbotham's words have taken on a renewed resonance. If Mr. Trump's myopic vision for the Federal judiciary prevails, it will indeed be a tragic day for the Nation.

I yield the floor.

Mr. ISAKSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. LEAHY. Mr. President, if the Senator from Georgia would yield for me to make a unanimous consent request.

Mr. ISAKSON. I yield.

Mr. LEAHY. Mr. President, I ask unanimous consent that I be recognized following the remarks of the Senator from Georgia.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Georgia

Mr. ISAKSON. Mr. President, I ask unanimous consent that the distinguished Senator from Alaska, Ms. MURKOWSKI, be allowed to follow the Senator from Vermont.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VETERANS FIRST ACT

Mr. ISAKSON. Mr. President, last week, the Attorney General of the United States sent a letter to KEVIN MCCARTHY, the majority leader of the House, to inform Mr. MCCARTHY and all of us, that she would not defend the administration on the constitutional challenge to the firing of Sharon Helman, the director of the Arizona

hospital of the Veterans' Administration.

The firing took place because Ms. Helman had manipulated the books and overseen the manipulation of appointments to the point where as many as 40 veterans waiting in line to get their first appointment died before they were ever seen by the VA. She was convicted by a court of law for taking illegal gratuities in her position as director of the hospital.

Ms. Helman filed a constitutional challenge as to whether we had the ability in the administration to fire her constitutionally, and Loretta Lynch has said she is not going to defend the United States or the law we passed, called the Veterans Accountability and Choice Act, which calls for the firing of employees by the Secretary of the Veterans' Administration for cause.

Today, in Phoenix, AZ, it was announced that the Veterans' Administration is firing three more employees of the Veterans' Administration hospital. Yet, in the shadow of that, Loretta Lynch is telling America she will not defend the country on the carrying out of the laws we pass in this country, in this body, and that the President of the United States has signed.

There is a solution to this problem, Mr. President. It is called the Veterans First Act, which was written originally by 19 members of the Senate—all members of the Veterans' Affairs Committee. It has been signed and cosponsored by 43 other Members of the Senate and once and for all ends the hide-and-go-seek that takes place at the Veterans' Administration. It takes the Veterans' Administration out from under the Merit Systems Protection Board for all senior executive leadership. In other words, the 434 senior executives in the Veterans' Administration now protected by the Merit Systems Protection Board no longer would be protected by that Board but instead would be subject to the Secretary's firing or the Secretary's hiring. Any appeal for actions taken on behalf of the Secretary will be to the Secretary, not to the Merit Systems Protection Board.

The American people and the brave veterans who have fought and sacrificed for this country deserve the right to know that if they are injured by the Veterans' Administration or if the Veterans' Administration is not carrying out what it is supposed to do for them, we will take action, and we will be effective.

I resent the fact that the Attorney General of the United States has chosen not to defend a constitutional challenge to our authority, which this Congress passed and our President signed to give that authority to Secretary Bob McDonald and whoever would follow him as Secretary of the VA.

But that is not the only thing in the Veterans First Act. For the first time

ever, we are going to give caregiver benefits to Vietnam-era veterans—22,500 handicapped veterans—who today can't get the same benefits that post-9/11 vets can get. That is wrong, and we are taking care of that.

We are dealing with the opioid problem that started at the Tomah hospital in Wisconsin. We are correcting that and putting in good standards for the use of opioids and the prescription of opioids and therapies to get people off opioids.

We are cleaning up the mental health access situation to improve mental health access for all our veterans. We are giving the type of discipline to the leaders of the Veterans' Administration to see to it that our hospitals are run like they should be, our veterans get the services they deserve, and we give to our veterans who return home after fighting for us the best quality health care and the most responsive health care system we can possibly provide.

I urge the Presiding Officer and the other Members of the Senate to join with me when our bill comes to the floor and to pass the Veterans First Act. It brings about real accountability in the Veterans' Administration, real choice for our veterans, and real care for our Vietnam veterans. It addresses the opioid problem and once and for all provides for a comprehensive reform for the Veterans' Administration, which hasn't taken place in decades and decades.

I commend the members of the Veterans' Affairs Committee for their leadership. I thank the Presiding Officer for the time, and I yield to the distinguished Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my distinguished colleague from Georgia.

AMENDMENT NO. 4549

Mr. LEAHY. Mr. President, Senator McCain, the chairman of the Armed Services Committee, believes that \$602 billion is not enough for the Department of Defense. Rather than reject unnecessary spending for weapons and other programs the Pentagon says it does not want or need, the Senator from Arizona not only says we should fund them, he also proposes to spend another \$18 billion on defense.

I will leave it to others to defend or contest the assumptions on which Senator McCain's amendment is based. But I do want to speak briefly in support of the second degree amendment offered by the ranking member of the Armed Services Committee, Senator REED of Rhode Island.

Because if there is one thing we have learned over and over, it is that protecting U.S. national security is not only about a strong military that can respond when all other options fail. It is also about homeland security, in-

cluding border control and maintaining critical infrastructure. It is about law enforcement within the United States. It is about cyber security. It is about educating the next generation of Americans and creating jobs that lead to advancements in science and technology. And it is about strengthening the capabilities of foreign partners and acting as a leader in international diplomatic efforts to prevent and respond to threats to global security.

The fiscal year 2017 budget allocation for the Department of State and foreign operations is \$591 million below fiscal year 2016. That, coupled with the fact that the President's budget underfunds programs for refugees and other victims of disasters by \$1 billion, presents us with an untenable budgetary situation. The amendment offered by the Senator from Rhode Island would help to alleviate this shortfall.

While there are many foreign crises, Senator REED's amendment focuses on one area where the situation is particularly dire. It authorizes \$1.9 billion to support the Department of State and U.S. Agency for International Development to implement their portions of the Integrated Campaign Plan to Counter ISIL. The funds would also support embassy security, as well as additional assistance for Israel, and for Jordan and Lebanon which have been severely impacted by the influx of hundreds of thousands of Syrian refugees.

This is directly related to U.S. security interests in the Middle East at a time when the stability of the entire region is under threat.

In a June 2 piece in *Time Magazine*, Retired GEN James Conway, former Commandant of the Marine Corps, and Retired ADM James M. Loy, former Commandant of the U.S. Coast Guard, wrote that:

... the security challenges our nation faces today are not the same as when we began our service during the Cold War. . . . Twenty-first century problems require fine scalpels, and the military is a broad sword. We can start by better resourcing and strengthening our own institutions. The State Department, the Peace Corps and USAID are the front lines of keeping our country safe, but they are underfunded and undermanned.

Mr. President, we should also remember that the Balanced Budget Act is based on parity. The spending caps we put in place have consequences for both the defense and nondefense sides of the ledger. Yet the Senator from Arizona's one dimensional approach ignores this bipartisan compromise. His amendment ignores the essential roles that development and diplomacy play in national security. It ignores the many domestic components to a strong defense, like a well-trained workforce and reliable infrastructure, like energy independence, like health systems that have the resources to protect the public from infectious diseases, contaminated drinking water, and unsafe food.

If you ask the American people whether these investments are as important as more fighter planes and warships, they would emphatically answer "yes". And that is why the very name of the Balanced Budget Act includes the word "balanced".

The amendment of the Senator from Rhode Island should be passed overwhelmingly.

Mr. President, I ask unanimous consent to have printed in the RECORD the June 2 article I referred to by General Conway and Admiral Loy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FORMER MILITARY LEADERS: 3 LESSONS FOR OUR NEXT COMMANDER-IN-CHIEF

(James Conway and James M. Loy, June 2, 2016)

MILITARY ALONE CANNOT KEEP US SAFE

As Hillary Clinton makes a national security speech Thursday and with Trump's recent major foreign policy speech, it's important to remember that the military alone cannot keep us safe. As the former commandants of the Marine Corps and the Coast Guard, we believe our next Commander-in-Chief will also need the civilian tools in our arsenal to keep our nation strong and secure.

For centuries, the blessing of two large oceans on our flanks acted as geographical barriers. But in the modern era, technology has made the world smaller and increasingly interconnected. The recent attacks in Brussels, Paris and San Bernardino, Calif., remind us that global threats do not respect borders, and oceans are not enough to preserve our peace and prosperity.

The security challenges our nation faces today are not the same as when we began our service during the Cold War. National security challenges have become more resistant to bullets. Ebola, the Zika virus, the influx of undocumented children from Latin states, and even the rise of ISIS cannot be resolved only with the force of arms.

If there was one immutable lesson of the Sept. 11 attacks, it is that instability in remote corners of the world can pose a direct threat to our way of life. The rise of ISIS is only a recent example that underscores that reality.

Military force will continue to be a necessary deterrent for the exercise of American power, but it cannot be the only option. To preserve our flag and freedom, there are three areas where America must do better.

1. We must strengthen not only our soldiers, sailors, Marines, Coast Guard, and airmen but also our diplomats and development experts who are critical to our national security.

Fighting terrorism means more than bombing the Middle East from the air. It means supporting weak or fragile states, increasing foreign military training and assistance, and devoting more resources to fight weapons proliferation. These are battles best fought at the local level with knowledge of cultures, economics and history.

2. We must help create economic opportunities around the world—particularly those where there are security concerns.

Think of America's engagement with Germany, Japan and South Korea in the postwar years. They are now our fourth, fifth, and sixth largest trading partners, respectively. Helping promote rule of law and economic development strengthens our economy here at home.

3. We must strengthen the humanitarian values that undergird American global leadership.

U.S. foreign assistance has helped cut extreme poverty in half since 1990. It has increased life expectancy in the developing world by 33%, afforded two billion people access to clean water, and the number of children in primary school has tripled over the last 25 years.

Pandemics and diseases like Ebola and the Zika virus are more easily defeated in the countries where they originate when those countries have strong health care systems, an educated population and the economic means to combat the virus. We can help build those institutions. To those concerned about the cost of assistance to the developing world, we would submit to you that economic development is cheaper than sending in the military.

Twenty-first century problems require fine scalpels, and the military is a broad sword. We can start by better resourcing and strengthening our own institutions. The State Department, the Peace Corps and USAID are the front lines of keeping our country safe, but they are underfunded and undermanned.

Facing the largest global displacement of people since World War II, we have much more work to do. If we are not helping to support and build up allies and friends, then we are reducing our prospects for success and ceding immense benefits for our own national security.

General James Mattis got it right when he said: "If you don't fund the State Department fully, then I need to buy more ammunition."

Keeping all the tools of American national security strong will help save lives and promote global stability and prosperity. Regardless of who is elected in November, a candidate who understands these challenges, and acts accordingly, will be in America's best interests.

Mr. LEAHY. Mr. President, I see the distinguished senior Senator from Alaska on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I rise today to speak about an amendment that I have filed to the National Defense Authorization Act. This is amendment No. 4222, and it addresses an issue of great interest to military families not only in my State, where we are proud to host a strong contingent of military that defend our Nation, but this is an issue that really stretches across the country. What we propose in amendment No. 4222 is to strike section 604 of the NDAA, which represents a paradigm shift in the way the basic allowance for housing is paid to our Active-Duty members.

The Department of Defense and our military families have long believed that BAH is part of a total compensation. Effectively, it is part of your paycheck. It is part of what you earn. It is something that you can count on based on where you are posted, what your rank is, and whether you have any dependents. We have seen the BAH be subject to arbitrary and somewhat unfair reductions in recent years. It has

unfortunately become the bill payer for other priorities.

BAH is regarded by the Defense Department as a component of a servicemember's total compensation. It is a compensation program. Section 604 turns the BAH into a reimbursement program. So instead of having BAH in your bank account to spend on living expenses as you deem fit, Section 604 essentially requires servicemembers to turn their receipts in to an accounting office and basically plead your entitlement to that reimbursement for the cost of your housing as well as utilities. I suppose alternatively you could take your entitlement and accept the risk that some audit or verification process will require you to pay something back, perhaps a lot back. Section 604 does not explain how this whole verification process will work.

Believe me, when I had an opportunity to visit with military spouses at Fort Wainwright just last week about this, they asked me: How does this reimbursement work? How do I get these utilities statements in for reimbursement? Already there are not enough people to process the basic paperwork that goes on for reimbursement of other expenses like permanent change of station moves. Tell me how this is going to be a better system.

Our military families are very familiar with deep bureaucracy and endure a fair amount of hassle to get what they are already entitled to.

I heard loud and clear from these military spouses the concerns they had about a proposal. They are looking at this as a one-size-fits-all solution; perhaps it is not a well-formed solution and it could have extreme consequences for those who serve in highly rural places, like in Alaska.

The BAH doesn't pay only for housing, it pays for the utilities. BAH pays for lights and heat, but keep in mind what it means to be in a very remote, very rural place. In places like Fairbanks, you are limited in terms of your options for energy, for power. Your costs are high. You could be looking at a home heating fuel bill on a monthly basis that could actually exceed the cost of your mortgage. Think about what that means. You may be in the enviable position of having found a home in a community that you think is affordable. The monthly rent is affordable, the mortgage might be affordable, but if it is an older house, if it is not fully weatherized, if you are on home heating fuel, you may be looking at a situation where you are paying more in utilities than for the cost of your housing.

Another cost you might use your BAH to pay is snow removal. It is not an option to not have your snow removed, and if your spouse is deployed, you need a way to get out of a long driveway. Who is going to be paying for the snow removal? Oftentimes, BAH

pays to pump out the septic system, which has to be done on a somewhat quarterly basis because there are so many homes that are not on water and sewer. By the way, when we talk about water, is the cost of hauling water recoverable under this new reimbursement program? When you are not on a water system, you have to get your water from somewhere. Some military families at Fort Wainwright are paying to have water hauled to their homes either by a truck or they go out to the community tap to fill up their tank, but there is a cost associated with that. These spouses are asking me: How is that going to be accommodated under the new BAH plan? Will this be considered part of these allowable reimbursements?

This is all very troubling to me. It was certainly very troubling to the military families I spent time with. It is not like our military families don't have enough to worry about.

One military spouse told me of the situation in her family. She is a licensed attorney in another State. She hasn't been able to get waived in to practice in the State of Alaska. Her husband is an E7 soldier and has been in for 19 years, so effectively two professionals. They have three children. She says she spends about \$1,500 a month for food, formula, and diapers for the three small children. She pays \$38,000 a year for childcare. Childcare in and around the Fort Wainwright area is very expensive, and she is not able to get reimbursement for childcare because she is not working. She is trying to get a job. But recognizing that they have all these other costs on top of it all, this military spouse—two professionals in the household, three children—tells me her family is WIC eligible.

The stories I hear about our military families who are accessing our community food banks—our military families are worried. They are worried about what is happening at home, the financial issues they are faced with.

This was one concern I heard specifically: If this is a reimbursement system and I have to submit receipts for expenses—expenses that may exceed the cost of housing, exceed the cost of a mortgage, and it takes a long while to get this reimbursement—what happens if I can't pay my bills on time? My job requires a security clearance? And that security clearance requires that your credit record be absolutely impeccable. How is all this going to work?

There is so much stress, so much anxiety that I heard from these spouses as we were discussing these issues.

When we think about what our military families are worried about, they are focused on the stress that comes with force structure reductions, frequent PCS moves, needing to understand the latest and greatest TRICARE

complexity, figuring out whether the old retirement paradigm or the new retirement paradigm is better. And then they have this—yet another layer of complexity with section 604 that just adds to the stress and adds to the anxiety.

We have to be honest with one another. We have to be honest with our military families. The bill before us does not afford those who serve a pay increase that is commensurate with the value of their service. Thankfully, we are working on a fix, and I greatly appreciate the leadership of Senator MCCAIN and his willingness to work with so many of us on these issues that are a concern to our families.

When we look at what is going on now with BAH, I think we are messing with a very significant component of total compensation. That is simply not an appropriate way to thank families who have already suffered through multiple deployments to Iraq and Afghanistan, and now they have to contend with a host of uncertainties created by the rise of ISIL, the tensions on the Korean Peninsula, a resurgent Russia, and an ambitious China. This is not right for our military families.

The Pentagon has issued a Statement of Administration Policy. They are quite clear about where they are on this. They believe section 604 is damaging to the force, and that is why they oppose section 604. It is burdensome to move from a compensation approach to a reimbursement approach. It is inefficient. It appears to completely eliminate the BAH increment presently paid to families with children. It penalizes dual military couples. It disproportionately impacts female servicemembers. Think about it. About 20 percent of women on Active Duty are in a dual military marriage, compared to about 3.8 percent of Active-Duty men. So women on Active Duty are effectively taking a harder hit. And if we think this is not going to have an impact on recruitment and retention—I think we are going to be looking at some second-order consequences with respect to that and also as it relates to administration of the GI bill education benefit.

I mentioned the effective penalty on dual military couples. I know a dual-career military couple. I am very pleased to know that their military career has taken them to some pretty good places and the better news is that they have moved together. One spouse has been selected for promotion to lieutenant colonel 2 years below the zone, which is a very big deal. This week, his wife learned that she, too, has been selected for promotion to lieutenant colonel 1 year below the zone. So we can see that both of these individuals are very high performers, really rock stars when it comes to a competitive promotion environment. They are doing great, but they are looking at the impact section 604 will

have on their specific situation as a dual military couple. They estimate that if their next assignment is here in the lower 48, they will lose about \$20,000 from their compensation. If we are fortunate that they should both get assigned to Alaska on the next rotation, that hit to them will rise to \$29,000—an almost \$30,000 reduction in total compensation from what they as a military couple would receive under the current system. That is significant. They are exactly the kinds of people the private sector wants to recruit but our military wants to retain, and I am not the only person who appreciates this fact.

When I was in Fort Wainwright, one dual military spouse said: Who I am married to should not affect my BAH entitlement. That summed it up in a pretty neat and tidy way.

Over this past week since I have been back here, I have heard from senior military leaders and senior enlisted advisers to those leaders, all of one voice. They are saying that this brings down the morale in the volunteer force. I will relay to my colleagues the comments from one of the commanders in Fort Wainwright when I was there last week. He had been sitting in the back of the room listening to all of the military spouses weigh in and voice their concerns and their anxiety about what was going on. He said to me: This is a clear reminder of how morale affects the overall mission. I have been on assignment. I have been deployed to Afghanistan. I have broken down doors. I have been on patrol looking for IEDs.

When you are on these missions, your head has to be 100 percent in the game. You can't be thinking about what is happening at home. You cannot be thinking about whether or not there are financial struggles that your spouse is dealing with. You cannot be distracted from where you are in the here and now. We are not just talking about "quality of life" issues; we are talking about "matter of life and death" issues.

He said: If my head is not 100 percent in the game, then somebody's life potentially is on the line.

It was a clear reminder to me of how morale affects the mission and how we need to ensure that our men and women whom we have tasked to take on the most difficult of tasks are able to focus on where they are right then. And making sure all is well at home is a responsibility we also have.

There has been a lot of discussion about the BAH over the years. Some of us think that it is in need of reform or that perhaps right-sizing the BAH will mean more money for readiness and modernization. I certainly get that argument. I may not agree with all of that, but I do know there are some very hard choices that have to be made in a difficult budget environment. I respect the work the chairman has done,

along with the ranking member, in trying to deal with all of that. But I do feel very certain about one thing: Those who believe that BAH should be reformed need to make that case openly and directly and transparently to our military families. I think putting a game-changing provision like section 604 in the NDAA without that consultation misses the mark.

The changes we are considering in BAH would not be effective until 2018. We have some time here, and we can get this right. My amendment, which is a bipartisan amendment, simply says: Take a timeout. Let's take a step back.

To those who think the BAH is in need of reform, make the case to military families if you choose, but let's not rush this through. This is not what we should be doing.

Mr. President, I ask unanimous consent to have printed in the RECORD letters from the Military Officers Association of America as well as the Air Force Sergeants Association in support of my amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MILITARY OFFICERS ASSOCIATION
OF AMERICA,
May 27, 2016.

Hon. LISA MURKOWSKI (R-AK),
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR MURKOWSKI: I am writing to thank you for your continued strong support for our men and women in uniform and their families, as most recently demonstrated by your introduction of amendment #4222, which would remove § 604 from S. 2943, the Senate's FY17 defense policy legislation.

Section 604 aims to recoup more than \$200 million annually from the Regular Military Compensation (RMA), earned by servicemembers through reductions to the Basic Allowance for Housing (BAH), a main component of RMA of which they are entitled to under law. These reductions would begin in January 2018 for new entrants into military service and after the next Permanent Change of Station (PCS), for those already serving.

The reductions to BAH, as called for in 604, undoes the diligent work done by Congress over the past 15 years to rectify the out of pocket housing costs long borne by servicemembers and clearly sends the wrong message to them and their families—that their service and sacrifice is not important.

At a time when we have asked servicemembers to contribute more to their retirement savings, more to their housing, and possibly more to their healthcare, this proposal is wrongly conceived, unfair, and would do harm to the retention of our currently serving men and women and their families.

The Military Officers Association of America (MOAA) strongly supports amendment #4222 to remove § 604 and urges other members of the Senate to support the amendment as well.

Thank you for your leadership and for your continued strong support for our men and women in uniform and their families.

Sincerely,

DANA T. ATKINS.

AIR FORCE SERGEANTS ASSOCIATION,
Suitland, MD, June 1, 2016.

Hon. LISA MURKOWSKI,
Hart Senate Office Building,
Washington DC.

DEAR SENATOR MURKOWSKI: on behalf of the 100,000 members of the Air Force Sergeants Association I want to thank you for introducing amendment #4222 to S. 2943. Removing \$604 from the Senate's FY17 NDAA, as articulated in your amendment, is absolutely the right call!

To propose BAH reductions while servicemembers are already concurrently contributing more to their retirement and potentially to their healthcare clearly sends the wrong message. Keeping in mind that vast numbers of military families funnel their children into similar service, retention of those now serving in uniform as well as recruitment of future talent both stand to suffer.

AFSA strongly supports amendment #4222 to remove \$604 from S.2943 and urges other members of the Senate to also support this amendment.

Respectfully,

ROBERT L. FRANK,
Chief Executive Officer.

Ms. MURKOWSKI. Mr. President, I yield the floor to my colleague from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I thank the senior Senator from Alaska. I appreciate that.

I rise today to speak in support of the NDAA, the National Defense Authorization Act, which we are currently working on. The NDAA is clearly one of the most important pieces of legislation we take up in Congress because it authorizes vital programs designed to keep our Nation secure and our people safe.

We have worked very hard to make sure the bill upholds the nuclear missions at our missile bases, as well as unmanned aerial systems—the UAS missions—that have emerged as a vigorous part of our Nation's defense.

I commend the chairman and the ranking member for their good work in bringing this bill to the floor. It is a massive undertaking. In particular, I thank them for their support on some important priorities.

This bill fully authorizes programs to sustain our strategic forces, including plans to upgrade the Minuteman III ICBM, the venerable B-52 bomber, and our nuclear cruise missiles. The bill also fully authorizes the Global Hawk program, which is proving its worth every day and demonstrates the value of unmanned aircraft in performing intelligence, surveillance, and reconnaissance missions.

The Appropriations Committee, on which I serve, approved the National Defense Appropriations Act last month, putting in place the funding to support our armed services. As soon as we pass the authorization bill that is now before the full Senate, I understand we will work to bring its companion bill, the appropriations bill, to

the floor for a vote as well. Both are vital for our armed services.

Together, these two bills—the National Defense Authorization Act and the National Defense Appropriations Act—will provide our armed services with both the blueprint and the funding they need to defend our Nation and the American people.

As I have said, I have filed several amendments that I believe will strengthen the bill and our national security, and I wish to take a minute to talk about them now.

First, I have filed a measure that requires the Air Force to procure, in a timely manner, Black Hawk helicopters to replace the Vietnam-era Huey helicopters that currently provide security to our intercontinental ballistic missile fields. These fields are located near Minot Air Force Base in my home State of North Dakota, as well as at missile bases in Wyoming and the State of Montana.

The Air Force uses helicopters to provide security for missiles that are in transit, as well as to move security forces quickly to any missile field site that could come under any kind of threat.

I love the old Huey helicopters. They are great. I have flown in them for many years, on many occasions, and it is certainly an iconic aircraft and one that has served our Nation's military very well through the Vietnam era and through today. But the reality is that it is no longer able to do the job that we need done.

I spent some time with pilots at Minot Air Force Base earlier this year and heard about the challenges they face. For example, the front panel of the Huey sometimes will not light up. Remember, these are aircraft that were manufactured in 1969. The pilots flying these aircraft are a lot younger than the helicopters they are flying, but they do a remarkable job. The mechanics do an amazing job in keeping them going.

For example, sometimes the front panel of the Huey will not light up. When they are flying at night, they stick a portable LED light on the dash so they can see their gauges. Think about that. We have amazing young men and women in the military flying these helicopters that are much older than they are—helicopters from 1969. Some of the gauges don't have lights on them, so they put LED lights on as a makeshift way to see the gauges in the dark when they are flying to the missile fields performing their mission. If they hit some rough weather, guess what happens. The jostling knocks the LED lights off the control panel, and now they are in the dark. They can't even see their gauges.

Think about being out there flying helicopters on a military mission, and it is dark. You may be in rough weather, and you can't see your gauges. Ob-

viously, that doesn't get the job done. That is not something that is acceptable for our men and women in uniform.

The Air Force acknowledges this, and they are working on getting an upgraded helicopter. To their credit, the Air Force wanted to move this as fast as possible, but under the plan DOD had approved, it would take 5 years before we would get new helicopters.

Think about the situation I just described. Here are these air men and women flying in this makeshift condition, in a situation where the Air Force has acknowledged that this equipment does not meet the mission requirements—does not meet the mission requirements. That is why we have to accelerate this timeline, and that is what this amendment does.

Specifically, my amendment instructs the Air Force to get Black Hawk helicopters on contract by 2018, which accelerates the Air Force's current procurement plan by approximately 2 years. It would enable them to acquire Black Hawk helicopters under the Army contract. The Army is already buying these helicopters. It has been fully bid. They have been doing it for some period of time. It would allow the Air Force to piggyback on it and buy the Black Hawk helicopters they need. It saves millions of dollars, I think somewhere between \$80 and \$120 million. This is commonsense stuff. I think it is a win all the way around.

This provision is coauthored by Senator JON TESTER, Democrat of Montana. Obviously, he is well aware of the problem, too, because they face the same difficulty across our border in Montana. It is cosponsored by the other members of the Senate's ICBM coalition. It is bipartisan. We have a number of Senators on board supporting it.

Also, it is a companion bill to the amendment that Senator TESTER and I included in the fiscal year 2017 Defense appropriations bill. We have already put \$75 million in the Defense appropriations bill to start the acquisition. The dollars are there; this is the authorization that goes with the dollars. We worked very hard on this. We set it up the right way, and it is something we need to do.

The second amendment I introduced will help to meet the challenge of training enough pilots to fly RPAs, or remotely piloted aircraft—unmanned aircraft. I don't know that there is any mission in the Air Force or perhaps the whole DOD that is more in demand right now than RPAs, unmanned aircraft. All over the world, we are using this amazing tool—Global Hawk, Predator—and it is in tremendous demand right now. That also creates a tremendous demand for pilot training.

Chairman McCAIN and Ranking Member REED included language in the base bill that requires the Air Force to

make the transition to using enlisted pilots to fly RPAs, so we would have both officers and enlisted pilots able to fly RPAs. It is needed because of the incredible demand for pilots, which results from the incredible demand for this mission.

I want to make sure that if the Air Force is going to make this transition, it can guarantee that pilots in the Air Guard, who use separate personnel systems and different training schedules, are able to receive training at a rate that is commensurate with their Active-Duty counterparts. Obviously, we rely heavily on the Air Guard, and they need to have the necessary access to training. This amendment directs that the Air Force is able to use contractor services to ensure that there is enough training capacity to train Air National Guard pilots to fly RPAs in order to keep pace with Active-Duty pilot training.

We know that the Air Force has had difficulty training RPA pilots fast enough to meet operational demands. One way to correct that deficiency is to use the private sector to augment the training the Air Force provides directly.

In North Dakota, General Atomics—the manufacturer of the Predator and the Reaper—is building a training academy to train pilots. It is at the Grand Forks Air Force Base. It is in a technology park on the Grand Forks Air Force Base. They are going to train pilots for their foreign military sales. So for aircraft that has been purchased by our military allies—France, England, Italy, Netherlands, I think maybe Australia—there are a litany of our allies who are now using RPAs, and General Atomics will conduct that training at Grand Forks Air Force Base. There is no reason our own Air Force can't leverage that incredible resource as well or resources like it at other locations. Clearly, it is something we need to help leverage our pilot training.

With that, I will wrap up. Again, I want to emphasize the importance of this and the National Defense Authorization Act. I thank both the chairman and the ranking member for their work.

I encourage all of my colleagues to join together in a bipartisan way and pass this important legislation for our men and women in uniform.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, to be recognized to speak in support of the McCain amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4229

Mr. GRAHAM. Mr. President, to Members of the body on both sides of the aisle, I appreciate the effort to produce a bipartisan national defense

authorization bill. I think our committee did a good job in coming up with a bipartisan bill, but as a body and as a country we haven't done enough and this is a chance to rectify what I think is an incredibly big problem.

We are at war—at least I think we are. We have been at war for the last 15 years. I cannot tell you how hard it has been on the all-voluntary force. I was in the Air Force for 33 years. I retired last year. I had the pleasure of meeting a lot of men and women in uniform in Iraq and Afghanistan. I think I have been to Iraq and Afghanistan 37 times in the last decade. I have seen incredible sacrifice by those who serve our Nation to defend us against another 9/11 and what their families have gone through.

As a nation and a Congress, what have we done to those who have been fighting this war? We are on track to have the smallest Army since 1940. Sequestration—across-the-board budget cuts that have taken almost \$1 trillion out of the defense budget—is insanity and nobody seems to give a damn about fixing it. None of us have to go and fly in planes that are about to fall out of the sky. None of us are commanders of troops and having to use duct tape to get through the day. None of us have to worry about going over and over and over to the war zone because the war is getting worse, not better.

It looks like all of us should listen to our commanders who have said with one voice that the readiness of the U.S. military is in an emergency situation. The ability to give the flying hours our pilots need can't be done because of budget constraints. It looks like we would want to listen to the Chief of Staff of the Army, Air Force, Navy, and the Commandant of the Marine Corps who are telling us that sequestration has taken a toll on the ability to defend this Nation.

We have had some patchwork solutions. We put some money back, but we are due to go back into sequestration next year. The amount of money we put back in the Ryan-Murray compromise was much appreciated, and Senator MCCAIN is trying to put an \$18 billion infusion into the military to meet their unfunded needs that would plus-up the Army by 15,000 and would plus-up the Marine Corps and the National Guard and would give more money for operation and maintenance.

The problem that seems lost on this Congress is that training hours have to give way to operational needs in theater. Let me give one small example. There is a Marine Corps readiness rapid response force in Spain that is stationed in Spain to deal with Benghazi-type events throughout Africa. They have to fly—in case something went bad—thousands of miles. They have 12 aircraft, B-22s, and 2 teams. The Commandant of the Marine Corps is having

to take six of these aircraft away from Spain to bring them back to the United States because we don't have enough airplanes to train the B-22 pilots. That means there is a hole in our ability to protect our citizens and diplomats in Africa.

I cannot tell you the damage that sequestration has done to our military, and we seem unmoved by all of this. I cannot believe that the body is not responding more aggressively to the needs of our military, given the threats we are facing. How much more information do we need from our commanders to believe this is an emergency?

I say to my Democratic colleagues, I know sequestration is hurting on the nondefense side, but all spending is not equal. I stand ready with you to find a way to buy back sequestration and pay for it by having some revenue come from closing loopholes and deductions like the supercommittee envisioned by using some revenue and some entitlement reform to buy back what is left on sequestration. I am not asking that you just spend money on defense and ignore the rest of the problems associated with sequestration.

I have sat done on two separate occasions with Members on the other side to try to find ways to buy back sequestration so we could actually achieve the savings, and we have been able to not do a whole lot. Ryan and Murray came up with a fix that provided some relief that expires at the end of the year.

The bottom line is this. The McCain amendment is making the argument that the \$18 billion in this amendment has to be spent based on an emergency.

Here is the question: Is there an emergency when it comes to the operational needs of this country on the defense side? Have we put our troops in a spot where we are risking their lives and their ability to prosecute the war because we have gone too far with defense cuts? I think we have, but if you don't believe me, you should listen to our commanders and hopefully I can read some of their quotes.

With this \$18 billion infusion, we are able to increase the size of the Army, and if you are in the Army, you could use a little help right about now. You have been busting your ass for the last 15 years, going back and forth, back and forth, and the way we reward your service is to decrease the size of the Army.

I just got back from Asia, and everybody in Asia is wondering: What the heck is America doing? We are going to have the smallest Navy since 1915. We are going to pivot to Asia with what? Under sequestration our ability to modernize the Navy has been lost. They don't have the money to build the new ships that we need to fight the wars of the future and contain a threatening China because they are in

a war now. They are robbing Peter to pay Paul. It looks like we would want to help the Marines. If you are a marine, boy, have you been on the tip of the spear.

This amendment would allow us to have 3,000 more marines. What does that mean? It means we will have 3,000 more people to help prosecute the war and take a little burden off the Marine Corps, which has been absolutely worn out. Seventy percent of the F-18s in the Marine Corps have problems flying. We are cannibalizing planes to keep other planes in the air.

To those who say we need to reform the Pentagon, you are right. Not only do we need to, we have. Fifty percent of the Department of Defense budget is personnel costs. Last year we reformed retirement. At 20 years, you are not going to get half of your base pay. You will get 40 percent in the future. That will save money. We are going to allow a Thrift Savings Plan for those who want to contribute 5 percent of their pay and we will match 5 percent, but they can't get the money until they are 59 or 60. That will be money for the servicemembers, but it comes later.

We are going to ask our retirees to pay a little bit more for the military health care system because we haven't had a premium adjustment of any consequence since 1995. We are going to go to fixed-price contracts to deal with the abuse of cost-plus contracts to save money. We are trying to reduce the number of general officers because they have exploded.

We are doing a lot of things to make the Pentagon operate better, but at the end of the day, you need people to defend this country. When sequestration kicks back in, we are going to go from 475,000 to 420,000.

What I am asking for is a bipartisan effort to stop the bleeding, to take the request for the military that is unfunded and desperately needed and give them a little bit of hope. We need to let them know Congress is listening to their problem because we are not. We are ignoring the problems of our military because if we were really serious about helping them, we would pass this by a voice vote, but, no, we can't increase defense spending by \$18 billion to increase the size of the Army, Marine Corps, and the National Guard, to give more flight time to our pilots, more money to maintain the equipment and increase the size of the National Guard, which has really suffered during the last 15 years, and to buy more airplanes. The bottom line is, we can't do all of that because we have to increase nondefense spending.

To my Democratic colleagues, if you don't think there is an emergency in the military, then you haven't been listening. To those Republicans who believe the appropriations bill has adequately funded the needs of the military, you haven't been listening. Well,

I have been listening. Washington is broken in many ways. I enjoy being a Member of the Senate, and I respect my colleagues, even though we disagree, but this one I can't understand. I can't understand this. I can understand ideology, I can understand the differences between pro-life, pro-choice, guns, revenue, and taxes. I can understand conservatism, liberalism, libertarianism. I can understand that in a great country we have differences, but this I can't understand.

I can't understand why any of us would let this happen to our military. Whether you are a Libertarian, vegetarian, Republican, or Democrat, you need these men and women defending you so you can argue among yourselves. We can argue until the cows come home about how America should be, and it is a privilege to have this debate. While we are arguing among ourselves about how to make America great again or to become one, stronger together, or whatever damn phrase is out there, the people who are giving us the privilege to argue are being worn out and underfunded.

Let me tell you the consequence of this. At a time the enemy is growing in capability to attack this country, we are gutting our ability to defend this country. A perfect storm is brewing. We have an America in retreat and in decline all over the world. We have a Presidential contest that is absolutely crazy. The Republican nominee, when he talks about foreign policy, it is complete gibberish.

The Democratic nominee seems to be afraid to articulate how to change things. What is she going to do differently? Where is she on sequestration?

Secretary Clinton, do you think now is the time to spend more on our military because we are in an emergency situation? Tell me why I am wrong. Tell me why you don't believe all of the things said by those in leadership.

I am dumbfounded that this is hard given the state of readiness of our military. I am dumbfounded that we can't improve military readiness without increasing spending for food safety modernization. I am sure there is probably something legitimate there, but the Food Safety Modernization Act is not going to stop ISIL from coming here.

There is \$1.9 billion for water infrastructure. I am sure it is legitimate, but all I can say is that whatever problems we have with water, they pale in comparison to the problems we have with terrorism.

Who are we as a body, who are we as a people if we can't see this being an emergency? If you are not listening and you have shut your mind and eyes to what is going on, then shame on you.

This is the low point to me; that we cannot as a body agree that our men and women in the military are in a bad

spot and they need our help yesterday. So vote the way you are going to vote, but don't tell me that the Appropriations Committee, of which I am a member, has fixed the problem because we haven't. We did appropriate more money, and I appreciate it, but the \$18 billion on this list is not addressed by the Appropriations Committee's effort to do more, and don't tell me this is not an emergency because I don't believe it. Don't hold the men and women hostage from getting the money they desperately need to defend us all because you want more money somewhere else.

Whatever differences we have, whatever hopes and dreams we have as individuals or collectively as Americans are at risk because the people we are fighting would kill every one of us if they could. They could care less if you are a Republican or Democrat, liberal or conservative. They want to hurt us, and they want to hurt us badly, and the only way to keep them from hurting us is for some of us to go over there in partnership with others over there to keep the fight from coming back over here.

It looks like all of us can agree on giving the people going over there the best chance they can to survive the fight, come back home and protect us all, but apparently we can't get there. Shame on us. Shame on us all.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.R. 2577

Mr. CORNYN. Mr. President, I ask unanimous consent that at 7:30 p.m. this evening, the Chair lay before the Senate the House message accompanying H.R. 2577; that Senator MCCONNELL or his designee be recognized to make a motion that the Senate disagree to the amendment of the House, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees; further, that Senator MCCONNELL or his designee be recognized to offer a motion to invoke cloture on the motion to go to conference and that once a cloture motion is offered, all time be yielded back and the Senate vote on the motion to invoke cloture on the motion to go to conference; further, that if the motion to go to conference is agreed to, that Senator NELSON or his designee be recognized to offer a motion to instruct conferees and Senator SULLIVAN or his designee

be recognized to offer a motion to instruct conferees and that the Senate vote with no intervening action or debate on the motions to instruct conferees in the order listed and that both motions require 60 affirmative votes for adoption; finally, that there be no further motions to instruct in order and that there be 4 minutes, equally divided, prior to each vote on the motions to instruct.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I am grateful you will not make me repeat that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate a message from the House of Representatives.

The legislative clerk read as follows:

Resolved, That the House insist upon its amendment to the Senate amendment to the bill (H.R. 2577) entitled "An Act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Ms. MURKOWSKI. Mr. President, I move that the Senate disagree to the amendment of the House, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

CLOTURE MOTION

Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the House amendment, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Deb Fischer, Rob Portman, Roger F. Wicker, Richard Burr, Joni Ernst, David Vitter, James M. Inhofe, Dean Heller, Pat Roberts, Lamar Alexander, Ron Johnson, Tom Cotton, Thom Tillis, Mitch McConnell.

Ms. MURKOWSKI. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, all time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the House amendment, agree to the request from the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Deb Fischer, Rob Portman, Roger F. Wicker, Richard Burr, Joni Ernst, David Vitter, James M. Inhofe, Dean Heller, Pat Roberts, Lamar Alexander, Ron Johnson, Tom Cotton, Thom Tillis, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to disagree to the House amendment to the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI), the Senator from Nevada (Mr. REID), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 93, nays 2, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—93

Alexander	Ernst	Moran
Ayotte	Feinstein	Murkowski
Baldwin	Fischer	Murphy
Barrasso	Flake	Murray
Bennet	Franken	Nelson
Blumenthal	Gardner	Perdue
Blunt	Gillibrand	Peters
Booker	Graham	Portman
Boozman	Grassley	Reed
Boxer	Hatch	Risch
Brown	Heinrich	Roberts
Burr	Heitkamp	Rounds
Cantwell	Heller	Rubio
Capito	Hirono	Sasse
Cardin	Hoeven	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Sessions
Coats	Kaine	Shaheen
Cochran	King	Shelby
Collins	Kirk	Stabenow
Coons	Klobuchar	Sullivan
Corker	Lankford	Tester
Cornyn	Leahy	Thune
Cotton	Manchin	Tillis
Crapo	Markey	Udall
Cruz	McCain	Vitter
Daines	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden

NAYS—2

Lee Paul

NOT VOTING—5

Mikulski	Sanders	Warner
Reid	Toomey	

The PRESIDING OFFICER. On this vote, the yeas are 93, the nays are 2.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The question occurs on agreeing to the compound motion to go to conference.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Florida.

MOTION TO INSTRUCT

Mr. NELSON. Mr. President, I have a motion to instruct conferees at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Florida (Mr. NELSON) moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2577 be instructed to reject proposals that would rescind existing Ebola emergency funds provided by the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235), and designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as such funds support Ebola preparedness and response efforts which are critical to preventing, detecting, and responding to potential future Ebola outbreaks, and to insist that the final conference report include \$510,000,000 to reimburse Ebola accounts, as provided for in the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235) and designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for

obligations incurred for Zika virus response, as such emergency Ebola funds support critical initiatives to prevent Ebola outbreaks, such as country operations and public health infrastructure in Liberia, Sierra Leone, and Guinea, public health research on infection control, including detection of person to person transmission of Ebola, and advanced research and development of new Ebola vaccines and therapeutics.

The PRESIDING OFFICER. Under the previous order, there will be 4 minutes of debate, equally divided.

The Senator from Florida.

Mr. NELSON. Mr. President, this is a motion to instruct the conferees that whatever is decided in the conference to fund the Zika crisis, the money would not be taken out of the Ebola fund and that the money that has been borrowed from the Ebola fund would be replenished.

Remember that since the Ebola outbreak was contained 1 year ago, there have been seven more clusters of outbreaks since that time, and the CDC still employs 80 employees working on Ebola. With the last recent Ebola case in Guinea, the CDC has had to vaccinate 1,700 people and then go out and do the infection control over there in West Africa in 50 health centers and make 20,000 connections to try to ensure that it does not spread, which of course is the source of how Ebola gets to the United States.

So this motion is simply to say: Let's not take the Zika crisis funds out of Ebola and replenish what has already been taken out.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, we did just vote to go to conference. I would like to see the conference be able to deal with this issue.

In the Ebola funds, there is still \$1.2 billion left in the Ebola funds. There is still \$1.2 billion left in the Ebola fund. This is \$510 million that was to be used for things like reimbursing hospitals that would have an influx of Ebola patients in this country, which never happened, and other issues.

The administration has said they do not need this \$510 million for Ebola. They clearly would like to use it for other purposes, and in fact have used \$510 million for other purposes.

I would urge a "no" vote.

Mr. NELSON. Mr. President, do I have any time left?

The PRESIDING OFFICER. Twenty-nine seconds.

Mr. NELSON. Mr. President, I would say to my friend from Missouri simply that the administration does not say that they don't need this. As a matter of fact, in their \$1.9 billion request, they have asked for the replenishment of this, and the statements that I just made were made by Dr. Frieden and Dr. Fauci as early as this morning.

Mr. BLUNT. Mr. President, do I have any time left?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. BLUNT. Mr. President, in the \$1.9 billion request, they would not have asked for this money because they were asking for \$1.9 billion of new money, some justified and some not.

I believe we worked hard to get a good start here. This can clearly be an open item in the conference, but I don't think it should be a directed item in the conference.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "nay."

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI), the Senator from Nevada (Mr. REID), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER (Mr. DAINES). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 49, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—46

Ayotte	Franken	Nelson
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Reed
Booker	Hirono	Rubio
Boxer	Kaine	Schatz
Brown	King	Schumer
Burr	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Manchin	Tester
Carper	Markey	Udall
Cassidy	McCaskill	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wyden
Durbin	Murphy	
Feinstein	Murray	

NAYS—49

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Risch
Capito	Grassley	Roberts
Cassidy	Hatch	Rounds
Coats	Heller	Sasse
Cochran	Hoeven	Scott
Collins	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Kirk	Thune
Crapo	Lankford	Tillis
Cruz	Lee	Vitter
Daines	McCain	Wicker
Enzi	McConnell	
Ernst	Moran	

NOT VOTING—5

Mikulski	Sanders	Warner
Reid	Toomey	

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this motion, the motion is rejected.

The Senator from Alaska.

MOTION TO INSTRUCT

Mr. SULLIVAN. Mr. President, I have a motion to instruct conferees at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2577 be instructed to insist upon the inclusion of the provisions contained in Senate amendment 4065 (relating to the reconstruction of certain bridges).

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. SULLIVAN. Mr. President, this instruction relates to an earlier amendment I had, No. 4065. It is a simple amendment that would allow States and communities throughout our Nation to expedite the permitting process and construction of their bridges that pose safety concerns for their citizens. This would only apply to bridges that are built in the same place—they are not expanding bridges—same size, and bridges they are replacing. It is essentially maintenance on bridges. If State environmental agencies determine that Federal permitting requirements should be waived, then they are allowed to do this to expedite the permitting of the bridge.

Let me explain why this is important. Right now in America, there are 61,000 structurally deficient bridges in need of repair. Yet when we try to repair these bridges, it takes 5 years to 6 years just to get the Federal permitting requirements. This amendment—these instructions would allow this process to move much more quickly. It will be important for the safety of our citizens, to put Americans back to work, and to grow our economy. It is a commonsense instruction.

I know my colleagues on both sides of the aisle are focused on permitting reform. This is something very simple that we can do that will benefit all of our States and all of our citizens.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I have laryngitis, which is the dream of my friends on the other side of the aisle, but I want to say that the Sullivan amendment is dangerous and it is unnecessary. It is the last thing we should do given the lessons we have learned in Flint, MI, because what the Sullivan amendment says is that you can be exempted from nine Federal health and safety laws when you rebuild the bridge. For example, it would allow the dumping of oil, toxic materials that could include lead, construction debris, and that all will go in the

water—water we swim in, water we fish in, water we drink. After Flint, how could we do this?

This is not a problem. If you ask Senator KLOBUCHAR—I just talked to her—and Senator FRANKEN, they rebuilt their bridge in a year because there is already expedited language in all of the laws on which we worked together.

So please reject this. It is dangerous, it is unnecessary, and it certainly is unrelated to the underlying bill.

The PRESIDING OFFICER. The Senator from Alaska has 15 seconds.

Mr. SULLIVAN. I yield to my colleague from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, in 15 seconds I yield to no one here in my commitment to the environment, but I also have a commitment to common sense. We are talking about bridges, not expanding—same size, same dimensions, and same location. If that were it, I would oppose this amendment; however, this amendment has a safety valve that the construction, reconstruction, or maintenance of the bridge must pass muster with the State-level permitting and environmental protection authority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KING. I understand. I think we should support it. Thank you.

Mrs. BOXER. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator has 55 seconds.

Mrs. BOXER. Wow. In the beginning, God created.

I just want to say to my friend Senator KING, just ask the people of Flint, MI, how happy they were that the State took over the health and safety rules. Their kids are suffering from lead poisoning. Sometimes you are talking about bridges that are 100 years old. They contain toxic materials. Again, this is not necessary. We haven't got a problem because we have taken care of expedited procedures. My arm was twisted on it in the FAST Act. So let's reject this because we want to protect the health and safety of the people we represent.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CORNYN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from South Carolina (Mr. GRAHAM).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI), the Senator from Nevada (Mr. REID), the Senator from Vermont (Mr. SANDERS), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 94 Leg.]

YEAS—56

Alexander	Ernst	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Cassidy	Heller	Rounds
Coats	Hoeben	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	King	Shelby
Cotton	Kirk	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Vitter
Donnelly	McCain	Wicker
Enzi	McConnell	

NAYS—38

Baldwin	Franken	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Heinrich	Reed
Booker	Hirono	Schatz
Boxer	Kaine	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Markey	Tester
Carper	McCaskey	Udall
Casey	Menendez	Warren
Coons	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	

NOT VOTING—6

Graham	Reid	Toomey
Mikulski	Sanders	Warner

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this motion, the motion is rejected.

The Presiding Officer appointed Ms. COLLINS, Mr. KIRK, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. HOEVEN, Mr. BOOZMAN, Mrs. CAPITO, Mr. COCHRAN, Mr. BLUNT, Mr. GRAHAM, Mr. TESTER, Mrs. MURRAY, Mr. REED, Mr. UDALL, Mr. SCHATZ, Ms. BALDWIN, Mr. MURPHY, Ms. MIKULSKI, and Mr. LEAHY conferees on the part of the Senate.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The majority leader is recognized.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for S. 2943.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, John Cornyn, Orrin G. Hatch, Tom Cotton, Kelly Ayotte, Deb Fischer, Mike Rounds, Lindsey Graham, John Barrasso, Roger F. Wicker, Joni Ernst, Thom Tillis, Daniel Coats, Chuck Grassley, John Thune, Steve Daines, Mitch McConnell.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

50TH ANNIVERSARY OF THE NEVADA JUSTICE ASSOCIATION

Mr. REID. Mr. President, today I wish to recognize the 50th anniversary of the Nevada Justice Association. Since 1966, the Nevada Justice Association has been a fierce advocate for justice and worked to fulfill the ideals enshrined in our Nation's justice system.

The Nevada Justice Association is a nonprofit, professional organization of lawyers, united over their goal of improving the justice system. In addition to keeping members and other lawyers informed about Nevada's legal system, the Nevada Justice Association seeks "to educate the public regarding their individual rights and responsibilities as citizens." The Nevada Justice Association also operates student chapters to help develop the next generation of lawyers and prepare them to defend Nevadans' access to justice in the future. In their effort to educate the public, the Nevada Justice Association's activities range from debunking legal myths to televising lecture series that explain important aspects of the law that people who do not have a legal background can understand. The Nevada Justice Association's outreach and education programs also encourage citizens to play an active role in the lawmaking process and participate in civil society.

For 50 years, the Nevada Justice Association has made tremendous advances in educating everyday Nevadans about their legal rights. Their commitment to ensuring that people have

equal and lasting access to the justice system has helped Nevadans enjoy the protections our system of government has to offer. I commend the Nevada Justice Association for their hard work in educating the public on their rights and protecting people's access to justice.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for June 2016. The report compares current law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2016, the conference report to accompany S. Con. Res. 11, and the Bipartisan Budget Act of 2015, P.L. 114-74, BBA 15. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act.

This is the fifth report that I have made this calendar year. It is the second report since I filed the statutorily-required fiscal year 2017 enforceable budget limits on April 18, 2016, pursuant to section 102 of BBA 15, and the ninth report I have made since adoption of the fiscal year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on May 11, 2016. The information contained in this report is current through June 6, 2016.

Tables 1-7 of this report, which are prepared by my staff on the Budget Committee, remain unchanged from the May report.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget totals agreed to by the Congress.

Because legislation can still be enacted that would have an effect on fiscal year 2016, CBO provided a report for both fiscal year 2016 and fiscal year 2017. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for fiscal year 2016 exceed the amounts in last year's budget resolution by \$138.9 billion in budget authority and \$103.6 billion in outlays. Revenues are \$155.2 billion below the revenue floor for fiscal year 2016 set by the budget resolution. As well, Social Security outlays are at the levels assumed for fiscal year 2016, while Social Security revenues are \$23 million below levels in the budget.

For fiscal year 2017, CBO estimates that current law levels are below the fiscal year 2017 enforcement filing's al-

lowable budget authority and outlay aggregates by \$974.3 billion and \$592.4 billion, respectively. The allowable spending room will be reduced as appropriations bills for fiscal year 2017 are enacted. Revenues are at the level assumed for fiscal year 2017. Finally, Social Security outlays and revenues are at the levels assumed in the fiscal year 2017 enforcement filing.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. As part of the fiscal year 2017 enforcement filing, the Senate's pay-as-you-go scorecard was reset to zero, which remains its current balance. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

New to this report are two additional tables that track the Senate's budget enforcement activities. The first table, Enforcement Report of Legislation Post-S. Con. Res. 11, fiscal year 2016 Congressional Budget Resolution, shows the 11 levels-based points of order that were raised after passage of the last budget resolution but before my April 18 filing. The largest budgetary violation during that period was the nonappropriations portion of H.R. 2029, the Consolidated Appropriations Act of 2016. The final table of this filing, Enforcement Report of Legislation Post-Bipartisan Budget Act of 2015 Enforcement Filing, shows the three points of order that have been raised since my April 18 enforcement filing. Two of those three points of order were raised against emergency designations in an appropriations bill. The first was raised against the emergency designation in Senator BLUNT's amendment No. 3900, that provided \$1.1 billion to address the Zika virus. This point of order was waived with 70 votes. The second was raised against the emergency designation in Senator MCCAIN's amendment No. 4039, that would increase spending by \$7.7 billion for the Veterans Choice Program. This point of order was waived with 84 votes.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

[In millions of dollars]				
	2016	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Armed Services				
Budget Authority	–66	0	0	0
Outlays	–50	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority	0	0	0	0

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS—Continued

[In millions of dollars]				
	2016	2017	2017–2021	2017–2026
Outlays	0	0	0	0
Commerce, Science, and Transportation				
Budget Authority	130	0	0	0
Outlays	0	0	0	0
Energy and Natural Resources				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Environment and Public Works				
Budget Authority	2,880	0	0	0
Outlays	252	0	0	0
Finance				
Budget Authority	365	0	0	0
Outlays	365	0	0	0
Foreign Relations				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Homeland Security and Government Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Judiciary				
Budget Authority	–3,358	0	0	0
Outlays	1,713	0	0	0
Health, Education, Labor, and Pensions				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Rules and Administration				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Intelligence				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Veterans' Affairs				
Budget Authority	–2	0	0	0
Outlays	388	0	0	0
Indian Affairs				
Budget Authority	0	0	0	0
Outlays	0	0	0	0
Small Business				
Budget Authority	0	0	0	0
Outlays	1	0	0	0
Total				
Budget Authority	–51	0	0	0
Outlays	2,669	0	0	0

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS¹

[Budget authority, in millions of dollars]		
	2016	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	548,091	518,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	21,750
Commerce, Justice, Science, and Related Agencies	5,101	50,621
Defense	514,000	136
Energy and Water Development	18,860	18,325
Financial Services and General Government	44	23,191
Homeland Security	1,705	39,250
Interior, Environment, and Related Agencies	0	32,159
Labor, Health and Human Services, Education and Related Agencies	0	162,127
Legislative Branch	0	4,363
Military Construction and Veterans Affairs, and Related Agencies	8,171	71,698
State Foreign Operations, and Related Programs	0	37,780
Transportation and Housing and Urban Development, and Related Agencies	210	57,091
Current Level Total	548,091	518,491
Total Enacted Above (+) or Below (–) Statutory Limits	0	0

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—
ENACTED REGULAR DISCRETIONARY APPROPRIATIONS ¹
[Budget authority, in millions of dollars]

	2017	
	Security ²	Nonsecurity ²
Statutory Discretionary Limits	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	9
Commerce, Justice, Science, and Re- lated Agencies	0	0
Defense	45	0
Energy and Water Development	0	0
Financial Services and General Govern- ment	0	0
Homeland Security	0	9
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	24,690
Legislative Branch	0	0
Military Construction and Veterans Af- fairs, and Related Agencies	0	60,634
State Foreign Operations, and Related Programs	0	0
Transportation and Housing and Urban Development, and Related Agencies	0	4,400
Current Level Total	45	89,742
Total Enacted Above (+) or Below (–) Statutory Limits	–551,023	–428,789

¹ This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

² Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—EN-
ACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS
[In millions of dollars]

	2016	
	BA	OT
OCO/GWOT Allocation ¹	73,693	32,079
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	0
Commerce, Justice, Science, and Re- lated Agencies	0	0
Defense	58,638	27,354
Energy and Water Development	0	0
Financial Services and General Govern- ment	0	0
Homeland Security	160	128
Interior, Environment, and Related Agencies	0	0
Labor, Health and Human Services, Education and Related Agencies	0	0
Legislative Branch	0	0
Military Construction and Veterans Af- fairs, and Related Agencies	0	0
State Foreign Operations, and Related Programs	14,895	4,597
Transportation and Housing and Urban Development, and Related Agencies	0	0
Current Level Total	73,693	32,079
Total OCO/GWOT Spending vs. Budget Resolution	0	0

BA = Budget Authority; OT = Outlays

¹ This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JUNE 6, 2016
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted ^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	–784,820	–784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114–25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114–26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114–27)	445	175	–766
Steve Gleason Act of 2015 (P.L. 114–40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41) ^b	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114–53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114–55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114–58)	–2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114–60)	0	0	40

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—EN-
ACTED CHANGES IN MANDATORY SPENDING PROGRAMS
(CHIMPS)
[Budget authority, millions of dollars]

	2016
CHIMPS Limit for Fiscal Year 2016	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	600
Commerce, Justice, Science, and Related Agencies	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment, and Related Agencies	28
Labor, Health and Human Services, Education and Re- lated Agencies	6,799
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	17,786
Total CHIMPS Above (+) or Below (–) Budget Resolution	–1,314

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—EN-
ACTED CHANGES IN MANDATORY SPENDING PROGRAM
(CHIMP) TO THE CRIME VICTIMS FUND
[Budget authority, millions of dollars]

	2016
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	9,000
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Re- lated Agencies	0
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	9,000
Total CVF CHIMP Above (+) or Below (–) Budget Resolution	–1,800

TABLE 7.—SENATE APPROPRIATIONS COMMITTEE—EN-
ACTED CHANGES IN MANDATORY SPENDING PROGRAMS
(CHIMPS)
[Budget authority, millions of dollars]

	2017
CHIMPS Limit for Fiscal Year 2017	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	0
Commerce, Justice, Science, and Related Agencies	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior, Environment, and Related Agencies	0
Labor, Health and Human Services, Education and Re- lated Agencies	0

TABLE 7.—SENATE APPROPRIATIONS COMMITTEE—EN-
ACTED CHANGES IN MANDATORY SPENDING PROGRAMS
(CHIMPS)—Continued
[Budget authority, millions of dollars]

	2017
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	0
Current Level Total	0
Total CHIMPS Above (+) or Below (–) Budget Resolution	–19,100

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 8, 2016.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through June 6, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated May 11, 2016, the Congress has not cleared any legislation for the President's signature that affects budget authority, outlays, or revenues.

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPEND-
ING AND REVENUES FOR FISCAL YEAR 2016, AS OF
JUNE 6, 2016
[In billions of dollars]

	Budget Resolution	Current Level ^a	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,069.8	3,208.7	138.9
Outlays	3,091.2	3,194.9	103.6
Revenues	2,676.0	2,520.7	–155.2
Off-Budget			
Social Security Outlays ^b	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.

^a Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

^b Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF JUNE 6, 2016—Continued
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Bipartisan Budget Act of 2015 (P.L. 114–74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114–88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114–92)	–66	–50	0
Fixing America's Surface Transportation Act (P.L. 114–94)	2,880	252	471
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114–105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114–113) ^b	2,008,016	1,563,177	–156,107
Patient Access and Medicare Protection Act (P.L. 114–115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114–125)	20	20	–7
Total, Enacted Legislation	2,015,853	1,569,914	–155,996
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	9,170	6,674	0
Total Current Level ^c	3,208,699	3,194,879	2,520,737
Total Senate Resolution ^d	3,069,829	3,091,246	2,675,967
Current Level Over Senate Resolution	138,870	103,633	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	155,230

Source: Congressional Budget Office.

Notes: n.a. = not applicable, P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114–1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114–4), and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114–10).

^b Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114–41)	0	917	0
Consolidated Appropriations Act, 2016 (P.L. 114–113)	–2	0	0
Total	–2	917	0

^c For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^d Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Initial Senate Resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending. The Revised Senate Resolution total below includes amounts for disaster-related spending:

	Budget Authority	Outlays	Revenues
Initial Senate Resolution	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4311 of S. Con. Res. 11	445	175	–766
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	700	700	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11	0	1	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4313 of S. Con. Res. 11	269	269	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3404 of S. Con. Res. 11	36,072	–997	0
Revised Senate Resolution	3,069,829	3,091,246	2,675,967

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 8, 2016.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through June 6, 2016. This report is sub-

mitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 18, 2016, pursuant to section 102 of the Bipartisan Budget Act of 2015 (Public Law 114–74).

Since our last letter dated May 11, 2016, the Congress has not cleared any legislation for the President's signature that affects budget authority, outlays, or revenues.

Sincerely,

KEITH HALL,
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JUNE 6, 2016

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
ON-BUDGET			
Budget Authority	3,212.4	2,238.0	–974.3
Outlays	3,219.2	2,626.8	–592.4
Revenues	2,682.0	2,682.0	0.0
OFF-BUDGET			
Social Security Outlays ^a	805.4	805.4	0.0
Social Security Revenues	826.1	826.1	0.0

Source: Congressional Budget Office.

^a Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JUNE 6, 2016

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted:			
Revenues	n.a.	n.a.	2,681,976
Permanents and other spending legislation	2,054,886	1,960,659	n.a.
Appropriation legislation	0	504,803	n.a.
Offsetting receipts	–834,250	–834,301	n.a.
Total, Previously Enacted	1,220,636	1,631,161	2,681,976
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	1,017,381	995,610	0
Total Current Level ^a	2,238,017	2,626,771	2,681,976
Total Senate Resolution	3,212,350	3,219,191	2,681,976

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JUNE 6, 2016—Continued
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	974,333	592,420	n.a.
Memorandum:			
Revenues, 2017–2026:			
Senate Current Level	n.a.	n.a.	32,350,752
Senate Resolution	n.a.	n.a.	32,350,752
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF JUNE 6, 2016
[In millions of dollars]

	2016–2021	2016–2026
Beginning Balance ^a	0	0
Enacted Legislation: ^{b c d}		
Breast Cancer Awareness Commemorative Coin Act (P.L. 114–148) ^e	0	0
Protect and Preserve International Cultural Property Act (P.L. 114–151)	*	*
Defend Trade Secrets Act of 2016 (P.L. 114–153)	*	*
Transnational Drug Trafficking Act of 2015 (P.L. 114–154)	*	*
A bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska (P.L. 114–161)	*	*
Disapproving the rule submitted by the Department of Labor relating to the definition of the term “Fiduciary” (H.J. Res. 88)	*	*
Current Balance	0	0
Memorandum:		
Changes to Revenues	0	0
Changes to Outlays	0	0

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law. * = between –\$500,000 and \$500,000.

^a Pursuant to the statement printed in the Congressional Record on April 18, 2016, the Senate Pay-As-You-Go Scorecard was reset to zero.^b The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.^c Excludes off-budget amounts.^d Excludes amounts designated as emergency requirements.^e P.L. 114–148 will cause a decrease in spending of \$7 million in 2018 and an increase in spending of \$7 million in 2020 for a net impact of zero over the six-year and eleven-year periods.

ENFORCEMENT REPORT OF LEGISLATION POST-S. CON. RES. 11, FY 2016 CONGRESSIONAL BUDGET RESOLUTION

Vote	Date	Measure	Violation	Motion to Waive ^a	Result
276	October 7, 2015	Conference Report to Accompany H.R. 1735, the National Defense Authorization Act of 2016 (Sen. McCain, RAZ).	Sec 3101 of S. Con. Res. 11—Long-Term Deficit Increased by More Than \$5 Billion.	Senator McCain (RAZ)	71–26, Waived
293	October 30, 2015	House Amendment to the Senate Amendment to H.R. 1314, the Bipartisan Budget Act of 2015.	Sec. 311(a)(3)—Social Security Levels Violation ^a	Senator Cornyn (R–TX)	64–35, Waived
313	December 3, 2015	S. Amdt. 2883 (Sen. Brown, D–OH) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Brown (D–OH)	45–55, Not Waived
315	December 3, 2015	S. Amdt. 2893 (Sen. Casey, D–PA) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Casey (D–PA)	46–54, Not Waived
317	December 3, 2015	S. Amdt. 2892 (Sen. Shaheen, D–NH) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Shaheen (D–NH)	47–52, Not Waived
322	December 3, 2015	S. Amdt. 2907 (Sen. Bennet, D–CO) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Bennet (D–CO)	47–52, Not Waived
327	December 3, 2015	S. Amdt. 2919 (Sen. Baldwin, D–WI) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Baldwin (D–WI)	45–54, Not Waived
328	December 3, 2015	S. Amdt. 2918 (Sen. Murphy, D–CT) to S. Amdt 2874 to H.R. 3762, the Restoring Americans’ Healthcare Freedom Reconciliation Act of 2015.	Sec 302(f)—Committee Allocation Violation ^a	Senator Murphy (D–CT)	46–53, Not Waived
338	December 18, 2015	H.R. 2029, Consolidated Appropriations Act of 2016	311(a)(2)(B)—Revenues reduced below levels assumed in the budget resolution ^c .	Senator Wyden (D–OR)	73–25, Waived
29	March 2, 2016	S. Amdt. 3395 (Sen. Wyden, D–OR) to S. Amdt 3378 to S. 524, the Comprehensive Addiction and Recovery Act of 2016.	Sec 302(f)—Committee Allocation Violation ^a	Senator Wyden (D–OR)	46–50, Not Waived
30	March 2, 2016	S. Amdt. 3345 (Sen. Shaheen, D–NH) to S. Amdt 3378 to S. 524, the Comprehensive Addiction and Recovery Act of 2016.	311(a)(2)—Topline Spending Aggregate Violation ^d .	Senator Shaheen (D–NH)	48–47, Not Waived

^a Point estimates were unavailable at the time of consideration, however, points of order were able to be raised based on estimated magnitude, timing, or sign (positive or negative) of spending.^b CBO estimated that this amendment would increase direct spending by \$20 billion over ten years.^c CBO and JCT estimated that this bill would decrease revenues by approximately \$520 billion over ten years.^d CBO estimated that this amendment would increase spending by \$600 million over ten years.^e Unless otherwise noted, the motion to waive was offered pursuant to section 904 of the Congressional Budget Act of 1974.

ENFORCEMENT REPORT OF LEGISLATION POST-BIPARTISAN BUDGET ACT OF 2015 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive ^d	Result
53	April 19, 2016	S. Amdt. 3787 (Sen. Paul, R–KY) to S. Amdt. 2953 to S. 2012 (Energy Policy Modernization Act of 2015).	311(a)(2)(B)—Revenues reduced below levels assumed in the budget resolution ^a .	Sen. Paul (R–KY)	33–64, Not Waived
76	May 19, 2016	S. Amdt. 3900 (Sen. Blunt, R–MO) to S. Amdt 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA ^b .	Sen. Collins (R–ME)	70–28, Waived
79	May 19, 2016	S. Amdt. 4039 (Sen. McCain, R–AZ) to S. Amdt 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA ^c .	Sen. McCain (R–AZ)	84–14, Waived

^a At the time of consideration, a point estimate was unavailable for the Paul amendment. However, it was estimated that it would decrease revenues below the levels assumed in the budget resolution.^b This amendment designated \$1.1 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to combat the Zika virus.^c This amendment designated \$7.7 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to extend the Veterans Choice Program.^d Unless otherwise noted, the motion to waive was offered pursuant to section 904 of the Congressional Budget Act of 1974.

BARBARA BUSH FOUNDATION FOR FAMILY LITERACY

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks from earlier today at the Barbara Bush Foundation for Family Literacy's Conversation on the Future of Adult Literacy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BARBARA BUSH FOUNDATION FOR FAMILY LITERACY

Mr. ALEXANDER. I'm glad to be invited to join the conversation on adult literacy and to do as my late friend Alex Haley used to say, "Find the good and praise it," especially about Barbara Bush. Tomorrow, one of the speakers you're going to hear, Jon Meacham, just finished his book, a biography of George H. W. Bush, and had the extraordinary opportunity to go through the personal diaries of Barbara and President Bush going back to the 1960s. I don't know any other biographer who's had that kind of access to that much material. The name of the book is "Destiny and Power." I have a friend in Nashville who says that a better name for the book would be "The Last Gentleman." I think an even better name for the book would be "The Last Gentleman and His Lady," and perhaps the best name for the book would be "The Last Gentleman and His Very Independent Lady" because as we all know Barbara Bush was and is a very independent lady. I know that from experience.

In 1991, it was a sunny day on the South Lawn of the White House, and President Bush was walking out to announce his program to help give scholarships to low-income children so they could choose schools. It was called the "GI Bill for Kids" and President and Mrs. Bush were walking along toward the event, and I was with them and Barbara looked at the president and said, "You've got on the wrong pants." He had one suit coat on and different pants on. She insisted that he turn around and go back into the White House and change his clothes before making his announcement.

On another occasion, the President and Mrs. Bush invited Honey and me to go with them one evening to Ford's Theatre. When we arrived there in the presidential limousine, the Secret Service opened the door and the President got out first and Barbara said, "I'll get the door, George."

On another occasion, I was sitting with them and I forget what it was, he may have been vice president then, but he was called on to speak unexpectedly and he leaned over to Barbara and said, "What should I speak about?" and she said, "About five minutes, George." So she is a very independent lady.

Before we go much further in this discussion about adult literacy, let's recognize that today is our lady's 91st birthday.

As was mentioned, I was education secretary in 1991 when the National Literacy Act was enacted. Let's use Barbara Bush's own words to describe the event—you'll find them in her memoir. She wrote, "I must say, I got more credit than I deserved." I don't agree with that, but, she continued, "I heard that George was going to give the pen to me, but before he could, Senator Simon spoke up and said, 'That pen ought to go to Barbara.' I donated it to the George Bush Presidential Library Center. In the end, however, it's not pens and pictures that count; it's the National Literacy Act that really counts. It

was the first piece of legislation—and, to date, the only one—ever enacted specifically for literacy with the goal of ensuring that every American adult acquires the basic literacy skills necessary to achieve the greatest possible satisfaction professionally and personally. But even more than that, the act seeks to strengthen our nation by giving us more productive workers and informed citizens." That was Barbara Bush's memoir.

Three years before that, in 1988, the year President George H. W. Bush was elected, the Saturday Evening Post did a cover story on Barbara and her passion for literacy. The writer told a story of JT Pace, the 63-year-old son of a former sharecropper who had just learned to read and was invited to read the Preamble to the Constitution on a televised program celebrating the bicentennial of the Constitution as well as the cause of literacy. When Mr. Pace arrived in St. Louis for the event, he discovered there were a few words in the Preamble that he couldn't read. Right when he decided he couldn't participate, Pace was introduced to Barbara Bush. She put him at ease and asked if they might read the Preamble together. The reporter writes: "That evening, they stood together on the podium and slowly began to read the Preamble. JT mumbled some of the difficult words; gradually Barbara Bush's voice subsided as JT gained confidence and finished his reading in a strong voice, his eyes glistening with tears." That was the story from the Saturday Evening Post.

How important it is for the future of our country that adult Americans will be able to read our Constitution and understand that we are united by our principles and what those principles are—and not by our ethnicity. It's an important reminder to think about the fact that if you move to say, Japan, you can't become Japanese, really, but if you move to America and embrace our principles, you are an American.

In 1989, President George H. W. Bush did an extraordinary thing. He convened a meeting of all the governors in Charlottesville. The governors do not get together for a single purpose like that very much in history. They established voluntary, I underline voluntary, national goals. In 1991, by then I had been invited to be education secretary, the president announced America 2000, to move the nation voluntarily toward those goals state by state, community by community. America 2000 had six goals, and one of those was to increase adult literacy. We said then that a "Nation at Risk" must become a "Nation of Students." In 1991, Congress passed the National Literacy Act. That act increased authorization of literacy programs, established a National Institute for Literacy, authorized state literacy resource centers, created national workforce demonstration projects, literacy programs for some incarcerated individuals, and required "Gateway Grants" to public housing authorities.

Today, we continue to focus on literacy. The National Literacy Act was most recently reauthorized, as we say in Congress, in 2014 as a part of the Workforce Innovation and Opportunity Act. Then, in December, as was mentioned, we passed a law to fix No Child Left Behind. That included several references to encourage literacy, by innovative, competitive literacy programs, allowing states and schools to use federal money in all their formula programs on improving the literacy skills of students and defining reading and literacy activities as part of a well-rounded education.

We are all very fortunate that Barbara Bush is still as active in her pursuit of lit-

eracy for all as she used to be, and we honor her lifetime of work by gathering here for this conversation today. Last year, on her 90th birthday, she announced the \$7 million Barbara Bush Adult Literacy XPRIZE. This global competition challenges teams from around the world to develop an app that will help people learn to read by just using their smartphone. There are currently 109 teams from 15 countries working on this. Barbara has always been able to see what's important, what endures—while also looking forward to the future with optimism and wit. It reminds me of the story that Jon Meacham tells in the biography of President H. W. Bush that I had mentioned earlier.

He writes of a "generational controversy" that Barbara Bush endured in May 1990. "Generational controversy" are Meacham's words; he always comes up with good, big words. It was during the visit by Mikhail Gorbachev and his wife to the White House to see the President and Mrs. Bush. According to Meacham, "Mrs. Bush was invited by Wellesley College to speak at graduation and receive an honorary degree; the First Lady was being criticized by Wellesley's young women, as President Bush put into his diary 'because she hasn't made it on her own—she's where she is because she's her husband's wife. What's wrong with the fact that she's a good mother, a good wife, great volunteer, great leader for literacy and other fine causes? Nothing. But to listen to these elitist kids there is.' Mrs. Bush invited [Mrs.] Gorbachev along with her to Wellesley. There, the American First Lady confronted the issues of work versus family and the role of women head-on, delivering a well-received commencement address." This is what Barbara Bush said: "Maybe we should adjust faster, maybe we should adjust slower," she told the graduates. "But whatever the era, whatever the times, one thing will never change: fathers and mothers. If you have children, they must come first. You must read to your children, and you must hug your children, and you must love your children. Your success as a family, our success as a society depends not on what happens in the White House, but on what happens inside your house."

Meacham goes on, "She received her most sustained applause when she remarked that perhaps there was someone in the audience that day who would, like her, one day preside over the White House as the president's spouse. 'And I wish him well,' she said, to cheers from the crowd." So Barbara Bush, we wish you well on your 91st birthday and we're grateful for your lifetime of commitment to our children, our country, and to literacy.

RECOGNIZING MICHAEL FELDMAN'S WHAD'YA KNOW

Ms. BALDWIN. Mr. President, today, I wish to commemorate Michael Feldman's Whad'Ya Know, the live, 2-hour weekly Wisconsin public radio program as it nears the end of production after a tremendously entertaining 31-year run.

Michael, a Milwaukee native, University of Wisconsin graduate, and self-described "kosher beefcake," created one of the most successful programs in WPR history. Broadcasting live from their radio home at Monona Terrace in my hometown of Madison, WI, Michael and his team have found a home on

Saturday morning in the hearts of millions of people. They have brought their listeners a uniquely Wisconsin blend of humor, taking us on a trip into the Whad'Ya Know world of comedy, satire, quizzes and interviews. From covering "all the news that isn't" to delighting audiences across the country on his road show tours, Michael has established this show as a reason to get out of bed early on Saturday and a good excuse to put off shoveling snow.

I am pleased to honor the work of Michael Feldman and all who have contributed to the success of Whad'Ya Know. They should all be proud of the joy they have brought to so many. When asked about the show, Michael has commented, "It may be called Michael Feldman's Whad'Ya Know?, but it really has been Everybody Who Listens And Comes To The Shows's Whad'Ya Know?" With that being said, after Whad'Ya Know airs its final broadcast on June 25, 2016, Wisconsinites across the State will be missing a longstanding part of our community. We may laugh a little less, but we will never forget all the smiles he put on people's faces.

It has been my delight to be a featured guest on Whad'Ya Know several times, and I will appear for the last time on June 11, 2016. I wish Michael and the entire Whad'Ya Know staff all the best for their remaining shows and for their future plans.

With the end of this show, there is only one question left to ask and one answer to give:

Well, whad'ya know?
Not much, you?

ADDITIONAL STATEMENTS

TRIBUTE TO BOB BURG

• Mr. GRAHAM. Mr. President, today I want to take a few minutes and recognize an outstanding achievement by one of my constituents, Mr. Bob Burg. His story offers us a good lesson about perseverance and the importance of lifelong learning. His story should inspire others.

After dropping out of school in the 11th grade, Mr. Burg went on to serve in the Air Force for 4 years. Following his service in the Air Force, he worked for 35 years in his family business. Eventually, Mr. Burg retired from that position saying, "I had nothing to do. I have plenty of hobbies, but you can only fill up your life so much with hobbies."

Instead, he felt that retirement left a void in his life, so Mr. Burg decided to fill the void by enrolling at the University of South Carolina in Columbia.

Mr. Burg, then age 74, said he wasn't the best student in high school many years ago. In fact, he admitted his academic shortcomings in his younger days.

Mr. Burg also shared some humorous observations about what it was like to go back to college and be surrounded by fellow students several decades younger: "I walked into school and one of the young girls said, 'Mr. Burg, are you over 60?' I laughed and said 'honey, you were in diapers when I turned 60.'"

Well, I am proud to report that Mr. Burg, now age 78, just graduated from the University of South Carolina with a degree in history. His story serves as an example to us all that education, whether in life or the classroom, can be a lifelong endeavor.

In his nearly eight decades of life he has earned many titles—veteran who served his Nation, valued employee in the family business, retiree, and now his newest title—college graduate.

Job well done, Mr. Burg.●

TRIBUTE TO ANNE GRIFFITH AND RECOGNIZING MAINE'S LAW ENFORCEMENT COMMUNITY

• Mr. KING. Mr. President, this past May, members of Maine's law enforcement community gathered with the members of the public at Mount Hope Cemetery in Augusta to honor the more than 80 officers who have given their lives in the line of duty.

In Maine, where we have more than 2,000 sworn police officers, this ceremony is both a longstanding and cherished tradition, and this year represented the 25th consecutive time that the Maine Chiefs of Police Association and the Maine Sheriffs Association have come together in commemoration of their fallen brethren.

But for one person, this year's ceremony also marked a different anniversary.

Anne Griffith, whom many of us know more affectionately as Woolie, was just 3 years old when on April 15, 1996, her father, Maine State trooper James "Drew" Griffith, was killed in a car accident while pursuing a speeding vehicle. I first met Woolie in the days that followed—at her father's funeral, as she endured an experience that no child should have to and as I, then Governor, attempted to convey the deep gratitude of a State that mourned alongside her.

She was strong then, just as she is strong now. Woolie is now 25 years old, and this year marks two decades since her father's death—and in that time, she has grown into a wonderful young woman—raised by her mother, Maine Warden Chaplain Kate Braestrup.

In a remarkable testament to her fortitude and strength of character, Woolie several years ago made the conscious decision to follow in her father's footsteps by entering the ranks of the Maine State police. Today, she serves as an investigative analyst for the Maine State Police Computer Crimes Unit, donning the same blue uniform once worn so proudly by her father;

surrounded by many of the same dedicated public servants who stood beside him years ago.

Woolie spoke at the Maine Law Enforcement Officers Memorial Service in May. Her words were a powerful tribute to the law enforcement community, not only because they speak so well to their constant and ever-present work and vigilance to keep us safe, but also because they so aptly capture the unfailing love and kindness that too often is overlooked today.

I deeply hope that future generations of Americans may look at her father's life, his legacy, and her tribute to him and to the law enforcement community and come to more deeply understand and appreciate the sacrifices of those who protect us every day.

Mr. President, I ask that Anne Griffith's remarks at the Maine Law Enforcement Officers Memorial Service on May 19, 2016, be printed in the RECORD.

The material follows:

[May 19, 2016]

GOOD HOPE CEMETERY—AUGUSTA, MAINE

(By Anne Griffith)

Good morning,

My name is Anne Griffith. I am the youngest of four children of Maine Warden Chaplain Kate Braestrup and fallen Maine State Trooper Drew Griffith.

It is a privilege to stand with you, and honor my father today. On behalf of the families of the fallen, I thank you all for being here.

As the youngest of Drew's children, I was three years old when my dad died, too young to form clear memories.

I did not have much of a chance to experience him as a father, and my memories of him are vague and uncertain.

What I had, growing up, were stories—stories of his intelligence, his kindness, and his humor—told to me by those who had known him well: my mother, and my siblings of course, my family . . . and my blue family, too. Law enforcement officers who worked with Dad supported us, shared our sadness and kept us close over the years, caring for him by caring for us. They, too, gave me my father in stories.

And so, two decades later I am still a part of that blue family.

In 2014 I worked as a Reserve Patrol Officer. During this time, I thought often of my dad. I got a glimpse of him—his sorrows and satisfactions—through performing the tasks that he performed; I placed handcuffs on offenders while they fought me.

I performed CPR on two victims . . . and could not save them.

I helped in preventing the suicide of a mentally ill woman.

For the past year, I have worked as an Investigative Analyst for the Computer Crimes Unit. During this time I have assisted in a variety of cases from child pornography possession to child molestation offenses.

Because of the nature of my work for the Unit, I can definitively point to particular cases and know for certain that I made a difference in the outcome of the investigation. There is a satisfaction in this that my father felt . . . and I have felt it, too.

I know there is no greater sense of honor and purpose than participating in the protection of innocent human lives. This is what my father died doing.

Besides working with an incredible team, I am fortunate to work closely with those who knew and loved my father—Lt. Glenn Lang who helped to carry his casket, Sgt. Laurie Northrup who once told me her last conversation with my dad was of how much he loved his wife and children; Computer Analyst Andrea Donovan, who worked as a State Police Dispatcher and heard my Dad sign on 10-8, and sign off 10-7.

I am able to know my father through them, just as they are able to know him through me.

April 15, 2016 marked the 20th Anniversary of my father's line of duty death.

To mark the day, I went for a run.

A sergeant of the Maine State Police K9 Unit, and a recently graduated State Trooper ran with me, in the area where I grew up—and Dad's patrol area.

We ended up at Marshall Point Lighthouse in Port Clyde, where a bench dedicated in my father's name is placed. The sky was clear blue and the air was crisp with salt from the nearby ocean.

Neither the sergeant nor the brand-new trooper had ever shaken my father's hand, or laughed at his jokes. Still, they are his family, they are his brothers. They ran with him by running with me.

The law enforcement family is large; it crosses state lines and international borders. Though my siblings and I lost our father, we did not lose our connection to his legacy, nor the family he became a part of when he joined the Maine State Police in 1986. I know who my father was because I know you—his brothers and sisters in uniform, intelligent, good-humored and kind—who continue to serve and protect the people of Maine and of the United States. In honoring my father today, I honor you.

Thank you.●

100TH ANNIVERSARY OF SINCLAIR OIL

● Mr. RISCH. Mr. President, today, on behalf of myself and Senator MIKE CRAPO, I wish to recognize and celebrate the 100th anniversary of Sinclair Oil Corporation. A family-owned company, Sinclair Oil is one of the oldest continuously operated brands in the oil business.

On May 1, 1916, Harry F. Sinclair founded the Sinclair Oil and Refining Corporation. Three years later, the company had grown to four times its original size. In the 1920s, Sinclair introduced America to the “first modern service station,” providing people and families with a place to get an oil change, fix minor vehicle repairs, and public restrooms that motorists could use. By creating a modern service station, Sinclair paved the way for the American road trip.

The Great Depression was a time of growth for Sinclair Oil as they bought companies that were going under. If not for Sinclair, these companies would have completely disappeared, taking away countless jobs and revenue for local communities. In 1930, Dino the Dinosaur became the company's mascot and logo. To this day, Dino remains a visible fixture in Idaho and all across the Rocky Mountain region. During World War II, Sinclair supported the

Allies with high-octane fuel, tankers, and more.

After Harry F. Sinclair retired as president in January 1949, the company had several different owners including Atlantic Richfield Company and PASCO, Inc., until 1976, when Robert Earl Holding acquired Sinclair Oil. Known for his steadiness and warmth, Earl Holding made Sinclair feel like a mom-and-pop business. Further testament to Earl Holding and his legacy, Dale Ensign, former executive president of Sinclair, once said “the employees learned over a period of time that he would do what he said he would do.”

Earl Holding was actively involved in the management and leadership of Sinclair Oil until 2009. Currently, the Holding family continues to own and run the business under the leadership of Mr. Ross Matthews, CEO and chairman of the board of Sinclair Oil Corporation.

Today Sinclair Oil Corporation includes more than 1,300 Sinclair-branded stations in 24 States, mostly west of the Mississippi River, and is the largest refinery operation in the Rocky Mountain region. In addition to being a fully integrated oil company, Sinclair also has hospitality and ranching ventures, including the Grand America Hotel in Salt Lake City, the Little America hotels and travel centers, the Westgate Hotel in San Diego, and Sun Valley Resort in my home State, Idaho.

So today we recognize Sinclair Oil Corporation for achieving this historic 100-year milestone and applaud their entire community for the contributions they have made to Idaho and across our country throughout the years.●

TRIBUTE TO W. EDGAR WELDEN

● Mr. SESSIONS. Mr. President, today I wish to recognize Edgar Welden of Birmingham, AL, for being named the Alabama Sports Hall of Fame's 2016 “Distinguished American Sportsman.” Edgar is a distinguished businessman and friend whose life has been marked by service to the people of his community, State, and Nation. His untiring work to benefit young people through athletics makes him most deserving of this honor.

Edgar has an extraordinary record of accomplishment. A Wetumpka native, he grew up with a great passion for sports, playing football, baseball, and basketball in high school before earning a degree from the University of Alabama. His passion for athletics has only grown since then. In fact, he spent 1997 traveling to seven continents and all 50 states to attend more than 250 sporting events, and he chronicled his journeys in his book “Time Out! A Sports Fan's Dream Year.”

One of his most valuable contributions to Alabama was his service as di-

rector of the important Alabama Development Office and the Alabama Department of Economic and Community Affairs and as special assistant to the Governor for Economic Affairs. He has been widely recognized as one of the key players in Governor Guy Hunt's successful first term. This work for the State, performed on a volunteer basis, earned him recognition in 1987 by the Alabama Broadcasters Association as Alabama's Citizen of the Year. In 1988, he was appointed by Governor Hunt as voluntary chairman of the Alabama Reunion, a 2-year statewide celebration and promotion of the State's heritage and economic development opportunities. As the architect of this nationally recognized program, he was awarded the 1992 National Governor's Association Award for Distinguished Service to State Government.

Despite his impressive accomplishments in government, business, and politics, it is through athletics that he has had perhaps his greatest influence. Edgar has a special place in his heart for young people, and with his keen insight, he has found ways to utilize athletics to promote character and education and improve the lives of young people across our State.

His accomplishments in this regard are too many to list comprehensively. His work with high school athletics includes the Crippled Children's Foundation, where he currently serves as chairman, and the Monday Morning Quarterback Club, where he is a board member. In 2002, he founded the non-profit Birmingham Athletic Partnership to support the city's middle and high school athletic programs. This program has provided Birmingham city schools with over \$3.5 million in financial support. Edgar believes that children in the inner city should have the same chances for athletic success as better funded programs and his goal is to ensure their athletes, bands, and cheerleaders are able to compete on a level playing field. In addition, since 2003, he has served as the chairman and president of the hugely successful Bryant-Jordan Scholarship Program, which has awarded over \$9 million college scholarships to more than 2,700 student-athletes in Alabama who excelled athletically and scholastically while overcoming adversity. In 2006, he was appointed by President George W. Bush to serve as a member of the President's Council on Physical Fitness & Sports.

Edgar also serves as chairman of the Alabama Sports Hall of Fame Museum, a true State treasure which maintains for generations to come the stories of legendary Alabama athletes whose stories never fail to inspire us today. Many say it is the best sports hall of fame in America. And in a great victory for the city of Birmingham, he co-chaired the committee that landed the 2021 World Games. This was a huge effort to land this event, and Edgar used

all his energy and people skills to do so. He was inducted into the Alabama High School Sports Hall of Fame in 2007 and was recently elected to the board of directors of the National Football Foundation. Indeed, while he would never say so himself, perhaps no other sportsman in the country has done more for their State than Edgar has for Alabama.

Edgar also serves on the president's cabinet at the University of Alabama and, in 2010, was honored with the Distinguished Alumnus Award. He has accomplished all of this while building a successful business career in real estate development and property management. An essential part of his success has been the support and partnership of his wonderful wife, Louise. She is a star in her own right and has always enjoyed seeing young people grow and progress. They are a great pair. Edgar and Louise get great pleasure out of random acts of kindness. On a plane flight, Edgar met the wife of a soldier that was returning from combat—so typical of his generosity, Edgar arranged for them to have the honeymoon suite in his hotel for free. Edgar and Louise are people of generosity, patriotism, and positive spirit. To know Edgar and Louise is to love them.

For all of his accomplishments, I commend and congratulate my friend today. Being named to receive the Distinguished American Sportsman Award is a fitting honor indeed. It is appropriate that our Nation pauses periodically to recognize, celebrate, and give thanks to citizens like Edgar and Louise whose lives make our country so wonderful.●

MESSAGE FROM THE HOUSE

At 12:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 87. An act to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

H.R. 1815. An act to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada.

H.R. 2009. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

H.R. 2733. An act to require the Secretary of the Interior to take land into trust for certain Indian tribes, and for other purposes.

H.R. 3070. An act to authorize the Secretary of Commerce to permit striped bass fishing in the Exclusive Economic Zone transit zone between Montauk, New York, and

Point Judith, Rhode Island, and for other purposes.

H.R. 4904. An act to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

H.R. 4906. An act to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes.

H.R. 5273. An act to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes.

H.R. 5338. An act to reduce passenger wait times at airports, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 129. Concurrent resolution expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

The message also announced that pursuant to section 3(a) of the Evidence-Based Policy Commission Act of 2016 (Public Law 114-140), and the order of the House of January 6, 2015, the Speaker appoints the following individuals on the part of the House of Representatives to the Commission on Evidence-Based Policymaking: Mr. Ron Haskins of Rockville, Maryland, Co-Chairman, Mr. Bruce Meyer of Chicago, Illinois, and Mr. Robert Hahn of Hillsboro Beach, Florida.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 87. An act to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1815. An act to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada; to the Committee on Energy and Natural Resources.

H.R. 2009. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona; to the Committee on Energy and Natural Resources.

H.R. 3070. An act to authorize the Secretary of Commerce to permit striped bass fishing in the Exclusive Economic Zone transit zone between Montauk, New York, and

Point Judith, Rhode Island, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4904. An act to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4906. An act to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5273. An act to amend title XVIII of the Social Security Act to provide for regulatory relief under the Medicare program for certain providers of services and suppliers and increased transparency in hospital coding and enrollment data, and for other purposes; to the Committee on Finance.

H.R. 5338. An act to reduce passenger wait times at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 129. Concurrent resolution expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to continue to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs; to the Committee on Foreign Relations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5637. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General James F. Jackson, United States Air Force Reserve, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5638. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5639. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of three (3) officers authorized to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5640. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of select reserve units, received in the Office of the President of the Senate on June 6, 2016; to the Committee on Armed Services.

EC-5641. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of nine

(9) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5642. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Form 10-K Summary" (RIN3235-AL89) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5643. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to Definitions in the Export Administration Regulations" (RIN0694-AG32) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5644. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 102nd Annual Report of the Federal Reserve Board covering operations for calendar year 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-5645. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nevada: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9947-28-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2016; to the Committee on Environment and Public Works.

EC-5646. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona: Infrastructure Requirements to Address Interstate Transport for the 2008 Ozone NAAQS; Correction" (FRL No. 9947-27-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on June 1, 2016; to the Committee on Environment and Public Works.

EC-5647. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2015"; to the Committee on Environment and Public Works.

EC-5648. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Programs; Medicare Shared Savings Program; Accountable Care Organizations—Revised Benchmark Rebased Methodology, Facilitating Transition to Performance-Based Risk, and Administrative Finality of Financial Calculations" ((RIN0938-AS67) (CMS-1644-F)) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Finance.

EC-5649. A communication from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "State Health Insurance Assistance Program (SHIP)" (RIN0985-AA11) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Finance.

EC-5650. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Revision of the Nutrition and Supplemental Facts Labels" ((RIN0910-AF22) (Docket No. FDA-2012-N-1210)) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5651. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Mitigation Strategies to Protect Food Against Intentional Adulteration" ((RIN0910-AG63) (Docket No. FDA-2013-N-1425)) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5652. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed At One Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments" ((RIN0910-AF23) (Docket No. FDA-2004-N-0258)) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5653. A communication from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Administration for Community Living—Regulatory Consolidation" (45 CFR Parts 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1385, 1386, 1387, and 1388) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5654. A communication from the Chairman, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5655. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5656. A communication from the Board Members of the Railroad Retirement Board, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5657. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Corporation for National and Community Service's Response and Report on Final Action for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5658. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5659. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2015 through March 31, 2016, and the Millennium Challenge Corporation's response; to the Committee on Homeland Security and Governmental Affairs.

EC-5660. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department of Defense Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5661. A communication from the Chairman, U.S. Election Assistance Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5662. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Fiscal Year 2015 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Homeland Security and Governmental Affairs.

EC-5663. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "The Impact of 'Ban the Box' in the District of Columbia"; to the Committee on Homeland Security and Governmental Affairs.

EC-5664. A communication from the Executive Director of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5665. A communication from the Acting Deputy Chief Financial Officer and Director for Financial Management, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Commerce Debt Collection" (RIN0605-AA40) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5666. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE505) received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5667. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluensulfone; Pesticide Tolerances" (FRL No. 9946-07) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2016; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-5668. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluazinam; Pesticide Tolerances; Technical Correction" (FRL No. 9945-05) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5669. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aldicarb, Alternaria destruens, Ampelomyces quisqualis, Azinphos-methyl, Etridiazole, Fenarimol, et al.; Tolerance Exemption Actions" (FRL No. 9943-73) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5670. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mexican Hass Avocado Import Program" ((RIN0579-AE05) (Docket No. APHIS-2014-0088)) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5671. A communication from the Judicial Proceedings Panel, transmitting, pursuant to law, a report entitled "Statistical Data Regarding Military Adjudication of Sexual Assault Offenses"; to the Committee on Armed Services.

EC-5672. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Mark A. Welsh III, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-5673. A communication from the Assistant Secretary of the Navy (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled, "Ground/Air Task Oriented Radar"; to the Committee on Armed Services.

EC-5674. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-5675. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Risk Based Capital" (RIN3133-AD77) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5676. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Member Business Loans; Commercial Lending" (RIN3133-AE37) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5677. A communication from the Assistant General Counsel for Regulations, Office

of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Removal of the Equal Employment Opportunity; Policy, Procedures and Programs Regulation" (RIN2501-AD78) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5678. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Assessments" (RIN3061-AE37) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5679. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-5680. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-5681. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Portable Air Conditioners" ((RIN1904-AD22) (Docket No. EERE-2014-BT-TP-0014)) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Energy and Natural Resources.

EC-5682. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Attainment and Approval of Attainment Plan for Klamath Falls, Oregon Fine Particulate Matter Nonattainment Area" (FRL No. 9947-23-Region 10) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2016; to the Committee on Environment and Public Works.

EC-5683. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to Wyoming Air Quality Standards and Regulations; Chapter 6, Permitting Requirements, Section 13, Nonattainment New Source Review Permit Requirements, and Section 14, Incorporation By Reference" (FRL No. 9947-13-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2016; to the Committee on Environment and Public Works.

EC-5684. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; North Carolina; Prong 4-2008 Ozone, 2010 NO₂, SO₂, and 2012 PM_{2.5}" (FRL No. 9947-22-Region 4) received during adjournment of the Senate in the Of-

fice of the President of the Senate on May 27, 2016; to the Committee on Environment and Public Works.

EC-5685. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Two Body System Listings" (RIN0960-AI00) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Finance.

EC-5686. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Renewable Electricity Production and Refined Coal Production, and Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 2016" (Notice 2016-34) received in the Office of the President of the Senate on May 26, 2016; to the Committee on Finance.

EC-5687. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-015); to the Committee on Foreign Relations.

EC-5688. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2016-0071 - 2016-0076); to the Committee on Foreign Relations.

EC-5689. A communication from the General Counsel, National Science Foundation, transmitting, pursuant to law, the report relative to a vacancy for the position of Deputy Director, National Science Foundation, received in the Office of the President of the Senate on May 26, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5690. A communication from the Deputy Inspector General, Office of Inspector General, Department of the Interior, transmitting, pursuant to law, the Department of the Interior's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5691. A communication from the Inspector General, Department of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5692. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5693. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5694. A communication from the Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Federal Firearms License Proceedings—

Hearings" (RIN1140-AA38) received in the Office of the President of the Senate on May 26, 2016; to the Committee on the Judiciary.

EC-5695. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "USPTO Law School Clinic Certification Program" (RIN0651-AC99) received during adjournment of the Senate in the Office of the President of the Senate on May 31, 2016; to the Committee on the Judiciary.

EC-5696. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Mailing Address of the Board of Veterans' Appeals" (RIN2900-AP71) received in the Office of the President of the Senate on May 26, 2016; to the Committee on Veterans' Affairs.

EC-5697. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XE579) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5698. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XE556) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5699. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE557) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5700. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE611) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5701. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XE563) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5702. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XE507) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5703. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Scottsbluff, Nebraska and Sidney, Nebraska" ((MB Docket No. 16-29) (DA 16-543)) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5704. A communication from the Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules with Regard to Commercial Operations in the 2550-2650 MHz Band" ((FCC 16-55) (GN Docket No. 12-354)) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5705. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XE623) received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2016; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1935. A bill to require the Secretary of Commerce to undertake certain activities to support waterfront community revitalization and resiliency (Rept. No. 114-272).

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Years 2016 and 2017" (Rept. No. 114-273).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TESTER:

S. 3030. A bill to amend title XVIII of the Social Security Act to count resident time spent in a critical access hospital as resident time spent in a nonprovider setting for purposes of making Medicare direct and indirect graduate medical education payments; to the Committee on Finance.

By Mr. MURPHY:

S. 3031. A bill to require certain standards and enforcement provisions to prevent child abuse and neglect in residential programs,

and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself, Mr. BLUMENTHAL, Mr. MORAN, Mr. BOOZMAN, Mr. HELLER, Mr. CASSIDY, Mr. ROUNDS, Mr. TILLIS, Mr. SULLIVAN, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, Ms. HIRONO, and Mr. MANCHIN):

S. 3032. A bill to provide for an increase, effective December 1, 2016, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY:

S. 3033. A bill to provide for an Atomic Veterans Service Medal; to the Committee on Armed Services.

By Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD):

S. 3034. A bill to prohibit the National Telecommunications and Information Administration from allowing the Internet Assigned Numbers Authority functions contract to lapse unless specifically authorized to do so by an Act of Congress; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Mr. TESTER):

S. 3035. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to increase the use of medical scribes to maximize the efficiency of physicians at medical facilities of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. REED, Ms. WARREN, Mr. SCHATZ, Mr. MERKLEY, Mr. BROWN, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 3036. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. COTTON (for himself and Mr. LEE):

S. 3037. A bill to help individuals receiving disability insurance benefits under title II of the Social Security Act obtain rehabilitative services and return to the workforce, and for other purposes; to the Committee on Finance.

By Mr. NELSON (for himself and Mr. WICKER):

S. 3038. A bill to reauthorize the Coastal Zone Management Act of 1972, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 83

At the request of Mr. HELLER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 83, a bill to amend the Fair Labor Standards Act of 1938 to improve nonretaliation provisions relating to equal pay requirements.

S. 356

At the request of Mr. LEE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 356, a bill to improve the provisions relating to the privacy of electronic communications.

S. 366

At the request of Mr. TESTER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 366, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 386

At the request of Mr. THUNE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1378

At the request of Mr. PAUL, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1378, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1858

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1858, a bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes.

S. 2593

At the request of Mr. CASEY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2593, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 2599

At the request of Mrs. MCCASKILL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2599, a bill to prohibit unfair and deceptive advertising of hotel room rates, and for other purposes.

S. 2652

At the request of Mrs. GILLIBRAND, the name of the Senator from Con-

necticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2652, a bill to extend the authorization of the Highlands Conservation Act.

S. 2707

At the request of Mr. SCOTT, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2773

At the request of Ms. AYOTTE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2773, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 2823

At the request of Mrs. CAPITO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2823, a bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes.

S. 2890

At the request of Ms. AYOTTE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2890, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 2912

At the request of Mr. JOHNSON, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2979

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2979, a bill to amend the Federal Election Campaign Act of 1971 to require candidates of major parties for the office of President to disclose recent tax return information.

S. 3007

At the request of Mr. COTTON, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3007, a bill to prohibit funds from being obligated or expended to aid, support, permit, or facilitate the certification or approval of any new sensor for use by the Russian Federation on observation flights under the Open Skies Treaty unless the President submits a certification related to such sensor to Congress and for other purposes.

S. 3009

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 3009, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

S. 3018

At the request of Mr. KING, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3018, a bill to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector.

S. CON. RES. 36

At the request of Mr. NELSON, the names of the Senator from Michigan (Mr. PETERS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 340

At the request of Mr. CASEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Res. 340, a resolution expressing the sense of Congress that the so-called Islamic State in Iraq and al-Sham (ISIS or Da'esh) is committing genocide, crimes against humanity, and war crimes, and calling upon the President to work with foreign governments and the United Nations to provide physical protection for ISIS' targets, to support the creation of an international criminal tribunal with jurisdiction to punish these crimes, and to use every reasonable means, including sanctions, to destroy ISIS and disrupt its support networks.

S. RES. 479

At the request of Mr. MARKEY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 479, a resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on

presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016.

S. RES. 482

At the request of Mr. RUBIO, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

S. RES. 483

At the request of Mr. ALEXANDER, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. Res. 483, a resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

AMENDMENT NO. 4067

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Virginia (Mr. Kaine), the Senator from Indiana (Mr. DONNELLY), the Senator from North Carolina (Mr. TILLIS), the Senator from Maine (Mr. KING), the Senator from Massachusetts (Mr. MARKEY), the Senator from Colorado (Mr. BENNET) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 4067 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4092

At the request of Mr. SCHATZ, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 4092 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4118

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of amendment No. 4118 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4120

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a co-

sponsor of amendment No. 4120 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4129

At the request of Mr. GARDNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 4129 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4136

At the request of Mr. HOEVEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 4136 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4145

At the request of Mr. CASSIDY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 4145 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4158

At the request of Mr. BOOZMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of amendment No. 4158 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4215

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4222

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4241

At the request of Mr. MARKEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 4241 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4253

At the request of Ms. AYOTTE, her name was added as a cosponsor of amendment No. 4253 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4267

At the request of Mr. COCHRAN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 4267 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4277

At the request of Mr. LEE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of amendment No. 4277 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4310

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Ms. MKULSKI) was added as a cosponsor of amendment No. 4310 intended to be proposed to S. 2943, an

original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4325

At the request of Mr. KIRK, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of amendment No. 4325 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4333

At the request of Mr. UDALL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 4333 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4339

At the request of Mr. CARPER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 4339 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4343

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 4343 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4370

At the request of Mr. KIRK, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Utah (Mr. HATCH) were added as cosponsors of amendment No. 4370 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4401

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 4401 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4410

At the request of Mr. CARPER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Missouri (Mrs. McCASKILL), the Senator from Illinois (Mr. DURBIN), the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Ms. WARREN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 4410 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4414

At the request of Mr. KAINE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 4414 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4424

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 4424 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4433

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 4433 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

such fiscal year, and for other purposes.

AMENDMENT NO. 4437

At the request of Mrs. McCASKILL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 4437 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4438

At the request of Mr. SCHATZ, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of amendment No. 4438 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4446

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 4446 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4448

At the request of Mr. LEE, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Delaware (Mr. COONS) were added as cosponsors of amendment No. 4448 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4452

At the request of Mr. HEINRICH, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of amendment No. 4452 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4456

At the request of Mr. MERKLEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4456 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4457

At the request of Mr. MERKLEY, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 4457 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4483

At the request of Mr. COTTON, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 4483 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4502

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 4502 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4504

At the request of Mr. HOEVEN, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 4504 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4509

At the request of Mr. NELSON, the names of the Senator from Alabama

(Mr. SESSIONS) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 4509 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4514

At the request of Mr. VITTER, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 4514 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4517

At the request of Mr. BURR, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 4517 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4542

At the request of Ms. HIRONO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4542 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4554. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4555. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4556. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4557. Mr. PETERS submitted an amendment intended to be proposed by him to the

bill S. 2943, supra; which was ordered to lie on the table.

SA 4558. Mr. BENNET (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4559. Mr. BURR (for himself, Mr. TILLIS, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4560. Mr. COATS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4561. Mr. BARRASSO (for himself, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. TILLIS, Mr. VITTER, Mr. WICKER, Mr. LEE, Mr. CORNYN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4562. Mr. FLAKE (for himself, Mr. LEAHY, Mr. DURBIN, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4563. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4564. Mr. CARPER (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4565. Mr. FRANKEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4566. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4567. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4568. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4569. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4570. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4571. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4572. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4573. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4574. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, Mr. COONS, Ms. HIRONO, Mr. FRANKEN, Mr. WYDEN, Mr. LEAHY, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. SANDERS, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4575. Mr. MCCAIN submitted an amendment intended to be proposed by him to the

bill S. 2943, supra; which was ordered to lie on the table.

SA 4576. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4577. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4578. Ms. HIRONO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4579. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4580. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4581. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4582. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4583. Mr. REID (for Mr. WARNER (for himself and Mr. BLUNT)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4584. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4585. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4586. Mr. HELLER (for himself, Mr. REID, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4587. Ms. COLLINS (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4588. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4589. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4590. Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4591. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4592. Ms. HIRONO (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4593. Mr. LEE (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4594. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4595. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4229 proposed by Mr. MCCAIN to the bill S.

2943, supra; which was ordered to lie on the table.

SA 4596. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4597. Mrs. BOXER (for herself, Mrs. SHAHEEN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4598. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4599. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4600. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4601. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4602. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4603. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4554. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X add the following:

SEC. 1097. ADVANCING RESEARCH FOR NEUROLOGICAL DISEASES.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by inserting after section 399S, the following:

“SEC. 399S-1. ADVANCING RESEARCH FOR NEUROLOGICAL DISEASES.

“(a) **IN GENERAL.**—The Secretary may improve the collection of epidemiological and surveillance data on neurological diseases (including, for purposes of this section, both neurological diseases and neurological conditions), which may include the incorporation of such data into a registry, to facilitate research and improve public health, including, as appropriate, by leveraging existing surveillance activities and registries established under this Act.

“(b) **CONTENT.**—In carrying out subsection (a), the Secretary—

“(1) shall provide for the collection and storage of information to better describe the incidence and prevalence of neurological diseases in the United States identified under paragraph (2);

“(2) shall initially identify and focus on up to five neurological diseases that available data indicate are the most prevalent or present a significant public health burden;

“(3) shall identify, build upon, leverage, and coordinate among existing data and surveillance systems, surveys, registries, and other existing Federal public health and infrastructure wherever possible;

“(4) shall ensure that any neurological disease surveillance activities conducted pursuant to this section, including any such registry, are designed in a manner that facilitates research on neurological diseases;

“(5) shall, to the extent practicable, provide for the collection and storage of information relevant to the identified neurological diseases, such as—

“(A) demographics, such as age, race, ethnicity, sex, geographic location, and family history, and other information, as appropriate;

“(B) risk factors that may be associated with certain neurological diseases; and

“(C) diagnosis and progression markers;

“(6) may provide for the collection and storage of additional information relevant to analysis on neurological diseases, such as information regarding—

“(A) the natural history of the diseases;

“(B) the prevention, detection, management, and treatments or treatment approaches for the diseases; and

“(C) the development of outcomes measures; and

“(7) may address issues identified during the consultation process described in subsection (c).

“(c) **CONSULTATION.**—In carrying out this section, the Secretary shall consult with experts, who may include—

“(1) epidemiologists with experience in disease surveillance or registries;

“(2) representatives of national and voluntary health associations that focus on neurological diseases and have demonstrated experience in research, care, or patient services;

“(3) health information technology experts or other information management specialists;

“(4) clinicians with expertise in neurological diseases; and

“(5) research scientists with experience conducting translational research or utilizing surveillance systems or registries for scientific research purposes.

“(d) **GRANTS.**—The Secretary may award grants to, or enter into contracts or cooperative agreements with, public or private nonprofit entities to carry out activities under this section.

“(e) **COORDINATION WITH OTHER FEDERAL AGENCIES.**—Consistent with applicable privacy laws, the Secretary shall make information and analysis pertaining to information collected under this section available, as appropriate, to relevant Federal departments and agencies.

“(f) **ACCESS FOR BIOMEDICAL RESEARCH.**—The Secretary shall make data collected under this section available for purposes of biomedical research as determined appropriate by the Secretary, to the extent permitted by applicable laws, and in a manner that protects personal privacy.

“(g) **REPORTS.**—

“(1) **INTERIM REPORT.**—Not later than 1 year after the date on which any registry is established and operational under this section, the Secretary shall submit an interim report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding aggregate information collected pursuant to this section and epidemiological analyses, as appropriate. Such report shall be posted on

the Internet website of the Department of Health and Human Services and shall be updated biennially thereafter.

“(2) IMPLEMENTATION REPORT.—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding the implementation of this section. Such report shall include information on—

“(A) the development and maintenance of any means of collecting neurological disease surveillance information gathered pursuant to this section;

“(B) the type of information collected and stored;

“(C) the use and availability of such information, including guidelines for such use; and

“(D) the use and coordination of databases that collect or maintain information on neurological diseases.”.

SA 4555. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A title VIII, add the following:

SEC. 807. ENSURING TRANSPARENCY IN ACQUISITION PROGRAMS.

(a) IN GENERAL.—The Secretary of Defense shall establish and implement a policy that will ensure the acquisition programs of major systems establish cost, schedule, and performance goals at the onset of the program. The policy shall also ensure that acquisition programs of major systems report on the original cost, schedule, and performance goals throughout the program to ensure transparency.

(b) MAJOR SYSTEM DEFINED.—In this section, the term “major system” has the meaning given the term in section 2302d of title 10, United States Code.

SA 4556. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 775, between lines 19 and 20, insert the following:

(c) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on counter-drug activities and activities to counter transnational organized crime under section 384 of title 10, United States Code (as added by subsection (a)). The report shall include the following:

(1) A description of the manner in which counter-drug activities under that section will be coordinated with Governors, the National Guard Bureau, and State law enforce-

ment agencies, including coordination with counterdrug activities conducted under the control of the Governors.

(2) A description of the manner in which notice will be given to Governors on all counter-drug activities and activities to counter transnational organized crime of the Department of Defense under that section that are conducted within the borders of the States.

(3) A description of the manner in which information gathered on and during activities to counter transnational organized crime under that section will be shared with State, local, and tribal authorities and law enforcement agencies.

(4) A description of the manner in which activities under that section will be coordinated with activities under the National Guard Counterdrug Program under section 112 of title 32, United States Code, including mission planning, information analysis, and funding.

(5) A description of the manner in which the National Guard will be integrated into the provision of support to other agencies as described in subsections (a), (b), and (g) of such section 384.

(6) The execution policy of the Department of Defense for section 1206 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (10 U.S.C. 124 note), include a revised definition for the term “drug-interdiction action” for purposes of subsection (c) of that section.

(7) In coordination with the Chief of the National Guard Bureau, a description of the manner in which the five regional National Guard Counter-drug Training Centers will be used to provide and supplement valid military training or operations (including training exercises) referred to in subsections (b)(5) and (g) of such section 384, including a description of the savings to be achieved.

SA 4557. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Hi Mob Multi-Purp Whld Veh (HMMWV), strike the amount in the Senate authorized column and insert “\$26,000”.

In the funding table in section 4101, in the item relating to Generators and Associated Equip, strike the amount in the Senate authorized column and insert “\$108,266”.

SA 4558. Mr. BENNET (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. STUDY ON CREDIT FOR PRIOR LEARNING OBTAINED THROUGH MILITARY SERVICE.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Veterans Affairs, the Secretary of Education, institutions of higher education, accrediting agencies or associations, State higher education agencies, and veterans service organizations, shall study, and disseminate best practices and information about, processes (including associated costs, methods, and approaches) used by institutions of higher education and other organizations to evaluate or award academic credit for prior learning obtained through military service, including processes, methods, and approaches to ensure academic quality and integrity in evaluating and awarding such credit.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require an institution of higher education to adopt or adhere to a particular process, method, or approach for evaluating or awarding academic credit as a condition for receiving tuition assistance or any other Federal educational benefit provided to servicemembers or students.

SA 4559. Mr. BURR (for himself, Mr. TILLIS, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REVIEW OF ILLNESSES AND CONDITIONS RELATING TO VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA AND THEIR FAMILY MEMBERS.

(a) REVIEW AND PUBLICATION OF ILLNESS OR CONDITION.—Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

“SEC. 399V-6. REVIEW AND PUBLICATION OF ILLNESSES AND CONDITIONS.

“(a) IN GENERAL.—Consistent with section 104(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, not later than 1 year after the date of enactment of this section, and not less frequently than once every 3 years thereafter, the Secretary, acting through the Administrator of the Agency for Toxic Substances and Disease Registry, shall—

“(1)(A) review the scientific literature relevant to the relationship between the employment or residence of individuals at Camp Lejeune, North Carolina for not fewer than 30 days during the period beginning on August 1, 1953, and ending on December 21, 1987, and specific illnesses or conditions incurred by those individuals;

“(B) determine each illness or condition for which there is evidence that exposure to a toxic substance at Camp Lejeune, North Carolina, during the period specific in subparagraph (A) may be a cause of the illness or condition; and

“(C) with respect to each illness or condition for which a determination has been made under subparagraph (B), categorize the evidence of the connection of the illness or condition to exposure described in that subparagraph as—

“(i) sufficient to conclude with reasonable confidence that the exposure is a cause of the illness or condition;

“(ii) modest supporting causation, but not sufficient to conclude with reasonable confidence that exposure is a cause of the illness or condition; or

“(iii) no more than limited supporting causation;

“(2) publish in the Federal Register and on the Internet website of the Department of Health and Human Services—

“(A) a list of each illness or condition for which a determination has been made under paragraph (1)(B), including the categorization of the evidence of causal connection relating to the illness or condition under paragraph (1)(C); and

“(B) the bibliographic citations for all literature reviewed under paragraph (1) for each illness or condition listed under such paragraph; and

“(3) update the list under paragraph (2), as applicable, to add an illness or condition for which a determination has been made under paragraph (1)(B), including the categorization of the evidence of causal connection relating to the illness or condition under paragraph (1)(C), since such list was last updated consistent with the requirements of this subsection.”.

(b) **ELIGIBILITY FOR HEALTH CARE FROM DEPARTMENT OF VETERANS AFFAIRS.**—

(1) **IN GENERAL.**—Section 1710(e)(1)(F) of title 38, United States Code, is amended—

(A) by redesignating clauses (i) through (xv) as subclauses (I) through (XV), respectively;

(B) by striking “(F) Subject to” and inserting “(F)(i) Subject to”;

(C) by striking “any of the following” and inserting “any of the illnesses or conditions for which the evidence of connection of the illness or condition to exposure to a toxic substance at Camp Lejeune, North Carolina, during such period is categorized as sufficient or modest in the most recent list published under section 399V-6(a)(2) of the Public Health Service Act, which may include any of the following”;

(D) by adding at the end the following new clause:

“(ii) For the purposes of ensuring continuation of care, any veteran who has been furnished hospital care or medical services under this subparagraph for an illness or condition shall remain eligible for hospital care or medical services for such illness or condition notwithstanding that the evidence of connection of such illness or condition to exposure to a toxic substance at Camp Lejeune, North Carolina, during the period described in clause (i) is not categorized as sufficient or modest in the most recent list published under section 399V-6(a)(2) of the Public Health Service Act.”.

(2) **FAMILY MEMBERS.**—Section 1787 of such title is amended by adding at the end the following new subsection:

“(c) **CONTINUATION OF CARE.**—For the purposes of ensuring continuation of care, any individual who has been furnished hospital care or medical services under this section for an illness or condition shall remain eligible for hospital care or medical services for such illness or condition notwithstanding that the illness or condition is no longer described in section 1710(e)(1)(F) of this title.”.

(3) **TRANSFER OF AMOUNTS FOR PROGRAM.**—Notwithstanding any other provision of law, for each of fiscal years 2017 and 2018, the Secretary of Veterans Affairs shall transfer \$2,000,000 from amounts made available to the Department of Veterans Affairs for med-

ical support and compliance to the Chief Business Office and Financial Services Center of the Department to be used to continue building and enhancing the claims processing system, eligibility system, and web portal for the Camp Lejeune Family Member Program of the Department.

SA 4560. Mr. COATS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1243, insert the following:

SEC. 1243A. AUTHORITY FOR MILITARY PERSONNEL OF TAIWAN TO WEAR MILITARY UNIFORMS OF TAIWAN WHILE IN THE UNITED STATES.

Members of the military forces of Taiwan who are wearing an authorized uniform of such military forces in accordance with applicable authorities of Taiwan are hereby authorized to wear such uniforms while in the United States.

SEC. 1243B. GRANT OF OBSERVER STATUS TO THE MILITARY FORCES OF TAIWAN AT RIM OF THE PACIFIC EXERCISES.

(a) **IN GENERAL.**—The Secretary of Defense shall grant observer status to the military forces of Taiwan in any maritime exercise known as the Rim of the Pacific Exercise.

(b) **EFFECTIVE DATE.**—This section takes effect on the date of the enactment of this Act, and applies with respect to any maritime exercise described in subsection (a) that begins on or after such date.

SA 4561. Mr. BARRASSO (for himself, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mr. INHOFE, Mr. ISAKSON, Mr. LANKFORD, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. TILLIS, Mr. VITTER, Mr. WICKER, Mr. LEE, Mr. CORNYN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. SENSE OF CONGRESS ON RELATIONSHIP BETWEEN ISRAEL AND THE PALESTINIANS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States Government has a longstanding position that a peaceful resolution of the conflict between Israel and the Palestinians can only be achieved through direct negotiations between the two parties.

(2) The Palestinians have been pursuing a strategy to seek recognition of a Palestinian state through the United Nations, the United Nations specialized agencies, and the United Nations affiliated organizations.

(3) On March 17, 2016, the “State of Palestine” became a party to the United Na-

tions Framework Convention on Climate Change (UNFCCC) as its 197th member.

(4) Section 414 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 22 U.S.C. 287e note) states the following: “No funds authorized to be appropriated by this Act or any other Act shall be available for the United Nations or any specialized agency thereof which accords the Palestine Liberation Organization the same standing as member states.”

(5) Section 410 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 22 U.S.C. 287e note) states the following: “The United States shall not make any voluntary or assessed contribution: (1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or (2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective.”

(6) The provisions described in paragraphs (4) and (5) may not be waived.

(7) The administration of President Barack Obama has asserted that those provisions do not apply to the UNFCCC because, according to Department of State spokesman John Kirby, “The UNFCCC is a treaty, and the Palestinians’ purported accession does not involve their becoming members of any U.N. specialized agency or, indeed, any international organization.”

(8) Treaties can create international organizations, as demonstrated by the case of the Charter of the United Nations, which is a treaty that created the United Nations organization.

(9) Current United States law often treats entities created by international treaties as international organizations, such as the International Organizations Immunity Act (Public Law 79-291), under which the Executive branch has designated the International Boundary and Water Commission of the United States and Mexico, which was created by United States and Mexico international boundary treaties to assist in their implementation.

(10) The UNFCCC established an international organization based in Bonn, Germany that employs approximately 500 people from over 100 countries and has an annual budget in excess of \$60,000,000.

(11) The operating entities of the UNFCCC constitute an “affiliated organization of the United Nations” in that the UNFCCC Secretariat is connected and linked to the United Nations in many ways, including the following:

(A) The United Nations Secretary-General appoints the executive secretary of the UNFCCC secretariat.

(B) At the first Conference of the Parties, the UNFCCC decided that its secretariat “shall be institutionally linked to the United Nations”. According to the UNFCCC website, it remains “institutionally linked” today.

(C) The United Nations serves as Depository for the UNFCCC, the Kyoto Protocol, and the Paris Agreement.

(D) The proposed budget of the United Nations for the biennium 2016-2017 supports the UNFCCC.

(E) The United Nations Campus in Bonn, Germany houses the UNFCCC secretariat, which the United Nations lists as one of 18 organizations that represent it and that are

part of the “United Nations presence” in Bonn.

(F) The UNFCCC secretariat is subject to United Nations rules and regulations regarding procurement and other matters.

(G) The UNFCCC secretariat supports what it describes as the “largest annual United Nations conference,” which is the Conference of Parties.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its longstanding position that the only true and lasting path to resolving the Israeli-Palestinian conflict is through direct negotiations between Israel and the Palestinians;

(2) reiterates its strong opposition to any attempt to establish or seek recognition of a Palestinian state outside of an agreement negotiated between leaders in Israel and the Palestinians;

(3) strongly opposes the unilateral actions of the Palestinians to seek statehood recognition through the United Nations, United Nations specialized agencies, United Nations affiliated organizations, and United Nations treaties, conventions, and agreements;

(4) calls on the President to hold the Palestinians accountable for their actions to undermine and circumvent the peace process;

(5) strongly supports the prohibition on United States funding going to any United Nations affiliated organization that grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood; and

(6) reaffirms that, under United States law, the United States is prohibited from making any disbursements of United States funds to the UNFCCC secretariat, the Green Climate Fund, the Conference of the Parties, and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol after the “State of Palestine” was allowed to become a full member of the UNFCCC.

SA 4562. Mr. FLAKE (for himself, Mr. LEAHY, Mr. DURBIN, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1016, strike lines 1 through 4 and insert the following:

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply—

(1) to any joint or multilateral exercise, operation, or related security conference that is related to humanitarian assistance, disaster prevention and response, the security and management of facilities at Guantanamo Bay, freedom of navigation and maritime security, air traffic safety and control, search and rescue, or counter-narcotics;

(2) if the Secretary determines and reports to the appropriate congressional committees that such prohibition is contrary to security interests of the United States or of any of our regional allies; or

(3) to any funding appropriated for a fiscal year other than fiscal year 2017.

SA 4563. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize ap-

propriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 869. DEFINITION OF COMMERCIAL ITEMS.

(a) AMENDMENTS TO DEFINITION.—Section 103 of title 41, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking “customarily”; and

(ii) by striking “; and” and inserting “; or”; and

(B) in subparagraph (B), by inserting “is of a type that” before “has been sold”; and

(2) in paragraph (3)(B), by inserting “, and the item retains a predominance or preponderance of nongovernmental functions or essential physical characteristics” after “requirements”.

(b) RELATIONSHIP TO CERTAIN TITLE 10 PROVISIONS.—This section, and the amendments made by this section, shall not be construed as affecting—

(1) the meaning of the term “commercial item” under subsection (a)(5) of section 2464 of title 10, United States Code, or any requirement under subsection (a)(3) or subsection (c) of such section;

(2) the percentage limitation under subsection (a) of section 2466 of such title; or

(3) the definition of “depot-level maintenance and repair” under subsection (a) of section 2460 of title 10, United States Code, or the installation of parts as described under subsection (b)(2) of such section.

SA 4564. Mr. CARPER (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ACTIVE SHOOTER AND MASS CASUALTY INCIDENT RESPONSE ASSISTANCE.

(a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General and other Federal agencies as appropriate, shall develop and make available to State, local, tribal, territorial, private sector, and nongovernmental partners guidance to assist in the development of response plans for active shooter and mass casualty incidents in publicly accessible spaces, including facilities that have been identified by the Department of Homeland Security as potentially vulnerable targets.

(b) TYPES OF PLANS.—A response plan developed under subsection (a) with respect to a publicly accessible space may include the following elements:

(1) A strategy for evacuating and providing care to persons inside the publicly accessible space, with consideration given to the needs of persons with disabilities.

(2) A plan for establishing a unified command, including identification of staging

areas for law enforcement, fire response, and medical personnel.

(3) A schedule for regular testing of equipment used to receive communications during an emergency.

(4) An evaluation of how communications placed by persons inside a publicly accessible space will reach police and other emergency response personnel in an expeditious manner.

(5) A practiced method and plan to communicate with occupants of the publicly accessible space.

(6) A practiced method and plan to communicate with the surrounding community regarding the incident and the needs of Federal, State, and local officials.

(7) A plan for coordinating with volunteer organizations to expedite assistance for victims.

(8) To the extent practicable, a projected maximum time frame for law enforcement response to active shooters, acts of terrorism, and incidents that target the publicly accessible space.

(9) A schedule for joint exercises and training.

SA 4565. Mr. FRANKEN (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 526. CERTAIN BENEFITS IN CONNECTION WITH SERVICE IN THE SELECTED RESERVE FOR PREPLANNED MISSIONS IN SUPPORT OF COMBATANT COMMANDS.

(a) TRICARE BENEFITS BEFORE DEPLOYMENT.—Section 1074(d)(2) of title 10, United States Code, is amended by inserting “, or under section 12304b of this title,” after “section 101(a)(13)(B) of this title”.

(b) TRANSITIONAL HEALTH BENEFITS FOLLOWING DEMOBILIZATION.—Section 1145(a)(2) of such title is amended by adding at the end the following new subparagraph:

“(G) A member who is separated from active duty after a period on active duty in excess of 30 days under an order to active duty under section 12304a or 12304b of this title.”.

(c) REDUCED ELIGIBILITY AGE FOR RECEIPT OF NON-REGULAR SERVICE RETIRED PAY.—Section 12731(f)(2)(B) of such title is amended—

(1) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(2) by inserting after clause (ii) the following new clause (iii):

“(iii) Service on active duty described in this subparagraph is also service on active duty after the date of the enactment of this clause under an order to active duty under section 12304b of this title.”; and

(3) in clause (iv), as redesignated by paragraph (1), by inserting “or (iii)” after “or in clause (ii)”.

(d) POST-9/11 EDUCATIONAL ASSISTANCE.—Section 3301(1)(B) of title 38, United States Code, is amended by striking “12302, or 12304” and inserting “12302, 12304, or 12304b”.

(e) RETROACTIVE EFFECTIVE DATE.—The amendments made by this section shall take effect on December 31, 2011.

SA 4566. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. 1622. MARITIME INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES FOR THE NAVY.

(a) FINDINGS.—Congress makes the following findings:

(1) The Navy is on the verge of deploying the Triton unmanned aircraft system (UAS) to the fleet.

(2) The Triton system performs maritime intelligence, surveillance, and reconnaissance (ISR) missions.

(3) The Air Force has already deployed a number of Global Hawk remotely piloted aircraft (RPA), from which the Triton system is derived.

(4) The Navy should acquire maritime intelligence, surveillance, and reconnaissance capabilities in an economical manner.

(5) If the Navy determines that the maritime intelligence, surveillance, and reconnaissance capabilities currently planned for the Triton system at initial operating capability are not sufficient to meet its emerging needs for such capabilities, the Navy should consider using off-the-shelf technologies to fill such needs.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report setting forth the following:

(1) An assessment of emerging threats for which maritime intelligence, surveillance, and reconnaissance capabilities are a requirement.

(2) A description of the plans of the Navy plans to obtain such capabilities to address that requirement.

SA 4567. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 5102 and insert the following:

SEC. 5102. CLARIFICATION OF PERSONS SUBJECT TO UCMJ WHILE ON INACTIVE-DUTY TRAINING.

Paragraph (3) of section 802(a) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), is amended to read as follows:

“(3)(A) Members of the Army National Guard of the United States and the Air National Guard of the United States, but only when serving on active duty.

“(B) Members of a reserve component, other than the Army National Guard of the United States or the Air National Guard of the United States, while on inactive-duty training and during any of the periods specified in subparagraph (C).

“(C) The periods referred to in subparagraph (B) are the following:

“(i) Travel to and from the inactive-duty training site of the member, pursuant to orders or regulations.

“(ii) Intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations.

“(iii) Intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.”.

SA 4568. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. BASIC ALLOWANCE FOR HOUSING AND CERTAIN FEDERAL BENEFITS.

(a) EXCLUSION.—Section 403(k) of title 37, United States Code, is amended by adding at the end the following:

“(4) In determining eligibility to participate in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and the Family Subsistence Supplemental Allowance program, the value of a housing allowance under this section shall be excluded from any calculation of income, assets, or resources.”.

(b) CONFORMING AMENDMENT.—Section 5(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(d)) is amended—

(1) in paragraph (18), by striking “; and” and inserting a semicolon;

(2) in paragraph (19)(B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(20) any allowance described in section 403(k)(4) of title 37, United States Code.”.

SA 4569. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 445, strike lines 1 through 8 and insert the following:

SEC. 757. REIMBURSEMENT BY DEPARTMENT OF DEFENSE TO ENTITIES CARRYING OUT STATE VACCINATION PROGRAMS FOR COSTS OF VACCINES PROVIDED TO COVERED BENEFICIARIES.

(a) REIMBURSEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall reimburse an amount determined under para-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 538. MODIFICATION OF DISCRETIONARY AUTHORITY TO AUTHORIZE CERTAIN ENLISTMENTS IN THE ARMED FORCES.

Section 504(b)(2) of title 10, United States Code, is amended by striking “if the Secretary” and all that follows and inserting “if—

“(A) the person is an alien who was inspected and admitted at the time of entry into the United States, has been in a lawful immigration status (except temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a)) continually for a period of at least five years since the time of admission, and has not violated any of the terms or conditions of such status; and

“(B) the Secretary determines that such enlistment is vital to the national interest.”.

SA 4571. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXVIII, insert the following:

SEC. 28. ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION.

(a) IN GENERAL.—As part of any land conveyance by the Army to a public or private entity, the Secretary of the Army shall carry out under section 2701 of title 10, United States Code, the activities described in subsection (b).

(b) ENVIRONMENTAL REMEDIATION, EXPLOSIVES CLEANUP, AND SITE RESTORATION ACTIVITIES.—The activities described in this subsection are—

(1) environmental remediation activities, including—

(A) any corrective action required under a permit issued by the State in which the property is located pursuant to the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) relating to the property;

(B) any activity to be carried out by the entity pursuant to a consent agreement (including any amendments) between the entity and the State in which the property is located regarding Army activities at the property;

(C) the abatement of any potential explosive and ordnance conditions on the property;

(D) the demolition, abatement, removal, and disposal of any structure containing asbestos and lead-based paint, including the foundations, footing, and slabs of the structure, together with backfilling and seeding;

(E) the removal and disposal of any soil that contains a quantity of pesticide in excess of the standard of the State in which the property is located, together with backfilling and seeding;

(F) the design, construction, closure, and post-closure of any solid waste landfill facility permitted by the State in which the

property is located pursuant to the delegated authority of the State under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) to accommodate the consolidation of any existing landfills on the property and future requirements;

(G) lime sludge removal, disposal, and backfilling relating to any water treatment plant;

(H) the closure of any septic tank on the property; and

(I) any financial assurance required in connection with the activities described in this paragraph; and

(2) site restoration activities, including—

(A) the collection and disposal of any solid waste that was present on the property before the date on which the Army conveys the land to the entity;

(B) the removal of any improvement to the property that was present on the property before the date on which the Army conveys the land to the entity, including roads, sewers, gas lines, poles, ballast, structures, slabs, footings, and foundations, together with backfilling and seeding;

(C) any impediments to redevelopment of the property arising from the use of the property by, or on behalf of, the Army or any contractor of the Army;

(D) any financial assurance required in connection with the activities described in this paragraph; and

(E) payment of the legal, environmental, and engineering costs incurred by the entity for the analysis of the work necessary to complete the environmental remediation.

SA 4572. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) **PLAN REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the consolidation of the current financial literacy training programs of the Department of Defense and the military departments for members of the Armed Forces into “a coordinated and comprehensive” program of financial literacy training for members that—

(1) eliminates duplication and costs in the provision of financial literacy training to members; and

(2) ensures that members receive effective training in financial literacy in as few training sessions as is necessary for the receipt of effective training.

(b) **IMPLEMENTATION.**—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 4573. Ms. HEITKAMP submitted an amendment intended to be proposed

by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 809, after line 24, add the following:

(5) a description of installations from which the Armed Forces may conduct communications and domain awareness activities in support of Arctic security missions; and

(6) a description of efforts to promote military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities to enhance domain awareness in the Arctic region.

On page 810, between lines 16 and 17, insert the following:

(f) **OTHER INSTALLATIONS.**—Nothing in this section may be construed to limit the authority of the Department of Defense to use existing infrastructure in support of Arctic domain awareness or to pursue military-to-military cooperation with partner countries that have mutual security interests in the Arctic region, including opportunities for sharing installations and maintenance facilities to enhance domain awareness in the Arctic region.

SA 4574. Mr. WHITEHOUSE (for himself, Mr. MARKEY, Mr. SCHATZ, Mr. COONS, Ms. HIRONO, Mr. FRANKEN, Mr. WYDEN, Mr. LEAHY, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. SANDERS, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. SENSE OF CONGRESS REGARDING THE NEED TO ADDRESS THE NATIONAL SECURITY IMPLICATIONS OF CLIMATE CHANGE.

(a) **FINDINGS.**—Congress finds that—

(1) the 2014 Quadrennial Defense Review concluded that—

(A) “[t]he impacts of climate change may increase the frequency, scale, and complexity of future missions, including defense support to civil authorities, while at the same time undermining the capacity of our domestic installations to support training activities”; and

(B) the effects of climate change on severe weather, sea levels, and availability of fresh water represent “threat multipliers that will aggravate stressors abroad such as poverty, environmental degradation, political instability, and social tensions – conditions that can enable terrorist activity and other forms of violence”;

(2) in the foreword to the 2014 Department of Defense Climate Change Adaptation Roadmap, former Secretary of Defense Chuck Hagel wrote that climate change “has the

potential to exacerbate many of the challenges we are dealing with today – from infectious disease to terrorism. . . . Rising global temperatures, changing precipitation patterns, climbing sea levels, and more extreme weather events will intensify the challenges of global instability, hunger, poverty, and conflict”;

(3) the 2014 Climate Change Adaptation Roadmap—

(A) found that the effects of climate change could cause instability around the world “by impairing access to food and water, damaging infrastructure, spreading disease, uprooting and displacing large numbers of people, compelling mass migration, interrupting commercial activity, or restricting electricity availability”; and

(B) judged that “these developments could undermine already-fragile governments that are unable to respond effectively or challenge currently-stable governments, as well as increasing competition and tension between countries vying for limited resources”;

(4) the 2015 National Security Strategy states that “climate change is an urgent and growing threat to our national security, contributing to increased natural disasters, refugee flows, and conflicts over basic resources like food and water”;

(5) the 2015 Quadrennial Diplomacy and Development Review asserts that “climate change exacerbates our greatest vulnerabilities”;

(6) the 2013 Department of Homeland Security Climate Action Plan notes that—

(A) some weather effects related to climate change, such as warmer temperatures and increasingly severe storms, “may cause damage or disruptions to telecommunications and power systems, creating challenges for telecommunications infrastructure, emergency communications, and cybersecurity”;

(B) “more extreme weather conditions in parts of the world with limited ability to provide state aid create opportunities for militant groups to become active in their communities”; and

(C) “[c]limate change acts as a ‘threat multiplier,’ aggravating stressors abroad such as poverty, environmental degradation, and social tensions, resulting in conditions that could enable terrorist activity and violence”;

(7) in February 2016, the Director of National Intelligence, James Clapper, testified before the Committee on Armed Services of the Senate that—

(A) “[e]xtreme weather, climate change, environmental degradation, related rising demand for food and water, poor policy responses, and inadequate critical infrastructure will probably exacerbate—and potentially spark—political instability, adverse health conditions, and humanitarian crises in 2016”; and

(B) “[s]everal of these developments, especially those in the Middle East, suggest that environmental degradation might become a more common source for interstate tensions”;

(8) Department of Defense Directive 4715.21 entitled “Climate Change Adaptation and Resilience” and promulgated in January 2016 states that—

(A) as a matter of policy, the Department of Defense “must be able to adapt current and future operations to address the impacts of climate change in order to maintain an effective and efficient U.S. military”; and

(B) all Department of Defense mission planning and execution must—

(i) include “identification and assessment of the effects of climate change on the DoD mission”;

(ii) take “those effects into consideration when developing plans and implementing procedures”; and

(iii) anticipate and manage “any risks that develop as a result of climate change to build resilience”;

(9) in the 2015 report to Congress entitled “National Security Implications of Climate-Related Risks and a Changing Climate”, the Secretary of Defense—

(A) acknowledged “the reality of climate change and the significant risk it poses to U.S. interests globally”; and

(B) recognized that—

(i) “[a] changing climate increases the risk of instability and conflict overseas, and has implications for DoD on operations, personnel, installations, and the stability, development, and human security of other nations”; and

(ii) “[g]lobal climate change will have wide-ranging implications for U.S. national security interests over the foreseeable future because it will aggravate existing problems—such as poverty, social tensions, environmental degradation, ineffectual leadership, and weak political institutions—that threaten domestic stability in a number of countries”; and

(10) leading United States national security experts from both major political parties, including 12 former Senators and Representatives, 10 retired generals and admirals, the Chair and the Vice Chair of the National Commission on Terrorist Attacks Upon the United States (commonly referred to as the “9/11 Commission”), and Cabinet and Cabinet-level officials from the Carter, Reagan, George H. W. Bush, Clinton, George W. Bush, and Obama Administrations, signed an open letter in October 2015, stating that climate change “is critically important to the world’s most experienced security planners. The impacts are real, and the costs of inaction are unacceptable. America’s elected leaders and private sector must think past tomorrow to focus on this growing problem, and take action at home and abroad.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national security interests of the United States to assess, plan for, and mitigate the security and strategic implications of climate change.

SA 4575. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. IMPROVED DEFENSE COOPERATION AND ACCESS TO COMMERCIAL INNOVATION.

(a) COMPETITIVE PRICING DISCRETION IN FOREIGN MILITARY SALES CONTRACTING.—Section 22(d)(1) of the Arms Export Control Act (22 U.S.C. 2762(d)(1)) is amended by striking “shall” and inserting “may, at the discretion of the Secretary of Defense.”

(b) COMMERCIAL ITEM ITAR EXEMPTION.—Any commercial item as defined in section 103 of title 41, United States Code, that is incorporated in a defense product shall be reg-

ulated under the Export Administration Regulations (part 730 of title 15, Code of Federal Regulations) and exempt from regulation under the International Traffic in Arms Regulations (subchapter M of chapter I of title 22, Code of Federal Regulations) unless the Secretary of Defense or the Secretary of State makes a written determination prior to incorporation of the commercial item in the defense product that the International Traffic in Arms Regulations should apply.

(c) POST-EXPORT SUPPLY CHAIN TRANSFERS WITHIN NATIONAL TECHNOLOGY INDUSTRIAL BASE COUNTRIES.—The government of a country that is part of the national technology industrial base (as that term is defined in section 2500 of title 10, United States Code) may transfer United States-origin material within that government’s supply chain without further United States Government approval or the need to comply with additional export licensing requirements provided that the material remains in the ownership of such government.

(d) INTEGRATION OF SUPPLY CHAIN WITHIN NATIONAL TECHNOLOGY INDUSTRIAL BASE.—

(1) IN GENERAL.—A company included on the list under paragraph (2) with facilities in both the United States and in a country that is part of the national technology industrial base (as that term is defined in section 2500 of title 10, United States Code) may transfer controlled material between a United States facility and a facility located in a national technology industrial base country without the need for United States Government approval or the need for an additional export control license. Any such transfer must comply with United States security classification requirements.

(2) APPROVED COMPANY LIST.—The list referred to in paragraph (1) is a list maintained by the Secretary of Defense and the Secretary of State of companies the Secretaries have determined are qualified for the streamlined transfer authority under such paragraph.

(e) NON-MISSILE TECHNOLOGY EXPORTS.—Export control policies, procedures, and practices specific to implementing the Missile Technology Control Regime shall not apply to the review and approval of exports of non-missile technologies such as unmanned autonomous vehicles, optionally piloted vehicles, and commercial space craft.

(f) IMPLEMENTATION OF TREATIES ON DEFENSE COOPERATION.—The Secretary of State and the Secretary of Defense shall conduct a review of the exempted technologies lists that apply to the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney September 5, 2007, and the Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London June 21 and 26, 2007, with the aim of reducing the applicable lists to the minimum compatible with international obligations.

(g) ENHANCING PROGRAM LICENSING.—Not later than September 30, 2018, the Secretary of Defense and the Secretary of State shall establish a structure for implementing a revised program export licensing framework intended to provide comprehensive export licensing authorization to support large international cooperative defense programs between multiple nations and determine what, if any, regulatory authorities require modification.

SA 4576. Mr. TILLIS submitted an amendment intended to be proposed by

him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 337, line 5, insert before the semicolon the following: “, except in the case of a pharmaceutical agent prescribed to a patient for which the prescribing health care provider determines that such agent is medically necessary for the patient and receives a waiver from the Secretary to prescribe such agent to the patient under a process that the Secretary shall establish for such purpose”.

SA 4577. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. DURATION OF ENERGY SAVINGS CONTRACTS.

Section 2913 of title 10, United States Code, is amended by adding at the end the following new subsections:

“(e) DURATION OF CONTRACTS.—An energy savings contract entered into under this section may have a contract period not to exceed 25 years.

“(f) VERIFICATION REQUIREMENTS.—The conditions of an energy savings contract entered into under this section shall include requirements for measurement, verification, and performance assurances or guarantees of the savings.”.

SA 4578. Ms. HIRONO (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. 1114. SENSE OF CONGRESS ON BUSINESS CASES ANALYSES FOR DECISIONS AFFECTING THE WORKFORCE AND MODIFYING LOCATIONS OF WHERE WORK WILL BE EXECUTED OR COMPLETED.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in a budget constrained environment, the military departments and Defense Agencies must utilize all available tools to make informed, supportable decisions in moving workforce and workload from one location or entity to another;

(2) such tools should include a properly supported and documented business case analysis (BCA);

(3) before a military department or Defense Agency embarks on a workforce decision of

workload in excess of \$3,000,000 per year, the Department of Defense needs to understand the possible costs, benefits, risks, and impacts to the small business goals, small and disadvantaged contracting agreements, and other sensitivities of the Department associated with such a decision;

(4) the military departments and Defense Agencies should perform a business case analysis, as part of any workforce decision described in paragraph (3);

(5) any such business case analysis for a workforce decision having an annual estimated cost of \$5,000,000 or more should be reviewed and approved by the Under Secretary of Defense for Acquisition, Technology, and Logistics, and the Under Secretary should provide such business case analysis to the congressional defense committees at least 30 days before taking any action to effect a shift in the workload concerned;

(6) the Assistant Secretary of Defense for Logistics, Materiel, and Readiness, working with the Cost Analysis Program Evaluation office, should develop minimum standards and criteria for business case analyses covered by this section and a process for the review and transparency of such business case analyses; and

(7) the Assistant Secretary should submit to the congressional defense committees, by not later than 180 days after the date of the enactment of this Act, a report on the plan of the Assistant Secretary plan to implement the standards and criteria described in paragraph (6).

(b) **BUSINESS CASE ANALYSIS DEFINED.**—In this section, the term “business case analysis” means a structured methodology and decision support document that aids decision making by identifying and comparing alternatives by examining the mission and business impacts (both financial and non-financial), risks, and sensitivities.

SA 4579. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

SEC. 926. PROHIBITION ON CONSOLIDATION OF UNITED STATES NORTHERN COMMAND WITH ANY OTHER GEOGRAPHIC COMBATANT COMMAND.

No amounts authorized to be appropriated by this Act, or amounts authorized to be appropriated for the Department of Defense for a fiscal year before fiscal year 2017 that remain available for obligation, may be used as follows:

(1) To consolidate the United States Northern Command with any other geographic combatant command.

(2) To subordinate the United States Northern Command to any other geographic combatant command.

SA 4580. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PROVISION OF ACCESS BY EMPLOYEES OF MEMBERS OF CONGRESS TO CASE-TRACKING INFORMATION TO CASE-TRACKING INFORMATION OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—Chapter 59 of title 38, United States Code, is amended by adding at the end the following:

“§ 5906. Provision of access by employees of members of Congress to case-tracking information

“(a) **IN GENERAL.**—(1) Beginning not later than the date that is 180 days after the date of the enactment of this section, the Secretary shall provide to accredited, permanent Congressional employees who have successfully completed the certification process described in subsection (b)(1), upon election by the Member of Congress for which the employee works, read-only remote access to the electronic VBA claims records system of veterans who reside in the area represented by the Member, regardless of whether such employee is acting under a power of attorney executed by such veteran.

“(2) The Secretary shall ensure that access provided to an accredited, permanent Congressional employee under paragraph (1) is provided in a manner that does not allow the employee to modify the data contained in the electronic VBA claims records system.

“(b) **CERTIFICATION REQUIRED.**—(1) The certification process described in this paragraph is the certification process that the Secretary requires an agent or attorney under this chapter to complete before the agent or attorney may access the electronic VBA claims records system.

“(2) Each Member of Congress who elects to have an accredited, permanent Congressional employee of the Member have access under subsection (a)(1) shall bear the cost of the certification process described in paragraph (1), to be paid from the Member's Representational Allowance.

“(c) **TREATMENT OF DISCLOSURE.**—The access to information by an accredited, permanent Congressional employee pursuant to subsection (a)(1) shall be deemed to be—

“(1) a disclosure permitted under section 552a(b) of title 5; and

“(2) a disclosure permitted under regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 42 U.S.C. 1320d-2 note).

“(d) **NONRECOGNITION.**—The Secretary may not recognize an accredited, permanent Congressional employee for the preparation, presentation, and prosecution of claims under laws administered by the Secretary by reason of the Secretary providing the employee with access to the electronic VBA claims records system under subsection (a). An accredited, permanent Congressional employee who is provided such access may not use such access to act as such a recognized individual.

“(e) **DEFINITIONS.**—In this section:

“(1) The term ‘electronic VBA claims records system’ means the system of the Department of Veterans Affairs that provides information regarding the status of a claim submitted by a veteran, including information regarding medical records, compensa-

tion and pension exams records, rating decisions, statement of the case (SOC), supplementary statement of the case (SSOC), notice of disagreement (NOD), and Form-9.

“(2) The term ‘accredited, permanent Congressional employee’ means an employee of a Member of Congress who assists the constituents of the Member with issues regarding departments or agencies of the Federal Government.

“(3) The term ‘Member of Congress’ means a Representative, a Senator, a Delegate to Congress, or the Resident Commissioner of Puerto Rico.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 59 of such title is amended by adding at the end the following new item:

“5906. Provision of access by employees of members of Congress to case-tracking information.”.

SA 4581. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1049, strike lines 14 through 16 and insert the following:

through the program, and the specific military operations conducted.

(4) Each partner country or ally, if any, included in the military operations.

(c) **FORM.**—Each report under this section shall be submitted in unclassified form.

SEC. 1241A. UNITED STATES POLICY WITH RESPECT TO FREEDOM OF NAVIGATION OPERATIONS AND OVERFLIGHT BEYOND THE TERRITORIAL SEA.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Since the Declaration of Independence in 1776, which was inspired in part as a response to a “tyrant” who “plundered our seas, ravaged our Coasts” and who wrote laws “for cutting off our Trade with all parts of the world”, freedom of seas and promotion of international commerce have been core security interests of the United States.

(2) Article I, section 8 of the Constitution of the United States establishes enumerated powers for Congress which include regulating commerce with foreign nations, punishing piracies and felonies committed on the high seas and offenses against the law of nations, and providing and maintaining a Navy.

(3) For centuries, the United States has maintained a bedrock commitment to ensuring the right to freedom of navigation for all law-abiding parties in every region of the world.

(4) In support of international law, the longstanding United States commitment to freedom of navigation and ensuring the free access to sea lanes to promote global commerce remains a core security interest of the United States.

(5) This is particularly true in areas of the world that are critical transportation corridors and key routes for global commerce, such as the South China Sea and the East China Sea, through which a significant portion of global commerce transits.

(6) The consistent exercise of freedom of navigation operations and overflights by

United States naval and air forces throughout the world plays a critical role in safeguarding the freedom of the seas for all lawful nations, supporting international law, and ensuring the continued safe passage and promotion of global commerce and trade.

(b) **DECLARATION OF POLICY.**—It is the policy of the United States to fly, sail, and operate throughout the oceans, seas, and airspace of the world wherever international law allows.

(c) **IMPLEMENTATION OF POLICY.**—In furtherance of the policy set forth in subsection (b), the Secretary of Defense shall—

(1) plan and execute a robust series of routine and regular naval presence missions and freedom of navigation operations (FONOPs) throughout the world, with a particular emphasis on critical transportation corridors and key routes for global commerce (such as the South China Sea and the East China Sea);

(2) execute, in such critical transportation corridors, routine and regular naval presence missions and maritime freedom of navigation operations throughout the year;

(3) give preference in freedom of navigation operations to unlawful or excessive maritime coastal state claims that have not been challenged within the past three years;

(4) in addition to the operations executed pursuant to paragraph (2), execute routine and regular maritime freedom of navigation operations throughout the year, in accordance with international law, including the use of expanded military options and maneuvers beyond innocent passage (including operating under normal military conditions inside 12 nautical miles of features determined to be low-tide elevations); and

(5) to the maximum extent practicable, execute freedom of navigation operations pursuant to this subsection with regional partner countries and allies of the United States.

SA 4582. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 590. REVIEW REGARDING AWARD OF MEDAL OF HONOR TO CERTAIN ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER WAR VETERANS.

(a) **REVIEW REQUIRED.**—The Secretary of each military department shall review the service records of each Asian American and Native American Pacific Islander war veteran described in subsection (b) to determine whether that veteran should be awarded the Medal of Honor.

(b) **COVERED VETERANS.**—The Asian American and Native American Pacific Islander war veterans whose service records are to be reviewed under subsection (a) are the following:

(1) Any Asian American or Native American Pacific Islander war veteran who was awarded the Distinguished-Service Cross, the Navy Cross, or the Air Force Cross during the Korean War or the Vietnam War.

(2) Any other Asian American or Native American Pacific Islander war veteran whose name is submitted to the Secretary con-

cerned for such purpose before the end of the one-year period beginning on the date of the enactment of this Act.

(c) **CONSULTATIONS.**—In carrying out the review under subsection (a), the Secretary of each military department shall consult with such veterans service organizations as the Secretary considers appropriate.

(d) **RECOMMENDATIONS BASED ON REVIEW.**—If the Secretary concerned determines, based upon the review under subsection (a) of the service records of any Asian American or Native American Pacific Islander war veteran, that the award of the Medal of Honor to that veteran is warranted, the Secretary shall submit to the President a recommendation that the President award the Medal of Honor to that veteran.

(e) **AUTHORITY TO AWARD MEDAL OF HONOR.**—A Medal of Honor may be awarded to an Asian American or Native American Pacific Islander war veteran in accordance with a recommendation of the Secretary concerned under subsection (d).

(f) **CONGRESSIONAL NOTIFICATION.**—No Medal of Honor may be awarded pursuant to subsection (e) until the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives notice of the recommendations under subsection (d), including the name of each Asian American or Native American Pacific Islander war veteran recommended to be awarded a Medal of Honor and the rationale for such recommendation.

(g) **WAIVER OF TIME LIMITATIONS.**—An award of the Medal of Honor may be made under subsection (e) without regard to—

(1) section 3744, 6248, or 8744 of title 10, United States Code, as applicable; and

(2) any regulation or other administrative restriction on—

(A) the time for awarding the Medal of Honor; or

(B) the awarding of the Medal of Honor for service for which a Distinguished-Service Cross, Navy Cross, or Air Force Cross has been awarded.

(h) **DEFINITION.**—In this section, the term “Native American Pacific Islander” means a Native Hawaiian or Native American Pacific Islander, as those terms are defined in section 815 of the Native American Programs Act of 1974 (42 U.S.C. 2992c).

SA 4583. Mr. REID (for Mr. WARNER (for himself and Mr. BLUNT)) submitted an amendment intended to be proposed by Mr. REID to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. REPORT ON PLAN FOR STAFFING AND OPERATION OF THE ARMY CHILD DEVELOPMENT CENTER, SPRINGFIELD, VIRGINIA.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of the Army, submit to the congressional defense committees a report setting forth a plan to ensure appropriate staffing and operation of the Army Child Development Center adjacent to the campus of the National Geospatial-Intelligence Agency in Springfield, Virginia.

SA 4584. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 583. GAO REPORT ON IMPACT AID CONSTRUCTION PROGRAMS.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a comprehensive study that—

(1) examines the implementation of section 8007 of the Elementary and Secondary Education Act of 1965 (for fiscal year 2016 and any preceding fiscal year, and as in effect for such fiscal year) and section 7007 of that Act (for each of fiscal years 2017 and 2018, and as in effect for such fiscal year), including a comparison of—

(A) the distribution of payments between subparagraphs (A) and (B) of subsection (a)(3) of those sections, as applicable, for the period of the 10 fiscal years preceding the fiscal year of the study;

(B) other Federal construction or capital funding made available to local educational agencies eligible to receive funding under subsection (a)(3) of those sections; and

(C) the overall level of available capital funding, and estimated bonding capacity, of local educational agencies eligible to receive funding under subsection (a)(3) of those sections compared to national recommended average investments and other comparable local educational agencies;

(2) evaluates unmet need as of the date of enactment of this section for housing of professionals employed to work at schools operated by local educational agencies eligible to receive funding under subsection (a)(3)(B) of section 7007 of the Elementary and Secondary Education Act of 1965 (as in effect for fiscal year 2017);

(3) to the extent practicable, determines the age, condition, and remaining utility of school facilities for those local educational agencies eligible under section 7007(a)(3) of that Act (as in effect for fiscal year 2017) that are eligible to receive a basic support payment under—

(A) section 8003(b) of that Act (for any of fiscal years 2009 through 2016, and as in effect for such fiscal year); and

(B) section 7003(b) of that Act (for any of fiscal years 2017 and 2018, and as in effect for such fiscal year); and

(4) recommends a method by which the Federal Government may develop a school facility condition index for a school facility of a local educational agency eligible to receive funding under 7007(a)(3) of that Act (as in effect for fiscal year 2017) that limits the reporting burden to the maximum extent practicable on the eligible local educational agencies included in the index.

(b) **REPORTING.**—The Comptroller General shall submit a report containing the conclusions of the study under subsection (a) to—

(1) the Committees on Indian Affairs, Armed Services, and Health, Education, Labor, and Pensions of the Senate; and

(2) the Subcommittee on Indian, Insular, and Alaska Native Affairs and the Committees on Education and the Workforce and

Armed Services of the House of Representatives.

(c) **TIMEFRAME.**—The Comptroller General shall complete the study under subsection (a) and submit the report under subsection (b) by the date that is not later than 18 months after the date of enactment of this Act.

(d) **DEFINITION OF SCHOOL FACILITY.**—In this section, the term “school facility” has the meaning given the term in section 7013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713), as in effect for fiscal year 2017.

SA 4585. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. SALE OF MULTIROLE FIGHTER AIRCRAFT TO BAHRAIN.

(a) **FINDINGS.**—Congress makes the following findings:

(1) Actions taken by the Administration have unduly delayed the export of multirole fighter aircraft to Bahrain.

(2) Continued defense security cooperation and assistance with Bahrain are critical to regional security and countering the terrorist group the Islamic State of Iraq and Syria (ISIS), as well as counterbalancing the influence of Iran and its proxies in the region.

(3) Bahrain has made several of its military facilities available for use by the United States military to address past and current threats from Iraq, Iran, Afghanistan, international terrorism, and piracy and smuggling in the Gulf and Arabian Sea.

(4) Outdated Bahraini F-16 aircraft lack certain capabilities, and this limits their utility in coalition operations.

(5) For several years, Bahrain has expressed interest in upgrading its existing fleet of 20 F-16 Block 40 aircraft with advanced capabilities, including Active Electronically Scanned Array radars.

(6) Bahrain submitted formal Letters of Request for these upgrades, as well as for the sale of a comparable number of new F-16 aircraft in November 2015.

(7) The upgrade and sale of F-16 aircraft to Bahrain will help advance military-to-military cooperation between the United States and Bahrain.

(8) Recent inroads by European and Russian manufacturers of competitor aircraft in the region have the potential to erode United States military-to-military relations with Bahrain, and these potential erosions deepen regional concerns over United States policy in the Middle East generally and towards Iran specifically.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) a strong bilateral relationship between the United States and Bahrain is critical to maintaining stability in the Middle East, countering the Islamic State of Iraq and Syria, mitigating further terrorist threats, and counterbalancing Iran and its regional proxies;

(2) Bahrain and the United States share a mutual commitment to regional security,

counterterrorism efforts, and related coalition operations; and

(3) the Bahraini air force needs additional advanced multirole fighter aircraft in order to modernize its fleet and participate in regional security initiatives and counter-Islamic State of Iraq and Syria campaigns.

(c) **SALE OF MULTIROLE FIGHTER AIRCRAFT.**—The President shall carry out the sale of all pending foreign military sales of F-16 fighter aircraft and related upgrades of existing F-16 aircraft to Bahrain by not later than 30 days after the date of the enactment of this Act.

SA 4586. Mr. HELLER (for himself, Mr. REID, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMMERCIAL GAMING NOT LOCATED ON INDIAN LAND.

(a) **PURPOSE.**—The purpose of the amendment made by subsection (b) is to ensure that the rights, processes, and provisions of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) are used exclusively to provide for the regulation of noncommercial gaming by Indian tribes on Indian lands (as those terms are defined in section 4 of that Act (25 U.S.C. 2703)).

(b) **COMMERCIAL GAMING.**—Section 11(d)(8) of the Indian Gaming Regulatory Act (25 U.S.C. 2710(d)(8)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following:

“(C)(i) Notwithstanding subparagraph (B), the Secretary shall disapprove a compact, or an amendment to a compact, described in subparagraph (A) if the compact or amendment authorizes, approves, or aids, directly or indirectly, in the authorization or approval of a commercial gaming activity—

“(I) not located on Indian lands; and

“(II) that is or would be owned or operated, directly or indirectly, by 1 or more Indian tribes.

“(ii) A compact or an amendment to a compact disapproved under clause (i) shall not take effect.”.

SA 4587. Ms. COLLINS (for herself and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XI, add the following:

SEC. 1114. PILOT PROGRAM ON APPOINTMENT OF PHYSICALLY DISQUALIFIED FORMER CADETS AND MIDSHIPMEN IN THE EXCEPTED SERVICE.

(a) **PILOT PROGRAMS AUTHORIZED.**—Each Secretary of a military department may carry out a pilot program to assess the feasibility and advisability of appointing in the excepted service former cadets or midshipmen who—

(1) graduated from a military service academy or a Senior Reserve Officers' Training Corps (ROTC) program; and

(2) are medically disqualified for appointment as a commissioned officer and fulfilling an active duty service obligation arising from participation of such cadets or midshipmen at such academy or through such a program.

(b) **EMPLOYMENT.**—Under a pilot program, the Secretary of the military department concerned—

(1) may, without regard to any provision of title 5, United States Code, governing appointment of employees to competitive service positions within the Department of Defense, appoint to a position within the Department in the excepted service an individual who meets the eligibility criteria of subsection (c); and

(2) may, upon satisfactory completion of two years of substantially continuous service by an incumbent who was appointed to an excepted service position under the authority of paragraph (1), convert the appointment of such individual, without competition, to a career or career conditional appointment.

(c) **ELIGIBILITY.**—A former cadet or midshipman is eligible for appointment under a pilot program only if—

(1) the former cadet or midshipman was previously under the jurisdiction of the Secretary of the military department concerned;

(2) the former cadet or midshipman completed the prescribed course of instruction and graduated from a military service academy or a Senior Reserve Officers' Training Corps program;

(3) the former cadet or midshipman is determined to be medically disqualified to complete a period of active duty prescribed in an agreement signed by such cadet or midshipman in accordance with section 4348, 6959, 9348, or 2107 of title 10, United States Code, as applicable; and

(4) the medical disqualification is not the result of the gross negligence or misconduct of the cadet or midshipman.

(d) **RELATIONSHIP TO REPAYMENT PROVISIONS.**—

(1) **SATISFACTION OF OBLIGATION.**—A former cadet or midshipman shall be treated as relieved of any repayment obligation under section 303a(e) or 373 of title 37, United States Code, in connection with the failure of the cadet or midshipman to accept appointment as a commissioned officer and fulfill an active duty service obligation as described in subsection (a) by the either of the following:

(A) Service in the excepted service under the pilot program for such period as the Secretary of the military department concerned shall specify at the time of the appointment of the former cadet or midshipman under the pilot program.

(B) The competition of the cadet or midshipman for, and the encumbrance of the cadet or midshipman of, a permanent position within the Department or one of its components.

(2) **COERCION PROHIBITED.**—A Secretary of a military department shall not implicitly or explicitly compel an individual described in

subsection (c) to accept an appointment in the excepted service under this section.

(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) authorize additional positions or create any vacancies to which eligible individuals may be appointed; or

(2) except as provided in subsection (d)(1), alter the authority of a Secretary authority under section 303a(e)(1), 373(b), or 374 of title 37, United States Code.

(f) TERMINATION OF AUTHORITY.—

(1) IN GENERAL.—The authority to make appointment in the excepted service under a pilot program shall expire on the date that is four years after the date of the enactment of this Act.

(2) EFFECT ON EXISTING APPOINTMENTS.—The termination by paragraph (1) of the authority in subsection (a) shall not affect any appointment made under that authority before the termination date specified in paragraph (1) in accordance with the terms of such appointment.

SA 4588. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. REPORT ON EVALUATION AND OVERSIGHT OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS PROGRAMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall, in coordination with the Secretaries of the military departments, submit to Congress a report on the manner in which the Department of Defense intends—

(1) to improve the oversight and accountability of the Senior Reserve Officers' Training Corps (ROTC) programs; and

(2) to ensure that the Secretary of Defense, the Armed Forces, and Congress have a comprehensive understanding whether particular programs are achieving desired results before decisions to close or terminate such programs are undertaken.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of—

(A) existing Department of Defense processes to evaluate the performance of the Senior Reserve Officers' Training Corps programs;

(B) the clarity of goals and objectives for the Senior Reserve Officers' Training Corps programs;

(C) the frequency of evaluation of the Senior Reserve Officers' Training Corps programs;

(D) the adequacy of the oversight roles and responsibilities outlined in Department of Defense Instruction Number 1215.08, dated June 26, 2006; and

(E) the efforts undertaken by the Armed Forces to effectively communicate evaluations of the performance of the Senior Reserve Officers' Training Corps programs to Congress and other key stakeholders before decisions to close or terminate particular programs are undertaken.

(2) A description of—

(A) the strategic goals and objectives of the Senior Reserve Officers' Training Corps programs;

(B) officer output requirements under the Senior Reserve Officers' Training Corps programs, set forth by institution of higher education concerned;

(C) attrition rates under the Senior Reserve Officers' Training Corps programs, set forth by institution of higher education concerned;

(D) the characteristics of quality officers graduating from Senior Reserve Officers' Training Corps programs; and

(E) the current timeline for any anticipated closure or termination of a Senior Reserve Officers' Training Corps program.

(3) A detailed plan for—

(A) improving the oversight and accountability of the Senior Reserve Officers' Training Corps programs; and

(B) ensuring the Secretary of Defense, the Armed Forces, and Congress have a comprehensive understanding whether particular Senior Reserve Officers' Training Corps programs are achieving desired results before decisions to close or terminate such programs are undertaken.

SA 4589. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 216, insert the following:

SEC. 216A. HIGH ENERGY LASER SYSTEMS TEST FACILITY.

(a) INDEPENDENT EVALUATION.—The Secretary of Defense shall enter into an agreement with an independent entity to conduct an evaluation and assessment of options to provide financial resources for the High Energy Laser Systems Test Facility (HELSTF) in accordance with the recommendations in the 2009 report of the Test Resource Management Center and High Energy Laser Joint Program Office entitled "Impact Report to Congress on High Energy Laser Systems Test Facility (HELSTF) and Plan for Test and Evaluation of High Energy Laser Systems", and other relevant reports, including—

(1) the transfer of management of the Facility to the Joint Directed Energy Program Office (JDEPO), as redesignated by section 216(b); and

(2) modifications of funding for the Joint Directed Energy Program Office in order to provide adequate financial resources for the Facility.

(b) REPORT.—Under the agreement entered into pursuant to subsection (a), the entity conducting the evaluation and assessment required pursuant to that subsection shall, by not later than January 31, 2017, submit to the Secretary, and to the congressional defense committees, a report setting forth the results of the evaluation and assessment, including such recommendations for legislative and administrative action with respect to the financial resources and organization of the High Energy Laser Systems Test Facility as the entity considers appropriate.

SA 4590. Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by

her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RECONSIDERATION OF CLAIMS FOR DISABILITY COMPENSATION FOR VETERANS WHO WERE THE SUBJECTS OF MUSTARD GAS OR LEWISITE EXPERIMENTS DURING WORLD WAR II.

(a) RECONSIDERATION OF CLAIMS FOR DISABILITY COMPENSATION IN CONNECTION WITH EXPOSURE TO MUSTARD GAS OR LEWISITE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall reconsider all claims for compensation described in paragraph (2) and make a new determination regarding each such claim.

(2) CLAIMS FOR COMPENSATION DESCRIBED.—Claims for compensation described in this paragraph are claims for compensation under chapter 11 of title 38, United States Code, that the Secretary of Veterans Affairs determines are in connection with exposure to mustard gas or lewisite during active military, naval, or air service during World War II and that were denied before the date of the enactment of this Act.

(3) PRESUMPTION OF EXPOSURE.—In carrying out paragraph (1), if the Secretary of Veterans Affairs or the Secretary of Defense makes a determination regarding whether a veteran who has filed a claim for compensation described in paragraph (2) has experienced full-body exposure to mustard gas or lewisite, such Secretary—

(A) shall presume that the veteran experienced full-body exposure to mustard gas or lewisite, as the case may be, unless proven otherwise; and

(B) may not use information contained in the DoD and VA Chemical Biological Warfare Database or any list of known testing sites for mustard gas or lewisite maintained by the Department of Veterans Affairs or the Department of Defense as the sole reason for determining that the veteran did not experience full-body exposure to mustard gas or lewisite.

(4) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report specifying any claims reconsidered under paragraph (1) that were denied during the 90-day period preceding the submittal of the report, including the rationale for each such denial.

(b) DEVELOPMENT OF POLICY.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly establish a policy for processing future claims for compensation under chapter 11 of title 38, United States Code, that the Secretary of Veterans Affairs determines are in connection with exposure to mustard gas or lewisite during active military, naval, or air service during World War II.

(c) INVESTIGATION AND REPORT BY SECRETARY OF DEFENSE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) for purposes of determining whether a site should be added to the list of the Department of Defense of sites where mustard gas or lewisite testing occurred, investigate and assess sites where—

(A) the Army Corps of Engineers has uncovered evidence of mustard gas or lewisite testing; or

(B) more than two veterans have submitted claims for compensation under chapter 11 of title 38, United States Code, in connection with exposure to mustard gas or lewisite at such site and such claims were denied; and

(2) submit to the appropriate committees of Congress a report on experiments conducted by the Department of Defense during World War II to assess the effects of mustard gas and lewisite on people, which shall include—

(A) a list of each location where such an experiment occurred, including locations investigated and assessed under paragraph (1);

(B) the dates of each such experiment; and

(C) the number of members of the Armed Forces who were exposed to mustard gas or lewisite in each such experiment.

(d) INVESTIGATION AND REPORT BY SECRETARY OF VETERANS AFFAIRS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) investigate and assess—

(A) the actions taken by the Secretary to reach out to individuals who had been exposed to mustard gas or lewisite in the experiments described in subsection (c)(2)(A); and

(B) the claims for disability compensation under laws administered by the Secretary that were filed with the Secretary and the percentage of such claims that were denied by the Secretary; and

(2) submit to the appropriate committees of Congress—

(A) a report on the findings of the Secretary with respect to the investigations and assessments carried out under paragraph (1); and

(B) a comprehensive list of each location where an experiment described in subsection (c)(2)(A) was conducted.

(e) DEFINITIONS.—In this section:

(1) The terms “active military, naval, or air service”, “veteran”, and “World War II” have the meanings given such terms in section 101 of title 38, United States Code.

(2) The term “appropriate committees of Congress” means—

(A) the Committee on Veterans’ Affairs, the Committee on Armed Services, and the Special Committee on Aging of the Senate; and

(B) the Committee on Veterans’ Affairs and the Committee on Armed Services of the House of Representatives.

(3) The term “full-body exposure”, with respect to mustard gas or lewisite, has the meaning given that term by the Secretary of Defense.

SA 4591. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LIMITATION ON CONVEYANCE OF REAL PROPERTY AT NAVAL STATION NEWPORT, RHODE ISLAND.

None of the funds authorized to be appropriated or otherwise made available by this or any other Act may be obligated or expended to carry out the conveyance or other disposal of real property by the Department of the Navy at Naval Station Newport, Rhode Island, unless such property is first offered for conveyance to relevant State and local jurisdictions.

SA 4592. Ms. HIRONO (for herself and Mr. ROUNDS) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. WATER RESOURCE AGREEMENTS WITH FOREIGN ALLIES AND ORGANIZATIONS IN SUPPORT OF CONTINGENCY OPERATIONS.

The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to enter into agreements with the governments of allied countries and organizations described in section 2350a(2) of title 10, United States Code, to develop land-based water resources in support of and in preparation for contingency operations, including water efficiency, reuse, selection, pumping, purification, storage, research and development, distribution, cooling, consumption, water source intelligence, training, acquisition of water support equipment, and water support operations.

SA 4593. Mr. LEE (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. FULL FAITH AND CREDIT GRANTED TO OCCUPATIONAL LICENSES AND CERTIFICATIONS ISSUED BY STATES FOR PURPOSES OF ACTIVITIES ON MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Federal Government shall provide full faith and credit to an occupational license or certification granted by a State for the purpose of establishing an individual’s authorization to engage in the occupation on a military installation located on land owned by the Federal Government, provided that the license or certification is not expired, revoked, or suspended by the issuing State, and provided that there are no outstanding enforcement actions against the individual brought by the licensing board or certifying authority for that occupation in the issuing State.

(b) SCOPE OF PRACTICE.—An individual relying on subsection (a) for authorization to engage in an occupation is authorized to sell

those goods and services covered by the occupational license or certification.

(c) STATE DEFINED.—In this section, the term “State” includes the District of Columbia.

SA 4594. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SENSE OF SENATE ON THE CRITICAL IMPORTANCE OF THE ADVICE OF MILITARY COMMANDERS TO ENSURE FORCE LEVELS IN AFGHANISTAN AFTER 2016 ARE CONDITIONS-BASED.

(a) FINDING.—The Senate makes the following findings:

(1) The United States vowed to hold those responsible for the September 11, 2001, terrorist attacks accountable, and seeks to ensure that terrorists never again use Afghan soil to plot an attack on another country.

(2) Following the terrorist attacks of September 11, 2001, the United States decisively expelled the Taliban from control of Afghanistan and sought to promote a multilateral agenda to stabilize and reconstruct Afghanistan and rebuild its institutions and economy.

(3) The United States and Afghanistan signed a Bilateral Security Agreement (BSA) on September 30, 2014, that provides for an enduring commitment between the Government of the United States and the Government of Afghanistan to enhance the ability of the Government of Afghanistan to deter internal and external threats against its sovereignty.

(4) The Islamic State of Iraq and the Levant (ISIL) has metastasized beyond the borders of Iraq and Syria, announcing its formation on January 10, 2015, in Afghanistan where it carries out bombings, small arms attacks, and kidnappings against civilians and security forces in a number of provinces.

(5) On September 28, 2015, Taliban fighters took over the city of Kunduz, Afghanistan, after government forces fully retreated, giving the insurgents a military and political victory that had evaded them since 2001.

(6) Since the beginning of 2016, current Commander of Resolute Support and United States Forces-Afghanistan, General John W. Nicholson Jr., former Commander of Resolute Support and United States Forces-Afghanistan, General John F. Campbell, and current Commander of United States Central Command, General Joseph L. Votel—the senior military commanders closest to the fight—have testified that the security situation in Afghanistan is deteriorating and support a withdrawal of United States forces from Afghanistan only when conditions warrant.

(7) On April 19, 2016, the Taliban carried out a suicide bomb and gun assault on a government security building in Kabul, Afghanistan, killing at least 28 people and wounding more than 320, marking the single deadliest attack in the capital of Afghanistan since 2011.

(8) In the first three months of 2016, the United Nations reported that Afghanistan

documented 600 civilian deaths and 1,343 wounded, with almost one-third of the casualties being children.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the future trajectory of security and stability in Afghanistan is contingent upon the proper force levels of the United States and coalition partners, which must be conditions-based;

(2) adjustments to force levels in Afghanistan should be made with all due consideration to the assessment and advice of military commanders on the ground;

(3) decisions on force levels in Afghanistan should take into account the capabilities required to preserve and promote the hard-fought gains achieved over the last 15 years;

(4) United States force levels in Afghanistan should be determined in a timely manner and made known to allies and partners to afford adequate planning and force generation lead times;

(5) the United States must continue its efforts to train and advise the Afghan National Security Forces (ANSF) in warfighting functions so that they are capable of defending their country and ensuring that Afghanistan never again succumbs to the fate of being a terrorist safe-haven for groups like the Taliban, al Qaeda, and the Islamic State of Iraq and the Levant (ISIL);

(6) the United States must continue, in conjunction with the Afghan National Security Forces, to operate a robust counterterrorism force to deal with evolving and immediate threats to the national security interests of the United States;

(7) the decision of the President in October 2015 to maintain the current United States force level of 9,800 members of the Armed Forces in Afghanistan was in the national security interests of the United States; and

(8) Congress would support the President if the President decided to maintain the current level of United States forces in Afghanistan and adjust such level based on conditions on the ground.

SA 4595. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4229 proposed by Mr. MCCAIN to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, line 5, strike “\$7,200,000” and insert “\$8,700,000”.

SA 4596. Mr. WYDEN (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. ENCOURAGEMENT OF IMPROVEMENT OF ABILITY OF THE DEPARTMENT OF DEFENSE TO OBTAIN AND MAINTAIN CLEAN AUDIT OPINIONS.

(a) FINANCIAL AUDIT INCENTIVE FUND.—The Secretary of Defense shall establish a fund to be known as the “Financial Audit Incentive Fund” (in this section referred to as the “Fund”) for the purpose of encouraging the organizations, components, and elements of the military departments to maintain unmodified audit opinions.

(b) AVAILABILITY.—

(1) IN GENERAL.—Amounts in the Fund shall be available to the military departments to address readiness funding shortfalls for operational training exercises, including home station training, brigade-level or equivalent training, or joint exercises directed by combatant commanders.

(2) TRANSFERS FROM FUND.—Amounts in the Fund may be transferred to any other account of a military department in order to fund training described in paragraph (1). Any amounts transferred from the Fund to an account shall be merged with amounts in the account to which transferred and shall be available subject to the same terms and conditions as amounts in such account, except that amounts so transferred shall remain available until expended. The authority to transfer amounts under this paragraph is in addition to any other authority of the Secretary to transfer amounts by law.

(3) LIMITATION.—Amounts in the Fund may be transferred under this subsection only to organizations components, and elements of the military departments that have a current unmodified audit opinion for use by such organizations components, and elements for purposes specified in paragraph (1).

(c) TRANSFERS TO FUND IN CONNECTION WITH ORGANIZATIONS NOT HAVING ACHIEVED QUALIFIED AUDIT OPINIONS.—

(1) REDUCTION IN AMOUNT AVAILABLE.—Subject to paragraph (2), if during any fiscal year after fiscal year 2019 the Secretary determines that an organization, component, or element of the Department has not achieved a qualified opinion of its statement of budgetary resources for the calendar year ending during such fiscal year—

(A) the amount available to such organization, component, or element for the fiscal year in which such determination is made shall be equal to—

(i) the amount otherwise authorized to be appropriated for such organization, component, or element for the fiscal year; minus

(ii) the lesser of—

(I) an amount equal to 0.5 percent of the amount described in clause (i); or

(II) \$100,000,000; and

(B) the Secretary shall deposit in the Fund all amounts unavailable to organizations, components, and elements of the Department in the fiscal year pursuant to determinations made under subparagraph (A).

(2) INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.—Any reduction applicable to an organization, component, or element of the Department under paragraph (1) for a fiscal year shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.

SA 4597. Mrs. BOXER (for herself, Mrs. SHAHEEN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military con-

struction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. OFFICE OF GLOBAL WOMEN'S ISSUES.

(a) ESTABLISHMENT.—The Secretary of State shall establish in the Office of the Secretary of the Department of State an Office of Global Women's Issues (in this section referred to as the “Office”). The Office shall be headed by an Ambassador-at-Large for Global Women's Issues, who shall be appointed by the President, by and with the advice and consent of the Senate. The Ambassador-at-Large shall report directly to the Secretary and shall have the rank and status of Ambassador-at-Large.

(b) PURPOSE.—In addition to the duties described in subsection (c) and those duties determined by the Secretary of State, the Ambassador-at-Large shall coordinate efforts of the United States Government, as directed by the Secretary regarding gender integration and advancing the status of women and girls in United States foreign policy.

(c) DUTIES.—The Ambassador-at-Large—

(1) shall serve as the principal advisor to the Secretary of State regarding gender equality, women's empowerment, and violence against women and girls as a foreign policy matter;

(2) is authorized to represent the United States in diplomatic and multilateral fora on matters relevant to the status of women and girls;

(3) shall advise and provide input to the Secretary on all activities, policies, programs, and funding relating to gender equality and the advancement of women and girls internationally for all bureaus and offices of the Department of State and in the international programs of all other Federal agencies;

(4) shall work to ensure that efforts to advance gender equality and women's empowerment are fully integrated into the programs, structures, processes, and capacities of all bureaus and offices of the Department of State and in the international programs of other Federal agencies;

(5) shall direct, as appropriate, United States Government resources to respond to needs for gender integration and empowerment of women in United States Government foreign policies and international programs;

(6) may design, support, and implement activities regarding empowerment of women internationally; and

(7) shall conduct regular consultation with civil society organizations working to advance gender equality and empower women and girls internationally.

SA 4598. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 128. TESTING AND INTEGRATION OF MINEHUNTING SONARS FOR LITTORAL COMBAT SHIP MINE HUNTING CAPABILITIES.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Department of the Navy has determined that the Remote Minehunting System (RMS) has not performed satisfactorily.

(2) On February 26, 2016, Secretary of the Navy Ray Mabus stated that new testing must be done to find a reliable solution to the mine countermeasures mission package and that the Navy wants to “get it out there as quickly as you can and test it in a more realistic environment”.

(3) There are several mature unmanned surface vehicle-towed and unmanned underwater vehicle-based synthetic aperture sonar (SAS) sensors in use by the Department of Defense and navies of allied nations.

(4) SAS sensors could provide a technology that would meet the Littoral Combat Ship (LCS) minehunting area clearance rate sustained requirement.

(b) **ASSESSMENT REQUIRED.**—The Secretary of the Navy shall perform at-sea testing of a range of sonar technologies to determine which systems can meet the requirements of the Navy LCS mine countermeasure mission package (MCM MP).

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than September 30, 2019, the Secretary of the Navy shall—

(A) conduct operational at-sea testing and experimentation of currently available and deployable United States and allied conventional side-scan sonars and synthetic aperture sonars;

(B) complete an assessment of minehunting sonar technologies that could meet the requirements for the LCS MCM MP; and

(C) submit to the congressional defense committees a report that contains the results of the at-sea testing and assessment described in subparagraphs (A) and (B).

(2) **ELEMENTS.**—The assessment required under paragraph (1)(B) shall include—

(A) specific details regarding the capabilities of current United States Navy minehunting sonars and in-production SAS sensors available for integration in the LCS MCM MP;

(B) an estimate of the capabilities that could be achieved by integrating SAS sensors in the LCS MCM MP; and

(C) recommendations to enhance the minehunting capabilities of the LCS MCM MP using conventional sonar systems and SAS systems.

(d) **SONAR SYSTEM DEFINED.**—In this section, the term “sonar system” includes, at a minimum, sonar systems relying on conventional sonars, side-scan sonars, or synthetic aperture sonars.

SA 4599. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Countering Foreign Propaganda and Disinformation Act

SEC. 1281. CENTER FOR INFORMATION ANALYSIS AND RESPONSE.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the President shall establish a Center for Information Analysis and Response (in this section referred to as the “Center”). The purposes of the Center are—

(1) to coordinate the sharing among government agencies of information on foreign government information warfare efforts, including information provided by recipients of information access fund grants awarded using funds made available under subsection (e) and from other sources, subject to the appropriate classification guidelines;

(2) to establish a process for integrating information on foreign propaganda and disinformation efforts into national strategy; and

(3) to develop, plan, and synchronize interagency activities to expose and counter foreign information operations directed against United States national security interests and advance narratives that support United States allies and interests.

(b) **FUNCTIONS.**—The Center shall carry out the following functions:

(1) Integrating interagency efforts to track and evaluate counterfactual narratives abroad that threaten the national security interests of the United States and United States allies, subject to appropriate regulations governing the dissemination of classified information and programs.

(2) Analyzing relevant information from United States Government agencies, allied nations, think-tanks, academic institutions, civil society groups, and other nongovernmental organizations.

(3) Developing and disseminating thematic narratives and analysis to counter propaganda and disinformation directed at United States allies and partners in order to safeguard United States allies and interests.

(4) Identifying current and emerging trends in foreign propaganda and disinformation, including the use of print, broadcast, online and social media, support for third-party outlets such as think tanks, political parties, and nongovernmental organizations, in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitating the use of a wide range of information-related technologies and techniques to counter foreign disinformation by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

(6) Identifying gaps in United States capabilities in areas relevant to the Center's mission and recommending necessary enhancements or changes.

(7) Identifying the countries and populations most susceptible to foreign government propaganda and disinformation.

(8) Administering and expending funds made available pursuant to subsection (e).

(9) Coordinating with allied and partner nations, particularly those frequently targeted by foreign disinformation operations, and international organizations and entities such as the NATO Center of Excellence on Strategic Communications, the European Endowment for Democracy, and the European External Action Service Task Force on Strategic Communications, in order to amplify the Center's efforts and avoid duplication.

(c) **INTERAGENCY MANAGER.**—

(1) **IN GENERAL.**—The President is authorized to designate an official of the United States Government to lead an interagency team and to manage the Center. The President shall delegate to the manager of the Center responsibility for and presumptive authority to direct and coordinate the activities and operations of all departments, agencies, and elements of the United States Government in so far as their support is required to ensure the successful implementation of a strategy approved by the President for accomplishing the mission. The official so designated shall be serving in a position in the executive branch by appointment, by and with the advice and consent of the Senate.

(2) **INTERAGENCY STEERING COMMITTEE.**—

(A) **COMPOSITION.**—The Interagency Manager shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center's mission to provide advice to the Manager on the operations and strategic orientation of the Center and to ensure adequate support for the Center. The Steering Committee shall include one senior representative designated by each of the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, the Administrator of the United States Agency for International Development, and the Chairman of the Broadcasting Board of Governors.

(B) **MEETINGS.**—The Interagency Steering Committee shall meet not less than every 3 months.

(C) **PARTICIPATION AND INDEPENDENCE.**—The Chairman of the Broadcasting Board of Governors shall not compromise the journalistic freedom or integrity of relevant media organizations. Other Federal agencies may be invited to participate in the Steering Committee at the discretion of the Chairman of the Steering Committee and with the consent of the Secretary of State.

(3) **SCOPE OF RESPONSIBILITY AND AUTHORITY.**—

(A) **LIMITATION ON SCOPE.**—The delegated responsibility and authority provided pursuant to paragraph (1) may not extend beyond the requirements for successful implementation of the mission and strategy described in that paragraph.

(B) **APPEAL OF EXECUTION OF ACTIVITIES.**—The head of any department, agency, or other element of the United States Government may appeal to the President a requirement or direction by the official designated pursuant to paragraph (1) for activities otherwise in support of the mission and strategy described in that paragraph if such head determines that there is a compelling case that executing such activities would do undue harm to other missions of national importance to the United States.

(4) **TARGETED FOREIGN AUDIENCES.**—

(A) **IN GENERAL.**—The activities under this subsection of the Center described in paragraph (1) shall be done only with the intent to influence foreign audiences. No funds for the activities of the team under this section may be used with the intent to influence public opinion in the United States.

(B) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to prohibit the team described in paragraph (1) from engaging in any form of communication or medium, either directly or indirectly, or coordinating with any other department or agency of the United States Government, a State government, or any other public or private organization or institution because a United States domestic audience is or may be thereby exposed to activities or communications

of the team under this subsection, or based on a presumption of such exposure.

(d) STAFF.—

(1) COMPENSATION.—The President may fix the compensation of the manager of the Center and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(3) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The President may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(e) FUNDS.—Of amounts authorized to be appropriated for fiscal year 2017 for the Department of Defense by this Act and identified as undistributed fuel cost savings as specified in the funding tables in division D, up to \$250,000,000 may be available for purposes of carrying out this section and the grant program established under section 1282. Once obligated, such funds shall remain available for such purposes until expended.

SEC. 1282. INFORMATION ACCESS FUNDS.

(a) GRANTS AND CONTRACTS OF FINANCIAL SUPPORT.—The Center may provide grants or contracts of financial support to civil society groups, journalists, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

(1) To support local independent media who are best placed to refute foreign disinformation and manipulation in their own communities.

(2) To collect and store examples in print, online, and social media of disinformation, misinformation, and propaganda directed at the United States and its allies and partners.

(3) To analyze tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(4) To support efforts by the Center to counter efforts by foreign governments to use disinformation, misinformation, and propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(b) FUNDING AVAILABILITY AND LIMITATIONS.—All organizations that apply to receive funds under this section must undergo a vetting process in accordance with the relevant existing regulations to ensure their bona fides, capability, and experience, and their compatibility with United States interests and objectives.

SEC. 1283. INCLUSION IN DEPARTMENT OF STATE EDUCATION AND CULTURAL EXCHANGE PROGRAMS OF FOREIGN STUDENTS AND COMMUNITY LEADERS FROM COUNTRIES AND POPULATIONS SUSCEPTIBLE TO FOREIGN MANIPULATION.

The President shall ensure that when the Secretary of State is selecting participants for United States educational and cultural exchange programs, the Secretary of State

gives special consideration to students and community leaders from populations and countries the Secretary deems vulnerable to foreign propaganda and disinformation campaigns.

SEC. 1284. REPORTS.

(a) IN GENERAL.—Not later than one year after the establishment of the Center, the President submit to the appropriate congressional committees a report evaluating the success of the Center in fulfilling the purposes for which it was authorized and outlining steps to improve any areas of deficiency.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the congressional defense committees, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1285. TERMINATION OF CENTER AND STEERING COMMITTEE.

The Center for Information Analysis and Response and the interagency team established under section 1281(c) shall terminate 15 years after the date of the enactment of this Act.

SEC. 1286. RULE OF CONSTRUCTION REGARDING RELATIONSHIP TO INTELLIGENCE AUTHORITIES AND ACTIVITIES.

Nothing in this subtitle shall be construed as superseding or modifying any existing authorities governing the collection, sharing, and implementation of intelligence programs and activities or existing regulations governing the sharing of classified information and programs.

SA 4600. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. REPORT ON POTENTIAL VIOLATIONS BY IRAN OF THE RIGHT UNDER INTERNATIONAL LAW TO CONDUCT INNOCENT PASSAGE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that includes a determination with respect to whether, during or after the incident that began on January 12, 2016, in which forces of Iran boarded two United States Navy riverine combat vessels and detained at gunpoint the crews of those vessels, any of the actions of the forces of Iran constituted a violation of the right under international law to conduct innocent passage.

(b) ACTIONS TO BE ASSESSED.—In assessing actions of the forces of Iran under subsection (a), the Secretary shall consider, at a minimum, the following actions:

(1) The stopping, boarding, search, and seizure of the two United States Navy riverine combat vessels in the incident described in subsection (a).

(2) The removal from their vessels and detention of members of the United States Armed Forces in that incident.

(3) The theft or confiscation of electronic navigational equipment or any other equipment from the vessels.

(4) The forcing of one or more members of the United States Armed Forces to apologize for their actions.

(5) The display, videotaping, or photographing of members of the United States Armed Forces and the subsequent broadcasting or other use of those photographs or videos.

(6) The forcing of female members of the United States Armed Forces to wear head coverings.

(c) DESCRIPTION OF ACTIONS.—In the case of each action that the Secretary determines under subsection (a) is a violation of the right under international law to conduct innocent passage, the Secretary shall include in the report required by that subsection a description of the action and an explanation of how the action violated that right.

(d) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) FORCES OF IRAN.—The term “forces of Iran” means the Islamic Revolutionary Guard Corps, members of other military or paramilitary units of the Government of Iran, and other agents of that Government.

(3) INNOCENT PASSAGE.—The term “innocent passage” means the principle under customary international law that all vessels have the right to conduct innocent passage through another country’s territorial waters for the purpose of continuous and expeditious traversing.

SA 4601. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. MITIGATION OF RISKS POSED BY ZIKA VIRUS.

(a) INSECT REPELLANT AND OTHER MEASURES TO PROTECT SERVICE MEMBERS FROM THE ZIKA VIRUS.—Funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense shall be made available for the deployment of insect repellent and other appropriate measures for members of the Armed Forces and Department of Defense civilian personnel stationed in or deployed to areas affected by the Zika virus, as well as the treatment for insects at military installations located in areas affected by the Zika virus inside and outside the United States. Using existing authorities to work with foreign governments that host United States military and civilian personnel, the Department shall

provide support as appropriate to those foreign governments to counter insects at foreign military installations where members of the Armed Forces and Department of Defense civilian personnel are stationed in areas affected by the Zika virus.

(b) **REPORT ON EFFORTS TO MITIGATE RISK TO SERVICE MEMBERS POSED BY THE ZIKA VIRUS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the risk members of the Armed Forces face of contracting the Zika virus and the mitigation efforts being taken by the Department of Defense in response. The report shall include a strategy to counter the virus should it become a long-term issue.

(c) **AREAS AFFECTED BY THE ZIKA VIRUS DEFINED.**—In this section, the term “areas affected by the Zika virus” means areas under a level 2 or level 3 travel advisory notice issued by the Centers for Disease Control and Prevention related to the Zika virus.

SA 4602. Mr. UDALL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. INTERNATIONAL INFRASTRUCTURE SIMULATION AND ANALYSIS CENTER.

(a) **ESTABLISHMENT.**—Using existing funds, the Secretary of Defense is authorized to work in consultation with the Secretary of Energy to develop an International Infrastructure Simulation and Analysis Center.

(b) **PURPOSE.**—The International Infrastructure Simulation and Analysis Center may serve as the key asset for gathering, analyzing, and disseminating information to the Department of Defense, the Department of Energy, and the National Security Council for the purposes of—

(1) providing advanced modeling, simulation, and analysis capabilities to analyze critical infrastructure interdependencies, vulnerabilities, and complexities outside the United States;

(2) providing analysis and data to policy makers and decision makers to aid in the prevention or response to humanitarian or other threats outside the United States; and

(3) providing strategic, multidisciplinary analyses of infrastructure interdependencies and the consequences of infrastructure disruptions across multiple infrastructure sectors outside the United States.

(c) **USE OF EXISTING FACILITIES.**—The International Infrastructure Simulation and Analysis Center should utilize existing Department of Defense or Department of Energy facilities.

(d) **CAPABILITIES.**—The Center should include the following capabilities:

(1) Process-based systems dynamic models.

(2) Mathematical network optimization models.

(3) Physics-based models of existing infrastructure.

(4) High fidelity, agent-based simulations of systems.

(5) Other systems capabilities as deemed necessary by the Secretary of Defense to ful-

fil the mission needs of the Department of Defense.

SA 4603. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall be in effect 1 day after enactment.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 8, 2016, at 2:30 p.m., in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled “Implementation of the Fast Act.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 8, 2016, at 9:30 a.m., in room SD-215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 8, 2016, at 3:30 p.m., to conduct a hearing entitled “Nominations.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 8, 2016, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 8, 2016.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on

Foreign Relations Subcommittee on Africa and Global Health Policy be authorized to meet during the session of the Senate on June 8, 2016, at 2:15 p.m., to conduct a hearing entitled “U.S. Sanctions Policy in Sub-Saharan Africa.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION AND THE NATIONAL INTEREST

Mr. PAUL. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate on June 8, 2016, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The H-2B Temporary Foreign Worker Program: Examining the Effects of Americas’ Job Opportunities and Wages.”

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MURPHY. Mr. President, first, I ask unanimous consent that Laura Malenas and Kevin Craw, who are both fellows in my office, be granted floor privileges for the remainder of the Senate’s consideration of the NDAA.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the following interns from my office be granted the privilege of the floor for the month of June: Coreanne Bean, Emily Harland, Clara Baldwin, Kea Bekkendahl, Desiree Cleary, Xochitl Martinez, Teresa Wrobel, Karl Lundgren, Robin O’Donoghue, Bernie Franulovich, Andrea Witte, and Noam Levenson; and I also ask unanimous consent that Tyler Schroeber be granted the privilege of the floor for the balance of the day.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, I ask unanimous consent that Giselle Naranjo-Cruz be granted privileges of the floor today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JUNE 9, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, June 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; finally,

that notwithstanding the provisions of rule XXII, the cloture motions with respect to Reed amendment No. 4549 and McCain amendment No. 4229 ripen at 11:15 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned, following the remarks of Senator McCain.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. McCain. Mr. President, I would like to make a couple of comments about the progress of the legislation.

As it just happened, the majority leader has filed cloture on the bill,

which means that if 30 hours are consumed, then we would be here on Friday. I certainly hope that is not the case. We are negotiating several contentious issues which, if those negotiations are successful, I would anticipate a number of votes tomorrow morning. If we are unable to, then it is going to stretch out into the afternoon or even to the next day for final passage.

I thank every Member who has been engaged in this process. Literally every Member has had an amendment or some involvement in this issue, and I think that is the healthiest thing about consideration of this bill, which, obviously I say with some bias, is the most important legislation that we take up, given that its responsibilities are to the men and women who are serving in our military in harm's way in a very dangerous world.

I thank my colleagues for their cooperation, and hopefully we can reach some agreements tonight and tomorrow to expedite the process and get final passage.

I note the presence of the Senator from Rhode Island, and I wonder if he has any comments.

The PRESIDING OFFICER. Without objection, the Senator from Rhode Island.

Mr. REED. Mr. President, I second Senator McCain's comments about the cooperation and collaboration. We hope that tomorrow we can move forward on several amendments, and I want to join him in commending and thanking our colleagues for their help.

Thank you.

Mr. President, I believe we have both yielded the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 9:09 p.m., adjourned until Thursday, June 9, 2016, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN RECOGNITION OF HEARTLINE
PRESS

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor Heartline Press on winning SCORE's 2016 Small Business Achievement Award.

SCORE is a national nonprofit that provides free business mentoring and educational workshops to entrepreneurs and small business owners across the country. I am grateful for the services local SCORE chapters provide for our region's innovative entrepreneurs. And I commend the Chester County Chapter on being named "2015 Chapter of the Year," edging out over 300 other chapters around the country.

Ryan Hartley, founder of Heartline Press, developed his passion for the offset lithography printing process while attending Springfield High School. Bob Preston, who operated the school's print shop, became a lifelong mentor and encouraged Hartley to start his own printing company in 2005.

Hartley was working long hours and the business was barely profitable. So in 2012 he reached out to SCORE and was introduced to SCORE counselors who helped him reorganize his business to operate it more efficiently and effectively. Hartley also enhanced his web design services and developed a strong social media marketing campaign.

Mr. Speaker, I congratulate Mr. Hartley on his success through the SCORE mentorship program.

HONORING JACOB BRUNS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob Bruns. Jake is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Jake has been very active with his troop, participating in many scout activities. Over the many years Jake has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jake has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jacob Bruns for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ZACHARY FITZMIER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Zachary Fitzmier for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Zachary Fitzmier is an 11th grader at Pomona High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Zachary Fitzmier is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Zachary Fitzmier for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

TRIBUTE TO DR. CHARLES ELACHI

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. SCHIFF. Mr. Speaker, I rise today to honor my dear friend Dr. Charles Elachi, as he concludes 46 years of service to the National Aeronautics and Space Administration's (NASA) Jet Propulsion Laboratory (JPL). As Director of JPL for the last 15 years, Dr. Elachi has been an exceptional leader and invaluable contributor to space exploration.

Born and raised in Lebanon, Dr. Elachi left home to pursue a Bachelor of Science degree in physics from the University of Grenoble, France. From there he received his Diplôme Ingénieur in engineering from the Polytechnic Institute, Grenoble. He continued his education at the California Institute of Technology where he received his Master of Science and Doctoral degrees in electrical sciences. After joining JPL in 1970, Dr. Elachi continued his education at the University of Southern California where he received his Master of Business Administration, and the University of California, Los Angeles where he received his Master of Science in Geology.

Dr. Elachi began his 46 year career at JPL as a research and science investigator. Quickly rising to leadership, he served as Principal Investigator on numerous NASA projects, most notably the Shuttle Imaging Radar series, the Magellan Imaging Radar, and the Cassini Titan Radar. From 1982 to 2000, Dr.

Elachi served as Director for Space and Earth Science Programs at JPL and was responsible for the overall development of instruments for Earth observation, planetary exploration, and astrophysics and the missions utilizing those instruments.

In May of 2001, Dr. Elachi was appointed Director of JPL and through the years has steadfastly stewarded JPL to unparalleled success. JPL's highly successful Mars missions—Phoenix and the rovers Spirit, Opportunity and Curiosity—have pushed the boundaries of robotic exploration and have inspired a new generation of scientists. Earth missions such as GRACE, Jason 1, 2, and 3, Aquarius, and Cloudsat to name a few, have furthered our understanding of Earth's climate and given us critical data on the planet we call home. Far beyond our planet, Juno, Kepler, Dawn, and many other missions are studying various parts of our solar system and beyond. Under Dr. Elachi's tenure, these successful missions and JPL's consistent ability to deliver on target have created innumerable job opportunities locally and nationally, and have continued JPL's distinction and prominence in space exploration.

Throughout his impressive career, Dr. Elachi has authored over 230 publications and lectured in more than 20 countries about space, planetary exploration, and Earth observation. He holds numerous patents in the fields of active microwave remote sensing and electromagnetic theory. Over the years, Dr. Elachi chaired a number of national and international committees which developed plans for the exploration of our solar system, neighboring solar systems, and Mars. His exceptional career includes over 30 awards and recognitions including the J.E. Hill Lifetime Space Achievement Award, the Association of Space Explorers Congress Crystal Helmet Award and the NASA Outstanding Leadership Medal in three different years, to name a few.

It is with great appreciation and respect that I congratulate Dr. Charles Elachi upon 46 years of exemplary public service. The time and energy Dr. Elachi put into his work is extraordinary and people across the globe have benefited greatly from his dedicated service. Applauding his commitment and dedication to NASA's JPL and its work, I now proudly ask you all to join me in commending Dr. Charles Elachi for his lifetime of service to our country.

HONORING THE SERVICE OF
GARY EDMONDSON

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. BOUSTANY. Mr. Speaker, I rise today to honor the life and service of Gary Edmondson. A veteran of the United States

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Army, Gary recently celebrated 70 years of playing TAPS at military funerals throughout the state of Louisiana at no cost to the families. He played his first military funeral in 1946, as a young Boy Scout at the age of 12 and for the last seven decades has never looked back.

Born in August of 1934 in Brooklyn, N.Y., Gary joined the Army at the age of 21; eventually earning a place in the U.S. Army band in Louisville, Ky. Gary dedicated his life to playing TAPS to honor fellow veterans at their funerals. After relocating to Lafayette, Louisiana, in 1959, he notified all six of the local funeral homes to let them know he was always available to play TAPS free of charge.

Since moving to Acadiana, Gary has become a fixture of the community. He has played countless funerals, military, veterans, and community events throughout his lifetime of service. Just this past Memorial Day, he played in services at Lafayette Memorial Park, as well as Green Lawn Memorial Park—a tradition he has kept since 1964.

Gary's seven decades of heartfelt dedication to our fallen heroes is an inspiration to us all. In 2013, he earned an induction into the Living Legends Hall of Fame in Erath, La. In 2014, he created the Acadiana Veterans Honor Guard and was instrumental in securing funding to ensure every local veteran will receive full military funeral honors. Beloved by the entire community; Gary Edmondson has enriched the lives of countless families during their darkest hours. I rise to ask my colleagues in the House of Representatives to join me in recognizing his lifetime of service, dedicated to providing the final tribute to our fallen heroes as their families lay them to rest.

IN SUPPORT OF THE AMERICAN
POLITICAL SCIENCE ASSOCIATION
CONGRESSIONAL FELLOWSHIP

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. McDERMOTT. Mr. Speaker, today I rise to draw attention to a development that remained largely unnoticed; discontinuation of the Fulbright Congressional Fellowship program run by the American Political Science Association (APSA).

My office has regularly welcomed international fellows. We continue to host these talented professionals from different areas around the world. Between 2004 and 2008, I hosted two APSA-Fulbright Congressional Fellows from India; an academic, Medha Nanivadekar, and a New Delhi journalist, Prasad Venkateswara Kunduri.

These Fellows brought a great deal of depth and perspective to the office at a time when relationship between United States of America and India was expanding like never before. Today, the U.S. and India are engaged across more than 60 fields.

Prasad, in particular came at a time when we in the Congress were deeply engaged and debating the Civil Nuclear Deal with India. I valued his perspective and understanding of

the intricacies of discourse within India on the issue as well as the impact the process could have on U.S.-India relations and domestic politics.

During 2007–2008, Prasad spent a year in Washington, D.C. Since his return, he remains in contact with me and my office. He continues to share his experiences as a Fellow with his colleagues to promote a greater understanding of how the U.S. Congress works. When I have traveled to India he is engaged in events related to my trip. I continue to appreciate his perspective when working on issues related to India.

Since we do not have a regular official delegation-level exchange program between the U.S. Congress and Parliament of India many of us travel to India as part of various programs organized by different groups or Co-Dels which include special events like one that retraced Martin Luther King's journey in India. Events organized by former Fellows like Prasad help bridge the gap between U.S. lawmakers and people.

These Fellows who come to Washington, D.C. and spend a year on The Hill, help create a relationship with U.S. law-makers, staff, policy planners, advocacy groups and colleagues in the program. What they take back enriches the United States' relationship with these communities.

The Fulbright-APSA Congressional Fellowship Program was part of APSA's Congressional Fellowship Program. It was established over 60 years ago and remains a highly selective, non-partisan, early-to-mid career program devoted to expanding knowledge and awareness of Congress. The program enjoys a reputation for excellence among those concerned with the quality of government and the ways in which democracies function. The APSA-Congressional Fellowship ended after a five year run.

Appreciating the initiative and contribution of the program, I urge the Fulbright Board to reconsider and fund APSA Congressional Fellowship.

HONORING KAELEN HAGEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kaelin Hagen. Kaelin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Kaelin has been very active with his troop, participating in many scout activities. Over the many years Kaelin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Kaelin has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Kaelin Hagen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING EARLINE ROGERS
UPON HER RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. VISCLOSKY. Mr. Speaker, today it is with profound respect that I take this time to honor one of Indiana's foremost citizens, State Senator Earline Rogers. A retired public school teacher, Earline has consistently distinguished herself as a pillar of her community, a voice for children, and a selfless public servant. Serving in the Indiana General Assembly for thirty-four years, Senator Rogers will be retiring this year after a truly monumental career.

Born in Gary, Indiana, Earline Rogers was inspired at an early age to be a force for positive change by her father, Earl Smith Sr., and her mother, Robbie. Employed as a steelworker, Earl worked tirelessly alongside his wife to support Earline and her four siblings, Gerry, Bobby, Earl Jr., and Denice. Taking on two part-time jobs in addition to his full-time position at the steel mill, Earl was determined to see his children graduate high school and attend college. Earline fulfilled her parents' dream and graduated as senior class president with honors from Roosevelt High School in Gary, and went on to earn Bachelor of Science and Master of Science degrees in Education from Indiana University. Following her undergraduate studies, Earline began her career teaching in the Gary Community School Corporation, and soon became active in the American Federation of Teachers union, working to provide teachers with the best resources to educate their students and provide them with pathways to success. Senator Rogers was elected to the Gary Common Council in 1980, and broke barriers serving as the Council's first female president. In 1982, Senator Rogers was elected to the Indiana House of Representatives, and in 1990, she became a member of the Indiana Senate where she has served for the past twenty-six years representing Indiana Senate District 3.

In particular, Senator Rogers has most recently served as the Indiana Senate Minority Whip, and as the Ranking Minority Member on the Education and Career Development Committee as well as the Family and Children Services Committee. Senator Rogers had also served on the Appropriations, Homeland Security and Transportation, Veterans Affairs and the Military, and Pensions and Labor Committees, and as a member of the Indiana Education Roundtable.

Since entering public service, Senator Rogers has established herself as one of Indiana's most accomplished and effective legislators, working across the aisle with her colleagues to improve the lives of all Hoosiers, notably to protect the safety, rights, and educational opportunities of our youngest citizens. In particular, Senator Rogers authored Jojo's Law, which mandates that all vehicles for ten or more passengers utilized by public schools, preschools, or licensed day care centers must meet the same safety standards as school buses. Senator Rogers also created Heather's Law, which requires the Indiana Department of

Education to develop programs for Indiana schools to better educate students about dating violence. Moreover, she has led efforts to increase anti-bullying education statewide and safeguard our students from forms of harassment outside the classroom, such as cyber-bullying. In addition, Earline Rogers was instrumental in the passage of legislation that raised the minimum age of the death penalty to 18 years of age in Indiana. Finally, Senator Rogers wrote Indiana's first bilingual-literacy program and successfully provided funding for Northwest Indiana school repair and prospective teacher training. Earline's record as an advocate for our community's most vulnerable, and for preparing our next generation of leaders, has and will continue to leave an immeasurable impact on Northwest Indiana, our state, and our country.

In addition to her achievements in the realm of children and education, Senator Rogers' legislative accomplishments include filing the first bill to legalize casino and riverboat gaming in Indiana, spearheading efforts to increase job growth, and most recently, gaining legislative approval to relocate docked riverboat casinos to adjacent land. Thanks to the efforts of Senator Rogers, this industry has generated significant economic investment throughout our state. Furthermore, Senator Rogers was a leader and integral to the creation of the Northwest Indiana Regional Development Authority, an entity that currently works with local, state, and federal partners to spur regional economic development. These projects include the enrichment of the Gary/Chicago International Airport, improving access to our historic lakeshore through the Marquette Plan, investment in the recapitalization and expansion of the South Shore Rail Line, and the development of a regional bus system. Senator Rogers has fought to bring economic prosperity and opportunities to all of her constituents, and has been a transformational figure and the epitome of a public servant.

Earline is married to Chuck Rogers, a retired Gary firefighter, and together they have two children, Keith Sr. and Dara, as well as a number of grandchildren and great-grandchildren. Earline plans to spend her retirement staying active in the Gary community, including in Saint Timothy Community Church, where she has been a member for over fifty years, and looks forward to spending winters visiting her family in Arizona.

I am especially proud to note that the relationship between the Smith/Rogers and Visclosky families spans four generations. As mentioned earlier in my remarks, Earline's father worked two part-time jobs in addition to his full-time employment. One of those part-time positions was working with my father in the Calumet Township Trustee's office in the 1940s and 1950s. There they began a friendship based on a profound respect for each other. To this day, my 100-year-old father, John, is proud that he attended Earline's high school graduation open house and was able to witness the beginning of her distinguished academic and professional career. That friendship has continued through my relationship with Earline and Chuck, and now spans a fourth generation with her grandson, Keith, who is currently serving in my Washington, DC, Congressional office. The Visclosky family

has been blessed to have experienced such a long standing and strong relationship with individuals imbued with integrity, selflessness, and with whom we have had countless good laughs.

I am proud to call Earline my friend, and I wish her the very best in this new chapter of her life. Earline has always served the citizens of Gary, Northwest Indiana, and our entire state as a passionate and compassionate public servant. For this she is worthy of the highest praise.

Mr. Speaker, I respectfully ask that you and my distinguished colleagues join me in honoring Indiana State Senator Earline Rogers for her life of public service, and for teaching generations of young Hoosiers to be a force for positive change, both in and out of the classroom. Senator Rogers' life has truly been a gift to us all.

IN RECOGNITION OF ACTION POTENTIAL

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor Action Potential on winning SCORE's 2016 Small Business Achievement Award.

SCORE is a national nonprofit that provides free business mentoring and educational workshops to entrepreneurs and small business owners across the country. I am grateful for the services local SCORE chapters provide for our region's innovative entrepreneurs. And I commend the Chester County Chapter on being named "2015 Chapter of the Year," edging out over 300 other chapters around the country.

Kathy Dixon and Kristen Wilson founded Action Potential in 2011 to provide innovative, high-customized rehabilitation services to senior, neurological and amputee clients. Action Potential is the first outpatient therapy provider to offer these specialized services in Delaware and Chester Counties. In just three years the business more than quadrupled its number of patients.

Kathy and Kristen have been involved with SCORE since they were first considering starting their own business, attending workshops that helped them develop a business plan and working with a SCORE counselor.

Action Potential is actively involved in and giving back to its community, hosting educational luncheon sessions for physicians and charity events like their National Amputee Golf Association First Swing Seminar and Annual Turkey Trot.

Mr. Speaker, I congratulate Kathy Dixon and Kristen Wilson on their success. It is small businesses like Action Potential that form the backbone of our local economy.

H.R. 5055, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT OF 2017

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. WESTMORELAND. Mr. Speaker, I wish to express my deep concerns about the proactive management practices displayed by the U.S. Army Corps of Engineers, Mobile District, in regard to their management of West Point Dam and Lake water levels. The U.S. Army Corps of Engineers should use all appropriated funds to implement and carry out the best practices. For many years, my office and the stakeholders of West Point Lake have worked with the Mobile District to discuss proactive policies and what it will take to put adaptive management practices in place. Upon hearing the announcement that West Point Lake will not remain at full pool this summer as a direct result of the Mobile District's decision to draw down the lake, I once again am concerned that best practices are not being utilized. The construction of the West Point Dam was authorized by Congress through the Flood Control Act of 1962 and completed later in 1975. Of the five intended purposes for the West Point Dam and Lake, general recreation is chief among them. West Point Lake has served this historical purpose for over 40 years, contributing anywhere from \$153 million to \$710 million in annual economic impact. However, the economic impact depends heavily on the lake's water levels. West Point Lake guests enjoy fishing, boating, and other water sports, as well as many other outdoor activities centrally located around the lake. There can be no doubt that recreational activities on West Point Lake are the life-blood of the area. The threat of low water levels will have substantial impacts on recreation. I urge the U.S. Army Corps of Engineers, Mobile District to use all appropriated funds to implement adaptive management practices according to the general recreation purpose of West Point Dam and Lake.

RECOGNIZING MR. JOHN BREITSMAN UPON THE OCCASION OF HIS RETIREMENT FROM THE PENNSYLVANIA DEPARTMENT OF AGRICULTURE

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. BARLETTA. Mr. Speaker, it is my privilege to recognize Mr. John Breitsman on the occasion of his retirement as the Director of the Bureau of Plant Industry at the Pennsylvania Department of Agriculture after 34 years of devoted service. Working every day to provide the best possible service to the consumers and producers of Pennsylvania's agriculture, John challenges his team to instill excellence and leadership in meeting the state's agricultural needs. Comprehensive oversight

under John's leadership has improved agriculture significantly in my district and throughout Pennsylvania, ensuring a diverse and healthy ecosystem for generations to come.

Beginning his service to the state in 1982, John quickly advanced from an Agricultural Products Inspector to Agronomic Specialist, eventually holding the titles of Chief of the Division of Agronomic and Regional Services and Director of the Bureau of Plant Industry. His leadership and expertise have earned him positions with state, regional, national, and international organizations such as the Food and Drug Administration, the American Feed Control Officials (AAFCO) where he served as president, and the FBI. John has also worked closely with the Pennsylvania Department of Agriculture's Rapid Response Team, which is responsible for creating a Best Practices Manual for food and feed related emergency responses. His service and involvement with such diverse organizations has instilled a sense of security in my constituents' food supply and helped my district's farmers meet today's most daunting challenges.

John has always understood the value in surrounding himself with an elite team, mentoring his employees, and providing them with the support needed to fulfill the Bureau's mission of protecting Pennsylvania agriculture and ensuring consumer safety. With such unique and committed service to his position and employees alike, John has received numerous awards highlighting his service. In 1999, he was recognized with the Pennsylvania Department of Agriculture's Outstanding Employee of the Year award and, in 2001, was honored with the AAFCO Distinguished Service Award. John has also been integral in the development of PaPlants, the Bureau's comprehensive web-based tracking and interactive constituent access program. PaPlants is now a model for USAPlants, a nationwide initiative in use by five other states.

Mr. Speaker, it is my honor to recognize Mr. John Breitsman for his extensive guidance and superior leadership with the Pennsylvania Department of Agriculture. Commitment to his colleagues has allowed John to inspire his co-workers on a daily basis, and his hard work is evident through various achievements and lasting contributions to my community and state. John's retirement will be accompanied by quality time spent with his wife Kristin and his daughter Stephanie. On behalf of my constituents, I wish Mr. John Breitsman well on the occasion of his retirement, and best of luck in his future endeavors.

PERSONAL EXPLANATION

HON. TAMMY DUCKWORTH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Ms. DUCKWORTH. Mr. Speaker, on June 7, 2016, on Roll Call Number 269 on the motion to suspend the rules and agree to, as amended, H. Con. Res. 129, Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its com-

mitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and agree to the resolution, as amended.

On June 7, 2016, on Roll Call Number 270 on the motion to suspend the rules and pass H.R. 4906, To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 4906.

On June 7, 2016, on Roll Call Number 271 on the motion to suspend the rules and pass H.R. 4904, Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 4904.

On June 7, 2016, on Roll Call Number 272 on the motion to suspend the rules and pass, as amended, H.R. 1815, Eastern Nevada Land Implementation Improvement Act, I am not recorded. Had I been present, I would have voted YEA on the motion to suspend the rules and pass H.R. 1815, as amended.

TRIBUTE TO LILA AND TED SHOESMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ted and Lila Shoesmith on the very special occasion of their 60th wedding anniversary.

Ted and Lila were married on May 27, 1956 and reside in Guthrie Center, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I commend this lovely couple on their 60 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING SYDNEY EISMEIER

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize Sydney Eismeier, a Military Appointee from Colorado's Fourth Congressional District. I believe our greatest assets are America's brave men and women in uniform. Sydney is making an incredible sacrifice for our country

and deserves our utmost support for her service. It is with great pleasure that I give her my endorsement to attend this prestigious institution.

Our nation owes no greater debt of gratitude than to those who fight to protect our freedom and liberty. I commend Sydney and her family for their commitment. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Sydney.

Mr. Speaker, it is an honor to recognize Sydney as a Military Appointee for her commitment to protect and serve our nation.

THOMAS BERGMAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Thomas Bergman for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Thomas Bergman is a 12th grader at Stanley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Thomas Bergman is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Thomas Bergman for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE RETIREMENT OF DAVE BREIDINGER

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the retirement of Dave Breidinger, a man of commitment and service.

Whether we speak of Dave Breidinger's accomplishments during his career with Comcast or in the community, Dave has served with unwavering dedication. On this special milestone of his retirement, we come to celebrate the positive impact that Dave had on so many people's lives.

Dave began his career managing a local franchise. He retires today as the Senior Vice President of Government Affairs for Comcast's Northeast Division States. I had the pleasure to work with Dave on federal government communication related issues. His contributions to Comcast have been unparalleled, as they have significantly expanded communication in the Northeast region.

Equally important to Dave's accomplishments at Comcast and his commitment to professional associations, is the extensive range

of his community involvement. He has been involved with groups including the Rotary Club, Salvation Army, and the Boys and Girls Club.

Currently, he serves on numerous boards including the Bucks County Community College Foundation Board and the St. Mary Medical Center Advisory Board. Dave is also Chairman of the Board of Pearl S. Buck International which works to build better lives for children around the world—an organization located in my district which I have great pride representing in the United States House of Representatives.

In honor of his time, hard work, and selfless spirit, Dave has received a multitude of awards including the Rotary District 7510 "Matty" Mathewson Rotarian of the Year award, the Boy Scouts of America "Spirit of America" award, and leadership awards from the NJCTA, the CTAMDDC and from the Broadband Cable Association of Pennsylvania. He was also inducted into the Cable Television Pioneers for his instrumental part in the Cable Television Industry.

David Breidinger's 35 years of work for Comcast and outstanding leadership is deeply appreciated. We are grateful for David's commitment and service and know he will continue to inspire others in the Northampton Township and beyond.

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. HOLDING. Mr. Speaker, I missed roll call vote 269, H. Con. Res. 129 expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

Had I been present, I would have voted Yea.

HONORING JACOB L. SALSBUARY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob L. Salsbury. Jacob is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1395, and earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably,

Jacob has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jacob L. Salsbury for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for votes on Tuesday, June 7, 2016. Had I been present, I would have voted "yea" on roll call votes 269, 270, 271, and 272.

TRIBUTE TO THE ZIPP'S PIZZARIA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Zipp's Pizzeria of Adair, Iowa for winning the 2016 Iowa Tourism Office's Pizza Madness Award from the Iowa Tourism Office.

Iowa Tourism Office announced their contest search for the best pizza in Iowa in mid-March 2016 and after nearly 15,000 entries, the votes cast named Zipp's Pizzeria, an iconic small establishment nestled in western Iowa. The one-time "take out only" pizza parlor is now a full service restaurant known statewide for its signature taco pizza.

This year's winning entrant was a local hometown café, like so many of those in Iowa. Zipp's Pizzeria has all the markings of a great pizza parlor—with extra helpings of community pride and dishing up a tailor-made private recipe for its specialty taco pizza. Owner Jim Zimmerline accepted the award, noting he is humbled by the attention but is willing to give away their winning philosophy: never skimp on the ingredients. He said, "Not every pizza is the same. A lot of love goes into it. Everything is fresh."

I commend Jim Zimmerline and the staff at Zipp's Pizzeria for creating an outstanding pizza. I urge my colleagues in the U.S. House of Representatives to join me in congratulating Zipp's Pizzeria for winning 2016 Iowa Tourism Office's Pizza Madness Award. I wish Jim and all of the staff nothing but the best.

RECOGNIZING GUSSIE GAMMON'S 90TH BIRTHDAY

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Gussie Gammon of St. Simons Island, Georgia for her 90th birthday on June 25th.

At 90 years old Ms. Gammon continues to be an impressive member and contributor to the coastal Georgia community.

She contributes greatly to the Coastal Georgia Republican Club in Brunswick and the Georgia Federation of Republican Women. She has even held positions of leadership including secretary of the Coastal Georgia Republican Club.

I know from the time that I have spent with her that she deeply cares about bettering her community as well as the nation.

Before moving to coastal Georgia in 2009, Gussie and her husband Don were active members of the community in Waynesville, North Carolina.

The First Congressional District of Georgia is lucky to have someone like Gussie who illustrates, each day, her dedication in creating a better community and I thank her for her service.

Ms. Gammon, I hope you have a happy 90th birthday.

RECOGNIZING THE LIFE AND SERVICE OF VINCENT ROTHWELL

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. REED. Mr. Speaker. I rise today to recognize the life and service of Vincent Rothwell, who recently passed away at the age of 91.

Mr. Rothwell was a long-time resident of Chautauqua County, New York. He graduated from Mayville High School in 1941 and joined the Army Air Corps in 1943. He served as a turret gunner aboard B-24 Bombers in the European Theater during World War II. After the war, he returned stateside and served as a Personnel Sergeant.

Mr. Rothwell was honorably discharged from the Army in 1946. He returned to New York and married the love of his life, Elizabeth "Betty" Pickard, later that year. Mr. Rothwell graduated from Houghton College in 1952 and the Evangelical Theology Seminar of Naperville, Illinois, in 1955. Two years after joining the ministry, he reenlisted in the Army as a chaplain. He served a deployment in Vietnam and presided over more than 1,500 funerals at Arlington National Cemetery. Mr. Rothwell attained the rank of Lt. Colonel and, in 1975 retired as Senior Chaplain after 22 years of service to his country.

Mr. Rothwell returned to Westfield in 1984, where he continued his ministry as a pastor at the Westfield United Methodist Church. Even in retirement, Mr. Rothwell tirelessly served his local community, as a member of the Chautauqua County Jail Chaplaincy, a Westfield Village Trustee, the Westfield Village Clerk, and the Westfield Volunteer Fire Department Chaplain. As a pillar of his community, Mr. Rothwell was admired and respected by everyone who knew him.

Vincent Rothwell dedicated his life to serving his country, his community, and his neighbors. I extend my sincerest condolences to his family and ask my colleagues to join me in honoring the life and service of this great American.

PERSONAL EXPLANATION

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. CURBELO of Florida. Mr. Speaker, on June 7, I missed votes on account of a flight delay from Miami to Washington, D.C. Had I been present I would have voted as follows:

Roll Call 269: I would have voted YEA: H. Con. Res. 129—Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

Roll Call: 270: I would have voted YEA: H.R. 4906—To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes.

Roll Call: 271: I would have voted YEA: H.R. 4904—MEGABYTE Act.

Roll Call: 272: I would have voted YEA: H.R. 1815—Eastern Nevada Land Implementation Improvement Act.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. PITTENGER. Mr. Speaker, on Roll Call Votes Number 269, 270, 271, and 272 I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner:

On Roll Call Number 269. Had I been present, I would have voted YEA.

On Roll Call Number 270. Had I been present, I would have voted YEA.

On Roll Call Number 271. Had I been present, I would have voted YEA.

On Roll Call Number 272. Had I been present, I would have voted YEA.

TRIBUTE TO EVANELL AND ARTHUR WHITWORTH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Evanell and Arthur Whitworth on the very special occasion of their 65th wedding anniversary.

Arthur and Evanell were married on June 12, 1951, and reside in Winterset, Iowa. Their lifelong commitment to each other and their family truly embodies Iowa's values. As the

years pass, may their love continue to grow even stronger and may they continue to love, cherish, and honor one another for many more years to come.

I commend this lovely couple on their 65 years of life together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

TRIBUTE TO MR. DANNY JONES, ASST. CHIEF, CLEARWATER FIRE DEPARTMENT

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Danny Jones who has dedicated nearly 30 years of service to his community and whose selfless work continues to inspire all those around him.

Mr. Jones retired on May 24, 2016 as Assistant Fire Chief of the Clearwater Fire Department. He spent his career aiding and assisting the people of Pinellas County where he was known for his dedication to the job and commitment to his coworkers and community.

Mr. Jones led the Clearwater Fire Department with a heartfelt smile and enthusiastic attitude, comforting individuals and families who needed his assistance, and guiding the members of his team who relied on his thoughtful guidance while responding to dangerous situations.

Mr. Speaker, I want to thank and acknowledge Mr. Jones for his dedicated service to Pinellas County and our beloved community. He has made an impact on the Tampa Bay area, and I ask that this body join me in recognizing his service and congratulating him on his career. I wish him the best of luck as he begins a new chapter in his life.

TASMYN DOWD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Tasmyn Dowd for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Tasmyn Dowd is an 8th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Tasmyn Dowd is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Tasmyn Dowd for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedi-

cation and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. BILL PASCARELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. PASCARELL. Mr. Speaker, I want to state that on June 7, 2016, I missed four roll call votes due to prior commitments in my district. Had I been present I would have voted:

YES—Roll Call Vote 269—H. Con. Res. 129—Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

YES—Roll Call Vote 270—H.R. 4906—To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency.

YES—Roll Call Vote 271—H.R. 4904—Making Electronic Government Accountable by Yielding Tangible Efficiencies Act of 2016.

YES—Roll Call Vote 272—H.R. 1815—Eastern Nevada Land Implementation Improvement Act.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Ms. LEE. Mr. Speaker, if I was present on Tuesday, June 7, 2016 for Congressional votes I would have voted the following ways:

H. Con. Res. 129—YES

H.R. 4906—YES

H.R. 4904—YES

H.R. 1815—YES

CELEBRATING THE RETIREMENT OF STATE REPRESENTATIVE MARY FRITZ

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Ms. ESTY. Mr. Speaker, I rise to recognize the legacy of State Representative Mary Fritz, who will be retiring from the Connecticut House of Representatives. Rep. Fritz's retirement will mark the conclusion of her fifteenth term and more than three decades of public service. As a member of the Connecticut House of Representatives, Rep. Fritz has worked tirelessly on behalf of the citizens of Cheshire and Wallingford.

Rep. Fritz began a lifetime of public service on the Board of Education in the Town of Wallingford, Connecticut. In November of 1982, Rep. Fritz was first elected to represent the 90th District in the Connecticut General Assembly. Since Rep. Fritz's inaugural term, she has established herself as a consummate leader, serving as Deputy Majority Leader, Deputy Speaker, and Assistant Deputy Speaker over the course of her long and distinguished tenure.

As a legislator, Rep. Fritz has successfully pushed for and passed legislation on a broad array of issues including crime, education, healthcare, senior care, and taxation. During her first term, Rep. Fritz helped establish high school graduation requirements that called for Connecticut high school students to complete a course in civics. This marked the first of many hard-won reforms through which she enriched the lives of her constituents and strengthened our community.

It gives me great pleasure to recognize the service of my friend and former colleague, State Representative Mary Fritz. On behalf of the United States House of Representatives, I thank her and wish her the very best in retirement.

TRIBUTE TO TIM CAPPEL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate Tim Cappel of Atlantic, Iowa, for his selection by the Young Professionals of Atlantic for the Young Professional Business Leader Award. Tim Cappel is associated with Cappel's Ace Hardware in Atlantic.

Tim was selected for this honor because he has been a long-standing member of the Atlantic community and demonstrates exceptional leadership as well as positive business practices in his family-owned business. He takes an active role in the Atlantic community by serving as an EMT and Assistant Fire Chief for the Atlantic Fire Department, Treasurer for the Cass County Fire Association and assists with fundraisers for the Shrine Burn Center.

I applaud and congratulate Tim Cappel for earning this award. He is a shining example of how hard work and dedication can affect the future of a community and business. I urge my colleagues in the U.S. House of Representatives to join me in congratulating Tim Cappel for his many accomplishments and for his service to the Atlantic community. I wish him continued success in all his future endeavors.

IN RECOGNITION OF ALEX MELNIKOW'S RETIREMENT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mrs. COMSTOCK. Mr. Speaker, I am honored to use this time to recognize the tremendous work of my constituent Mr. Alex

Melnikow of Clifton, Virginia. Mr. Melnikow retired on February 3rd, 2016, after over 40 years of service to the United States. His dedication to a high standard of conduct allowed him to remain honest and loyal, and allowed him to make a positive impact to the efficiency in our armed services.

During his most recent assignment, Mr. Melnikow served as the lead analyst for Diminishing Manufacturing Sources and Material Shortages (DMSMS) within the Office of the Deputy Assistant Secretary of Defense for Systems Engineering, Engineering Enterprise, and Defense Standardization Program Office. Mr. Melnikow strove to enhance the efficiency of engineering practices such as operational support, alliance forces interoperability, material configuration, training development and outreach.

In addition to his time at DMSMS, Mr. Melnikow served for 25 years as a logistics program manager for the Defense Logistics Agency, as well as 7 years with the Tennessee Valley Authority as an acquisition program manager. He served as a senior staff engineer for the Defense Logistics Agency in the Logistics Research and Development Program. In 2007, he received the Defense Logistics Agency's Outstanding Program Manager Award as a result of his efforts on the electronics availability program. These experiences all contributed to his impressive technical background as a test engineer and as a senior program manager.

Mr. Speaker, I now ask that my colleagues join me in thanking Mr. Alex Melnikow for the outstanding services he provided to the United States throughout his long-lasting career. I wish him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. CROWLEY. Mr. Speaker, on June 7, 2016, due to a weather-related travel delay I was absent for recorded votes No. 269, No. 270, No. 271 and No. 272.

I would like to reflect how I would have voted if I were here:

On Roll Call No. 269 I would have voted yes.

On Roll Call No. 270 I would have voted yes.

On Roll Call No. 271 I would have voted yes.

On Roll Call No. 272 I would have voted yes.

HONORING NATHAN WIRT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan Wirt. Nathan is a very special young man who has exemplified the finest qualities of citizenship and

leadership by taking an active part in the Boy Scouts of America, Troop 1099, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nathan Wirt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO DANNY WEBER, FIREFIGHTER OF THE YEAR

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize a hero in our community, Danny Weber, who was recently named East Lake Firefighter of the Year.

Mr. Weber has been a firefighter-paramedic for seven years, and has served Pinellas County since 2014. Mr. Weber has dedicated his life to assisting individuals and families in our community, but one story in particular demonstrates his courage and selflessness, and inspired his selection as Firefighter of the Year.

On June 12, 2015, a woman lost control of her vehicle and drove into a large pond. Shortly after, the East Lake Fire Rescue arrived on the scene, and Mr. Weber wasted no time making his way to the woman trapped inside of her vehicle. He rescued the woman from inside the sinking car and pulled her to safety. Selfless acts like this one are truly heroic.

This is not the first time Mr. Weber has been recognized for his service. Mr. Weber also won the Morroni Award as the Pinellas County Firefighter of the Year. I am grateful that Mr. Weber is part of our community and continues to make a difference. I ask that this body join me in recognizing Mr. Weber for his service to Pinellas County.

PERSONAL EXPLANATION

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. O'ROURKE. Mr. Speaker, during the roll call votes on Monday, May 23, 2016 through Thursday, May 27, 2016, I was absent due to an invitation from the President to join him on his trip to Vietnam.

Had I been present, on roll call number 229, I would have voted Nay.

On roll call number 230, I would have voted Yea.

On roll call number 231, I would have voted Nay.

On roll call number 232, I would have voted Nay.

On roll call number 233, I would have voted Nay.

On roll call number 234, I would have voted Nay.

On roll call number 235, I would have voted Nay.

On roll call number 236, I would have voted Yea.

On roll call number 237, I would have voted Nay.

On roll call number 238, I would have voted Yea.

On roll call number 239, I would have voted Nay.

On roll call number 240, I would have voted Nay.

On roll call number 241, I would have voted Nay.

On roll call number 242, I would have voted Yea.

On roll call number 243, I would have voted Nay.

On roll call number 244, I would have voted Nay.

On roll call number 245, I would have voted Yea.

On roll call number 246, I would have voted Nay.

On roll call number 247, I would have voted Yea.

On roll call number 248, I would have voted Nay.

On roll call number 249, I would have voted Yea.

On roll call number 250, I would have voted Nay.

On roll call number 251, I would have voted Nay.

On roll call number 252, I would have voted Yea.

On roll call number 253, I would have voted Yea.

On roll call number 254, I would have voted Yea.

On roll call number 255, I would have voted Nay.

On roll call number 256, I would have voted Nay.

On roll call number 257, I would have voted Yea.

On roll call number 258, I would have voted Yea.

On roll call number 259, I would have voted Nay.

On roll call number 260, I would have voted Nay.

On roll call number 261, I would have voted Nay.

On roll call number 262, I would have voted Nay.

On roll call number 263, I would have voted Nay.

On roll call number 264, I would have voted Yea.

On roll call number 265, I would have voted Yea.

On roll call number 266, I would have voted Nay.

On roll call number 267, I would have voted Nay.

On roll call number 268, I would have voted Nay.

TRIBUTE TO EAGLE SCOUT TYLER WHITEHEAD

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tyler Whitehead of Norwalk, Iowa for achieving the rank of Eagle Scout. Tyler is a member of Boy Scout Troop 30. The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Scout Project to benefit the community. For Tyler's project, he refurbished the landscaping near the entrance of the Norwalk Police Department, supervising volunteers who removed debris, landscaped and planted foliage to improve the area. He raised the required funds by creating a donation letter and augmenting that effort with personal solicitations to Norwalk business leaders who could see the vision of his project. Raising more money than needed for the landscaping project, Tyler donated the remainder to the D.A.R.E. program to educate young students against drug and alcohol usage.

The work ethic Tyler has shown in his Eagle Scout Project and every other project leading up to his Eagle Scout rank, speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Tyler Whitehead and his family in the United States Congress. I know that all of my colleagues in the U.S. House of Representatives will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. HOLDING. Mr. Speaker, I missed roll call vote 270, H.R. 4906—to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency.

Had I been present, I would have voted Yea.

PERSONAL EXPLANATION

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mrs. BEATTY. Mr. Speaker, unfortunately on June 7, 2016, I missed roll call votes 269, 270, 271, and 272.

On roll call vote 269, had I been present, I would have voted "aye" on final passage of H. Con. Res. 129, "Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs."

On roll call vote 270, had I been present, I would have voted "aye" on final passage of H.R. 4906, "To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes."

On roll call vote 271, had I been present, I would have voted "aye" on final passage of H.R. 4904, "Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016".

On roll call vote 272, had I been present, I would have voted "aye" on final passage of H.R. 1815, "Eastern Nevada Land Implementation Improvement Act".

REMEMBERING JACK KRUMME OF OVERLAND PARK

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YODER. Mr. Speaker, I rise to recognize the service of a long-time member of my Military and Veterans' Advisory Committee, Jack Krumme, who passed away in April. Jack was drafted into the U.S. Army in 1950, serving as a corporal in the ordinance corps during the Korean War.

After Jack's service in the Army, he continued to serve our nation and our community as a member of the Board of Zoning Appeals in Overland Park. Even though he had left the service, Jack continued to work with and advocate on behalf of his fellow veterans, serving as commander of Korean War Veterans' Association, Chapter 181.

During his tenure as commander, he led the effort to raise funds to construct the Korean War Veterans' Memorial located in Overland Park. It was a truly proud moment for Jack when the memorial was finished.

For those of us who knew him, the memorial now stands as not only a testament to Korean War veterans, but also to Jack. He always wanted to make sure the service of all Korean War Veterans was acknowledged and "not forgotten." It's a wonderful spot in our community.

Jack and I became close as he served on my veterans advisory committee doing so for more than five years. He always provided valuable insight and advice. His service, like the service of so many others, made it possible for our country to flourish and prosper.

Jack's willingness to serve and commitment to his fellow veterans reflects greatly on him as a soldier. His service will never be forgotten and he will remain, forever, a true patriot.

Mr. Speaker, the Third District lost a selfless and dedicated individual in Jack. He may be gone, but he will not be forgotten. My thoughts and prayers continue to be with Dolores and their wonderful family.

God Bless, Jack.

HONORING ELIANA JOY HERNDON

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. RENACCI. Mr. Speaker, I am happy to congratulate my Tax Counsel, Randy Herndon and his wife Christie, on the birth of their daughter, Eliana Joy Herndon. Their bundle of joy was born at 9:25 PM, on June 7, 2016 and weighed 7 pounds, 11 ounces. I would also like to congratulate their children, Micah and Anya, on becoming big siblings who welcomed their baby sister to the world.

I am so excited for this new blessing to the Herndon family and wish them health and happiness.

TRIBUTE TO MAXINE AND LEE WHEELER, JR.

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Maxine and Lee Wheeler, Jr. of Lorimor, Iowa, on the very special occasion of their 65th wedding anniversary. They were married on May 27, 1951.

Lee Jr. and Maxine's lifelong commitment to each other truly embodies Iowa values. As they reflect on their 65th anniversary, may their commitment grow even stronger as they continue to love, cherish, and honor one another for many years to come.

I salute this great couple on their 65th year together and I wish them many more memories. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

IN RECOGNITION OF THE RETIREMENT OF FRED SHELL

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Fred Shell on his retirement from

DTE Energy for his lifetime of distinguished service to our region and state.

A native of Essexville Michigan, Fred graduated from Garber High School in 1969 and attended Western Michigan University where he majored in History and Political Science. After college, Fred started in on a long and distinguished career in public service, working for both Congressman Paul Todd and Congressman Jim O'Hara before beginning a long career of providing gas and power to the State of Michigan.

Fred started at the Michigan Consolidated Gas Company in 1977 as the Assistant Manager of Media Relations. From that point forward, Fred has held a wide variety of positions, in public relations, media relations, public policy, and management at MichCon and G-Tech. In 2001, after the Detroit Edison and MichCon merger, Fred was named Vice President of Corporate and Government Affairs at DTE Energy. In this role, Fred has been a constant in the Michigan Government and Business scene, guiding policy that has improved the lives of Michigan's citizens and improved the environment for job creation in our state; we appreciate all that he has done to keep Michigan moving forward.

Fred has spent many years of his career involved in giving back. In 1998, as a testament to his hard work, he was named as the President of the MichCon Foundation. After the merger in 2001, Fred led the staff team and developed a strategic vision that combined the MichCon and Detroit Edison Foundations into the DTE Energy Foundation. Fred's leadership advanced the DTE Energy Foundation forward to become one of the most important foundations in our state. The foundation has supported a wide range of youth and cultural programming, as well as supporting basic human services. The Foundation's work of providing support to families in need during the great recession exemplified the extraordinary role that this foundation plays in our community, improving the lives of so many of our friends and neighbors.

Fred has personally gone above and beyond in his involvement with a wide variety of community organizations and non-profits. He has served as the president of the Michigan Economic Development Foundation, the Vice Chairman of the Metropolitan Affairs Coalition, as a board member of the Historical Society of Michigan, the Metro Detroit Visitors and Convention Bureau, the Michigan Political Leadership Program, and the Right Place of Grand Rapids, just to name a few. Our state has been enriched and advanced by Fred's commitment to volunteerism and community service.

Mr. Speaker, I ask my colleagues to join me today to honor Fred Shell for his service to our State. I thank him for his leadership and wish him many years of success.

THE GUARDIANS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the Guardians. All were affected

by morcellation of an occult uterine cancer—and all lost their precious lives prematurely or unnecessarily, because of deadly defect in our medical device regulatory space.

Erica Kaitz, Danusia Bennett-Taber, Patricia Daley, Sally Newton, Sandra Brown, Mary Alyce Dolan, Nancy Lincoln Davis, Margie Miller, Barbara Leary, Lori Kauffman, Elizabeth Jacobson, Jenny Proffer, Linda Interlichia, Brenda Leuzzi, Viviana Ruschitto, Martha Ariri, Nancy Curtis.

HONORING ANDREW H. STEWART

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Andrew H. Stewart. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1395, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many scout activities. Over the many years Andrew has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Andrew has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Andrew H. Stewart for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO THE LIFE OF ROSE OBERTI PERACCHI

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Rose Oberti Peracchi, who recently passed away on May 26, 2016, at the age of 100. Rose was an extraordinary person, and she will always be remembered as a woman who lived her life with purpose and great dedication to her family, friends, and community.

Rose Peracchi was born on August 22, 1915, to Giacomo and Mary Nan Oberti on her family farm located near Sanger, California. She fell in love and married her teenage sweetheart, Gene Peracchi, early on in life, and together they worked hard, raised their two sons, Gene and Don, and took care of Rose's father, while remaining faithful to family, and her community.

Rose was a self-taught seamstress, establishing her own drapery business and contracting with West Coast Draperies until her retirement in 1977. As a business owner, she was a trailblazer in the industry, and although difficult at times to run a business and raise a family, her dedication and hard work helped

her accomplish many successes. She will always be remembered for her culinary skills, an art form enjoyed by family and friends. Rose generously shared her skills, teaching first her sons, then her daughters-in-law and eventually her grandchildren in the art of Italian food preparation.

Rose's friendliness and genuine nature built many lasting friendships during her lifetime. Her long and remarkable life is fondly remembered by the countless friends and family who were fortunate to know her. Rose leaves behind her son Don and his wife Judy, grandchildren, and great grandchildren, and one great great grandchild. It is my honor to join her family in celebrating the life of this amazing woman, who will never be forgotten.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Rose Oberti Peracchi, whose genuine character and her loving commitment to her family and community will be greatly missed.

IN RECOGNITION OF THE CENTENNIAL ANNIVERSARY OF BOY SCOUTS OF AMERICA TROOP ONE—SACRAMENTO

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Ms. MATSUI. Mr. Speaker, I rise today to recognize the Boy Scouts of America (BSA) Troop One—Sacramento as the scouts, their families, leaders, and former scouts join together to celebrate their centennial anniversary. I ask all my colleagues to join me in honoring BSA Troop One for its dedication to service in our community on the occasion of the troop's "100 of One" celebration.

Troop One was officially formed in Sacramento in 1916, and is the oldest troop in the western United States. It was one of few Boy Scouts of America troops that remained active during World War II. The first Eagle Scout of Troop One, the late Charles "Muddy" Watters, Sr., was recognized in 1932. Since then, over 400 Troop One scouts have ascended to the rank of Eagle Scout. Troop One is active in molding young leaders in the Sacramento area. Through monthly wilderness adventures, service outings, and jamborees, the 88 current scouts of Troop One learn and maintain the troop's founding values: a commitment to ethics, behaving responsibly, and serving one's community.

For 100 years, Troop One has demonstrated an unyielding commitment to Sacramento's youth and its larger community. From founding Troop One Scoutmaster George W. Spilman, to current scoutmaster Christopher Tileston, Troop One Scoutmasters have dedicated themselves to cultivating scouts into outstanding citizens. In turn, Troop One scouts have worked hard to better Sacramento. Sacramento is a better place thanks to the service and commitment of Troop One's scouts.

Mr. Speaker, as Troop One celebrates its 100th anniversary, I ask all my colleagues to join me in honoring the troop and its contribution to Sacramento's youth.

TRIBUTE TO VERNE WELCH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Verne Welch of Council Bluffs, Iowa for his many years of dedicated service to the City of Council Bluffs and Pottawattamie County. Verne Welch is a Council Bluffs native who never forgot where he came from.

Verne Welch graduated from Thomas Jefferson High School in 1955. He served in the U.S. Navy from 1955 to 1968. Upon discharge, he joined a California recruitment firm for overseas contractors. In 1972 he joined Harrah's, Inc. and remained with the company until 1987. He felt a need to help his hometown during some tough economic times so in 1988, Verne Welch returned to Council Bluffs, establishing gaming in Iowa, working tirelessly to develop the industry in Council Bluffs.

Former Council Bluffs Mayor Tom Hanafan described Verne as "the guy who came home and changed the face of his hometown community." Tom Schmitt, the publisher of the Daily Nonpareil, said, "Verne Welch's actions to revitalize his hometown have brought a lot of changes to this community. If there was ever a person who could say, 'This is what I have done,' it would be Verne Welch—and he never says that." Because of Verne's active community service, he has created a legacy second to none. Verne Welch's endless dedication, commitment, generosity, and leadership for Council Bluffs has enhanced and improved the quality of life for his community and its citizens.

I commend and congratulate Verne Welch for making a difference in his hometown and influencing the economic future of Council Bluffs and the State of Iowa. I salute his many accomplishments and dedication for serving his community. I am proud to represent him in the United States Congress. I know that my colleagues in the U.S. House of Representatives join me in congratulating Verne Welch and wishing him the very best in the future.

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. HOLDING. Mr. Speaker, I missed roll call 271, H.R. 4904—MEGABYTE Act of 2016. Had I been present, I would have voted Yea.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took of-

fice, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,220,484,557,364.60. We've added \$8,593,607,508,451.52 to our debt in 6 years. This is over \$8.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING ADAM KRATT

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize Adam Kratt, a Military Appointee from Colorado's Fourth Congressional District. I believe our greatest assets are America's brave men and women in uniform. Adam is making an incredible sacrifice for our country and deserves our utmost support for his service. It is with great pleasure that I give him my endorsement to attend this prestigious institution.

Our nation owes no greater debt of gratitude than to those who fight to protect our freedom and liberty. I commend Adam and his family for their commitment. On behalf of the 4th Congressional District of Colorado, I extend my best wishes to Adam.

Mr. Speaker, it is an honor to recognize Adam as a Military Appointee for his commitment to protect and serve our nation.

RECOGNIZING DR. VIRGINIA CARSON

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Dr. Virginia Carson and her retirement as President of South Georgia State College on June 30.

A graduate of the University of Georgia with Master's and Doctorate degrees from Georgia State University, Dr. Carson is no stranger to success.

During her 8 year tenure as President of South Georgia State College, she showed an unbelievable commitment to fostering her students' ambition and educational growth.

This dedication to her students has been instrumental to the success of the college and has ensured her students' success for years to come.

Dr. Carson prided herself on keeping a tightknit community with small class sizes and encouraging students to engage in extracurricular activities, which also enhanced campus life.

Although the true importance of Dr. Carson's service cannot be measured, I am honored to congratulate her for her hard work and dedication to higher education.

TRIBUTE TO TS BANK OF IOWA

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise to honor and congratulate TS Bank of Atlantic, Iowa, for being selected by the Young Professionals of Atlantic for the Young Professional Choice Workplace Service Award. TS Bank's branch is located in Atlantic with its headquarters in Treynor, Iowa.

TS bank has a reputation for attracting, hiring, retaining, developing, and training young professionals. The bank has a mission to ignite prosperity by working together every day to create a positive impact on their clients and communities that they serve. TS Bank takes great pride in reinvesting in local communities, impacting local initiatives, supporting and sponsoring local community events, providing needed funds and resources for local nonprofits. TS Bank has a history of 80 percent employees volunteering in their communities.

I applaud and congratulate TS Bank for earning this award. TS Bank is a shining example of how hard work and dedication can affect the future of a community and its businesses. I urge my colleagues in the U.S. House of Representatives to join me in congratulating TS Bank for its many accomplishments and for the services it provides to Atlantic and southwest Iowa. I wish TS Bank and its employees continued success in all their future endeavors.

RECOGNIZING JAIRAM HATHWAR

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. REED. Mr. Speaker, I rise today to recognize and congratulate Jairam Hathwar on winning the 2016 Scripps National Spelling Bee. Jairam was crowned co-champion after correctly spelling Feldenkrais in the final round of the competition.

Jairam is a seventh-grade student at the Alternative School for Math and Science in my hometown of Corning, New York. He participated in the National Spelling Bee for the second year in a row; after barely missing the finals last year, Jairam outlasted 285 other contestants en route to his first place finish this year.

Jairam's achievement is a testament to his work ethic, dedication to learning, and commitment to reaching his highest potential. After spending countless hours studying complex definitions, parts of speech, and languages of origin, he correctly spelled several of the most challenging words in the English language. Despite the high level of difficulty, Jairam demonstrated confidence and composure throughout the competition. Most importantly, he treated his fellow competitors with respect and showed humility and sportsmanship from the first word to the last.

Jairam Hathwar is a remarkable young man with an incredibly bright future ahead of him.

I ask all of my colleagues to join me in congratulating Jairam on this remarkable accomplishment and wishing him the best in his future endeavors.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following Roll Call Vote: No. 273 on June 7, 2016.

If present, I would have voted:

Roll Call Vote No. 273—On Ordering the Previous Question, "AYE."

RECOGNIZING CHARLES W. EARLE STEM ELEMENTARY SCHOOL CHESS TEAM

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise today to recognize the outstanding efforts of the Charles W. Earle STEM Elementary School's Chess Team.

Earle STEM Elementary School is among the top elementary school chess teams in Chicago. Considering this small school is located in a crime-prone area in the Englewood neighborhood of my Congressional District, I am very pleased of the involvement and leadership of chess Coach Joseph M. Ocol and the many leaders at the school. I would like to acknowledge the contributions of the Earle STEM School Principal, Cederall Petties, and Assistant Principal Elwanda Butler, along with the help Network 11 Chief Megan Hougard, the families and parents in the Local School Council Community headed by Darlene O'Banner.

On Sunday, April 24th, 2016, the all-girls chess team of Earle STEM Elementary School won 1st Place in the 2016 All-Girls National Chess Tournament. Out of 65 schools and 450 female students from all over the USA, only four CPS schools qualified to form an all-girl, grade sixth to eighth, chess team to compete in this biggest all-girl national chess tournament in the USA. The Earle STEM all-girls chess team was one of only two all-African American girls' chess team in that 2016 All-Girls National Chess Tournament.

Another notable victory for the Earle STEM Chess Team, composed this time of boys and girls from grades fourth to eighth, took place at the 2016 National Junior High School Championship where they won the 5th Place Trophy. This tournament was held at Marriott Hotel in Indianapolis, Indiana, April 15 to 17. With more than a hundred schools and about 2,000 students from all over the country competing, this is considered the biggest junior high school chess tournament in the USA.

Six months into the 2015–2016 academic year, and during its initial year as a chess team, the Earle STEM Elementary School Chess Team garnered five 1st Place team trophies, including a 4th Place trophy in the State of Illinois chess championship, and a 3rd Place Chicago Public Schools academic chess trophy.

At its inception, the Earle STEM Elementary School Chess Team members started mentoring one another on the rudiments of chess then advanced the mentoring program from Grade 8 to the kindergarten program. Allowing the 40 students of the chess and math club the capacity to participate after school and on Saturdays; the Earle STEM mentoring program has been effective in getting kids to mentor one another whilst competing against each other. This provides the most economical way of mastering skills and yet offering opportunities for students to be productive after school instead of being in the streets.

In closing, the Charles W. Earle STEM Elementary School's Chess Team is a prime example of students excelling beyond their environment and striving for excellence. Congratulations to the children of Earle Stem: Joshua Johnson, Erik Tolbert, Brandon Burgess, Taahir Levi, Tamaya Fultz, Breanna Shaw, Gavin Harry, Semaj Lowe, Xavier Rosado, Angelique Wilson, Monique Williams, Gelita Woodlow, Devion Dukes, Tyrone Dellar and Shawn Palmer. I am proud to acknowledge the school and these students for their achievements and I look forward to hearing about their great works for years to come.

TRIBUTE TO CAROL AND JACK SWANGER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Carol and Jack Swanger of Council Bluffs, Iowa, on the very special occasion of their 50th wedding anniversary. They were married in 1966. Carol is retired from Risen Son Christian Village and is active in the Red Hats and other women's groups at Southside Christian Church. Jack is retired from Campbell's Soup Company, enjoys being a score keeper for local athletic teams, and volunteers at the food pantry at the Southside Christian Church.

Carol and Jack's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

I commend this great couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives join me in congratulating Carol and Jack Swanger on this momentous occasion.

HONORING MISHAWAKA FIRE
CHIEF DALE FREEMAN FOR A
DISTINGUISHED CAREER IN PUB-
LIC SERVICE

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Fire Chief Dale Freeman and honor him for a selfless career serving Hoosiers throughout Mishawaka.

Chief Freeman began his storied journey with the Mishawaka Fire Department 36 years ago. Since then, he has gone on to lead the brave men and women who protect members of the northern Indiana community on a daily basis, responding to their calls for both emergency medical assistance and fire rescue. As chief, Freeman's rise has been marked by incredible dedication and perseverance.

His commitment to excellence just recently resulted in over 5,100 people, mostly children, receiving critical fire safety education through "Survive Alive House," Little Red, and other local programs and school assemblies. Furthermore, under Chief Freeman's leadership, more than half of Mishawaka's firefighting force is now cross-trained as Emergency Medical Technicians. These efforts have significantly strengthened the northern Indiana community's level of preparedness, allowing Hoosiers throughout Mishawaka to feel safe knowing that their local fire department is ready to respond at a moment's notice.

Chief Freeman's passion for serving the greater good is truly remarkable and deserves the praise of many. His continued dedication to aiding those in desperate need of assistance has undoubtedly reduced significant cases of fire-related injuries, deaths, and property damage. Since first joining the Mishawaka Fire Department, Chief Freeman has truly epitomized the ideal of servant leadership. On behalf of Hoosiers in the Second Congressional District, it is my honor to thank him for his service and sacrifice for our community.

INTRODUCING THE STOP, OB-
SERVE, ASK AND RESPOND
(SOAR) TO HEALTH WELLNESS
ACT

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. COHEN. Mr. Speaker, today, I introduced the Stop, Observe, Ask and Respond (SOAR) to Health and Wellness Act along with my colleagues Representatives ADAM KINZINGER, TONY CÁRDENAS and ANN WAGNER. It is a companion to S. 1446, which was introduced by Senators HEIDI HEITKAMP and SUSAN COLLINS. This bipartisan bill supports efforts underway at the Department of Health and Human Services to combat human trafficking by directing the Secretary to establish a pilot program to be known as 'Stop, Observe, Ask and Respond to Health and Wellness Training' to provide training on human trafficking to health care providers at all levels.

Human trafficking is a modern-day form of slavery that uses force, fraud or coercion to lure millions of men, women and children in countries around the world annually, including here in the United States. Human trafficking includes both sex and labor trafficking, and generates billions of dollars in profits each year, making it the second most profitable form of transnational crime behind drug trafficking.

Recognizing the key indicators of human trafficking is the first step in identifying victims, providing life-saving help and bringing traffickers to justice. Human trafficking, however, is a hidden crime and victims rarely seek help because of cultural barriers or out of fear of their traffickers or law enforcement.

While victims are often difficult to identify, a reported 68 percent of trafficking victims end up in a health care setting at some point while being exploited, including in clinics, emergency rooms and doctor's offices. Despite this, out of more than 5,680 hospitals in the country, only 60 have been identified as having a plan for treating patients who are victims of trafficking and 95 percent of emergency room personnel are not trained to treat trafficking victims.

Our bill aims to ensure health care professionals are trained to identify and assist victims of human trafficking, and help close the gap in health care settings without plans for treating trafficking victims. I want to urge my colleagues to pass this important legislation so that health care professionals can better identify trafficking victims, provide victim centered care and help bring perpetrators of human trafficking to justice with the help of law enforcement as well as social and victims service agencies and organizations.

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. HOLDING. Mr. Speaker, I missed roll call 272, H.R. 1815—Eastern Nevada Land Implementation Improvement Act.

Had I been present, I would have voted Ye.

TRIBUTE TO CHRISTOPHER GIBBS,
SENIOR CHIEF PETTY OFFICER

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Senior Chief Petty Officer Christopher Gibbs for his duty and service to Pinellas County and to our country.

On May 4, 2016 Officer Gibbs returned home after a year-long deployment and 21 years of military service. While enlisted, served as a Senior Chief Master at Arms and eventually earned the title of Senior Chief Petty Officer. We are eternally grateful for his service overseas.

Since returning home, Officer Gibbs continued his dedication to serving others through his work as an officer with the Pinellas Park Police Department.

Mr. Speaker, I would like to thank Senior Chief Petty Officer Christopher Gibbs for his service to our community and this country. Pinellas Park is a safer place with him protecting us and we are very grateful and appreciative of his efforts. I ask this body to join me in recognizing Officer Gibbs' efforts and expressing our appreciation for his service.

May God bless Officer Gibbs and his family.

TRIBUTE TO CASEY BLAKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 8, 2016

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Casey Blake of Indianola, Iowa, for receiving the 2016 Robert D. Ray Pillar of Character Award from The Robert D. and Billie Ray Center in Des Moines, Iowa. The Award is given to those who live a life full of good character and foster greater character in others. This non-profit organization, formerly known as Character Counts in Iowa, was created in 1997 by former Iowa Governor Robert D. Ray and former First Lady Billie Ray. It showcases humanitarian and civility endeavors impacting Iowans. The six character pillars are: trustworthiness, respect, responsibility, fairness, caring and citizenship.

Mr. Blake and his wife Abbie, as well as their six children, reside in Indianola, Iowa but for 13 years, he was defined a professional baseball player for several teams including Toronto Blue Jays, Minnesota Twins, Baltimore Orioles, Cleveland Indians, Los Angeles Dodgers and the Colorado Rockies organizations. Upon his retirement, the family returned home to Iowa and his hometown of Indianola. In 2010, they founded the Indianola Community Youth Foundation, built the Blake Fieldhouse and other community athletic complexes. Mr. Blake was inducted into the National High School Hall of Fame in 2014 and the Iowa High School Baseball Coaches Association Hall of Fame in 2016.

I applaud and congratulate Casey Blake as a shining example of how hard work, determination, and dedication can affect the future of a community. It is with great honor that I recognize him today. I know that my colleagues in the U.S. House of Representatives join me in honoring his accomplishments. I wish him continued success in his future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily

Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 9, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 14

9:30 a.m.

Committee on Appropriations

Subcommittee on Department of the Interior, Environment, and Related Agencies

Business meeting to markup an original bill entitled, "Department of the Interior, Environment, and Related Agencies Appropriations Act, Fiscal Year 2017".

SD-124

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold an oversight hearing to examine the Securities and Exchange Commission.

SD-538

Committee on Energy and Natural Resources

To hold hearings to examine oil and gas pipeline infrastructure and the economic, safety, environmental, permitting, construction, and maintenance considerations associated with that infrastructure.

SD-366

Committee on Finance

To hold hearings to examine energy tax policy in 2016 and beyond.

SD-215

3 p.m.

Committee on Environment and Public Works

Subcommittee on Superfund, Waste Management, and Regulatory Oversight

To hold an oversight hearing to examine the Environmental Protection Agency's progress in implementing Inspector General and Government Accountability Office recommendations.

SD-406

JUNE 15

10 a.m.

Committee on Appropriations

Subcommittee on Financial Services and General Government

Business meeting to markup an original bill entitled, "Financial Services and General Government Appropriations Act, Fiscal Year 2017".

SD-138

Committee on Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR-253

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine implementing the Child Care Development Block Grant Act of 2014, focusing on perspectives of stakeholders.

SD-430

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine America's insatiable demand for drugs, focusing on examining solutions.

SD-342

2 p.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine assessing the Coast Guard's increasing duties, focusing on drug and migrant interdiction.

SR-253

Committee on Finance

To hold hearings to examine challenges and opportunities for United States business in the digital age.

SD-215

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 2839 and H.R. 3004, bills to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission, H.R. 3036, to designate the National September 11 Memorial located at the World Trade Center site in New York City, New York, as a national memorial, H.R. 3620, to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, H.R. 4119, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, S. 211, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 630, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1007, to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park, S. 1623, to establish the Maritime Washington National Heritage Area in the State of Washington, S. 1662, to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, S. 1690, to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, S. 1696 and H.R. 482, bills to redesignate the Ocmulgee National Monument in the State of Georgia, to revise the boundary of that monument, S. 1824, to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, S. 2087, to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, S. 2412, to establish the Tule

Lake National Historic Site in the State of California, S. 2548, to establish the 400 Years of African-American History Commission, S. 2627, to adjust the boundary of the Mojave National Preserve, S. 2807, to amend title 54, United States Code, to require State approval before the Secretary of the Interior restricts access to waters under the jurisdiction of the National Park Service for recreational or commercial fishing, S. 2805, to modify the boundary of Voyageurs National Park in the State of Minnesota, S. 2923, to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Park for the Arts", S. 2954, to establish the Ste. Genevieve National Historic Site in the State of Missouri, S. 3020, to update the map of, and modify the acreage available for inclusion in, the Florissant Fossil Beds National Monument, S. 3027, to clarify the boundary of Acadia National Park, and S. 3028, to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness.

SD-366

Special Committee on Aging

To hold hearings to examine innovations to promote Americans' financial security.

SD-562

JUNE 16

9:30 a.m.

Committee on Foreign Relations

To hold hearings to examine our evolving understanding and response to transnational criminal threats.

SD-419

10 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine reviewing the rulemaking records of independent regulatory agencies.

SD-342

JUNE 21

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to the Congress.

SH-216

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold an oversight hearing to examine the Bureau of Land Management's Planning 2.0 initiative.

SD-366

JULY 13

10:30 a.m.

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.

SD-124

SENATE—Thursday, June 9, 2016

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Steve Berger, pastor of Grace Chapel in Leiper's Fork, TN.

The guest Chaplain offered the following prayer:

Let us pray together.

Almighty God, King of Creation and Ruler of the Universe, we thank You for Your undeniably sovereign, merciful, and benevolent hand in the forming, leading, and blessing of these United States.

Father, thank You for revealing Your will and Your ways to this Nation and its leaders through Your sacred, Holy Word.

We pray, therefore, that we would be united in doing what is good in Your sight, and what You require of us, to do justly, to love mercy, and to walk humbly with our God.

Father, may our leaders and our Nation also walk in the faith of Abraham, the integrity of Moses, the wisdom of Solomon, the courage of the Prophets, and the self-sacrificing love and compassion of Jesus.

O God, when we fail to walk in Your ways, and sin against You and one another, may we be quick to humble ourselves and pray, to seek Your face, to turn from our wicked ways, that You might hear from Heaven, forgive our sin, and heal our land.

Remember mercy, O God, and revive us in Your ways, that this Nation might be blessed for generations to come.

We ask all these things through the Name of Jesus and by the power of the Holy Spirit. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. HELLER). The Senator from Tennessee.

WELCOMING THE GUEST CHAPLAIN

Mr. CORKER. Mr. President, I rise to speak of Pastor Steve Berger. It moves me to hear his voice echoing throughout this Chamber. He is one of the pre-eminent spiritual leaders in our Na-

tion. He prays daily with his wife Sarah, who happens to be in the Chamber.

He prays daily for our Nation. There is a purity of his mission in leading a church that is making a difference in our State, and I think making a difference in our country, leading efforts not only here but around the world to bring people together, and I am so thrilled this Chamber and the people of our country are able to witness someone who I believe to be one of the greatest spiritual leaders in our Nation.

I only hope more people would be able to hear from him. Truly, it is a very moving moment for me to have a friend like Steve Berger, who means so much to our State and country, before us. I thank him for his willingness to do this.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I welcome Steve Berger and thank Senator CORKER for arranging for him to be here today. Steve is, indeed, one of our most distinguished Tennesseans. We welcome his family and some of his friends who are with us in the Gallery.

Chaplain Barry Black has reminded us that this tradition of opening the Senate with a prayer has been with us since the Senate began, and the Senate has had a Chaplain before the First Amendment to our Constitution was adopted. This tradition is an essential part of the American character, and having Steve Berger here to help us celebrate that essential part of the American character is a very special moment for me as well as for Senator CORKER.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. McCONNELL. Mr. President, President Obama's approach to national security policy began with unworkable ideas on the campaign trail, and it has been marked by some consistent themes, like inflexible commitments to drawing down our conventional military posture from across the globe, like an excessive reliance on international organizations, like a tendency toward the use of Special Operations forces to train and equip units in other countries.

What do we see as we look back now at the twilight of his Presidency? We

have seen increased instability in places such as Iraq, Afghanistan, and Yemen. We have seen the evolution of Al Qaeda in Iraq into ISIL and its expansion into Libya, Syria, and the Sinai.

In just a few short months, the next Commander in Chief, regardless of party, will be faced with the consequences of the President's failed foreign policy and will need to adapt an insufficient defense modernization program to tackle both the challenges posed by terrorism and by adversaries like China, Russia, and Iran.

This is why we need to use the remaining months of this administration to help prepare the next administration, regardless of party, to deal with the news it is about to inherit. That is what we are doing on the floor right now. The Defense bill before us will modernize our military and provide our troops with more of the tools they need to confront the threats we face. It will help prepare the next Commander in Chief to confront the complex challenges of today and of tomorrow. It is serious policy—policy that will keep our country safe, and after years of this administration's spin and failures, that is what our people deserve.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

PARITY IN THE BUDGET

Mr. REID. Mr. President, I just left my "Welcome to Washington," which I have been having for many years. I had about 85 people from Nevada, my constituents—our constituents—and they asked me what I had done in the Senate that I remember. So I told them a few things. They also asked me if I have a regret, and I do.

It takes a lot of gall for my friend the Republican leader to talk about foreign policy. My biggest regret is having voted for the Iraq war. I was misled, as a number of people were, but it didn't take me long to figure that out. So I became convinced it was a mistake, and I spoke out loud and clear.

Why was it a mistake? It was the worst foreign policy decision made in the history of our country. That invasion has caused the death of—no one knows for sure but about one-half million Iraqis—500,000 dead men, women, and children. At this stage, because of the invasion, we have now complete instability in Syria. About 300,000 are

dead there. Millions have been displaced, driven into Europe and other places. Iran is stronger than they would have been but for the war. The whole Middle East is destabilized.

When President Bush took office, because of the work done in the Clinton administration, we had a balanced budget. Can you imagine that? A balanced budget. We were spending less than we were taking in as a country. When Bush took office, we had a surplus of, over 10 years, \$7 trillion. Where is that money now? It has been used with a credit card—a credit card that paid for two wars. I repeat, unpaid for and tax cuts unpaid for. We are now upside down.

So for my friend to talk about failed foreign policy takes a tremendous amount of mental gymnastics. We have been clear from the start, enough on the war in Iraq. It is a disaster that will be written about for centuries because the full impact of it is not over yet. We have been clear from the start of this Congress, the appropriations process needs to stick to last year's budget agreement. It is the law, which maintains parity between the Pentagon and the middle class, and avoid poison-pill riders.

Today, we vote on Senator MCCAIN's amendment to add \$18 billion in Pentagon spending beyond what Congress agreed to in last year's bipartisan agreement. In response, Senator REED of Rhode Island and Senator MIKULSKI of Maryland have offered an amendment that would add security and other funding in America to maintain the parity to which both parties agreed in the budget law passed last year.

Our amendment would increase funding to combat Zika. By the way, we had a briefing yesterday by the head of the Centers for Disease Control. The man who is in charge of NIH, with this terrible virus that is sweeping this part of the world, told us they are desperate for money. They are desperate for money to do their research to prepare vaccines.

Our amendment would also increase money for local police to fight the opioid scourge, to improve our infrastructure around the country, and to do something about the money that has never been provided to take care of the devastation that hit Flint, MI, with the lead in the water. The security of our great country depends on more than bombs and bullets. I support the military. I have my entire career. I know how gallantly they fight.

In my "Welcome to Washington" today, there was a young cadet there. I brought him up first thing to show him off. This young man is one of the finest students in America. He could have gone to school anywhere. Not only was he a good student, he was a good athlete. He chose the Military Academy. He believes in serving his country.

I do everything I can to support the military, but our security depends on

more than bombs and bullets. It depends on the FBI, Homeland Security, Drug Enforcement Administration, and these many other myriad things that take place in our country that need our attention.

If Republicans pass this amendment of Senator MCCAIN's to block a similar increase for the middle class—Senator REED's and Senator MIKULSKI's amendment—they will have a broken budget agreement, and they will grind the Defense appropriations bill to a halt. We have put everyone on notice. We have done it before, but let me reiterate. If they break the budget agreement with the McCain amendment, the Republicans will be stopping the appropriations process on the Defense appropriations bill. We will not get to the appropriations bill. That is not a threat. It is a fact.

The solution this year is the same as last year's: stick by the budget agreement and give fair treatment to the Pentagon and nondefense spending. They should be on equal grounds.

Mr. President, I see no one on the floor. I yield the floor and ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

Reed/Mikulski amendment No. 4549 (to amendment No. 4229), to authorize parity for defense and nondefense spending pursuant to the Bipartisan Budget Act of 2015.

Mr. REID. Mr. President, is the time automatically divided?

The PRESIDING OFFICER. It is not.

Mr. REID. I suggest the absence of a quorum and ask that the time be divided equally between the majority and minority.

The PRESIDING OFFICER. The time is not generally divided.

Mr. REID. Oh, it is not divided.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

72ND ANNIVERSARY OF D-DAY

Mr. BLUNT. Mr. President, this week, as we are debating the National Defense Authorization Act, we also celebrate the 72nd anniversary of D-day. On June 6, 1944, more than 160,000 allied troops, including 70,000 brave Americans, did something that no one had ever tried before—a cross-channel landing the size and scope of which had never been envisioned as a reality by warriors. These brave soldiers stormed the beaches of Normandy.

I had an opportunity a few years ago to visit the Normandy American Cemetery and Memorial. I walked through the cemetery with a Belgian guide who had a great appreciation for everything our American soldiers had done to try to bring freedom to Europe again. By the way, later that summer he visited the National World War I Memorial in Kansas City, MO. We talked about the cemetery. One of my sons and one of my grandsons were with us, and they had a chance to identify two brothers buried side by side and a father and son who were buried side by side. These Missourians had given their life on D-day.

Our guide sat us down on this low wall with the English Channel behind us where the Atlantic Ocean flows in and out and with the 8,000 or so graves in front of us. He then opened up his computer, and there was a picture of General Eisenhower and Walter Cronkite sitting in exactly the same place 20 years after the D-day landing, June 6, 1964. Former President Eisenhower said something like this: You know, Walter, my son graduated from West Point on D-day, and many times over the last 20 years, I thought about the family that he and his wife have had a chance to raise and the experiences they shared, and I thought about these young men who didn't have those 20 years because of what they were asked to do.

To hear those words spoken by the person who was ultimately the one who asked these brave soldiers to do what they did showed the responsibility he felt 20 years later for the many lives that were lost and those bodies that were brought back to the United States. That Normandy cemetery doesn't even begin to reflect the lives that were lost. It really made me think when he said: Many times over the last 20 years, I thought about these young men and the lives they didn't get to have because of what they were asked to do.

We have debated this bill for over 50 years now, and we have passed this bill every single year. Every time we debate this bill, we should think of what

those who defend us are asked to do. We should think about men and women who are carrying on the legacy of that generation of D-day and World War II and Vietnam and Korea and wars before that and after and the obligation we have to be sure that they have every possible advantage in any fight. Frankly, we never want to see Americans in a fair fight; we want it to be an unfair fight. We want those who defend us to have the best weapons, best training, best support, and the best of everything so they have every possible advantage when they do what they are asked to do.

This bill came out of committee with three "no" votes. It has strong bipartisan support. It is time to get this work done just as the Senate has done for 54 straight years. This will be the 55th year.

I am particularly glad that this bill takes new steps toward recognizing the sacrifice we ask military families to make. GEN Ray Odierno, the immediate last Chief of Staff of the Army, said that the strength of a country is its military and the strength of the military is its families.

This legislation includes language that Senator GILLIBRAND and I introduced last fall which, for the first time ever, would give families more flexibility if there is a job or educational opportunity for a spouse. Many times, military families are asked to move a little quicker or stay a little longer. If our language is in the final bill and the President signs it, for the first time ever it will allow families—without being questioned in any detail beyond whether they meet the conditions of the Military Families Stability Act—to go ahead and move so the kids can start school on time, or whatever the case may be, and the servicemember would stay or a family could stay a little longer so that their spouse can complete any career obligations they may have so they can continue to do what they do. Too many of our military spouses are unemployed and don't want to be or underemployed and don't want to be because their careers are constantly impacted, and the cost of maintaining two residences that those families now have to bear really makes no sense at all. This bill allows us to move forward on that issue.

The men and women of the Armed Forces, as well as the civilians and contractors who support them, work every day to meet the challenge. They have faced more than 15 years of active military engagements and have made all kinds of sacrifices so we can continue to have the freedoms that we have.

The bill before us also enhances the capability of the military and security forces of allied and friendly nations to defeat ISIL, Al Qaeda, and other violent extremist organizations so they are no longer a threat to us. This bill ensures that our men and women in

uniform have the advanced equipment they need to succeed in any future combats. The bill reduces strategic risk to the Nation and our military servicemembers by prioritizing the restoration of the military's readiness so they are able to conduct the full range of all of its activities. We need training dollars, training time, and airplanes that are younger than the pilots who fly them, and this legislation continues to move forward in that area.

It also continues with comprehensive reform for the Defense Acquisition System that is designed to drive more innovation and ensure more accountability to not take more time than it needs to take, but to be sure that everything is being done with the interest of the taxpayers and the security of the country in mind.

Finally, this bill puts the Senate on record again against the President's plan to remove terrorist detainees held at Guantanamo Bay. We apparently need to continue to do this over and over again because somebody is just not getting it.

There was a front page article, I believe in the Washington Post this morning, about the absolute certainty that people who are freed from Guantanamo Bay over and over again reenter the fight and kill Americans and our allies. The people who are there now need to be kept there. The Obama administration itself admitted earlier this year that Americans have been killed by terrorists from Guantanamo. By the way, that admission came just days before another dozen inmates were transferred out of Guantanamo.

According to the Director of National Intelligence, nearly one-third of terrorists who have been released from Guantanamo are either confirmed or suspected to be rejoining the fight, and those were supposedly the detainees who could be released. They were supposedly the least dangerous of the detainees. The people who are there now are clearly understood to be the most dangerous, the most likely to be back in the fight, and the most likely to inspire others to be in the fight.

The number of detainees released under the Obama administration who were suspected of engaging in terrorism has doubled since July of 2015 according to the Director of National Intelligence. The President of the United States supports and appoints the Director of National Intelligence. This is not some outside person suggesting things that the Obama administration wouldn't want to hear. This is their Director of National Intelligence and ours. What we need is a President who has a real plan to defeat terrorism, and while this bill can't ensure that, this bill does provide the tools to defeat current terrorists in the Middle East and continue to secure our liberty.

The No. 1 job of the Federal Government is to defend the country. The No.

1 job of those of us in the Congress is to be sure that those who defend the country have what they need to defend the country and to ensure that those who have served have every commitment that has been made to them fulfilled, and then some.

It is time to pass this bill for the 55th straight year. We need to do what we should do for those who serve and protect us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be permitted to engage in a colloquy with the Senator from South Carolina.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4229

Mr. MCCAIN. Mr. President, we will have a vote around 11:30 a.m. on my amendment that would increase funding under OCO to address the consequences of an \$18 billion shortfall from last year. All the reports we hear from the military are that sequestration is killing them. The mismatch of what we are now seeing in the world as compared with a continued \$150 billion less than fiscal year 2011 is putting the lives of the men and women who are serving this Nation in danger.

I am told there will be a lot of people who will vote against this increase to bring it up just to last year's number—an increase of \$18 billion. I say to my colleagues: If you vote no on this amendment, the consequences will be on your conscience. If you ask any leader in uniform today, they will tell you that the lives of the men and women who are serving this Nation in uniform are at risk. I think we have a greater obligation, and that is the men and women who are serving in the military.

The Chief of Staff of the United States Army said: We are putting the lives of the men and women serving in uniform at greater risk. That didn't come from JOHN MCCAIN or LINDSEY GRAHAM. Talk to any military leader in uniform, and they will tell you that sequestration is killing them. Planes can't fly; parts of the military can't train and equip. Only two of our brigade combat teams are fully ready to fight. Look at the world in 2011 when we started this idiotic sequestration and look at the world today.

My colleague serves on the Armed Services Committee and spent about 33 years as a member of the United States military and has been a regular visitor to Kabul and Baghdad. I think he understands that what we are doing with

sequestration and voting against this amendment, in my view, is putting the lives of the men and women who are serving in danger. Have no doubt about it. There will be further attacks in Europe, and there will be further attacks in the United States of America. We won't be ready, and the responsibility for it will be on those who vote no on this amendment.

I recognize my colleague.

Mr. GRAHAM. I thank the Senator.

Here is the issue: To those who are a slave to these sequestration caps, to those who believe sequestration and this budget practice we are involved with is going to save the country, boy, I couldn't disagree with you more. We haven't moved the debt needle at all.

Discretionary spending is not the reason we are in debt. We are spending at a 2008 level. So these blind, across-the-board cuts limited to discretionary spending and a lot of programs that are not even subject to sequestration are not moving the debt needle; they are destroying the ability to defend this country.

The theory we are advocating here today is that there is an emergency in the U.S. military that needs to be addressed and we should be able to add money to the U.S. military, the Department of Defense, based on an emergency that is real and not be limited by caps that are insane.

Here is the issue: Is there an emergency in terms of readiness? Is there an emergency in terms of operations and maintenance? Are we putting the ability to modernize our force at risk in an emergency situation because we don't have enough money to fight the wars we are in and modernize the force for the wars to come?

If you don't believe us, here is what the Commandant of the Marine Corps said about the current state of readiness: "Our aviation units are currently unable to meet our training and mission requirements, primarily due to Ready Basic Aircraft shortfalls."

I can tell you that in the Marine Corps today, 70 percent of the F-18s have a problem meeting combat status. I can tell you today that the Army is stretched unlike any time I have ever seen. I can tell you today that the Navy is robbing Peter to pay Paul to keep the ships on the ocean, and with the numbers we have in terms of defense spending, they are having to forgo modernization to deal with readiness, to deal with the ability to fight the war. I can tell you that the Commandant of the Marine Corps is going to take six B-22s out of Spain that are used to rescue consulates and embassies that come under attack in Africa because we need those planes to train pilots, and if we don't bring back those planes, we are not going to have an airworthy B-22 force at a time when we need it.

We are creating a hole and a vacuum in our ability to protect our diplomats and U.S. citizens.

Mr. McCAIN. May I ask my colleague whether he is aware that, at a hearing, General Milley, the Chief of Staff of the U.S. Army, testified that the Army risked not having ready forces available to provide flexible options to our national leadership and, most importantly, risked incurring significantly increased U.S. casualties.

I say to my colleagues who are going to vote against this, you are taking on a heavy burden of responsibility of incurring significantly increased U.S. casualties in case of an emergency. The military is not ready. We are at \$100 billion less than we were in 2011 when sequestration began, and the world has changed dramatically.

I can't tell you my disappointment to hear that the chairman of the Appropriations Committee—I don't know if my colleague knows this—said he is going to vote against it, using some rationale that they are increasing it by some \$7 billion. That is insane. That is not only insane, it is irresponsible, and most importantly, it is out of touch. I say to my colleague and the chairman of the subcommittee, you are out of touch with what is going on in the world and in the U.S. military. You better get in touch.

Mr. GRAHAM. I will add that anybody who doesn't believe there is an emergency in the U.S. military is not listening to the U.S. military and has not been following the consequences of what we have done over the last 5 or 6 years in terms of cuts to the military.

Over the last 7 or 8 years, we cut \$1 trillion out of the U.S. military. We are on track now to have the smallest Army since 1940, the smallest Navy since 1915, and the smallest Air Force in modern times. We are on track to spend half of what we normally spend in time of war. Normally we spend about 4.5 percent of GDP to defend this Nation; we are on track by 2021 to spend 2.3 percent of GDP.

I want to say this: In my view, this is an emergency. I want you to go back home and explain to those who are busting their ass to fight this war, who can't fly equipment because it is too dangerous, who are having to cannibalize planes to keep some planes in the air, who are stretched so thin that it is creating high risk.

Here is what the Chief of Staff of the Army said: "I characterize us at this current state at high military risk." This is the Chief of Staff of the Army telling all of us that the Army is in a high state of risk because of budget cuts.

This \$18 billion will restore money that has been taken out. That will have a beneficial effect now and is absolutely essential. It will give us 15,000 more people in the Army. And if you are in the Army, you would like to

have some more colleagues because you have been going back and forth, back and forth. So we need more people in the Army, not less.

We need 3,000 more marines. If anybody has borne the burden of this war, it is the U.S. Marine Corps. Here is what I say: Let's hire more marines.

Let's start listening to what is going on in the military.

The whole theory of this amendment is that we have let this deteriorate to the point that we have an emergency situation where we are putting our men and women's lives at risk because they don't have the equipment they need and the training opportunities they deserve to fight the war that we can't afford to lose, and you are going to vote no because you are worried about budget caps.

Oh, we love the military. Everybody loves the military. Well, your love doesn't help them. Your love doesn't buy a damn thing. If you love these men and women, you will adequately fund their needs. If you care about them and their families, you will adjust the budget so they can fight a war on our behalf.

We are up here arguing about everything. The state of politics in America makes me sick. This looks like one thing we can agree on—Libertarians, vegetarians, Republicans, and Democrats—that those who are fighting this war deserve better than we are giving them.

So I want to tell you, when you come and vote against this amendment because you are worried about the budget caps, well, the Budget Committee is not going to fight this war.

To my friends at Heritage Action, I agree with you a lot. You are saying this is a bad vote. Nobody at Heritage Action is going to go over to Afghanistan, Iraq, Syria, or Libya to protect this country.

You talk about a head-in-the-sand Congress. You talk about people who are not listening, who are so worried about special interest groups and concepts that have absolutely no basis in reality.

If you fully implement sequestration, all you will do is gut the military and some nondefense programs that really matter to us. You won't change the debt at all. So don't go around telling people you are getting us to a balanced budget. You are not. The money is in entitlements, and we are not doing a damn thing about it.

Ryan-Murray added some money, and I want to thank him, but it wasn't enough. I want to thank the appropriators for adding \$7 billion, but it is not nearly enough. The \$18 billion that is in this amendment goes to buy airplanes—14 F-18s, 5 F-35s, 2 F-35Bs. There is \$200 million to help the Israelis with their missile defense program.

What this buys is more people, more equipment, more training opportunities at a time when we need all of the

above. It breaks the cap because we are in an emergency situation. These caps are straining our ability to defend this Nation. I hate what we have done to the military. This is a small step forward. This is not nearly what we need, but this \$18 billion will provide some needed relief to the people who have been fighting this war for 15 years.

I hope and pray that you will start listening to those we put in charge of our military and respond to their needs, and this is a small step in the right direction.

If we say no to this amendment, God help us all. And you own it. You own the state of high risk. If you vote no, then as far as I am concerned, you better never say "I love the military" anymore because if you really loved them, you would do something about it.

Mr. MCCAIN. I also point out to my colleague that, as a sign of priorities around this place, yesterday we had a vote on medical research—nearly \$1 billion that had nothing to do with the military but was a place where the Willy Sutton syndrome took place, and it was a 5-percent increase. The appropriators could increase by 5 percent medical research which has nothing to do with the military, but they won't add money that the military could use to defend this Nation. There is no greater example of the priorities around this place.

I see my colleagues are waiting. I just want to point out what voting no means.

Voting no would be a vote in favor of another year where the pay for our troops doesn't keep pace with inflation or private sector advocates. For the fourth year in a row, the military will receive less of a pay raise than the rate of inflation. If you vote no, that is what you are doing.

If you vote no, it would be a vote in favor of cutting more soldiers and more U.S. marines at a time when the operational requirements for our Nation's land forces for the Middle East, Africa, Europe, and Asia are growing. Every time you turn around, you will see that there are more troops deployed in more places, whether it be Iraq, Syria, Libya, the European Reassurance Initiative. Every time you turn around, there is more deployment—more deployments in the Far East and the Asian-Pacific regions. Every time you turn around, there are more obligations that we ask of the military, albeit incrementally. Yet we are going to cut the funding while we increase the commitments we have. So you would be voting in favor of cutting more soldiers and marines at a time when the operational requirements of our Nation's land forces are growing.

Voting no would be a vote in favor of continuing to shrink the number of aircraft that are available to the Air Force, Navy, and Marine Corps at a

time when they are already too small to perform their current missions and are being forced to cannibalize.

We have people who are having to go to the boneyard in Tucson, AZ, and take parts from planes that haven't been operational for years. That is how bad the system has become thanks to sequestration. Our maintainers—these incredible enlisted people—are working 16 to 18 hours a day trying to keep these planes in the air.

When an Air Force squadron came back, of their 20 airplanes, 6 were flyable.

There was a piece on FOX News the other day about how, down in Beaufort, SC, the F-18 squadron—they are having to have a plane in the hangar that they can take parts from so that they can keep other planes flying. They are exhausted. They are exhausted, these young marines. And by the way, don't think they are going to stay in when they are subjected to this kind of work environment.

Voting no would be a vote in favor of shrinking the number of aircraft. They are too small, and their current missions are being forced to cannibalize their own fleets.

Voting no would be a vote in favor of letting arbitrary budget caps set the timeline for our mission in Afghanistan instead of giving our troops and our Afghan partners a fighting chance at victory.

Voting no is a vote in favor of continuing to ask our men and women in uniform to perform more and more tasks with inadequate readiness, inadequate equipment, inadequate numbers of people, and unacceptable levels of risk in the missions themselves. It is unfair to them. It is wrong. It is wrong.

For the sake of the men and women in the military who put their lives on the line as we seek to defend this Nation, I hope my colleagues on both sides of the aisle will make the right choice. For 5 years we have let politics, not strategy, determine what resources we give our military servicemembers. Our military commanders have warned us that we risk sending young Americans into a conflict for which they are not prepared.

I know that the vast majority of my colleagues on both sides of the aisle recognize the mistakes of the past 5 years in creating this danger. This is a reality. This is the reality our soldiers, sailors, airmen, and marines are facing. So I say it doesn't have to be this way. It doesn't have to be this way. And if you vote no, as my colleague from South Carolina said, don't say you are in favor of the military. Don't be that hypocritical. Just say that you are continuing to put the lives of these men and women who are serving in the military, in the words of the Chief of Staff of the U.S. Army, "in greater danger." That is your responsibility. But just don't say—don't go home and

say how much you appreciate the men and women in the military, because when you vote no, you are depriving them of the ability to defend this Nation and themselves.

I yield the floor.

Mr. DURBIN. Mr. President, I rise in opposition to the amendment proposed by the senior Senator from Arizona. What it comes down to is that Republicans and Democrats have fundamentally different approaches to providing for our troops, our national security agencies, and our government.

Democrats are committed providing the funds necessary to protect our Nation, grow our economy, invest in research, and shelter the most vulnerable. Republicans have a different approach. They accept massive cuts to almost every agency and only provide defense funding through an accounting trick which the Defense Department's own leadership has rejected as inadequate.

This is a debate about how best to protect our national security. And my Republican colleagues are on the wrong side of it.

Senate Democrats are committed to defeating ISIS on the ground in Iraq and Syria, dismantling its terror network, and protecting our homeland. The only way we can do that is by supporting budget relief for all of our national security agencies, including Homeland Security, the FBI, and many others. Republicans haven't been willing to do that so we must figure out how to allocate funding with the existing budget agreement.

The amendment offered by the chairman of the Armed Services Committee is a return to gridlock. Last year's attempt to provide only the Defense Department with additional OCO funds resulted in a stalemate and a 3-month long continuing resolution. Do we have to repeat this failed strategy again?

The answer is no. The chairman of the Appropriations Committee and I took a different approach in drafting the Defense appropriations bill: no poison pill riders, stick to the budget deal, eliminate wasteful spending proposals, and reinvest in our priorities.

If you compare the results in the Defense appropriations bill to the amendment proposed by the chairman of the Armed Services Committee, here is what you will find: His proposal violates last year's budget deal with \$18 billion more in spending. Our bipartisan Defense appropriations bill invests \$15 billion in important programs while adhering to the deal.

The pending amendment relies on an OCO gimmick to authorize increases for Israeli missile defense programs. However, every cent requested by the Israeli Government, all \$600.9 million, is funded in the Defense appropriations bill without using OCO funds.

This amendment authorizes OCO funding for a littoral combat ship and

a DDG-51 destroyer. This would be the first time that OCO funds would be used to buy ships for the Navy.

The appropriations bill goes even further in supporting shipbuilding by providing \$1 billion for a new icebreaker to support our Arctic strategy, an item not included in the pending amendment.

The amendment also adds various aircraft—more F-18s, F-35s, C-130s, helicopters, and so on—that are also funded in the Defense appropriations bill without running up the Nation's OCO charge card.

The bottom line is that, in the Defense appropriations bill, we were able to fund most of the items in Senator McCain's OCO gimmick amendment, but we were able to it within the budget caps. It wasn't easy, but we made it work.

I would prefer that we find a way to increase both defense and nondefense funding so we can invest more in all of the agencies that work together to keep America safe.

The Reed amendment does exactly that. It amends last year's budget deal to include \$18 billion more for defense and \$18 billion more for important non-defense programs.

The Reed amendment includes \$2 billion more to address cyber security vulnerabilities to stop the type of attacks that resulted in the theft of millions of personnel records from the Office of Personnel Management. It includes \$1.4 billion for more law enforcement efforts, including more security screeners at airports, more FBI agents and police officers on the street, and more grants to State and local first responders.

The Reed amendment addresses public health emergencies, including \$1.9 billion for the response to Zika. It also provides \$1.9 billion to fix our broken water infrastructure, which would help ensure we don't face another lead contaminated water crisis like what happened Flint, MI.

Finally, the Reed amendment includes \$3.2 billion in funding to address infrastructure problems at VA hospitals, fix our roads and bridges, and invest in our rail and transit systems.

Last year, Congress voted to provide fair and balanced relief to our Defense and our nondefense agencies. The Reed amendment is consistent with that agreement, and it deserves our support.

In conclusion, we should be supporting all of our national security agencies as they work to protect this Nation, including cyber security, homeland security, and local law enforcement, the FBI, and TSA.

We also should support critical issues like the opioid epidemic, water infrastructure, the Zika outbreak, and research across the Federal Government among other items.

I urge my colleagues to support Ranking Member REED's amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—PRESIDENTIAL NOMINATION

Ms. HEITKAMP. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from consideration of PN1053, the nomination of Mark McWatters for the Board of Directors at the Export-Import Bank; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. HEITKAMP. Mr. President, we would like to engage in a discussion of what this means to American workers, to American exports, and to American manufacturing. I think we have worked very, very hard over the last several months to try and move this nomination forward. We fought this fight. Many appearing with me today fought this fight, whether it was on TPA or whether it was just simply trying to get reauthorization of the Ex-Im Bank advanced and furthered.

We won this fight. Today we are losing the fight again by this restriction, by this inability to move this nomination forward. So we want to talk about this today. I am going to yield to several of my colleagues here for their short comments. We will start with Senator SCHUMER who has a commitment with the Judiciary Committee.

Mr. SCHUMER. Mr. President, I want to thank my dear friend, the Senator from North Dakota, for her leadership on this issue, as well as our two great Senators from the State of Washington, MARIA CANTWELL and PATTY MURRAY.

I support my colleague from North Dakota and echo her comments. We should have a full complement of Board members at the Ex-Im Bank and, at the very least, they must have enough to reach a quorum and continue to conduct its business. I also want to thank my three colleagues who are here for their tireless efforts to get the Ex-Im Bank reauthorized last year. The legislation to reauthorize was carried by the Senator from North Dakota, as well as Senators CANTWELL and MURRAY, after Republican obstruction caused it to lapse for the first time in its 80-year history.

What a shame it was that it lapsed. The Ex-Im Bank is one of the key tools

in our toolbox for supporting and growing manufacturing jobs across the country. We talk about increasing good-paying manufacturing jobs. Both sides of the aisle do that regularly. Then, when it comes to supporting the Ex-Im Bank, they obstruct one of the best tools we have. They vote no. Now they have found a clever way to stop it from working, because it won't have a quorum.

The Ex-Im Bank provides necessary financing for domestic manufacturers to compete with foreign companies that are heavily subsidized or are owned entirely by their government and simply to have access to their own domestic import bank. To purposefully prevent the Ex-Im Bank from being able to properly function is like having America unilaterally disarm in the global competition for exports and good-paying manufacturing jobs here at home.

But there are a small band of folks—ideologues—so ideologically opposed to the Bank that they will do anything to see that it can come to a screeching halt. They will use every trick in the book to do it. That is what they are doing now. Opponents of the Bank are hamstringing the agency by denying it the staff it needs to operate.

We are losing \$50 million a day in exports. Some of these come from my home State of New York. We have not only GE, which makes turbines, a large percentage of which are exported. They are losing business to Siemens and other foreign companies.

We have lost some little companies that depend even more on the Ex-Im Bank because it gives them the ability to find markets overseas. So I don't want to hear my colleagues on the other side of the aisle talk about how they care about jobs, how they care about building America and building our exports, as long as they continue to play this trick and hamstringing the Ex-Im Bank from functioning. Mr. President, as I said, I rise today to support my friend and colleague the Senator from North Dakota and echo her comments: We should have a full complement of Board members at the Ex-Im Bank, and at the very least they must have enough to reach a quorum and continue to conduct its business.

I also want to thank her for her tireless efforts to get the Export-Import Bank reauthorized last year. The legislation to reauthorize the bank was carried by the Senator from North Dakota and several other colleagues of ours, like Senators CANTWELL and MURRAY, after Republican obstruction caused it to lapse for the first time in its 80-year history.

And it was a shame that it ever lapsed.

The Ex-Im Bank is one of the key tools in our toolbox for supporting and growing manufacturing jobs across the country. It provides the financing necessary for domestic manufacturers to

compete with foreign companies that are heavily subsidized or owned entirely by their governments or simply have access to their own domestic Ex-Im Bank.

To purposefully prevent the Ex-Im Bank from being able to properly function is like having America unilaterally disarm in the global competition for exports.

But there is a small band of folks who are so ideologically opposed to the bank that they will do anything they can to see it come to a screeching halt. And they will use every trick in the book to do it.

That is what we are seeing now.

Opponents of the bank are hamstringing the agency by denying it the staff they need to operate.

Right now, the Export-Import Bank is unable to approve any of the financing deals over \$10 million because the Bank only currently has two members serving on its five-member board.

This is a problem because the Board needs at least a quorum of three to approve financing for large deals.

But the Banking Committee has so far refused to even consider a third nomination to the Board of the Export-Import Bank and has given no indication that it even plans to hold a hearing on the nomination any time soon.

It can't be because the chairman opposes the nominee's politics or views—the nominee is a Republican, irony of ironies. The President has put forward Mark McWatters, a former staffer for Republican HENSARLING, the Republican Chairman of House Financial Services.

The delay on the nomination has nothing to do with the nominee or his qualifications and everything to do with keeping the Ex-Im Bank from doing its job.

The delay, as Senator HEITKAMP pointed out, has real consequences:

30 major projects in the pipeline valued at more than \$10B are now mired in uncertainty.

The Peterson Institute estimated that each day the confirmation is delayed, the US is losing \$50 million in exports.

This impacts major companies in my home State of New York like GE, which makes turbines near Schenectady and employs over 7,000 folks in the Albany area alone.

GE not only employs thousands of people in my state, it supports an entire supply chain in the capital region. So when a contract or sale abroad is not approved or bids are not even sought because of the uncertainty surrounding the Ex-Im Bank, there is a real cost to the economy.

I understand there are those on the other side of the aisle, including the distinguished chairman of the Banking Committee, who oppose the very existence of the Export-Import Bank.

But the fact of the matter is the Bank exists. The full Senate voted to

reauthorize it. And it is our jobs as legislators to ensure that government agencies have the staff they need to do the job we ask them to do.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am here today to support the strong statement from the Senator from North Dakota and the strong support for a fully functioning Export-Import Bank because it creates American jobs and helps our businesses, large and small, and, in fact, reduces our national debt. But right now, political posturing has handicapped the Ex-Im Bank, one of our countries most reliable tools to increase America's economic competitiveness in our global economy.

In my home State of Washington, there are nearly 100 businesses, the majority of them small or medium-sized, that used the Bank's services last year to help sell their products overseas. We are talking about everything from apples to airplane parts, beer, wine, software, medical training supplies, and beyond.

The reality is that people in other countries want American-made products. That is a great thing because these businesses support tens of thousands of jobs in our country and keep our economy moving.

The Export-Import Bank is the right kind of investment because it expands the access of American businesses to emerging foreign markets that create jobs right here at home.

Do you know what it costs taxpayers? Not a single penny. In fact, the Ex-Im Bank reduces our national debt.

So here is the bottom line. The Bank creates jobs. It strengthens our businesses. It helps our economy grow from the middle out, not just the top down.

So it is time for my colleagues to put ideology aside, to allow this proven program to operate at its full capacity, and to allow a vote that we were denied today to get the Ex-Im Board operating again because it is critical that the Bank continue to receive the strong bipartisan support we have seen in the past as we work to build on its success.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I join my colleagues this morning on the Senate floor in an effort to wake up the Senate to the fact that, without action by this body and specifically the Senate Banking Committee, Members are literally supporting shipping jobs overseas. I believe in a manufacturing economy. I believe in a manufacturing economy because so many people in the State of Washington work in manufacturing and because aerospace is an industry in which the United States is still a world leader.

Yet, by not filling the board of the Export-Import Bank we are putting the Bank out of business when we should

be making sure that it can issue credit for manufactured U.S. products to be sold in overseas markets.

Why is manufacturing so important? Manufacturing is important because it pays a decent wage. It allows American workers to go from working class to middle class. It helps secure jobs in our economy that are stable for families who are sending their kids to school, and because it helps people move up to a better quality of life.

I am competitive in general. I don't want to lose a manufacturing base. But I also don't want to lose a middle class. What has happened is that the conservative views of the Heritage Foundation have thwarted the Export-Import Bank, and U.S. manufacturers have decided to put their manufacturing overseas. Think about it. How long is a company or a business going to put up with the fact that they don't have an export credit agency here in the United States?

Now, can a big manufacturer get its own credit? Sure it can. Sure, it can go and get credit. But can you ask it to sell in a global market? I will give you an example of a manufacturer in our State, SCAFCO, which sells manufactured grain silos to many countries in South America, in Africa, in Asia, and all across the world. Do you think they are going to finance every single deal they do? No, because they have to put money into their manufacturing facilities so they can stay competitive, and so they can have the best silos being produced.

So if they limited their business to only deals they could finance, they would have very limited business. Think about it. Whom do we make that requirement of? It is the customer who is buying the exported product who needs the business to get credit. It is the customer who is out there that wants to purchase what are great U.S. products who is having trouble. Think about it. You could be a small African nation trying to change your economy toward agriculture or you could be a small Asian country that is trying to upgrade the quality of life.

It could be, just as Prime Minister Modi said yesterday, that they want to diversify their energy portfolio. Well, guess what? We are holding that up and not allowing all of those countries to buy U.S. energy products simply because we refuse to have a working board at the export credit agency. How ludicrous is that? It is so ludicrous, because what happens if a U.S. manufacturer—an aerospace manufacturer like Boeing for example—wants consumers to buy GE engines and make sure that a South American company purchases U.S. manufactured Boeing and GE engines?

Well, they can go and purchase Rolls-Royce engines instead, and the European credit agency can fund the deal. Now, what has happened? GE has lost

out on deals. Do you think all of those U.S. manufacturers are going to stay in the United States if there is no way to have credit financing? No—they are going to go where credit financing exists. So, by not moving forward on a fully functioning export credit agency in the United States, all you are doing is helping to ship jobs overseas. It has to stop.

We make great products in the United States. We are competitive. Our workforce is skilled. I will be the first to say that we need a more skilled workforce. I am all for providing our workforce with education and skills and every resource our country has because innovation is our competitive advantage.

But if we make great products and then we hamstring the financing of those great products—developing countries don't have the same banking and financial tools and edge that we have in the United States—you are basically saying: We are not going to sell our products.

I am a big proponent of winning in the international marketplace. I am a big proponent of saying that the middle class is growing around the globe, and one of the United States' biggest economic opportunities is to sell products to that middle class outside of the United States. That rising middle class means they can purchase more U.S. products. Well, they can't if we don't have a credit agency that finances exports. So why are we down here this morning as it relates to the Defense bill that is now being discussed?

Well, we are here because there are more than \$10 billion of deals and transactions that are in the Export-Import Bank pipeline. Yesterday, Prime Minister Modi was here. The Indian Government has announced that Westinghouse would finalize contracts with the Nuclear Power Corporation of India to build six nuclear reactors by 2030. Well, those deals won't get done if you don't have an export credit agency to finance those deals.

The United States Senate is currently considering the National Defense Authorization Act. Last month, the Aerospace Industries Association and the National Defense Industrial Association wrote letters to Senate leadership urging them to make sure that we had a functioning bank. They pointed out that without a quorum, multimillion-dollar exports of aircraft, satellite, and other things won't get done.

So we just had this little argument on the Senate floor about how we are going to pay for things in the Defense bill and whether we are going to have balance with our other domestic spending. By not supporting and moving forward on the export credit agency, you are also making defense in the United States more expensive. You are making our security more expensive because

you are not allowing that same technology—that we have decided meets our export controls, but we are willing because these are partners of ours—to sell that defense. You are making that difficult.

Mr. President, I ask unanimous consent to have printed in the RECORD this letter from the Aerospace Industries Association and the National Defense Industrial Association, basically saying you are making it more expensive for us to do business as a country in defense because you also will not allow the export of this product.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AEROSPACE INDUSTRIES ASSOCIATION, NATIONAL DEFENSE INDUSTRIAL ASSOCIATION,

May 17, 2016.

Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.

Hon. HARRY REID,
Senate Minority Leader, U.S. Senate, Washington, DC.

DEAR SENATE MAJORITY LEADER MCCONNELL, AND SENATE MINORITY LEADER REID: On behalf of the American aerospace and defense industry and our dedicated workforce, we are writing to urge Senate hearings and confirmation on the nomination of J. Mark McWatters to the Board of Directors for the U.S. Export-Import (Ex-Im) Bank. If his nomination is successfully approved, a fully functioning bank will play an important role in leveling the playing field for U.S. exports, creating new opportunities for U.S. companies, and strengthening our strategic alliances throughout the world.

Last year, we were heartened to see a bipartisan, bicameral supermajority vote overwhelmingly in favor of long-term reauthorization of the Ex-Im Bank. However, the Bank remains effectively inoperable for large-scale export activities. While the Bank is accepting new applications, the Bank's Board of Directors must have a quorum to act on transactions valued at \$10 million or more. In the absence of a quorum, potential multi-million dollar export sales of aircraft and satellites are at risk, hurting not only major manufacturers, but the small and medium-sized companies that support them.

The global market is fiercely competitive. U.S. manufacturers need fair trade policy measures to level the playing field. Other countries are aggressively utilizing their Export Credit Agencies (ECAs) as a tool to advance their national trade interests, and availability of financing (instead of the quality of products) is a key discriminator if we do not have our own ECA. Our competitors also enjoy a greater range of support from their ECAs, including—but not limited to—a broader scope of programs.

Without the Bank supporting some of these investment-heavy exports, U.S. industrial production will decline, reducing revenue, innovation, and high-skilled, high-wage jobs throughout the aerospace and defense supply chain. The fact that this will lead to higher unit costs for the military systems our armed forces buy seems to be dismissed or ignored. Also, we are only now recovering lost capacity and market share in the commercial satellite market caused by over-restrictive export controls, which had a similar detrimental impact on our national security space industrial base.

In addition to supporting U.S. export sales, the Bank is an important foreign policy tool for the U.S. government as it bolsters American presence and influence abroad. By developing closer economic ties to other countries, we enhance not only our economic power, but also our national security. Countries which engage in close trading and commerce with each other increasingly align around common interests in global stability and security.

The Board is instrumental to the agency's day-to-day operations, since it manages the Bank's reforms and approves its transactions. The long-term reauthorization approved by Congress in 2015 contained risk-management provisions that require action or approval from Ex-Im Bank's Board of Directors in order to be implemented, including the appointment of a Chief Ethics Officer and the establishment of a Risk Management Committee. The agency cannot implement those provisions—or consider any other reforms—without a quorum. We urge the Senate to move swiftly on the pending nomination for the Ex-Im Bank's Board of Directors.

Sincerely,

DAVID F. MELCHER,
*Lieutenant General,
USA (Ret.), President & CEO, Aerospace Industries Association.*

CRAIG R. MCKINLEY,
*General, USAF (ret),
President & CEO,
NDIA.*

Ms. CANTWELL. Mr. President, I am on the floor with my colleague from North Dakota because we feel passionately about this issue. We are frustrated with the shenanigans that have gone on with the export credit agency. I say "shenanigans" because for a long time people said: Oh, well, there aren't the votes. We can't get this done. We don't have the votes.

Well, when you lift the veil behind some very conservative, threatening tactics, there is majority support, in both the Senate and the House of Representatives, for this export credit agency.

Now, one committee is trying to bottle up a nominee—if he doesn't like the nominee, come up with a different name. Come up with two names. Who cares? But what really is happening is that those on the other side of the aisle are enabling one individual to thwart the biggest manufacturing economic opportunity our country has to secure manufacturing jobs in the United States of America. Let's build great products. Let's have a credit agency that can finance deals to developing nations, and let's get those countries buying U.S. products. Why on Earth are we continuing these shenanigans so somebody can say to the Heritage Foundation: I got you one more trophy for your shelf.

That is not what America is about. America is about competing, succeeding, and growing economic opportunity.

I thank my colleague from North Dakota for her leadership on the Banking

Committee in trying to move this effort forward and all of my colleagues who care about manufacturing who are willing to come to the floor and make this point.

Time is running out this session, before the summer recess, for us to get this done. It is time to get it done.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. I say thank you to my colleague from Washington.

Mr. President, the level of frustration we have over this issue is unparalleled. We hear platitudes in the Senate. They usually start with: We believe in the will of the people. Let's do the will of the people.

Guess what. We had this debate. We had the debate about whether we should have an entity called the Export-Import Bank. We had that debate. It was long fought. We shut down the bank for the first time in 60 years. We shut down the bank, stopping exports for the United States of America, costing jobs in the United States of America.

We won that fight, and we didn't win it by a little. We didn't win it by just a margin. We won supermajorities—supermajorities—in the Senate and supermajorities in the House. When we were told the House would never pass a stand-alone bill, they passed a stand-alone bill by 70 percent—70 percent—of the vote.

Doesn't that tell you the people of this country should have a vote through their elected representatives? Today do you know what is stopping that vote, the will of the people to have this entity, beyond all of the arguments for why this entity is critically important? One person—one person, for whatever reason.

This is why people have lost faith with their government. This is why people don't believe we can get anything done here anymore—because even though we fight the fight, even though we win the fight, we don't win the fight because we need a quorum at the Bank to do any deal over \$10 million.

We have a nominee. You must say: Well, it must be a raving liberal, right? This nominee? No, it is the Republican nominee who represented and worked for one of the most conservative Members—in fact, an anti-Export-Import Member of the House of Representatives. That is our nominee. There is nothing wrong with this nominee. It is not our side who is debating the legitimacy of a Republican nominee. It is not our side.

How do we believe in manufacturing, believe in the American dream, and believe we can be part of a global economy, when 95 percent of all potential consumers in the world—guess what. They don't live here.

If we are going to be competitive, if we are going to be participating in that

global economy—which we must—then we must be competitive. We cannot be competitive without an export credit agency. It is just that simple, and we are not going to be competitive. So don't say you are for trade or manufacturing, when you are not willing to take a risk because some ideologue on the other side has decided that is a black mark.

Earlier, Senator MCCAIN made a passionate plea and Senator LINDSEY GRAHAM talked about Heritage. Who is running this place? When the Heritage Society can stop a deliberation by simply putting a checkmark next to a piece of legislation and when once again we have this being held up in the backrooms of the Senate—not openly, but in the back rooms—who is running the place and who really believes in trade? Who really believes in manufacturing? Who really believes in the middle class?

I will tell you, my passion on this doesn't just come because I think it is a horrible trajectory for the future, for the future of our American economy, my passion on this comes when I hear stories. These are real. They are not pretend stories. When I hear stories that “We are going to take our manufacturing out of this country.” We are going to lose jobs, and we are going to lose those jobs very quickly. In fact, when we shut down the Bank, we already lost jobs—but we are going to lose jobs.

Do you know what I think about? Because this is where I live. This is where I am from. I think about that factory worker on the floor of that manufacturing facility being given a pink slip and being told his job is going overseas, her job is going overseas because they have a better business climate.

Think about that. You have a good job, providing for your family, believing you are doing everything right, and because of a simple glitch here, because of, really, one person, that person is getting handed a pink slip. Where is the accountability for that? Where is the accountability to that family? When are we going to learn that it is this disruption in American lives that has cost this body and this Congress its reputation for no good reason?

I wish to close before I turn it over to my colleagues with just a couple of statistics because, quite honestly, I get sick and tired of the characterization that this only applies to large facilities like Boeing, GE, and Caterpillar. I am tired of that. Let me tell you. In North Dakota, we have 16 suppliers. These are small businesses. These are people who have done creative things in an environment that you wouldn't think would be successful. They are suppliers to Boeing. What happens when Boeing cannot do a deal? What happens when Boeing moves their operation someplace else and the requirement is that

those parts be manufactured in that country? What happens? Guess what. Those 16 manufacturers are injured. Those 16 manufacturers have their lives disrupted, through no fault of their own, not because they didn't produce a quality product, not because they didn't do everything they needed to do to be successful.

Just last week, the Wall Street Journal reported that 350 high-paying American manufacturing jobs are headed to Canada. That is a direct result of the last reauthorization back in 2015. I think we can clearly expect many more of these stories. I would ask my colleagues: Who is going to go to that manufacturer or worker? Who is going to talk to the children who now have a father who no longer has a job or a mother who no longer has a job and say: Because someone told me, I am not going to do it. I am not going to support you. I don't represent you. I represent an ideology here.

This is a tragedy at so many levels. I guess I naively thought, when you win, you win, and when you win by big majorities, you ought to win for at least more than a day.

I stand ready to fight this fight. I stand ready to attach and do everything I can to either get this nomination or to get a patch or legislation that will, in fact, provide opportunities for the Bank to function. I will do everything I can because when I go to bed at night, I don't think about the Boeing and the GE executives. That is not whom I think about. I think about that person on the factory line who is working every day putting food on the table for their children and how this dysfunction here is costing them their livelihood and their security. That is a tragedy we can't ignore.

Mr. President, I yield the floor to my colleague from Indiana.

Mr. DONNELLY. Mr. President, I echo the words of my colleague from North Dakota.

I have 6.5 million bosses in Indiana. These think tanks out here, these other organizations, they are not my boss. That family who wants to make sure there is a paycheck coming into the house, and all mom and dad wants is a chance to go to work, they are whom we should be working for—for the same people my colleague from North Dakota works for in Bismarck, in Fargo, in Muncie, in Richmond, in Maryville, in Lafayette, and all of these suppliers around my State whose jobs are dependent on these export opportunities that we are walking away from by standing against the Export-Import Bank.

Here we are again, on the floor of the U.S. Senate, talking about our responsibility to do our job and to consider the President's nominees to important Federal offices. The nominee we are talking about, Mark McWatters, is a Republican nominee for the Board of

Directors for the Export-Import Bank, and we are all lined up on this side to support him. It is the official export credit agency of the United States. It helps American companies—so many in my State of Indiana—create jobs, an opportunity, and a chance for people to go to work, put a roof over their kids' heads, to be able to retire with dignity, and to be able to compete in a global economy.

That is what this is about. Every other country you look at has one of these export-import banks. It is helping their organizations, their businesses, and their countries compete.

Each of us speaking today worked closely with Senator HEITKAMP last year to reauthorize the Bank. It was a strong, overwhelming bipartisan vote in support of reauthorization. It demonstrated the need for this entity that helps create American jobs at no cost to taxpayers and, in fact, sends money back to the Treasury.

In 2014, the Ex-Im Bank supported 164,000 American jobs. That is 164,000 moms and dads who are able to have dignity, a job, take care of their children, and be a tremendous credit to their community. That is what this is about; \$27.5 billion in exports and it returned \$675 million to the U.S. Treasury. It creates jobs, reduces the deficit, and spurs economic growth. Despite widespread support, our inaction here keeps the Bank from being in operation. In order to approve certain financing, the Bank needs a minimum of three Senate-approved Board members. We have two.

McWatters' nomination has been pending in the Senate Banking Committee for 5 months. All it takes is a vote. Requests to confirm the nominee by unanimous consent have been rejected.

American companies are struggling to compete against foreign competitors that benefit from currency manipulation, illegal trade, intellectual property theft, and other foreign barriers. Yet a handful of Senators are making life more difficult by not considering this nomination. If we are not willing to stand up for our own companies, for our own workers, then what are we doing?

It is disappointing that an important tool for economic growth isn't being utilized simply because some in the Senate refuse to do our job. The American people expect better, the American people deserve better, and the workers of this country deserve better. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, what my distinguished colleagues from North Dakota and Indiana are proposing is to unleash the Export-Import Bank from the constraints under which it currently must operate and to begin au-

thorizing transactions above \$10 million. Between 2007 and 2014, 84 percent of the Bank's subsidy and loan guarantee deals exceeded \$10 million—84 percent—and the vast majority of those were given to the wealthiest, most well-connected businesses in America that should have no problem at all obtaining financing in the open market.

The Export-Import Bank represents so much of what the American people resent and despise about Washington, DC. This is a Great Depression era relic, one that lives on today and has grown into one of the most treasured relics for favoring banks. It is a favored relic for well-heeled lobbyists, big government, and politically favored businesses. It is an 82-year-old case study in American corporate welfare, and for some reason this Senate continues to support it.

Ex-Im has managed to live through more than 30 corruption and fraud investigations into its system of doling out taxpayer-backed subsidies and loan guarantees to foreign buyers of U.S. exports. In 2013, for half of the financing deals within the Export-Import Bank's portfolio, Ex-Im was either unable or unwilling to provide any justification whatsoever connected to its mission. That is \$18.8 billion in estimated export value that apparently had no connection to Ex-Im's mission or, if it did, Ex-Im didn't bother to offer that up.

Many of Ex-Im's supporters claim the Bank's main function is to support small business. That sounds nice, but the problem with it is that this claim doesn't stand up to even a modest amount of scrutiny. Look at the institution's track record. Only one-half of 1 percent of all small businesses in America benefit from Ex-Im financing—one-half of 1 percent. And even that tiny figure may well be an overestimation, may well overstate the case, because Ex-Im uses such a broad definition of the term small business.

Confirming this nominee would allow Ex-Im to return to its old ways of approving massive financing deals for the largest corporations, in coordination with the largest banks, all with the backing of American taxpayers.

Permanently ending the Export-Import Bank would be a small but important and symbolic step toward restoring fairness to our economy and fairness to our government. It would prove to the American people that their elected representatives in Congress have the courage to eliminate one of the many Federal programs that foster cozy relationships between political and economic insiders, providing a breeding ground for cronyism and for corruption. So long as this Senate remains unwilling to close Ex-Im, we should, at the very least, make sure it does not have the ability to further advance its cronyist agenda.

If you want to talk about harming competitiveness, let's talk about that.

If we want to have that discussion, let's have that discussion now. If you want to know what harms competitiveness in America, including and especially the kind of competitiveness that has tended to foster the development of the greatest economy the world has ever known—the kind of competitiveness that makes it possible, where it exists, for small businesses to make it onto the big stage—let's look at Federal regulations.

Federal regulations are a big deal in this country. I remember being appalled 20 years ago to learn the Federal regulatory system was imposing some \$300 billion a year in corporate compliance costs—regulatory compliance costs. Those regulatory compliance costs might be borne immediately and initially by big corporations, by small corporations, mostly by businesses, but you know who pays for it? Hard-working Americans. In fact, some have described this effect as sort of a backdoor, invisible, and very regressive tax on the American people.

So when I first learned of this problem, I started thinking of it this way. This is an additional \$300 billion a year the American people are essentially paying into the Federal Government because everything they buy—goods and services—becomes more expensive. They also pay for it in terms of diminished wages, unemployment, and underemployment, but they do pay for it. And they pay for it disproportionately at the middle and at the low end of the economic spectrum in America.

Unlike our actual tax system—our visible tax system—which is highly progressive, our backdoor invisible tax system—our regulatory system—is highly regressive. Some have estimated this regulatory compliance cost—just complying with Federal regulations—today costs the economy some \$2 trillion a year, meaning this has multiplied roughly sevenfold just in the last 20 years.

If you don't think that is a significant impediment to competitiveness in America, I don't know what is. This is a problem. And some have estimated that each and every American household pays some \$15,000 more each year for goods purchased simply because of Federal regulations. This hurts competitiveness. So do our high tax rates; these harm competitiveness.

So I stand with the senior Senator from Alabama and I support him in his objection.

I thank the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, will the Senator from Utah yield for a question?

Mr. LEE. Yes.

Ms. HEITKAMP. Mr. President, I share my colleague's concerns about overregulation and the burden of regulation. I have been fighting regulation

that makes no sense here in Congress, and so I agree with him. But that is not what we are talking about today. We are talking about the Export-Import Bank.

I would ask my colleague: What percentage of all transactions at the Export-Import Bank goes to small business, as defined by the Bank?

Mr. LEE. Mr. President, as my colleague is asking the question, I assume she has the answer.

Ms. HEITKAMP. I do.

Mr. LEE. And I am sure she is prepared to tell us that.

Ms. HEITKAMP. Well, obviously, I do want to maybe make some points that are contrary to some of the discussion that my colleague just had.

Ninety percent of all Ex-Im transactions are with small businesses that are under \$10 million. The amount of transactions over \$10 million is huge, I will give you that. But, again, we talk about the supply chain that goes into those transactions over \$10 million.

The Peterson Institute recently estimated the United States is losing \$50 million in exports each day this nomination is not confirmed.

We have had disagreements with the Senator from Utah over the Ex-Im Bank—disagreements we debated when we reauthorized the Bank. So I would ask the Senator from Utah: Why not move the confirmation of McWatters to the floor so my colleague can have a full-throated debate about the Bank? Why not have a full-throated debate instead of hiding that nomination in the Banking Committee and using that structure to thwart what in fact a majority of both bodies of the Congress and the President have done when they reauthorized the Bank?

Mr. LEE. I am grateful to respond to both points made by my distinguished colleague, the Senator from North Dakota.

In the first place, as to the need to have a full-throated debate, I welcome that. That is exactly what we need. It is what I have been wanting to have for a long time. But last year, instead of having a full-throated debate specifically about Ex-Im, we saw Ex-Im attached to a much larger package—a much larger package that a lot of people were determined to support, regardless of what else was in there. So a lot of people voted for that package, regardless of how they might feel about the Export-Import Bank. But as for a full-throated debate, yes, that is exactly what we need. We would get that if we could actually debate the reauthorization of Export-Import on its own merits, as we should have done last year. We were deprived of that opportunity, so now we are using every opportunity we can to have a real full-throated debate. That is why we are doing this. That is exactly the reason we need to do that.

As to the figure the Senator cited with respect to the percentage of loans

going to small business, sure, if one wants to talk about the number of actual loans made, one can make that number look pretty good. But look at the number that I think is more significant: Only one-half of 1 percent of all small businesses in America actually benefit from Ex-Im financing. That is a pretty significant deal when one looks at how much of the lending authority in the total dollar amount the Export-Import Bank supplies to larger businesses and to businesses, regardless of their size, that could in fact obtain financing in the open market.

Again, we are not back in the Great Depression anymore. This is a Great Depression era relic. So regardless of what my colleague may think about the Great Depression era dynamics at play that caused those serving in this body and the House of Representatives in the 1930s to put this program in place, we have other challenges today. And many of those challenges are created by the government itself—by the government being too big a presence within our marketplace, inuring ultimately to the benefit of big business and harming everyone else.

Ms. HEITKAMP. Mr. President, I see other colleagues here ready to make presentations, but I just want to make two final points.

If my colleagues want a full-throated debate, then move the nomination onto the floor and out of the committee. Let's have the debate. My colleagues are using the nomination to reemphasize and relitigate the Ex-Im Bank. Let's do it.

In the meantime, let's appreciate that, in spite of everything that is being said here, we need the Bank to be competitive. We need the Bank to make sure that we can, in fact, manufacture in this country. And that is something that gets lost in all the rhetoric.

I think one of the things we have an obligation to think about is all those jobs that are going to go someplace else and all those Americans who are going to stand in the line for unemployment benefits and who are going to get their pink slips. And who in the U.S. Senate wants to line up at the factory door as they are walking through the last time and shake their hand and say: You know, too bad you lost your job.

So I yield the floor, and I intend to have further debate about the Export-Import Bank.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I would note that Senator KLOBUCHAR is here and she, I believe, wanted to participate in the discussion about the IMF, but we shortly have a vote, and we would very much like to proceed. The majority leader is here also.

I am prepared to speak now on the pending Reed amendment that we are going to go to a vote on at 11:15.

Ms. MIKULSKI. We need to talk on the bill.

Ms. KLOBUCHAR addressed the Chair.

Mr. REED. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. REED. I yield the floor to the majority leader.

The PRESIDING OFFICER. The majority leader.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 120, H.R. 2578.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 120, H.R. 2578, an act making appropriations for the Department of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Mike Crapo, Richard C. Shelby, Richard Burr, Daniel Coats, Ben Sasse, Roger F. Wicker, Thom Tillis, Steve Daines, Chuck Grassley, Susan M. Collins, Thad Cochran, James Lankford, Lamar Alexander, John Hoeven, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. MCCONNELL. I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 4549

Mr. REED. Mr. President, I would like to make some brief remarks with

respect to the Reed amendment that is pending, before our vote. Senator MIKULSKI would like to also, and I note the chairman is here. But I ask unanimous consent that when I finish my brief remarks, Senator MIKULSKI be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. I thank the Chair.

Mr. President, we have had a very extensive and very thoughtful debate about the underlying amendment by Senator MCCAIN to increase OCO spending by \$18 billion strictly for Department of Defense operations and functions, and those are very critical and very important.

There have been two principles we have followed over the last several years when it comes to trying to push back the effects of sequestration. Those principles have been that the security of the United States is significantly affected by the Department of Defense's operations, but not exclusively. Indeed, there are many functions outside the parameters of the Department of Defense that are absolutely critical and essential to the protection of the American people at home and abroad: the FBI, the Department of Homeland Security, the CDC. So that has been one of the principles. The other principle we recognize is that that in lifting these temporary limits, we have to do it on an equal basis.

What the amendment Senator MIKULSKI and I have offered does is embrace these two principles. We would add an additional \$18 billion to the chairman's \$18 billion. That would encompass the broader view of national security, and do so in a way that I think is very sensible, and allow us to go forward as we have in the past.

All of us recognize the extraordinary sacrifices made by the men and women of our Armed Forces and the fact that they continue to serve as the frontline of the defense in so many different aspects. But we also recognize that defending our interests means agencies outside the Department of Defense—the State Department, Homeland Security—that have absolutely critical and indispensable roles in our national security.

Reflecting on the comments before about the potential for incidents both here and abroad, if we go back to 9/11, that was not a result of a failure to have trained Army brigades or marine regiments or aircraft carriers at sea; that was a deficiency in the screening of passengers getting on airplanes; that was a failure to connect intelligence that one FBI office had that was not shared effectively. Those threats to the United States will not be directly remedied even as we increase resources to the Department of Defense. Resources have to go to these other agencies as well. I think that is something we all

recognize, and that is what is at the heart of what we are doing.

In addition, over the last decade we have seen a host of other threats, particularly cyber threats, which were rudimentary back in 2001, 2002, and 2003. Now we see them as ubiquitous—not rudimentary—and threatening and with an increasing sort of sophistication.

I recall that in a hearing Senator COLLINS and I had with the Department of Transportation and the Department of Housing and Urban Development, we asked the IG: What is the biggest issue that you think is facing your Departments right now? Both said it is the issue of cyber security—protecting the data we have, protecting the records we have, protecting ourselves from being an unwitting conduit into even more sensitive government systems.

So within our amendment, we propose significant resources for cyber protections throughout the Federal Government—Homeland Security, Health and Human Services, Housing and Urban Development, et cetera. These are essential, and I think the American people understand that.

We also understand that our infrastructure is critical to our economic well-being and our economic growth. Part of our dilemma going forward and one of the reasons we are locked in this sequestration battle is that unless we are growing our economy, we will be continually faced with difficult challenges about what we fund, how we fund it, how we provide the revenue to meet these obligations. One of the surest ways to increase our growth is to invest in our infrastructure.

I think what we are proposing makes sense in two fundamental ways. It recognizes—as I think everyone does—that our national security is not exclusively related to the programs and functions of the Department of Defense and that our national security is a function not just of our military, intelligence, and other related agencies, but the vitality and strength of the country, the ability to grow and to afford these investments in defense, in homeland security, and others. We make it clear. We make it clear in this legislation that that is our proposal. And the stakes are clear: We want to go ahead and support a broad-ranged increase in resources.

The final point I will make is that this is all in the shadow of the ultimate issue, which is getting rid of sequestration—not just for one part of the government but for the entire government. If we don't address that next year, we are going to be in an extraordinarily dire situation.

With that, I ask my colleagues sincerely and very fervently to support the Reed-Mikulski amendment. I think that would put us on the track to true national security.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, how much time does our side have?

The PRESIDING OFFICER. There is no divided time. We have a vote scheduled at 11:15 a.m. but no divided time.

Ms. MIKULSKI. Well, I will be quick in my remarks.

First, I just want to comment about real leadership and how blessed we are to have what we have. I compliment both the chairman and the ranking member of the Armed Services Committee. The chairman, Senator MCCAIN, is a graduate of the Naval Academy and is a well-known and well-respected war hero who for his entire life has stood for defending America. Our ranking member, Senator JACK REED of Rhode Island, is a West Point graduate and a paratrooper, so he knows what it is like to make big leaps for the defense of the country. They have done their best to do a bill. They find that their budget allocation is very tight, and we understand that.

What we seek here is parity in what the gentleman from Arizona, Senator MCCAIN, is offering as his amendment, and he has spoken thoroughly and eloquently about it. Senator REED has spoken eloquently about how not all national security is in the Department of Defense, and we need more money for the State Department, Homeland Security. There are others in our part of the bill, the nondefense discretionary part, related to research and development and also investments in health and education.

There are those who would say: Well, Senator MIKULSKI, you know what Senator MCCAIN wants to do.

Yes.

You know what Senator REED wants to do. Not all defense is in DOD.

Yes.

But aren't you being squishy?

No, I am not being squishy at all when we talk about the needed non-defense discretionary for research and others.

Very quickly, when we won World War II, Roosevelt made it clear that it was our arsenal of democracy that enabled one of the greatest fighting machines ever assembled to be successful. We need to continue to have an arsenal of democracy. That arsenal of democracy will always be cutting edge and maintain its qualitative edge because of what we will do with research and development, often in civilian agencies, whether it is the Department of Energy that will produce more trucks, whether it is the National Science Foundation working with others to make us even more advanced in computational capacity so that we have the best computers to defend us, not only in cyber security but in others. There is a new kind of arsenal of democracy, and we need to have a strong economy and we need to have continued research and development to maintain our qualitative edge.

Let's go to the wonderful men and women who serve our military. Only 2 percent of the population signs up, but when they sign up, boy, are we proud of them. We share that on both sides of the aisle. But what GEN Martin Dempsey, the former head of the Joint Chiefs—himself a decorated hero—said to me was this: Senator MIKULSKI, out of every four people who want to enlist in our military, only one is taken because only one will be fit for duty. One category can't pass because they can't pass the physical fitness. They have too many physical problems.

Well, why is that?

Then the other won't be taken by the military because they fail the literacy and the math—a failure of education. Third, there is another category because of issues with either addiction or emotional problems.

So we need to look at our total population. We need a totally strong America to have a strong defense.

I know some people say what I want to do and some of my colleagues want to do—we not only want to maintain parity in the Budget Act consistent with our votes and our principles, but look at that. Also, when we vote, know why we are doing this. We want to maintain our arsenal of democracy. We want to maintain our cutting edge and our qualitative edge. We also want our young men and women to be fit for duty, whether it is for military service or other service to the Nation.

I know the gentleman from Arizona is waiting. I have now completed my remarks, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maryland. She is tough and principled, a great representative of her State, and she has been a friend for many years. I thank her for her words. I also respectfully, obviously, disagree.

This vote is obviously one that places domestic considerations on the same plane as national security. As we look around the world, I think it is pretty obvious that since 2011—the world was a very different place when sequestration was enacted. We need to have a military that is prepared to fight and is not unready, planes that can fly, ships that can sail, and men and women who are trained to fight. All of those have been impacted by sequestration.

With the Director of National Intelligence telling the Armed Services Committee and the world that there will be attacks in Europe and the United States of America, we cannot afford an \$18 billion cut from last year and an over \$100 billion cut since 9/11.

Every one of our military leaders has told us that we are putting the men and women who are serving in uniform at greater risk. That is not fair to them, I say to the Senator from Mary-

land. It is not fair. So I don't put our domestic needs on the same plane as our national security. I believe our national security is our first obligation, and that is what my amendment is all about.

Mr. President, I ask unanimous consent for 3 minutes on the Democratic side and 3 minutes on my side prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Reed amendment No. 4549 to the McCain amendment No. 4229 to S. 2943, the National Defense Authorization Act.

Harry Reid, Jack Reed, Richard J. Durbin, Michael F. Bennet, Charles E. Schumer, Patty Murray, Richard Blumenthal, Jeff Merkley, Jeanne Shaheen, Al Franken, Gary C. Peters, Bill Nelson, Barbara Boxer, Robert Menendez, Sheldon Whitehouse, Amy Klobuchar, Barbara A. Mikulski.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4549, offered by the Senator from Rhode Island, Mr. REED, to amendment No. 4229 to S. 2943, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 43, nays 55, as follows:

[Rollcall Vote No. 95 Leg.]

YEAS—43

Ayotte	Boxer	Coons
Baldwin	Brown	Donnelly
Bennet	Cantwell	Durbin
Blumenthal	Cardin	Feinstein
Booker	Casey	Franken

Gillibrand	Menendez	Schatz
Heinrich	Merkley	Schumer
Heitkamp	Mikulski	Shaheen
Hirono	Murphy	Stabenow
Kaine	Murray	Udall
King	Nelson	Warren
Klobuchar	Peters	Whitehouse
Leahy	Portman	Wyden
Markey	Reed	
McCaskill	Reid	

NAYS—55

Alexander	Fischer	Paul
Barrasso	Flake	Perdue
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Carper	Heller	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Kirk	Tester
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Murkowski	

NOT VOTING—2

Sanders	Warner
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The PRESIDING OFFICER. On this vote, the yeas are 43, the nays are 55.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, there will now be 6 minutes of debate, equally divided, prior to the vote.

Ms. MIKULSKI. Mr. President, today I will vote against Senator MCCAIN's amendment No. 4229, the \$18 billion of additional spending for the Department of Defense.

I support the troops and their mission, especially Maryland's nine military bases. While there are many items I would like to see more money for, I believe we can meet the needs of our national defense within the budget caps. For fiscal year 2017, the Department of Defense appropriations bill reported unanimously by the Appropriations Committee last week did that.

The Defense appropriations bill accomplishes many objectives without a budget gimmick. It uses base funding to provide \$600 million to meet Israel's missile defense, an increase of \$455 million above the request. The McCain amendment offers only \$465 million. Appropriations will add \$600 million to Israeli defense.

Let's look at new, modern ships. The McCain amendment authorizes \$90 million less for the littoral ships than what we do. We put in \$475 million. The McCain amendment adds nothing to an account for the National Guard and Reserve. The Defense appropriations bill adds \$900 million for the Guard and Reserve equipment account so they can recapitalize themselves, so they can be part of our fighting military for our Commander in Chief.

Also, we can look at something like the Arctic. There is a threat to the Arctic. Senator MURKOWSKI from Alaska has spoken eloquently about it. We

have money in here for polar ice-breakers. The Russians have 6, and we have 1 in Antarctica. This helps the shipbuilding industry and so on.

We can do this in Defense appropriations. I urge the rejection of the McCain amendment. We can meet our national defense without a budget gimmick.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, facts are stubborn things. They add \$7 billion. We want \$18 billion to restore the cuts from last year.

So I say to the Senator from Maryland: Facts are stubborn things. The fact is this amendment increases spending by \$18 billion, which brings us up to last year's level.

Look at how the world has changed in the last year. Look at the commitments that this Nation has assumed as a result of a failed Obama foreign policy.

It increases the military pay raise to 2.1 percent. The current administration budgets 1.6. It fully funds our troops in Afghanistan. It stops the cuts to end strength and capacity. For example, it cancels a planned reduction of 15,000 active Army soldiers. It prevents cutting the 10th carrier air wing. It includes additional funding for 36 additional UH-60 Blackhawk helicopters, five Apaches, and five Chinooks. It provides an additional \$319 million for Israeli defense programs and \$2.2 billion for readiness.

We have ships that can't sail and planes that can't fly and pilots that can't train. Do you know our pilots are flying less hours than Russian and Chinese pilots are, thanks to sequestration?

It addresses the Navy's ongoing fighter shortfall and USMC aviation readiness. It supports the Navy's shipbuilding programs, necessary to fund the additional DDG-51, and restores the cut of 1 littoral ship. That is the job of the authorizers. You are doing the job of the authorizers, I say to the Senator from Maryland, and that is wrong. It is up to us to authorize, not you. It is your job to fund, not to authorize.

So what is a "no" vote going to do, my friends?

It is going to be a vote in favor of another year where the pay for our troops doesn't keep pace with inflation. In voting no, you are cutting more soldiers and marines in operational requirements. Voting no will be a vote in favor of continuing to shrink the number of aircraft that are available to the Air Force, Navy, and Marine Corps. Voting no would be a vote in favor of letting arbitrary budget caps set the timeline for our mission in Afghanistan. Voting no is a vote in favor of continuing to ask our men and women in uniform to continue to perform more and more tasks.

As the Chief of the U.S. Army has said, if we continue these cuts, we are putting the lives of the men and women in the military in danger. If you vote no, don't go home and say you support the military, because you do not.

I yield.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McCain amendment No. 4229 to S. 2943, an act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Roger F. Wicker, Richard Burr, James M. Inhofe, Pat Roberts, Tom Cotton, Thom Tillis, Roy Blunt, Shelley Moore Capito, Dan Sullivan, Lindsey Graham, Lisa Murkowski, David Vitter, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 4229, offered by the Senator from Arizona, Mr. MCCAIN, to S. 2943, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Virginia (Mr. WARNER) are necessarily absent.

THE PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—56

Ayotte
Baldwin
Barrasso
Bennet
Blumenthal
Blunt
Boozman
Burr
Capito
Casey
Cassidy
Coats
Collins
Cornyn
Cotton
Crapo
Cruz
Daines
Donnelly

Ernst
Fischer
Gardner
Graham
Hatch
Heinrich
Heitkamp
Hoeven
Inhofe
Isakson
Johnson
Kaine
King
Klobuchar
McCain
McCaskill
McConnell
Moran
Murkowski

Perdue
Peters
Portman
Risch
Roberts
Rounds
Rubio
Sasse
Scott
Sessions
Shelby
Stabenow
Sullivan
Thune
Tillis
Toomey
Vitter
Wicker

NAYS—42

Alexander
Booker

Boxer
Brown

Cantwell
Cardin

Carper
Cochran
Coons
Corker
Durbin
Enzi
Feinstein
Flake
Franken
Gillibrand
Grassley
Heller

Hirono
Kirk
Lankford
Leahy
Lee
Manchin
Markey
Menendez
Merkley
Mikulski
Murphy
Murray

Nelson
Paul
Reed
Reid
Schatz
Schumer
Shaheen
Tester
Udall
Warren
Whitehouse
Wyden

NOT VOTING—2

Sanders

Warner

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Arizona.

AMENDMENT NO. 4229 WITHDRAWN

Mr. MCCAIN. Madam President, I withdraw my amendment No. 4229.

The PRESIDING OFFICER. The Senator has that right, and the amendment is withdrawn.

AMENDMENT NO. 4607

Mr. MCCAIN. Madam President, I call up my amendment No. 4607.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4607.

Mr. MCCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend the provision on share-in-savings contracts)

On page 508, strike line 10 and all that follows through "(d) TRAINING.—" on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) TRAINING.—

Mr. MCCAIN. Madam President, I believe we are waiting for the Senator from Utah.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEES TO MEET

Mr. FLAKE. Madam President, I have five unanimous consent requests for committees to meet during today's session of the Senate. They have the approval of the majority and minority leaders.

I ask unanimous consent that these requests be agreed to and that these requests be printed in the RECORD.

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCAIN. Madam President, for the benefit of my colleagues, until we finish this bill, I don't want anybody doing anything but finishing this legislation.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, while we are waiting, I believe that one of the Senators is coming to the floor for a unanimous consent request.

I would like to talk for a minute with my friend from Rhode Island, the ranking member, about a provision that is being held up, unfortunately, and that has to do with our interpreters, who have literally placed their lives on the line in order to help Americans and literally save American lives. That amendment is being held up for extraneous reasons.

The Senator from New Hampshire, I, and everybody on a bipartisan basis, and with fervent pleas from people such as GEN David Petraeus, GEN Stanley McChrystal, and Ambassador Ryan Crocker—later on I will read all of these individuals' letters that are almost wrenching because, in the words of, I believe, General McChrystal, it is not just a regular obligation, it is a moral obligation. Are we going to not allow these people to come to the United States, these people who literally laid their lives on the line for us and saved American lives, in the view of our military leadership who testified to that? General Petraeus wrote a very compelling letter. All the most respected military and diplomatic leaders have asked for this, and it is being held up for extraneous reasons.

I alert my colleagues that the Senator from Rhode Island and I are going to ask unanimous consent to move to that amendment because there are 99 votes in favor of it.

We cannot do this. We cannot do this to people who are allies. What message does it send to anybody who wants to assist the U.S. military and government—not just the military; the government—in carrying out their responsibilities and missions? If we send the message that we are going to abandon those people, what will happen in the next conflict? What will happen in Afghanistan today?

I hope an objection will not take place. I would like to alert my colleagues that in the next 15 or 20 minutes we will be moving that amendment, asking unanimous consent. Anyone who opposes it, I suggest they come to the floor and be prepared to object. This is really a matter of what America is all about. As important as an amendment that is not connected to that is, I don't know of a higher obligation we have than to care for those who have, as I say for the third time, laid their lives on the line and saved American lives in our pursuit of trying to achieve our goals.

So I would alert my colleagues that in 15 minutes we will be proposing a unanimous consent agreement to pass that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I join the chairman. He has very eloquently

and passionately described the situation we are in. We have thousands of Afghans who have come forward and helped our forces—not just our military forces but our diplomats and our AID workers. They have been the translators. They have been on the frontlines, and they have exposed themselves to risk. Many of them are in danger of retaliation. What they want and what I think is owed to them is the opportunity to relocate to the United States.

The Senator from New Hampshire has proposed an amendment and has worked incredibly hard to satisfy objections from many different quarters, both technical and substantive, and I think has reached a very principled approach that would recognize our obligations to these individuals. It would, in a very controlled and very careful way, allow them to relocate to the United States.

Again, I thank the chairman for his passionate leadership and the Senator from New Hampshire for her extraordinary and tireless efforts, for the last 24-plus hours and throughout the larger process.

The other point I wish to make, and it does echo what the chairman said, in Afghanistan and elsewhere, but particularly in Afghanistan, if we are going to sustain our presence there, as I believe we must, we have to be able to recruit additional Afghans to help us. If the message they are getting is “You are going to put your life on the line, and when you are no longer useful to them, they don't even remember you. You are not even a name; you are just a nobody,” we are going to have a difficult time. If we can't recruit these highly skilled interpreters and other Afghans, our personnel—diplomatic, military, and others—will be in jeopardy. In addition to supporting our troops, some of these interpreters have been involved with FBI agents who were in Kabul and other places on counterterrorism operations. It is very dangerous work. Work that couldn't be done without these interpreters.

Again, the Senator from New Hampshire has done the bulk of the work, and we have done good work in getting to the point where we really need to get this passed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I join Chairman MCCAIN and Ranking Member REED in the very eloquent remarks they have provided in support of the Special Immigrant Visa Program for Afghans who have assisted our men and women on the ground serving in Afghanistan.

Chairman MCCAIN mentioned the letter from GEN Stanley McChrystal. I would like to read a few sentences from this letter that was sent to all the Members of Congress.

General McChrystal says:

The U.S. military presence in Afghanistan relies on allies who serve as translators, security personnel, and in a multitude of other functions. All of these actors are vital to the U.S. mission, whether [they] work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service.

He goes on to say:

If this program falls far short of the need, it will have serious national security implications.

We have received similar letters from GEN John Campbell, who was head of the forces in Afghanistan, and from General Nicholson, who is currently the general and commander of resolute support of United States Forces-Afghanistan. Ryan Crocker, a former Ambassador in Afghanistan, has been very eloquent in the need to continue to support this program and make sure those Afghans who have stood with our American soldiers can come to the United States.

Madam President, I ask unanimous consent to have printed in the RECORD these letters and this article from Ryan Crocker.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MCCHRYSTAL GROUP, LLC,
Alexandria, Virginia, May 1, 2016.

Hon. Senator JOHN MCCAIN,
Russell Senate Office Building,
Washington, DC.

Hon. Senator JACK REED,
Hart Senate Office Building,
Washington, DC.

Hon. Representative MAC THORNBERRY,
Rayburn House Office Building,
Washington, DC.

Hon. Representative ADAM SMITH,
Rayburn House Office Building,
Washington, DC.

Hon. Senator CHARLES GRASSLEY,
Hart Senate Office Building,
Washington, DC.

Hon. Senator PATRICK LEAHY,
Russell Senate Office Building,
Washington, DC.

Hon. Representative BOB GOODLATTE,
Rayburn House Office Building,
Washington, DC.

Hon. Representative JOHN CONYERS, JR.,
Rayburn House Office Building,
Washington, DC.

DEAR SENATORS AND REPRESENTATIVES: I write today to express my support for the Afghan Special Immigrant Visa (SIV) program and to express my opinion that additional SIVs are desperately needed.

Throughout my service in the U.S. military, I have seen just how important a role our in-country allies play in our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—but have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in upholding this obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is crucial that Congress act to provide additional visas for the SIV program. The most recent figures from the State Department suggest that at least 10,000 applicants remain in the SIV processing backlog; as our troop presence in Afghanistan continues, we can only expect more endangered Afghan allies to seek our help, adding to the backlog. The Department of State has indicated that an additional 4,000 Afghan SIVs for the year would allow it to continue to process and issue visas in Fiscal Year 2017. If this program falls far short of the need, it will have serious national security implications.

I am also concerned that Congress may limit eligibility for SIV applicants. The U.S. military presence in Afghanistan relies on allies who serve as translators, security personnel, and in a multitude of other functions. All of these actors are vital to the U.S. mission, whether the work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service. They are currently eligible for the SIV program and their eligibility should remain intact.

Thank you for your support of the Special Immigrant Visa program. Congress must ensure that the SIV program for our Afghan allies—one of the only truly non-partisan issues of the day—meets the needs of those we seek to help.

Sincerely,

STANLEY A. MCHRYSTAL,
General, U.S. Army (Retired).

HEADQUARTERS,
RESOLUTE SUPPORT,
Kabul, Afghanistan, May 20, 2016.

Hon. JOHN MCCAIN,
*Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN, I would like to express my support for the continuation of the Special Immigrant Visa (SIV) program. It is my firm belief that abandoning this program would significantly undermine our credibility and the 15 years of tremendous sacrifice by thousands of Afghans on behalf of Americans and Coalition partners. These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies.

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

Afghanistan faces a continuing threat from both the Afghan insurgency and extremist networks. We must remain committed to helping those Afghans who, at great personal

risk, have helped us in our mission. This is the second year the Afghan National Defense and Security Forces (ANDSF) are in the lead for security. They are fighting hard and fighting well for a stable, secure Afghanistan. The vast majority of the SIV applicants have served as interpreters and translators for our troops. They have exposed themselves and compromised the safety of their families to provide critical situational awareness and guidance, both of which have helped save countless Afghan, American and Coalition lives.

Thank you for your continued support of American troops in Afghanistan.

Very Respectfully,

JOHN W. NICHOLSON,
*General, U.S. Army,
Commander, Resolute Support/United States Forces—Afghanistan.*

HEADQUARTERS,
UNITED STATES FORCES-AFGHANISTAN,
Kabul, Afghanistan.

Hon. JOHN MCCAIN,
*Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN, I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mission. They have consistently been there with us through the most harrowing ordeals, never wavering in their support for our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

After several ups and downs, the program remains an extremely important way for the United States to protect those who assisted us. By December 2014, the Department of State had issued all 4,000 Afghan SIVs allocated under the Consolidated Appropriations Act for Fiscal Year (FY) 2014. As you know, the FY15 National Defense Authorization Act provides 4,000 additional SIVs for Afghan applicants. The State Department's Status of Afghan Special Immigrant Visa Program report in April 2015 shows there are more than 8,000 SIV applications that have been submitted. Each week, I receive several personal requests and inquiries from linguists and others who have worked with, or continue to work with, U.S. Forces, seeking assistance with the Afghan SIV program. I inform them how we are working closely with Congress to obtain adequate SIV allocations each year. This shows just how important this program remains to our Afghan partners, as well our own forces.

Since I assumed command of the Resolute Support Mission/U.S. Forces-Afghanistan, much has changed and the Afghan National Defense Security Forces (ANDSF) are in the lead to secure the country. We have a willing and strategic partner whose interests are aligned with our own. The ANDSF is taking the fight to the enemy this fighting season and are performing well. Our prospects for long-term success and a strategic partner have never been better. We would not be in

this position without the support and leadership of the U.S. Congress, the American people, the men and women who have served here with distinction, and our Afghan partners.

I urge Congress to ensure that continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan. This program is crucial to our ability to protect those who have helped us so much.

Thank you for your support for America's Soldiers, Sailors, Airmen, and Marines.

Sincerely,

JOHN F. CAMPBELL,
General, U.S. Army, Commanding.

[From the Washington Post, May 12, 2016]
DON'T LET THE U.S. ABANDON THOUSANDS OF
AFGHANS WHO WORKED FOR US
(By Ryan Crocker)

The House will soon consider the National Defense Authorization Act, an annual piece of legislation that sets policy for the military. If the bill becomes law in its current form, the United States will break faith with the Afghans who served with U.S. troops and diplomats.

This is a very personal issue for me. I was the U.S. ambassador to Iraq from 2007 to 2009 and the U.S. ambassador to Afghanistan from 2011 to 2012. I observed firsthand the courage of the citizens who risked their lives trying to help their own countries by helping the United States. During my time in Afghanistan, I had the pleasure of working with the 859 Afghan staffers at our embassy who risked their lives every day to work for the betterment of their country and ours. It takes a special kind of heroism for them to serve alongside us.

Two men continue to stand out in my memory for their service to our nation. Taj, for instance, worked for the U.S. government for more than 20 years; he returned from Pakistan after the fall of the Taliban as the first local staffer in the reopened embassy. He was there when I first raised our flag in early 2002. His outreach to imams to discuss religious tolerance and women's rights under the Koran has achieved measurable results in fighting extremism. Another, Reza, helped connect embassy leadership with politicians and thought leaders, supporters and critics, to hear their concerns and ideas. To protect these brave men and their families, I can use only their first names here.

As a result of their service, many allies like Taj and Reza have faced—and continue to face—security threats so serious that they are unable to remain in their home countries. From 2006 to 2009, I worked closely with the Congress to establish special immigrant visa (SIV) programs for Afghans and Iraqis that enable our brave partners to come to safety in the United States because of the sacrifices they made on our behalf. Although Iraqi and Afghani “special immigrants” do not technically come as refugees under the law, that is exactly what they are, in essence: people persecuted because of their political actions and in urgent need of protection. Reza, for example, faced Taliban death threats for his work assisting our embassy and now lives in the United States.

In an era of partisan rancor, this has been an area where Republicans and Democrats have acted together. Congress has continued to support policies aimed at protecting our wartime allies by renewing the Afghanistan SIV program annually—demonstrating a shared understanding that taking care of those who took care of us is not just an act

of basic decency; it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

By welcoming these Afghans, we would offer a powerful counter-narrative to the propaganda of the Islamic State and other extremist groups, which claim that the United States is hostile to Muslims. Turning our backs on people who worked with us would appear to give credence to the extremists' lies.

The need for help is particularly great this year as the U.S. military has reduced its presence in Afghanistan. There are 10,000 Afghans in the SIV application backlog. But the State Department has fewer than 4,000 visas remaining, which would leave more than 6,000 Afghans stranded in a country where their work for the United States means they are no longer safe. State requested 4,000 additional visas so that it can continue to process applications. Yet even these additional visas are not enough to protect all the Afghans and Iraqis who have worked and continue to support the United States abroad.

But the legislation, as it passed the House Armed Services Committee last week, goes in the opposite direction. Despite this backlog, the bill has no provision to increase the number of visas. It restricts the criteria for eligibility to military interpreters and translators who worked off-base and individuals who worked on-base in "trusted and sensitive" military support roles, excluding Afghans who worked in non-military roles such as on-base security, maintenance and support for diplomats and other government entities. Neither Taj nor Reza would have qualified under such revised criteria. When deciding whom to kill, the Taliban do not make such distinctions in service—nor should we when determining whom to save.

There is still time to save and strengthen this essential program. This week, the Senate Armed Services Committee is considering the bill. In past years, the bipartisan efforts of leaders like Sens. John McCain (R-Ariz.) and Jeanne Shaheen (D-N.H.) have kept these essential visa programs intact, and I hope they can do the same this year. Congress should both expand this essential program and work to fix the delays in processing that are weakening it.

This is truly a matter of life and death. I know hundreds of people who have been threatened because of their affiliation with the United States. Some have been killed. Today, many are in hiding, praying that the United States keeps its word. We can and must do better.

Mrs. SHAHEEN. Madam President, as Senator REED said, the amendment we have offered has been very carefully crafted. It has been a compromise among those who have had concerns about the program and those of us who believe it is critical we continue to support it. This is something all of those who have been watching this program have now agreed to, and I hope the objection we are hearing from some, that I think is unrelated to this issue, can be addressed.

I close with a story that says to me how important this program is. Senator MCCAIN and I had the opportunity 2 years ago to sit down with a former Army captain, a man named Matt Zeller, and his interpreter, an Afghan

named Janis Shinwari, who had just been allowed into the United States. When I asked Matt Zeller how he met Janis and about the help he had provided him, his response was that they had met basically when he and his unit were under attack from the Taliban and he was knocked out in that attack. When he woke up, it wasn't he and fellow unit members of the military who were dead, it was the Taliban, and they were dead because Janis Shinwari was there and had protected Matt and the fellow members of his unit.

I think that says so much about how important these interpreters and those who have provided support to our men and women on the ground in Afghanistan have been. What will we say the next time we want somebody to help, when we need help in a country where our men and women are fighting, if they can look back and say: You didn't keep your word, United States, so why should we help you now?

This is our opportunity to continue to keep our word, to continue to make sure those people who helped us in Afghanistan, who protected our men and women on the ground there, are able to come to the United States when they are threatened, when their families are threatened, and be safe.

I certainly hope we can work out the objection we are hearing from some Members and that we can support this very carefully crafted compromise to make sure we protect those who have helped protect us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

INDUSTRIAL HEMP FARMING ACT

Mr. WYDEN. Madam President, we are working on the very important Defense bill, but I just wanted to take a few minutes to discuss another topic.

For some time, with the support of the Senate majority leader, Mr. MCCONNELL, Senator MERKLEY and Senator PAUL and I have all been trying to change Federal law so farmers across the country can secure the green light to grow hemp in America.

About a year ago, I came to the floor of the Senate with a basket of hemp products to highlight that this is a particularly important time in the debate—a time in history when we have kind of reflected on what this issue has been about. I have talked about how hemp products are made in this country, sold in this country, and consumed in our country, but they are not 100-percent American products. They can't be fully red, white, and blue products because the law says the hemp used to make them cannot be grown on a large-scale basis here at home.

Another year has gone by since the majority leader, Senator MERKLEY, Senator PAUL, and I teamed up, and unfortunately industrial hemp continues to be on the controlled substances list. Because of that unjustified

status, hard-working farmers in Oregon and across our country have been deprived of the opportunity and benefits of a crop that has enormous economic potential—all because there has been this misinterpretation that in some way this is affiliated with marijuana.

Industrial hemp and marijuana come from the same plant species. Someone could say they have a similar look, but they are, in fact, very different in key ways. First and foremost, industrial hemp does not have the psychoactive properties of marijuana. You would have about as much luck getting high by smoking cotton from a T-shirt as you would by smoking hemp. In my view, the hemp ban looks like a case of illegality for the sake of illegality.

Four Members of the United States Senate, including the Senate majority leader, want to bring an end to this anti-hemp stigma that has, in effect, been codified in the law. We have talked about a whole host of hemp products—foods, soap, lotion supplements, hemp milk, and you can even use a hemp product to seal the lumber in a deck.

If you just look at the variety of products—the kinds of products I have shown here before—you can certainly see the ingenuity of American producers. You see a growing demand of American consumers for hemp products. My view is our hard-working farmers ought to have the opportunity to meet that demand.

Unfortunately, 100 percent of the hemp used in the kinds of products I brought to the floor have to be imported from other countries. So this ban on hemp is not anti-drug policy, it is anti-farmer policy. I have held this belief. I remember going to a Costco at home, when my wife Nancy was pregnant with our third child, and I saw there were hemp products available there at the local Costco, and I announced what was going to be a guiding principle of mine on this; that is, if you can buy it at a local supermarket, the American farmer ought to be able to grow it. Quaint idea, but I think if you walk through a Costco or any other store, you say to yourself: Must be pretty exasperating for American farmers to not have an opportunity to be part of generating that set of jobs associated with the ag sector because the jobs are coming from people overseas.

There has been a bit of progress. The 2014 farm bill puts the first cracks in the Federal ban. It okayed growth research projects led by universities and agriculture departments in States such as Oregon and Kentucky that take a smarter approach to hemp. These projects have proven successful. Farmers are ready to grow hemp, but the first cracks in the Federal ban do not go far enough, and these projects are still just tied up, tied up, and tied up in various spools of redtape.

In my view, what is needed is a legislative solution. So what we now have, in addition to the four of us—the Senators from Kentucky, the Senators from Oregon—is a bipartisan group of 12 Senators on the Industrial Hemp Farming Act. Once and for all, what we would say is, as a matter of law, let's remove hemp from the schedule I controlled substances list and give a green light to farmers from one end of the country to another who believe they would like to have a chance putting people to work growing hemp.

I urge my colleagues to reflect on the history of this time, to learn more about the safe and versatile crop and the great potential it holds to giving a boost to American agriculture and our domestic economy.

This is a bipartisan bill. The Senate majority leader, MITCH MCCONNELL; my colleague from Oregon, Senator MERKLEY; Senator MCCONNELL's colleague from Kentucky, RAND PAUL—the four of us, both Senators from Oregon, both Senators from Kentucky—say this is common sense. Twelve Members of the Senate are on board. It is time to turn this into law and give our hard-working farmers—and I note the Presiding Officer knows a bit about farming—I want to give our farmers another opportunity to generate profit and revenue for their important enterprises in America, and I hope my colleagues will support the legislation.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, we have been moving very steadily through this authorization bill. I once again commend the leadership of Chairman MCCAIN. It really began months ago when the Chairman decided that he was going to do an in-depth analysis of the Department of Defense, calling upon experts from an extraordinary range of academic, military, and diplomatic leaders. As a result, we became much more knowledgeable than we were previously about things within the Department that we should very carefully review and perhaps change. In fact, because of his leadership, this is the most fundamental revision of the Goldwater-Nichols procedures that were adopted three decades ago. We have spent a lot of time discussing important issues, but I don't think we have given quite enough credit to the work that the Chairman and our colleagues have done with respect to some of these important reforms.

One area that we worked on together is developing statutory authority for cross-functional teams within the Office of the Secretary of Defense. One of the challenges that Goldwater-Nichols faced, and faced successfully, was to try to integrate operational units. They came up with the concept of jointness, which now we assume has always been there, but that was not the case 30 or 40 years ago. Because of the inspiration of the concept and because of the emphasis in the assignment process of moving forward and having an assignment not in your branch of service but in a job that required the integration of other services, that approach made a significant, fundamental change on the effective operations of military forces today, and we take it for granted.

Similarly, we want to take that type of approach not just in the services and the operational command but within the headquarters of the Secretary of Defense. We have organized cross-functional teams that the Secretary—he or she—can adopt. These cross-functional teams exemplify the real mission of the Secretary. It is not to organize personnel or logistics. It is to achieve an outcome which requires every component to work together. This is just one example of the innovation that is being promoted in this legislation. Again, I think it is not only building on Goldwater-Nichols, but it is really going much further more effectively.

One of the inspirations for this approach is what has been done in private industry. Private industry has faced some of the same challenges as every large institution—and the Department is a large institution. They have lots of functional areas, but they didn't have a common operational technique, a common team, et cetera. Looking at the private sector, this model has become prevalent because it has reduced costs, increased efficiency, and delivered products on time—in fact, even faster than they thought they could do. We hope this approach will similarly provide the kinds of organizational structure and incentives for the Department of Defense that will make the Office of the Secretary of Defense much more efficient. That is just one aspect but there are other aspects that are critical too.

Some of the other aspects involve trying to focus research and engineering in one particular focal point in the Department of Defense. This is in reaction to the phenomenon that we have all observed, and that is that our technological superiority—which we took for granted for decades and decades and decades—is now being slowly eroded because of research that is going on across the globe. Part of our proposal is to have a very centralized figure with significant rank to focus on this research and engineering effort.

Other duties in terms of management of the program, operation of the De-

partment of Defense, and testing issues could be coordinated with other elements. That is another important aspect of these proposals.

Again, we have spent a great deal of time discussing important issues, but I think we should not fail to note these important changes.

In addition to structure changes at the Department of Defense level, we are also creating a much more organizationally streamlined structure in order to more appropriately deliver services.

In addition, we worked closely with the Joint Chiefs of Staff to get their input about how the Chairman of the Joint Chiefs can be more effective as the principal adviser to the President of the United States. That is an important change to be made. We have also been very careful to get feedback from professionals within the Chairman's office so that we are doing things that make sense, that work, and that function appropriately.

Another important aspect to note in talking about very fundamental Goldwater-Nichols reform is the role of the Vice Chairman of the Joint Chiefs of Staff. That person has the responsibility to head the Joint Requirements Oversight Council—JROC—which I am well familiar with. Essentially, the JROC lays out for all the services what types of equipment they need, what requirements they are fulfilling—whether it be an undersea craft or a new aviation platform. After listening to the numerous experts that came before us, our observation was that the Vice Chairman might have been in a sense first among equals, but there were more consensus decisions without a focal point of leadership. What we have done in this legislation is make it clear that the Vice Chairman is indeed the leader of that group, so he or she will someday have the ability to make decisions after getting advice from the other members of the JROC.

But it will not be what is perceived today as a sort of quid pro quo between services: The Navy might want a particular ship, and in return for that particular ship, they will be amenable to a proposal by the Air Force for a particular aviation platform. What we have now is that the Vice Chair will be able—not only as the official formal head of this but also as the chief adviser to the Chairman—to say: No, we have looked at this not from the perspective of the service but from the perspective of the Joint Chiefs and our role as giving advice to the President so that we can go ahead and give a decision that is not based upon anything else.

AMENDMENT NO. 4603 TO AMENDMENT NO. 4607

Mr. REED. Madam President, at this juncture I call up Reid amendment No. 4603.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mr. REID, proposes an amendment numbered 4603 to amendment No. 4607.

Mr. REED. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

This Act shall be in effect 1 day after enactment.

Mr. REED. Madam President, to continue briefly, we are again spending a great deal of time on an important issue, and we have more important issues that will emerge. But I think it is long overdue to cite what we have done in just a small part under the leadership of the chairman to make fundamental changes to the operation of the Department of Defense. I am confident that years from now, when they talk about Goldwater-Nichols, they will talk about MCCAIN, what the McCain amendments did and what the McCain bill did. I think that is a fitting tribute to the chairman. I also think it is ultimately what we are all about here. It is going to make sure that the men and women in the field who wear the uniform of the United States have the very best leadership, from the Secretary's level, to the Chairman's level, all the way down to their platoon leader and commander.

I want to make sure we noted that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, may I say to my very modest friend from Rhode Island that anything that has the MCCAIN name on it has a hyphenated name and the REED name on it because what we have accomplished in the Senate Armed Services Committee would be absolutely impossible without the partnership we have. I cannot express adequately my appreciation for the cooperation and the friendship we have developed over many years. As I have said probably 200 times, despite his poor education, he has overcome that and has been a very great contributor to—

Mr. REED. Will the chairman yield? If I had the opportunity to go to a football school and not an academic institution, I would be better off today.

Forgive me, Mr. Chairman.

Mr. MCCAIN. Madam President, hopefully we are going to pass the resolution that will allow interpreters to come to the United States under a special program.

I have received letters, and correspondence from literally every military leader and diplomatic leader who has served in Iraq and Afghanistan.

I ask unanimous consent to have printed in the RECORD copies of those letters and correspondence.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HEADQUARTERS,

RESOLUTE SUPPORT,

Kabul, Afghanistan, May 20, 2016.

Hon. JOHN MCCAIN,

Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I would like to express my support for the continuation of the Special Immigrant Visa (SIV) program. It is my firm belief that abandoning this program would significantly undermine our credibility and the 15 years of tremendous sacrifice by thousands of Afghans on behalf of Americans and Coalition partners. These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies.

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

Afghanistan faces a continuing threat from both the Afghan insurgency and extremist networks. We must remain committed to helping those Afghans who, at great personal risk, have helped us in our mission. This is the second year the Afghan National Defense and Security Forces (ANDSF) are in the lead for security. They are fighting hard and fighting well for a stable, secure Afghanistan. The vast majority of the SIV applicants have served as interpreters and translators for our troops. They have exposed themselves and compromised the safety of their families to provide critical situational awareness and guidance, both of which have helped save countless Afghan, American and Coalition lives.

Thank you for your continued support of American troops in Afghanistan.

Very Respectfully,

JOHN W. NICHOLSON,

General, U.S. Army,
Commander, Resolute Support/United States Forces—Afghanistan.

HEADQUARTERS,

UNITED STATES FORCES—AFGHANISTAN,

Kabul, Afghanistan.

Hon. JOHN MCCAIN,

Chairman, Armed Services Committee,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN, I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mis-

sion. They have consistently been there with us through the most harrowing ordeals, never wavering in their support for our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

After several ups and downs, the program remains an extremely important way for the United States to protect those who assisted us. By December 2014, the Department of State had issued all 4,000 Afghan SIVs allocated under the Consolidated Appropriations Act for Fiscal Year (FY) 2014. As you know, the FY15 National Defense Authorization Act provides 4,000 additional SIVs for Afghan applicants. The State Department's Status of Afghan Special Immigrant Visa Program report in April 2015 shows there are more than 8,000 SIV applications that have been submitted. Each week, I receive several personal requests and inquiries from linguists and others who have worked with, or continue to work with, U.S. Forces, seeking assistance with the Afghan SIV program. I inform them how we are working closely with Congress to obtain adequate SIV allocations each year. This shows just how important this program remains to our Afghan partners, as well as our own forces.

Since I assumed command of the Resolute Support Mission/U.S. Forces-Afghanistan, much has changed and the Afghan National Defense Security Forces (ANDSF) are in the lead to secure the country. We have a willing and strategic partner whose interests are aligned with our own. The ANDSF is taking the fight to the enemy this fighting season and are performing well. Our prospects for long-term success and a strategic partner have never been better. We would not be in this position without the support and leadership of the U.S. Congress, the American people, the men and women who have served here with distinction, and our Afghan partners.

I urge Congress to ensure that continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan. This program is crucial to our ability to protect those who have helped us so much.

Thank you for your support for America's Soldiers, Sailors, Airmen, and Marines.

Sincerely,

JOHN F. CAMPBELL,
General, U.S. Army, Commanding.

From: David Petraeus

Date: May 12, 2016.

DEAR CHAIRMAN, I write to express my support for the Afghan Special Immigrant Visa (SIV) program and to state that additional SIVs are desperately needed.

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in meeting our obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is crucial that Congress act to provide additional visas for the SIV program. The most recent figures from the State Department suggest that at least 10,000 applicants remain in the SIV processing backlog; as our troop presence in Afghanistan continues, we can expect more endangered Afghan allies to seek our help, adding to the backlog. The Department of State has indicated that an additional 4,000 Afghan SIVs for the year would allow it to continue to process and issue visas in Fiscal Year 2017. If this program falls far short of the need, it will have serious national security implications.

I am also concerned that Congress may limit eligibility for SIV applicants. The U.S. military presence in Afghanistan relies on local partners who serve as translators, security personnel, and in a multitude of other functions. All of these individuals are vital to the U.S. mission, whether they work directly or indirectly with U.S. forces. Afghans who served the United States in non-military capacities or in support of the Department of State face serious threats as a result of their service. They are currently eligible for the SIV program and their eligibility should remain intact.

Thank you for your support of the Special Immigrant Visa program. Congress must ensure that the SIV program for our Afghan allies—one of the only truly non-partisan issues of the day—meets the needs of those we seek to help.

Sincerely,

DAVE PETRAEUS.

Mr. MCCAIN. For the sake of illustration, I would like to quote from a couple of the letters I have. One is from General Nicholson, who today is our commander of resolute support, United States Forces-Afghanistan. I won't read the whole letter, but I would like to quote it because I think it is very compelling.

General Nicholson says:

During my previous three tours in Afghanistan, I have seen many Afghans put themselves and their families at risk to assist our forces in pursuit of stability for their country. The stories of these interpreters and translators are heart-wrenching. They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies.

I would like to repeat General Nicholson's last sentence: "Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and long-standing tradition of honoring our allies."

I could not put it any better than General Nicholson did.

Finally, I would like to quote from a letter by General Campbell, who was his predecessor. General Campbell said:

I am writing you to express my strongest support for the Special Immigrant Visa (SIV) program.

Since our arrival in Afghanistan, U.S. Forces have relied upon our Afghan partners, especially our linguists, to perform our mis-

sion. They have consistently been there with us through the most harrowing ordeals, never wavering in their support of our soldiers, our mission, and their own country. Many have been injured or killed in the line of duty.

Unfortunately, their support of our mission has resulted in our Afghan partners facing threats from insurgent groups throughout the country. They frequently live in fear that they or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

Again, those are two compelling statements.

I will not go further because I see the distinguished Senator from Georgia waiting, but I would like to quote from correspondence from an individual who I think is the finest military leader among the many outstanding military leaders whom I have had the opportunity of knowing. This is from GEN David Petraeus, Retired. It is a letter he wrote. He said:

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own and their families' lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security. I ask for your help in meeting our obligation by appropriating additional Afghan SIVs to bring our allies to safety in America.

It is signed "Sincerely, David Petraeus."

Both of the individuals I just quoted served multiple tours—not one, not two, sometimes as many as five—in Iraq and Afghanistan over the last 14 years. These leaders know what the service and sacrifice of these Afghans and Iraqis have provided to our military at the very risk and loss of their lives since they are the No. 1 target of the Taliban in Afghanistan.

I hope my colleagues, by voice vote, will agree to increase the visa program so that we can allow these people to come to the United States of America.

I will end with this. I know that some people come to our country whom we have some doubts about—their citizenship, their commitment to democracy, their adequacy, the kind of people they are.

Well, these people have already proven their allegiance to the United States of America because they have put their lives on the line. Some of them had their family members murdered. I have no doubt as to what kind of citizens of this country they will be.

I believe that an overwhelming majority of my colleagues agree that, as General Nicholson said in his letter, it is a moral obligation. I think we will all feel better after we get this done.

I note the presence of probably the most well-informed Member of the U.S. Senate on budgetary issues, the Senator from Georgia.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

Mr. PERDUE. Mr. President, first, I want to thank the distinguished Senator from Arizona, the chairman of the Armed Services Committee, and the ranking member, Senator REED, for their tireless work in doing God's work here, and that is making sure we provide for the needs of our men and women in uniform around the world.

There are only 6 reasons why 13 Colonies got together in the first place. One of those six was to provide for the national defense. That is what we are talking about this week.

As we debate the National Defense Authorization Act this week, I personally would like to add a little different perspective to this debate.

In my opinion, today the world is more dangerous than at any time in my lifetime. We have major threats from various perspectives. No. 1, we see the rise of traditional rivals—Russia, China—and ever-more aggressiveness from both. We see the rise of ISIS and attendant networks around the country supporting terrorism and the Islamic State. We see the proliferation of nuclear capability among rogue nations, such as North Korea and Iran. We see the hybrid warfare, including cyber warfare, that is being perpetrated today. What we are not talking about is the growing arms race in space. All this adds to a very dangerous world and makes it very mobile and puts people right here in the United States in danger, as we have seen already.

As we face these increasing threats, though, at the very time we need our military to be strongest, we are disinvesting in our military.

You can see from this chart that over the last 30 years or so, we have had three Democratic Presidents, and all have disinvested in the military for different reasons. First we had President Carter, then we had President Clinton, and now we have President Obama. We have disinvested in the military to the point that today we are spending about 3 percent of our GDP on our military. That is about \$600 billion in round numbers. The 30-year average is 4 percent. That difference, that 1 percentage point of difference, is \$200 billion.

What I am concerned about is that as we sit here facing these additional threats today, we have the smallest Army since World War II, the smallest Navy since World War I, and the oldest and smallest Air Force ever. According to the Congressional Budget Office, the current plan is even worse than that. It says that in the next 10 years we will continue to disinvest in our military down to 2.6 percent of our GDP. That is another estimated \$100 billion of reduction. This is a new low that I believe we cannot allow to happen.

As we look at our overall defense spending authorization levels today in

this NDAA bill, we are falling short of where we need to be based on the threats we face. Don't just take my word for it. The last defense budget that Secretary Bob Gates actually proposed was in 2011. That was the last one proposed before sequestration took place, and that was the last defense budget that was based on the actual assessment of the threats against our country, not arbitrary budget limitations. His estimate at that time for this year, fiscal year 2016, was \$646 billion. As for 2017, our top-line estimate right now—what we are trying to get approved—is \$602 billion. That is a far cry.

By the way, Secretary Gates' estimate was before ISIS, before the Benghazi attacks on our Embassy, before Russia seized Crimea, before Russia went into the Ukraine, and before China started building islands in the South China Sea. I can go on. How did we get here?

Today, financially, we have an absolute financial catastrophe. In the last 7 years, we have borrowed about 30 percent of what we have spent as a Federal Government. It is projected that over the next 10 years we will again borrow about 30 percent of what we spend as a Federal Government.

My argument has been that we can no longer be just debt hawks; we have to also be defense hawks. By the way, those two can no longer be mutually exclusive.

In order to solve the global security crisis, I believe we have to solve our own financial debt crisis. We all know we have \$19 trillion of debt today. What is worse, though, is that CBO estimates that is going to grow to \$30 trillion over the next decade unless we do something about it.

This chart shows the real problem. Right now, the problem is not discretionary spending, which is actually down from around 2010—about \$1.4 trillion—down to about \$1.1 trillion today. So discretionary spending—now, we may have gotten there the wrong way. We used the sequestration to do that. But I would argue that discretionary spending is not where the major problem is today. The major problem is in the mandatory spending—Social Security, Medicare, Medicaid, pension and benefits for Federal employees, and the interest on our debt.

We have been living in an artificial world where interest rates have been basically zero. We are paying fewer dollars on the Federal debt today—fewer dollars than we were in 2000 when our debt was one-third of what it is today.

To deal with the global security crisis, we need to be honest about what our military needs. That gets difficult sometimes. Today we have national security priorities that aren't getting properly funded, and yet we know we are spending money inefficiently.

First of all, we have missions that we are not able to maintain. Take a look

at the marine expeditionary units around the world. These are the MEUs around the world. I visited a couple of these, by the way. Because of defense cuts, there aren't enough amphibious ships for the marines to have what is known as theater reserve force, also known as MEUs. As a result, for missions like crisis response and Embassy protection in Africa, for example, we now have a Special Purpose MAGTF covering this task based on the ground in Moron, Spain.

I personally visited with those people. The best—I mean the very best of America is in uniform around the world taking care of our business and protecting our interests and our freedom here at home. Even this force in Moron, Spain, is seeing a cut in their fleet size of airplanes. They are self-contained. They can get themselves from where they are to the point of crisis very quickly, but we are cutting their ability to do that because of limitations from a financial standpoint.

Another example is the recapitalization program for the Joint Surveillance Target Attack Radar System, or what we call JSTARS, the No. 4 acquisition priority for the Air Force and a critical provider of ISR ground targeting and battlefield command and control to all branches of our military in almost every region of the world.

As the old fleet is reaching the end of its service life, we will have to have a new fleet come online quickly. The problem is we are seeing a projected gap of 7 years where that capability will no longer be available in full force for the people who need it the most—people on the ground and in harm's way.

We are not able to fund the military at the force size we need either. As a result, we are putting greater pressure on personnel, burning up our troops, putting pressure on families, and elongating our deployments. They spend more time on rotations internationally and not enough time with their families at home, and it is causing problems. It is causing turnover, problems with families, and so forth.

The forces we have are not getting the training they need. For example, two-thirds of Army units are only training at the squad and platoon levels, not in full combat formations. We have Air Force pilots actually leaving the service today because they cut back so dramatically on training flights. These examples highlight why we need to scrutinize every dollar we spend on defense so we can ensure these dollars go to our critical requirements of protecting our men and women around the world.

To that end, we need to improve fiscal accountability at the DOD and highlight the needs we are not currently fulfilling. For example, our Department of Defense has never been audited. Even today, we cannot dictate to the DOD that they provide an audit.

Can you imagine Walmart doing that? First of all, the answer is this: We are too big, too complicated, and it is just too difficult to do. Can you imagine Walmart calling the SEC and saying: Sorry, we are not going to comply with your requirements. The DOD is not that much bigger than Walmart.

I think we should withhold funds to the accountable agency until a plan is produced that would also allow the Pentagon to keep track of its military equipment. It has been 13 years since that law was passed, and yet they are still not in compliance. This is all just about funding our military, but we also have to be responsible. The men and women in uniform and on the frontlines deserve that.

Finally, to address a critical need we discussed earlier, JSTARS, Senator ISAKSON and I have been working to get the replacement fleet ready to go sooner rather than later to eliminate this gap. This fleet must get online faster than the current plan or we face a potential 7-year gap.

I am committed to ensuring that we have what we need to support our service men and women around the world. These efforts will make the Pentagon accountable and focus funds on critical priorities. This debate is all about setting the right priorities, not just here at home with the military but also with other domestic programs and mandatory expenditures. This debate is all about setting the right priorities to make sure we can do what the Constitution calls on us to do, and that is to provide for the national defense.

The national debt crisis and our global security crisis are interlocked inextricably. We are not going to solve the dilemma of providing for national defense until we solve this national debt crisis. Our servicemen, servicewomen, and combatant commanders don't have and will not have the training, equipment, and preparation they absolutely need to fulfill their missions as they face growing threats. It is time that Washington faces up to this crisis.

This is not just about the NDAA. This is about the defense of our country and the future of our very way of life. We simply have to come to grips with this NDAA, pass it, and make sure we find a way to address this debt crisis so every year going forward we don't have this drama of finding a way to fund our military to protect our country. We simply have to come to grips and set the right priorities required to defend our country.

I thank the Presiding Officer.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, for more than 23 years, I had the great honor of serving in the Army Reserve and National Guard. It was during this time that I was able to gain firsthand experience of working alongside the unbelievable men and women in uniform,

whose character, honor, and love of our country has led them to sacrifice so selflessly for it. During my time in the military, I had the honor of serving a tour in Kuwait and Iraq.

As a company commander during Operation Iraqi Freedom, what was so important to me, other than bringing everyone home, was ensuring my troops received what they needed when they needed it. Unfortunately, given the nature of war and the learning curve our military had in its first large-scale military deployment since Operations Desert Shield and Desert Storm, that did not always happen. However, as the war went on, our military adapted and our troops were able to receive the equipment they needed to do the job.

Even though I am now retired from the military, I still have the privilege of serving our men and women in uniform, just in a different capacity, as a Senator and a member of the Armed Services Committee. It has been an honor to work with Chairman MCCAIN, Ranking Member REED, and the other distinguished members of the committee on another vital annual Defense bill.

Over the past year, my colleagues and I have worked to produce a bill that enhances the capabilities of our military to face current and future threats. This bill will impart much needed efficiencies in the Department of Defense that will result in saving American taxpayer dollars and allow the Department to provide greater support to our warfighters through eliminating unnecessary overhead, streamlining Department functions, reducing unnecessary general officer billets, and modernizing the military health care system.

Furthermore, we have found ways to enhance the capabilities of our warfighters, ensuring our troops have the training opportunities in order to be prepared to execute their assigned missions. This means more rotations to national training centers and more effective home station training for our troops who are being sent into harm's way around the world.

Our military leaders have stressed that readiness is their top priority. Adequately funding their request for readiness keeps faith with our servicemembers and ensures that our men and women in uniform have the best chance to come home to their loved ones. However, while we have adequately funded the Department's readiness needs, sequestration has led us to prioritize readiness over DOD modernization. I believe this is a risky proposition with respect to ensuring our servicemembers will have the advanced equipment, vehicles, ships, and aircraft to confront technologically advanced adversaries, such as Russia and China, in a potential future conflict.

Unfortunately, I believe many have taken our decades-long technological

dominance for granted. If we continue to fail to adequately fund modernization, our servicemembers may pay the price for that decision with their lives, something none of us want.

While I fully agree with the need to identify and reduce government spending—and especially to eliminate fraud, waste, and abuse in the DOD—we must also ensure funds are allocated in the proper areas so our troops have the resources they need so they are not outclassed by our adversaries, who are currently modernizing their capabilities with aims to defeat our country in a potential conflict.

Due to sequestration and the Bipartisan Budget Act, this bill is short of what our troops need to defend our country next year and in future years. I believe it is important to keep that in mind while we consider this bill.

I was sorely disappointed that the Senate did not come together in a bipartisan fashion and stop short-changing our troops and their families through the arbitrary caps set through sequestration. That was a missed opportunity. The threats the Nation and our troops face are too great for partisan bickering, shortsightedness, and the abdication of one of our core responsibilities, which is to provide for our military.

I wish to talk also about a few of the provisions included in the NDAA that I crafted. During the process, I was able to author nearly two dozen provisions ranging from improving the professionalism of military judge advocates and military intelligence professionals to making retaliation against sexual assault victims its own crime and enhancing DOD program management.

As I stated repeatedly, one area of focus for me is working to prevent sexual assault in the military. While we have seen progress, there are still steps that must be taken to improve the system and the overall culture. One of my provisions would help enhance the military prosecutors and JAGs to better ensure that victims of sexual assault and other crimes will know their case is in good, well-trained, and experienced hands.

Also included in this bill is a provision I authored with Senator MCCASKILL of Missouri, which combats retaliation within our military. We cannot allow any retaliation against survivors who come forward seeking justice, and this provision will work to curb the culture of retaliation in our ranks.

Other provisions I pushed to have included in the committee report seek to bring greater military intelligence support to our warfighters by ending growth in headquarters elements and pushing that support down to those military intelligence units providing direct support to our warfighters. Not only do these report language provisions seek to enhance support to our men and women defending our Nation

on the frontlines, but they would also create safeguards which will help ensure your taxpayer dollars are being spent properly within the DOD.

This bill also includes my Program Management Improvement Accountability Act, which is a bipartisan piece of legislation that solves problems with program and project management that have plagued the Federal Government for decades, especially in the Department of Defense. We have read about these failures in the media, IG reports, and the GAO High Risk List. Many projects are grossly overbudget, delayed, or do not meet previously stated goals.

Ultimately, by strengthening its program management policies, the DOD and other Federal agencies will better account for and utilize taxpayer dollars. It will also improve its ability to complete projects on time and on budget, which leads to getting our troops the advanced equipment and weapons they need as soon as possible.

In closing, I want to thank again my colleagues for their work on this bill, but most of all, I thank our men and women in uniform, and I want them to know that we stand with them in their defense of this great country and all that it stands for.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, as we continue to debate this year's National Defense Authorization Act on the floor this week, I want to take a few minutes as the ranking member of the Armed Services Strategic Forces Subcommittee to discuss provisions of the bill that relate to our Nation's nuclear deterrent and nonproliferation programs, missile defense, and space programs.

I want to start by thanking all the members of the Strategic Forces Subcommittee for putting in another year of hard work. I would especially like to thank our Subcommittee Chairman, my colleague from Alabama, Senator SESSIONS, for the strong partnership we have built over the past 2 years in leading this committee together. I want my colleagues to note that Senator SESSIONS and his staff worked closely together with me and my staff in developing elements of the bill pertaining to the Strategic Forces Subcommittee.

Together with our colleagues on the subcommittee, we have built bipartisan consensus on some of the most important issues in this bill—no small feat when we are talking about things like nuclear weapons and defending against missile threats from Iran and North Korea.

I also thank the tremendous professionals on our staff, both Republican and Democratic, whose expertise and dedication to serving the national interest are essential to this bill's success.

In developing the base language for the NDAA, the Strategic Forces Subcommittee held five hearings and a number of briefings on topics ranging from nuclear policy and deterrence, to missile defense, to protecting our satellites in space during a time of increasing threats from potential adversaries who seek to exploit the fragile nature of these assets.

In the area of nuclear forces, our subcommittee has prioritized the need to update our Nation's nuclear command and control infrastructure to ensure our ability to communicate with our nuclear forces in times of national crisis.

We have also examined the role of our Nation's deterrence policy toward Russia and made available \$28 million to shore up our NATO nuclear mission, over and above the funding for the European Reassurance Initiative. These funds will help provide much needed upgrades to the readiness of our dual-capable aircraft and other activities to exercise our nuclear mission in support of NATO.

Within the Department of Energy's National Nuclear Security Administration, we continue to fully authorize the W-76 submarine missile warhead life extension program, where upward of two-thirds of our deterrent will exist upon full implementation of the New START Treaty.

We also continue to life-extend the B61 gravity bomb in support of our NATO allies, and we have fully authorized the life extension of the W80 cruise missile warhead, which will support the air leg of our triad.

The subcommittee has continued full support for the Nunn-Lugar Cooperative Threat Reduction Program, which marks its 25th anniversary this year. I would like to thank Senator Lugar and Senator Nunn for their extraordinary service to this Nation. This program, named for my fellow Hoosier predecessor, Senator Richard Lugar, combats nuclear proliferation by helping nations detect nuclear materials crossing their borders and by securing nuclear materials in their countries to keep them out of the hands of terrorists.

In addition to working with nuclear material, the program also addresses biological threats, helping other nations secure dangerous pathogens. In the case of the Ebola epidemic, the program was able to help the 101st Airborne Division develop rapid field diagnostics to quickly screen infected patients from those who simply had a fever unrelated to the disease. Many have credited this program's quick response, combined with the capabilities of the 101st Airborne, with reversing the tide of the Ebola epidemic before it spread to large cities.

In the area of cutting-edge hypersonic systems, the bill provides full funding for programs like conven-

tional prompt strike that aim to even the global playing field on hypersonic systems development.

According to public reports, Russia and China are prioritizing the development of hypersonic weapons and making troubling progress relative to our own. If we are to maintain our Nation's technological edge over our potential adversaries, we need to invest in this critical area of research and development.

While the House authorizers and appropriators have also fully funded conventional prompt strike, I am surprised and troubled to see that the Senate Appropriations Committee has proposed cutting this program by almost half. I hope to work with my colleagues on both sides of the aisle to address this issue and restore full funding to conventional prompt strike in the coming months.

In the area of electronic warfare, our subcommittee has required the Commander of U.S. Strategic Command to coordinate and develop joint execution plans to operate and fight in a domain that includes electronic jamming and other means that disrupt our fragile electronic systems. Russia has a long-established doctrine in this area, but ours has been lacking. This provision will help reverse that trend.

In the area of missile defense, the subcommittee has fully authorized the President's budget request for the Missile Defense Agency and authorized additional funding for key development areas, including the redesigned kill vehicle, the multi-object kill vehicle, and an improved ground-based interceptor booster.

The NDAA also requires a review of DOD's strategy and capabilities for countering cruise and ballistic missiles before they are launched, and it directs the MDA to conduct a flight test of the GMD system at least once each fiscal year. The bill provides funding above and beyond the President's budget request for our collaborative missile defense programs with Israel, including Iron Dome, David's Sling, and Arrow systems. However, given the threat posed by Iran's growing ballistic missile arsenal, I believe these programs require additional funding, particularly for procurement related to David's Sling and the Arrow systems. These programs are more important than ever and have my full support.

In the area of space, the NDAA addresses a number of important issues related to our critical satellite-based capabilities. This week we commemorated the 72nd anniversary of D-day. Anyone who knows the history of the Normandy invasion knows how critical a role weather forecasting can play in the success or failure of a mission. This year's bill pays close attention to DOD's ability to provide weather data to our troops around the world, particularly in CENTCOM's area of re-

sponsibility. Our current fleet of weather satellites is aging, and our subcommittee has taken DOD to task for its failure to adequately plan for the upcoming gap in cloud cover data over the Indian Ocean.

Whether we are talking about GPS, weather surveillance, or communications, our Nation's space-based capabilities are fundamentally dependent on our ability to get to space. There is no question that we must maintain the ability to send national security satellites into space with launch systems that are affordable and, above all, supremely reliable.

We learned a hard lesson on reliability in the late 1990s when we lost three national security satellites to launch failures. Those failures cost the taxpayer more than \$3 billion and lost our Nation a critical communications capability that we didn't replace for more than a decade. Subsequently, years of monopoly in DOD space launch taught us a hard lesson about the necessity of competition for keeping costs down.

While we all agree on the need to maintain what is known as assured access to space, how we best meet that goal has become a topic of debate, particularly since our deteriorating relationship with Russia put a spotlight on the fact that DOD uses Russian rocket engines in many of its space launches. We need to end our Nation's reliance on Russian engines with the development of an American-made alternative. We have studied the facts on this issue in painstaking detail on the Strategic Forces Subcommittee for not just months, but years. The fact is, if we want to end our reliance on Russian engines without jeopardizing the reliability and affordability that are essential to a successful launch program, it is going to take another few years.

I am not satisfied with that. I want to see it happen faster. In the meantime, though, we have to take seriously the warnings of our military and intelligence community that eliminating access to the RD-180 engine prematurely, before a replacement is ready to fly, would seriously undermine our national security interests. As it currently stands, the NDAA would ban the use of RD-180 engines years before a replacement is ready and instead rely on the more expensive Delta rocket to fill the gap. I respect the careful thought behind this proposal and the effort to ensure that we don't create a capability gap. Ultimately this approach, though, would cost the taxpayer an additional \$1.5 billion and divert funds from developing an American-made replacement engine and launch system to paying for these more expensive Delta launches. At a time when we continue to face budgetary challenges in defense and domestic spending, this is a cost and a risk we don't need.

With that in mind, I support the bipartisan amendment No. 4509 offered by my colleagues Senator NELSON and Senator GARDNER. This amendment grants DOD access to only those Russian engines it needs between now and 2022, when the Department has said a replacement will be ready. I believe this is the most responsible approach to a very difficult issue.

Let me close by again thanking Senator SESSIONS for the productive and bipartisan relationship we have had on the subcommittee. I also thank our full committee chairman, Senator MCCAIN, and our ranking member, Senator REED, for their leadership and their dedication to strengthening our national security and caring for our military.

I look forward to working with my colleagues to pass this important legislation and to see it signed into law.

Mr. President, I yield back any remaining time that has been allotted.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING CASSANDRA QUIN BUTTS

Mr. DURBIN. Mr. President, almost a year ago exactly I met with a remarkable woman. She was wise, gracious, and funny, but I think what struck me the most about her was her idealism. Cassandra Quin Butts believed in the revolutionary promise on which our Nation was founded; that all men and women are created equal. She spent her entire working life trying to expand that premise.

On the day we met, her nomination to serve as U.S. Ambassador to the Bahamas had been blocked for more than a year for reasons entirely unrelated to her qualifications. That did not make her cynical. It did not diminish her desire to serve. She just wanted to know if there was anything she could do to help. It was typical. Cassandra Butts asked the question, How can I help?

Sadly, Ms. Butts will never receive the vote she deserved on her nomination to be Ambassador. She died over a week ago at the far-too-young age of 50. She felt ill for a few days, had seen a doctor, and died peacefully in her sleep before learning of her diagnosis, acute leukemia.

Cassandra Butts was a longtime friend of President Obama and First Lady Michelle Obama. Ms. Butts and the future President met during their first days of Harvard Law School in the financial aid office. Neither one of them came from families that could simply write checks for tuition. In a statement mourning her passing, the President and First Lady remembered

Ms. Butts and said as “a citizen, always pushing, always doing her part to advance the causes of opportunity, civil rights, development, and democracy.”

“Cassandra,” the Obamas wrote, “was someone who put her hands squarely on that arc of the moral universe, and never stopped doing whatever she could to bend it toward justice.”

They continued. “To know Cassandra Butts was to know someone who made you want to be better.” Ms. Butts began her distinguished career in public service about a year after graduating law school. She worked as legal counsel to U.S. Senator Harris Wofford. After the Senate, she went to the NAACP Legal Defense and Education Fund, following in the footsteps of one of her heroes, former U.S. Justice Thurgood Marshall.

She returned to Capitol Hill in 1996 as a senior adviser to House Majority Leader Dick Gephardt and the House Democratic policy committee. From 2004 to 2008, she served as Senior Vice President for Domestic Policy at the Center for American Progress—with a few breaks in service to help her old friend. When Barack Obama was elected to the Senate in 2004, Cassandra Butts was there, helping him to get his office up and running.

Later, she helped her old friend the President launch his historic Presidential campaign. When he won, Cassandra Butts was there again to offer advice on transition. She stayed on to serve the President as Deputy White House Counsel. Among the lasting marks she leaves on our democracy, Cassandra Butts helped shepherd through this Senate the nomination of the first Latina ever to serve on the U.S. Supreme Court, Justice Sonia Sotomayor.

Ms. Butts was a remarkably humble person, especially for one who worked so close to power. She left the White House in November 2009 to serve as Senior Advisor at the Millennium Challenge Corporation. During her time there, she kept an exhausting schedule, traveling to some of the poorest places on Earth, searching for innovative ways to use America's leadership and ingenuity to help lift desperately poor people, especially women and children, out of crushing poverty.

It saddens me that Ms. Butts never had the opportunity to serve as Ambassador because she could have had so many ideas that she would have brought to represent America's values and help the people of the Bahamas.

She had hoped that being an African-American woman, it would help to underscore America's commitment to equality. While he waited for a vote on her nomination, Cassandra Butts represented our Nation well on the world stage in a different capacity. She served with distinction as Senior Advi-

sor to the U.S. Mission to the United Nations.

Accounts of her life will always lead off with the fact that she was a close friend of the President and First Lady, but that was only part of the story. Cassandra Butts was a friend to countless people around the world, from the famous to the voiceless. She was a seeker of truth and justice. She was also warm and funny, smart and passionate, deeply decent. She loved jazz, the UNC Tar Heels, fast cars, especially her BMW.

She left this world too soon and she will be missed. Loretta and I wish to extend our condolences to her many friends and family, especially her mother Mae Karim, her father Charles Norman Butts, her sister and brother-in-law, Deidra and Frank Abbott, her two nephews whom she adored, Austin and Ethan Abbott.

It is a sad reality that as I stand here today and pick up this publication on the desk of every Senator, the Executive Calendar for the Senate of the United States, and turn to look at it closely, I find in this calendar, on page 5, the name of Cassandra Butts, waiting for the Senate to approve her position as the Ambassador to the Bahamas.

She waited and waited and waited. Eventually she passed away, waiting on the Senate Calendar to serve this country. When the Senators who had a hold on her for all this period of time were asked: Why? Why did you hold up this woman, one of them was very candid and said: We knew she was close to the President, and if we stopped her, we knew the President would feel the pain. I hope today we all feel the pain that this lady can no longer have the distinction of ending her fabulous public career as our Ambassador representing the United States to the Bahamas.

I yield the floor.

The PRESIDING OFFICER. (Mr. HOEVEN). The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I come to the Senate floor to talk about an issue I have worked on for a number of years and something I feel very strongly about; that is, our detention and interrogation policy. Since this administration has gotten into office, based on a campaign promise, the President has sought to close Guantanamo Bay.

This administration has continued to release individuals held at Guantanamo—dangerous terrorists, with backgrounds, whether it is involvement with Al Qaeda or involvement with the Taliban or other groups. Just recently, they have released another 11 individuals from Guantanamo Bay. One of the issues that has troubled me most about this is that I think it is very important the American people know what is going on, but so much of this is happening in the cloak of darkness. So

much of it is an unwillingness of this administration to level with the American people about the terrorist affiliations and activities of current and former Guantanamo Bay detainees.

We have seen the most recent example of that which is troubling. On March 23 of 2016, Paul Lewis, the Special Envoy for Guantanamo Detention Closure, testified before the House Foreign Affairs Committee that there have been Americans who have died because of Guantanamo Bay detainees. He was asked about this in this House hearing. My assumption is one of the reasons he was asked about it is because 30 percent of those who were held at Guantanamo—terrorists who have been released from Guantanamo—are suspected or confirmed of reengaging in terrorism. Apparently, Mr. Lewis was asked, and he said there have been Americans who have died because of Guantanamo detainees who have been released.

So a fair question—a very important question—is to understand what these former detainees have done in terms of attacking Americans or our NATO allies who have worked with us to fight terrorists in places around the world. That was a question I posed to this administration. Based on what Mr. Lewis, who is the Special Envoy for Guantanamo Detention Closure said, I asked the administration for information about those who have been killed by Guantanamo detainees. On May 23 the administration responded to me, but their answers to my questions were classified in such a way that even my staff with a top secret security clearance could not review the response. I was able to review the response.

What I want to be able to do is to give information to the American people so they can understand the response, because this administration continues to push to close Guantanamo. They continue to release terrorists from Guantanamo to countries around the world, and they continue to refuse to tell the American people—hiding behind classification—who the people are who are being released in terms of their backgrounds and in terms terrorist affiliations. They have been releasing a name and the country they are transferred to—but no information to the American people about the terrorist background of these individuals, no information to the American people about how these individuals have been released, what they have been engaged in, and whether they have been engaged in prior attacks on Americans or our allies. I believe the American people have a right to know.

On Tuesday I also wrote a followup letter to the President urging him to provide without delay an unclassified response to understand how many Americans and our NATO partners have been killed by former Guanta-

namo detainees and which former detainees committed these terrorist attacks, so we can understand what we are facing.

Unfortunately, we don't know. But in the Washington Post today there was an article that reported that 12 former Guantanamo detainees were involved in attacks on Americans after their release. The estimate in the Washington Post report says that these detainees have killed about a half dozen Americans.

Why should the American people have to rely on the ability of the Washington Post to talk to people off the record to try to find out exactly what the activities are of these terrorists whom the administration continues to release without full information to the American people? I appreciate the reporting of the Washington Post, but I believe the American people deserve an answer directly from this administration. Since Mr. Lewis testified that Guantanamo detainees have been involved in killing Americans, the administration has released 11 more detainees from Guantanamo, with more than two dozen likely to be released in the coming months. Again, 30 percent are suspected or confirmed of reengaging in terrorism—people such as Ibrahim al-Qosi, affiliated with Al Qaeda in the Arabian Peninsula, who was released by this administration in 2012 to Sudan. He has joined back up with Al Qaeda in the Arabian Peninsula, which is headquartered in Yemen.

Previously, what has been revealed about him publicly is that he trained at a notorious Al Qaeda camp as a member of Osama bin Laden's elite security detail.

What is more troubling is that he is now back with Al Qaeda in the Arabian Peninsula. He is a leader and a spokesman for this group, and he is urging attacks on American and our allies. That is what is at stake when we think about the security of the American people. Yet the policy that this administration and this President keep pushing is to close Guantanamo. They are trying to take de facto steps to close Guantanamo by releasing people without information to the American people.

In this Defense authorization bill that is pending on the floor, in the Armed Services Committee I have included a provision that would prohibit international release or transfer of any detainee from Guantanamo until the Department of Defense submits to Congress an unclassified report on the individual's previous terrorist activities and affiliations, as well as their support or participation in attacks against the United States or our allies.

The administration keeps claiming that it is in the best interests of the United States—in our national security interests—to close Guantanamo.

I fully disagree with that argument. But if that is what they really believe,

why have they not told the American people, when they release the terrorists who are held at Guantanamo, whom these people have been involved with and whether they have been involved with attacks on Americans or our allies. Instead, they give the name and the country they are going to. That is all they are telling the American people. If it is in our national security interests, they will fully tell the American people why they believe in transferring or releasing these terrorists to third-party countries, and they will tell the American people the truth about who is being released and what they have been involved in. I think the American people, if they know that information, will side with my view of this, which is that to close Guantanamo—especially by releasing dangerous individuals who are there, with 30 percent of them suspected or confirmed of getting back into battle—is against our national security interests and makes us less safe.

I ask, no matter where you stand in this body on the closure of Guantanamo, don't we owe it to the American people to tell them? When they are releasing individuals from Guantanamo, doesn't the administration owe to the American people what terrorist group this person is affiliated with? Has this person ever been involved with the attack of Americans or our allies? Don't the American people deserve this basic information?

The American people need to know who is being released, why they are dangerous, and what is happening in terms of our national security interests, because I believe they are being undermined greatly by continuing to release terrorists who get back in the fight. The last thing our men and women in uniform or any of our allies should see is a terrorist whom we had previously captured and was at Guantanamo.

I hope the administration will live up to its transparency policy, because when it comes to releasing dangerous detainees from Guantanamo—some of whom have gotten back in the fight, and 30 percent are suspected or confirmed of getting back in the fight of terrorism against us—the American people deserve information about what is happening and what danger these individuals pose to us and our allies.

I yield the floor.

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I think it is very obvious that in the authorization bill we placed limitations on

the use of Russian rocket engines. It is already known that in the appropriations bill there is basically an unlimited purchase of Russian rocket engines, much to the testimony of the military-industrial-congressional complex.

I will be showing how Russians who have been sanctioned by the United States of America, under Vladimir Putin, will directly profit from the continued purchase of these Russian rocket engines. And in the negotiations that I have been trying to move forward so I could satisfy the appropriators, there is no doubt who has the veto power. We know who they are talking to—the people I am negotiating with—Boeing, Lockheed, and the outfit called ULA, which is the two of them.

This is a classic example of the influence of special interests over the Nation's priorities. But more importantly, they are so greedy that they were willing to put millions of dollars into the pockets of these individuals, two of whom have been sanctioned by the United States of America and one of whom has been sanctioned by the EU—cronies of Vladimir Putin. It is really remarkable, this nexus of special interests that end up profiting for these individuals millions of dollars, which I will talk about in a minute.

Really, my friends, I say again that this is why we see the American people being cynical about Washington—this tight relationship between this conglomerate of two of the biggest defense industries in America—Boeing and Lockheed—and we end up with an expenditure of tens of millions of taxpayer dollars. It is really remarkable.

In the authorization bill we put a strict limit on it, and in the Committee on Appropriations, which we already know about, it is basically an open door. So that is why I was trying and will continue to try to have a simple amendment which says that we will not provide money to any company or corporation that would then profit these people who have been sanctioned by the United States of America in two cases, and in one case by the European Union. Why have they been sanctioned? Because of their invasion of the Ukraine.

So when we talk about things that are unsavory, this is probably one of the most unsavory issues I have been involved in during my many years here. It was 2 years ago when Vladimir Putin began his campaign in Eastern Europe, dismembering a sovereign nation. Today, we are facing an increasingly belligerent Russian Government, and we know that Putin continues to occupy Ukraine, he threatens our NATO allies, and he bombs U.S.-backed forces in Syria that are fighting against Bashar Assad's murderous regime. His tactical fighter jets buzz, with impunity, U.S. ships in the Baltic, putting the lives of U.S. personnel at

risk, and all the while American taxpayers continue to spend hundreds of millions of dollars to subsidize Russia's military industrial complex.

You don't have to take my word for it. You don't have to take my word for it. Here is a letter I received a few days ago. And let me tell you who has signed it before I read it: The Honorable Leon Panetta, former Secretary of Defense; GEN Michael Hayden, former Director of the Central Intelligence Agency, former Director of the National Security Agency; Michael J. Morell, former Deputy Director and Acting Director of the Central Intelligence Agency; Michael Rogers, former chairman of the House Permanent Select Committee on Intelligence; ADM James Stavridis, former Supreme Allied Commander at NATO. These individuals have some credibility—more on this issue, I think, than almost anybody else.

Let me tell you what they write. And this letter is to Senator REED and me:

We write to endorse the bipartisan effort you both have led to include language in the National Defense Authorization Act to phase out U.S. reliance on Russian technology for the space launch systems that deliver our vital and most sensitive satellites.

They go on to talk about how important reliable access to space is. I am continuing to quote now from their letter:

Fortunately, we now have an American industrial base with multiple providers that can produce All-American-made rocket engines.

And these are people such as the head of the Central Intelligence Agency saying, "There is no need to rely on Putin's Russia for this sensitive, critical technology."

The letter goes on to talk about Russia's aggressive intervention in Ukraine and Crimea, and meddling in Syria. Quoting again from the letter:

The threat from Russia is rising, as the committee knows well. Last summer, Chairman of the Joint Chiefs of Staff General Joseph Dunford said that Russia poses an "existential" threat to the United States, calling Russia's actions "nothing short of alarming."

The list goes on and on about other things. But here is a very important point from these experts:

For years, Russia has helped fund its growing military with capital derived from the sale of rocket engines to the United States. Russian officials have referred to U.S. purchases of these engines as "free money" for modernizing its missile sector, and have frequently leveraged the Department of Defense's dependence on these engines as a bargaining chip in unrelated foreign policy disputes.

They go on to talk about the Defense authorization bill for the last 2 years passing new legislation to address this national security challenge. And they say:

Under a proposed congressional transition plan, the Russian engine would be phased out no earlier than 2020.

We believe this proposed policy is wise and would prevent unnecessary expenditures on Russian-made rocket engines in support of Russia's industrial base. This policy guarantees assured access to space by increasing reliance on existing, American-made systems, providing an eminently reasonable solution to ending Russia's involvement in the Department of Defense's space launch program.

I want to tell my colleagues that this comes from both sides—Republican and Democrat administrations—and from some of the most reliable intelligence people we have ever had serve our country: Leon Panetta, General Hayden, Michael Morell, Michael Rogers, Admiral Stavridis. I have heard from many others in the same way.

So here we are with a clear influence of ULA, which is Lockheed and Boeing—two of the largest defense industries in America with, guess what, their launches in Alabama and, guess what, their headquarters in Illinois. Guess who is leading the charge to continuing to place basically unending dependence on Russian rockets. Guess who. You can draw your own conclusion.

So let me go on. Let's talk about these individuals for a minute. I would like to discuss how continuing to buy these RD-180 engines would have us do business with a Russian Government and directly enrich Putin's closest friends who are a group of corrupt cronies and government apparatchiks, including persons the United States and the European Union have sanctioned in relation to Russia's invasion of Ukraine and the annexation of Crimea.

With the swift stroke of a pen just a few days ago, on May 12, 2016, Putin signed a decree that reorganized Russia's entire Russian space industry and consolidated all of its assets under a massive "state corporation" called Roscosmos. Under Putin's directive, Roscosmos swallows up these other outfits—the Russian launch company that supplies the rockets to, guess who, United Launch Alliance. This new state-owned space corruption, in fact, swallows up dozens of other Russian companies.

To be clear, Roscosmos is not a privately owned corporation facilitating business with the Russian Government. It is the Russian Government. As a state corporation, it furthers state policy and is controlled by apparatchiks who have agency authority from Putin to do his bidding. So there should be no confusion; Roscosmos is part of the very same military industrial base that conducts bloody operations in Ukraine and Syria.

Under Roscosmos, Putin is no longer using Russian shell companies or offshore corporations to sell Russian rocket engines to line the pockets of his most trusted friends. Roscosmos is directly controlled by many of them. If you look at their highest level, the individuals who control the company look like a who's who of U.S. sanctions—officers and directors who have

been individually sanctioned by the United States or the European Union or control other companies that have been similarly sanctioned in connection with Russia's invasion of Ukraine.

Let's start with Sergey Chemezov. There he is. Sergey Chemezov is the man at the very top of this chart. Chemezov is the most influential member of the Roscosmos supervisory board and appears to finance operations of Roscosmos through a bank he controls as part of his giant, state-owned defense corporation, Rostec.

As CEO of Rostec, Chemezov controls roughly two-thirds of Russia's defense sector and employs more than 900,000 people, which is approximately 1.2 percent of the whole Russian workforce. This has led some in the Russian government to refer to him as the "shadow defense industry minister."

More importantly, Sergey Chemezov is a former KGB agent who was stationed with Putin in Communist East Germany during the 1980s. The two lived together in an apartment complex in Dresden. Chemezov is said to be Putin's KGB mentor. Chemezov acknowledges that his ties to Putin gave him a competitive business advantage, but the truth is that his meteoric rise was fueled by a series of Kremlin-backed takeovers of prominent Russian companies, and now Roscosmos has been added to the list. Both Chemezov and his state-owned defense corporation Rostec are targeted by U.S. sanctions. I repeat, they and his company are targeted by U.S. sanctions, as is the Rostec-owned bank Novikombank, which finances Roscosmos's operations.

Next in the organizational chart we have Igor Komarov, who will serve as Roscosmos' chief executive officer. He has been sanctioned by the European Union. Recently, he was the head of Russia's largest car manufacturer. This car manufacturer also happened to be taken over by Chemezov's behemoth defense corporation Rostec, and Chemezov later served on the company's board as both chairman and deputy chairman. Komarov is Chemezov's protégé.

To put it simply, Chemezov hand-picked Komarov—a man with little or no experience in the space industry—to run Roscosmos. Chemezov leveraged his position as CEO of Rostec and his access to Putin to make sure that Roscosmos's new head is someone he can control. This gives Chemezov the ability to manage Roscosmos from the shadows, much as he has done with Russia's defense industry. Think of Komarov's relationship to Chemezov as Dmitry Medvedev's relationship to Putin.

Finally, we have Dmitry Rogozin. Yet another target of U.S. sanctions, Rogozin has served as Deputy Prime Minister of the Russian Federation and as the so-called space czar since 2011. Remember, he has been sanctioned by

the United States of America; he is now the space czar in Russia. He is also the chairman of Roscosmos's board of directors and has overseen the transition of Roscosmos into its new form, a massive state-owned corporation.

Not surprisingly, during his tenure, Rogozin has been part of a period of unprecedented corruption. He has publicly acknowledged "a systemic crisis from which the space agency is yet to emerge." He also attributes recent financial scandals and criminal activities to a "moral decline of space industry managers." I want to emphasize this. These are Rogozin's words, not mine. The Russian space czar, who has overseen the restructuring of Roscosmos, publicly admits that individuals running the state-owned corporation are hopelessly and fatally corrupt.

In May 2015, the Russian Audit Chamber reported that in fiscal year 2014 alone, Roscosmos misallocated approximately \$1.8 billion. In fact, the money wasn't misallocated; it simply disappeared. The report cited gross financial violations, such as improper use of funds, misuse of appropriated funds, and violations in financial reporting methods. The number was so high that Russian auditors at first thought they must be wrong. They finally concluded that "[the original Roscosmos organization] is among the biggest and least disciplined [of government agencies] that blatantly ignore regulatory requirements and best practices in state procurement orders." And this is from Russia's own internal government watchdog, the rough equivalent of the U.S. Government Accountability Office, GAO.

My friends, as conscientious Americans, we simply cannot continue to do business with this group of self-admitted swindlers and crooks. We cannot support a Russian space agency that is financed by a sanctioned Russian bank, owned by a sanctioned Russian defense company, and controlled by a sanctioned Russian CEO who also happens to be a former KGB agent and close personal friend of Vladimir Putin's.

It is time we found the moral courage to end our reckless dependency on Russian technology before the Russian Government ends it for us. Rogozin has already threatened to cut off our access to space. Just last year, he declared:

We are not going to deliver the RD-180 engines if the United States will use them for non-civil purposes. We also may discontinue servicing the engines that were already delivered to the United States.

Despite these threats, we still manage to funnel hundreds of millions of dollars to Chemezov, Komarov, Rogozin, and countless other Russian stooges just like them. We continue to supply Vladimir Putin with the very capital he needs to wage his deadly shadow war in Europe and the Middle East. We don't need to buy any more

engines from Russia. The Secretary of Defense, the Secretary of the Air Force, and the Director of National Intelligence have all testified to that point before the Senate Armed Services Committee. Former Secretary of Defense and Director of the CIA Leon Panetta, former CIA Director and NSA Director Michael Hayden, former Deputy CIA Director Mike Morell, and others, including the former European Command commander and others, all endorse our efforts in this bill to responsibly end our reliance on Russian rocket engines.

I am here to tell you that we are subsidizing the Russian military industrial complex at the expense of our own national interests, and we must end this dangerous addiction before it is too late.

So here we are, my friends, with a blatant, incredible story of people who are so involved in the Russian invasion of Ukraine that they were sanctioned. They were sanctioned by the United States of America and other countries. They are now in charge of the Russian rocket program. They are the ones into whose pockets go the hundreds of millions of dollars we spend on these Russian rockets.

We have this incredible alliance of Boeing and United that is unbelievable in this consortium of the two biggest defense industries in America that has such control over this body that we will continue to subsidize and pay hundreds of millions of American dollars to corrupt crooks—people and money that will fuel Putin's activities. And we all know that his indiscriminate bombing in Syria is slaughtering thousands of innocent people and driving thousands into refugee situations. It is Vladimir Putin who is bombing the people we train and equip.

By the way, as we might have seen in the last couple of days, Bashar al-Assad has said that there is going to be no peace, that he is going to regain control of the entire country of Syria, making a farce and a joke out of the so-called ceasefire that was orchestrated by our Secretary of State, who went to Moscow on bended knee to beg his buddy Lavrov to agree to a ceasefire that really never existed.

The point is, we do have a supply of rocket engines. Admittedly, they are more expensive. I will freely admit that. But we also have a number of other corporations—not just SpaceX but Blue Origin, and there are a number of others—that are developing rocket engines. If we look at what SpaceX just did, they were able to land a rocket for the first time so it is reusable. Their space launch—they were reusing it. There will be other breakthroughs thanks to these entrepreneurs like Elon Musk and Jeff Bezos and others who are taking charge, when this old consortium, this old military industrial complex called

ULA, is running things and we are paying them \$800 million a year to do nothing but stay in business.

My friends, I would also point out one other aspect of this. The Appropriations Committee's job is to appropriate. It is the authorizing committee that does the authorizing. What was in the appropriations bill in numerous places was a gross violation of the area of responsibility of the authorizing committee.

I don't know exactly what we can do about this creeping policymaking on the part of the appropriators, but I hope that at some point—the majority on both sides are not members of the Appropriations Committee, but they are members of various authorizing committees. Sooner or later, they are going to get tired of authorizing certain programs and authorizing after debate and hearings and all the things that—for example, I guarantee you that the Senate Armed Services Committee has had 10 times the number of hearings and debates and amendments and markups that the Defense Appropriations Subcommittee has had. I guarantee you that. So they take it upon themselves on an issue such as this to put in their own version, which is obviously controlled by Alabama and Illinois.

So that is what is wrong with this system. That is what is wrong with this body. That is what is wrong. And the American people are beginning to figure it out, and they don't like it, and they shouldn't like it.

I pointed out yesterday—and lost a vote—that in 1992 we spent \$20 million on medical research out of the Defense appropriations, out of American tax dollars. Today, it is \$1 billion worth of medical research, most of which has nothing to do with the men and women who are serving this country.

I note the presence of the Senator from Colorado. I am sure he may even know these individuals. I would like for him to meet them, because they are crooks. They are crooks, they are corrupt, and they are butchers. So I would like for him to meet them as he continues to advocate for the status quo, which is a totally unacceptable expenditure of American tax dollars which, indeed, are used to kill Americans. That is a heavy responsibility, I would say to my new friend in the Senate, the Senator from Colorado. That is a heavy responsibility. These guys are killing people, and we are subsidizing these murderers and thugs. That is not something I would be proud of.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I have great respect for my colleague from Arizona. The service he has given to this country and the sacrifices he has endured are tremendous, and nobody can underestimate what he has done for this Nation.

I don't think anybody here would ever think they have done that in whatever legislative action they take. So while we may disagree on certain issues or agree with a different course of action, I believe everybody wants to do what is best for their Nation.

When it comes to this particular issue of having access to space, having reliable access to space, maintaining competition in our industry so that we can provide the best value and cost savings to the American taxpayer while achieving the level of security we need, that is where I believe this debate is rightfully focused, and that is also where the debate from our own Department of Defense is focused.

Nobody in this Chamber wants to continue the status quo. In fact, I have filed an amendment with Senators NELSON, BENNET, HATCH, INHOFE, and SESSIONS—a number of people who believe we should end the status quo and go in a new direction. In fact, that is what this entire debate is about, to make sure we no longer have to rely on the rocket as we do today. But we cannot leave the security of this country blind to capacities that we would lose if we pursued the direction of the Defense Authorization Act as it is written today, because if we pass this legislation, there are assets that will protect the people of this country that we may not be able to put into space. And if we do, in this bill is language that will cost up to \$1.5 billion because that is what this bill will force to be done—legislation that will result in a \$1.5 billion to \$5 billion tax increase.

I just supported an amendment to add dollars to our defense and security because I believe it is important that the men and women of this country have the tools and the resources they need to protect and defend themselves. I supported that—billions of new dollars. Yet the actions under this bill would cost the American taxpayers somewhere between \$1.5 billion and \$5 billion in more money. While we are adding more money, we are taking it away with passage of this act, while reducing reliability, reducing access to space, and reducing competition. I believe as organizations like the Tea Party Patriots, organizations like AEI, organizations across the country that believe we can do better, that we should keep competition, that we should keep reliability—those are the things we believe in.

Let me read comments by Defense Secretary Ash Carter, the Secretary of Defense, who is truly interested in making sure we protect the people of this Nation from bad actors:

We have to have assured access to space, so we have to have a way to launch our national security payloads into space so our country's security depends on that. One way to do that which is reflected in our budget is to continue to use the Atlas booster including a limited, but continuing number of RD-180 engines.

Air Force Secretary Deborah Lee James on January 27, 2016:

Maintaining at least two of the existing systems until at least two launch providers are available will be necessary to protect our Nation's assured access to space.

This is coming from somebody who believes we need to protect this country and the people of this country from bad actors. She goes on to say:

As we move forward, we respectfully request this committee allow the Department the flexibility to develop and acquire the launch capabilities our warfighters and Intelligence Community need.

Assistant Secretary of the Air Force, William LaPlante, July 16, 2015:

We believe authorization to use up to 18 RD-180 engines in the competitive procurement and award of launch service contracts through Fiscal Year 2022 is a reasonable starting point to mitigate the risk associated with assured access to space and enable competition.

This is somebody who is interested in protecting the people of this country from bad actors—people who would do harm, people who would do evil acts to this country and our allies.

Assistant Secretary of Defense for Acquisition, Katrina McFarland, June 26, 2015, talks about the need for this program.

Intelligence Director James Clapper and Defense Secretary Ash Carter on May 11, 2015, together said:

We are working diligently to transition from the Russian-made RD-180 rocket engine onto domestically sourced propulsion capabilities, but are concerned that section 1608 presents significant challenges to doing so while maintaining assured access to space.

They care about the security of this Nation. They care about the secure future of this Nation.

In fact, just a few days ago, in an article from former General Shelton, four-star commander in the U.S. Air Force, he talked about the need to move away from these rockets to transition to an American-made rocket but in the meantime not allow our capacity, our capability, or our competition to suffer.

Here is what it would cost. This is what it would cost. Here is the graph. This is what the American taxpayers would be paying—35 percent more, \$1.5 billion to a \$5 billion increase in spending if the language of the bill, as it is written today, goes into law. That is not some staffer in the cloak of darkness in the mailroom trying to come up with figures. That is what the experts agree will happen.

While this body is talking about there is not enough money to fund defense, while this body is voting on amendments to increase spending on defense, the same policies enshrined in this bill would cost up to \$5 billion more. If we truly want to make sure we have the resources needed to defend this country, let's not self-inflict \$5 billion worth of harm when we all agree to transition to an American-made system. Let's do so in a way that relies on

the ability to do what is right with competition, with reliability, instead of transitioning to a system that can't even reach 60 percent of projected NSS needs—national security space mission needs—unless you use a 35 percent more expensive rocket.

General Shelton believes we should keep this rocket—a five-star general in the U.S. Air Force, Russian rocket engines are essential for now. General Shelton begins: “The U.S. Senate is debating the 2017 National Defense Authorization Act.” An amendment proposed “would provide relief” from restrictions that we are facing right now, “recognizing that the current draft legislation would significantly harm the national security space program.”

A four-star general in service to our Nation has said that if we don't change the bill as it is written, it would significantly harm the national security space program. General Shelton is the former commander of Air Force Space Command. I think he knows what he is talking about. I think he is an expert.

I could read more quotes from others. The NASA Administrator believes that without this language, we are going to increase costs in NASA, not just the Department of Defense, and we are going to hurt our ability to access space and access launches.

You talk to the intel communities—intel communities that believe they would lose the capacity to launch satellites that provide missile launch detection that can protect our people and our country.

Yes, let's make sure we transition, yes, let's make sure we change the status quo, but let's do it in a way that is smart, good policy, and protects the interests of the American people. That is what this amendment is about, and we can all agree to that.

Mr. President, I would like to change topics quickly, if I could.

MARION KONISHI AND CAMP AMACHE
PILGRIMAGE

Mr. President, just a couple of weeks ago in Colorado, Channel 9 News in Denver reported that a bus was going to leave Denver to make a 4-hour drive to a place called Amache. It is where some 7,000 people lived, worked, and called home during much of World War II. Ten weeks after the Japanese bombed Pearl Harbor, President Franklin Roosevelt signed Executive Order 996, creating internment camps for people of Japanese descent. One of those camps was in Colorado.

Just a couple of weeks ago marked the 40th year that Japanese Americans have made a formal pilgrimage to that camp. Those 7,000 people lived in barracks, formed their own schools, planted gardens, and had beauty parlors and Boy Scout troops. Their sons volunteered to fight and die for the country that imprisoned their parents. Many of the visitors to the camp were elderly, in their nineties. There were some col-

lege students who made the visit as well, but amongst the people who visited Camp Amache just a couple of weeks ago was the valedictorian of the 1943 Amache Senior High School class. Her name is Marion Konishi. It was her first visit to Camp Amache since she left the camp more than 70 years ago. She was a valedictorian, and 73 years ago she gave a speech as the head of her class. Just a few weeks ago, she returned to Camp Amache where she reread that speech again for the first time.

I thought I would read excerpts of that speech today, her speech titled “America, Our Hope is Anew,” June 25, 1943.

One and a half years ago I knew only one America—an America that gave me an equal chance in the struggle for life, liberty, and the pursuit of happiness. If I were asked then—“What does America mean to you?”—I would answer without any hesitation and with all sincerity—“America means freedom, equality, security, and justice.”

The other night while I was preparing for this speech, I asked myself this same question—“What does America mean to you?” I hesitated—I was not sure of my answer. I wondered if America still means and will mean freedom, equality, security, and justice when some of its citizens were segregated, discriminated against, and treated so unfairly. I knew I was not the only American seeking an answer.

Then I remembered that old saying—all the answers to the future will be found in the past for all men. So unmindful of the searchlights reflecting in my windows, I sat down and tried to recall all the things that were taught to me in my history, sociology, and American life classes. This is what I remembered.

America was born in Philadelphia on July 4, 1776, and for 167 years it has been held as the hope, the only hope, for the common man. America has guaranteed to each and all, native and everyone foreign, the right to build a home, to earn a livelihood, to worship, think, speak, and act as he pleased—as a free man equal to every other man.

Every revolution within the last 167 years which had for its aim more freedom was based on her constitution. No cry from an oppressed people has ever gone unanswered by her. America froze, shoeless in the snow at Valley Forge, and battled for her life at Gettysburg. She gave the world its greatest symbols of democracy: George Washington, who freed her from tyranny; Thomas Jefferson, who defined her democratic course; and Abraham Lincoln, who saved her and renewed her faith.

Sometimes America failed and suffered. Sometimes she made mistakes, great mistakes, but she always admitted them and tried to rectify all the injustice that flowed from them. . . . Her history is full of errors but with each mistake she has learned and has marched forward onward toward a goal of security and peace and a society of free men where the understanding that all men are created equal, an understanding that all men whatever their race, color, or religion be given an equal opportunity to save themselves and each other according to their needs and abilities.

I was once again at my desk. True, I was just as much embittered as any other evacuee. But I had found in the past the answer to my question. I had also found my faith in

America—faith in the America that is still alive in the hearts, minds, and consciences of true Americans today—faith in the American sportsmanship and attitude of fair play that will judge citizenship and patriotism on the basis of actions and achievements and not on the basis of physical characteristics.

Can we the graduating class of Amache Senior High School, still believe that America means freedom, equality, security, and justice? Do I believe this? Do my classmates believe this? Yes, with all our hearts, because in that faith, in that hope, is my future, our future, and the world's future.

To Marion Konishi, today Marion Takehara, her husband Kenneth, who served in the 442nd, thank you for sharing these words 73 years later.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, you have a choice here. You can believe the Senator from Colorado where there is substantial presence of ULA—an outfit that makes a lot of money—or you can believe Leon Panetta, former Secretary of Defense, former Director of the Central Intelligence Agency; Gen. Michael Hayden, former Director of the CIA, former Director of the National Security Agency; Michael Morrell, former Deputy Director and Acting Director of the Central Intelligence Agency; Michael Rogers, former chairman of the House Select Committee on Intelligence; ADM James Stavridis, and there are many more. All of them are saying they support what I am trying to do. It is interesting that the Senator from Colorado would completely ignore the view and position of the most respected people in America.

I respect the Senator from Colorado. I do not compare his credentials to that of the former Secretary of Defense. By the way, Americans for Tax Reform is in opposition to the proposal to lift the ban on the rocket engines. They point out America has spent over \$6 billion—\$1 billion that they have spent on this.

Also, there was an interesting incident that happened maybe a couple of months ago where an individual who is an executive from this outfit called ULA made a speech that had a lot of interesting comments in it. He obviously didn't know that it was being recorded. The interesting thing is that this man, Brett Tobey, vice president of engineering for ULA, said during a lecture at the University of Colorado in Boulder, CO, last week that the Department of Defense had “bent over backwards to lean the field to ULA's advantage in a competition with new market entrant SpaceX.” An executive of ULA alleges that the Defense Department bent over backwards to lean the field in favor of ULA. If that isn't a graphic example of what is going on here, then I don't know what is. He also said that because of the SpaceX competition, they were going to have to make cuts in their workforce and

change the way they do business. For all of these years they have not had any competition, but the Defense Department has bent over backwards to lean the field to ULA's advantage in a competition with the new market entrant Space Exploration Technologies.

I wish to remind the Chair that about 10 years ago there was an idea for Boeing to build a new tanker. It smelled very bad. I, my staff, and others pursued it, and it ended up with executives from Boeing going to jail. Unfortunately, this is another one of those examples that contributes to the profound cynicism of the American people about how their money is spent.

My colleagues have a choice. They can believe the Senator from Colorado, and I am sure that the Senator from Illinois will come to the floor because that is where Boeing is headquartered. They will talk about all of these things, and then you can compare that with Leon Panetta—probably one of the most respected men in America and one of the great Secretaries of Defense—General Hayden, Michael Morell, Michael Rogers, James Stavridis, and all of these people who have no dog in this fight. They don't have anything based in their State that would affect their State's economy. They have a wealth of experience. I would imagine there is at least a century worth of experience in defense amongst these individuals. In no way do I disparage the experience of the Senator from Colorado, but I will match these guys against his any day of the week. They have no dog in this fight nor do they have a corporation based in their State.

After all of these years on the Senate Armed Services Committee, I know when something smells bad, just as I did with the Boeing tanker, and people ended up in jail. This stinks to high heaven.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Colorado.

Mr. GARDNER. Mr. President, I will continue to state the number of people who believe it is important that we approach this from the standpoint of an amendment that Senator NELSON and I have filed, along with a bipartisan group of legislators.

I will begin with Gen. Mark Welsh, Air Force Chief of Staff. This is testimony before the Senate Appropriations Defense Subcommittee in 2015.

[V]irtually everybody agrees that we would like to, as the United States of America, not be so reliant on a Russian engine going forward into the future. . . . But the question is how to do it and when will we be ready, because we don't want to cut off our nose to spite our face. . . . all of the technical experts with whom I've consulted tell me this is not a one or two or three-year deal. You're looking at maybe six or seven years to develop an engine and another year or two beyond that to be able to integrate.

Of course, our amendment would cut it off at 2022 because we believe that is

the transition we would need in order to provide the kind of security that the people of this country expect.

Let me show some of the national security missions that will be delayed if we don't have the ability to use all of the components of our current rocket set today.

The space-based infrared system warning satellites that are designed for ballistic missile detection from anywhere in the world, particularly countries like North Korea, would be delayed. I had the opportunity to go to South Korea just last week where I met with General Brooks who talked about the need for us to provide more intelligence over North Korea. The day we were there, North Korea once again tried to launch a ballistic missile. Thankfully it failed, but what happens if it doesn't fail? Are we going to be able to have the space-based infrared system in place that we need to be able to protect the people of this country? Because if they succeed and we don't know, that is catastrophic.

The Mobile User Objective System and Advanced Extremely High Frequency satellite system designed to deliver vital communications capabilities to our armed services around the world would both be delayed. According to a letter dated May 23 from the Deputy Secretary of Defense—again somebody who is very much interested in the future and current security of this country—"losing/delaying the capability to place position and navigation, communication, missile warning, nuclear detection, intelligence, surveillance, and reconnaissance satellites in orbit would be significant."

The Administrator of the National Aeronautics and Space Administration said before the Senate when asked about what would happen with the loss of these rockets: They are counting on these rockets to be able to get the number of engines that would satisfy the requirements for NASA to fly the Dream Chaser when it comes around in 2019.

The Dream Chaser already has a re-supply service contract for the International Space Station. It is designed to fly on top of one of these rockets. If we were to change that, it would no longer have that rocket available, and they would undergo significant cost and delay in trying to retrofit the rocket just like the Orion space program.

We can talk about more experts. In April of 2015, the Under Secretary of Defense for Acquisition, Technology and Logistics said:

There's going to be a period of time where we would like to have the option, possibly, of using RD-180s if necessary. There are much more expensive options available to us but we prefer not to go that way.

We have shown the chart of how expensive it would be, and now I want to show one final chart.

When we talk about how much money is being spent on rocket engines, I would like to point out this chart. If we are concerned about cronies from Russia, then let's talk about other areas where we are importing from Russia.

This is from 2013. If you look at where we are, engines and motors represent .32 percent of this pie chart. That is how much money is being spent on importing engines and motors from Russia. Let's look at something like nickel. Nickel is .59 percent of our imports from Russia. Arms and ammunition are .56 percent, more than engines and motors. Here is an interesting one. Fish, crustaceans, and aquatic invertebrates are 1.2 percent of our imports from Russia. Engines and motors represent only .32 percent of that.

We are going to continue to have a very good debate in this body. I think Members can come at this from a different approach, and I look forward to working out a solution that all Members can be proud that we have done what is best for our country, our taxpayers, and our security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I know the Senator from Utah is waiting.

We have a choice: Believe those who have a vested interest in continuing this purchase of Russian rocket engines or believe some of the most respected people in America who say we don't need to do it. That is what the choice is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I rise today to discuss and urge my colleagues to support amendment No. 448, the due process guarantee amendment.

This amendment addresses a little known problem that I believe most Americans would be shocked to discover even exists. Under current law, the Federal Government has proclaimed the power—has arrogated to itself the power to detain indefinitely, without charge or trial, U.S. citizens and lawful, permanent residents who are apprehended on American soil.

Let that sink in for just a minute. If you are a U.S. citizen or a U.S. green card holder and you are arrested on American soil because you are suspected of supporting a terrorist group or other enemy of the United States, the Federal Government has claimed the power to detain you indefinitely without formally charging you or without offering you a trial.

I am not talking about American citizens who travel to foreign lands to take up arms against the United States military and are captured on the battlefield. I am talking about U.S. citizens who are apprehended right here in the United States of America.

Under current law, even they can be imprisoned for an unspecified—in fact, unlimited—period of time without ever being charged and without the benefit of a jury trial to which they are entitled.

You don't need to be a defense attorney to recognize what an outrage this is. Arresting U.S. citizens on American soil and then detaining them indefinitely without charges or a trial are obvious deviations from the constitutional right to due process of law.

The last time the Federal Government exercised such power and did so without congressional authorization was during the internment of Japanese Americans during World War II. Congress responded by passing a law to prevent it from happening again. Of course, such legal protection should not need to be codified into Federal statute in the first place, but they did it anyway.

The Fifth Amendment of the Constitution states in no uncertain terms that no person shall be deprived of life, liberty, or property without due process of law. Then again, as James Madison reminded us, if men were angels, no government would be necessary.

In the wake of World War II, Congress passed and President Nixon signed the Nondetention Act of 1971, which states: "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress." Those last few words are absolutely crucial: "except pursuant to an Act of Congress." The Nondetention Act of 1971 recognized, as I believe most Americans do, that in some cases—in some grave, treacherous, unfortunate cases—indefinite detention of U.S. citizens may, in the eyes of some, be deemed necessary, but the point is that the Federal Government does not inherently possess the power of indefinite detention. The extent to which such power can even be said to exist within our constitutional framework at all is a question that many of us would regard as at least debatable.

Certainly only an act of Congress, such as an authorization for the use of military force, or AUMF, or perhaps a declaration of war can give the Federal Government that power. Fast forward 40 years, and this important legal protection has eroded.

In 2011, 40 years after the passage of the Nondetention Act of 1971, Congress passed its annual National Defense Authorization Act for fiscal year 2012, the predecessor of the bill that we are considering today. In that version of the NDAA, there was a provision, section 1021, giving the Federal Government the power to detain U.S. citizens indefinitely without trial, even those who were apprehended on American soil. It may sound as though section 1021 meets the "Act of Congress" threshold established by the Nondeten-

tion Act of 1971, but importantly it does not. It does no such thing. Here is why: The language of section 1021 merely presumes that the 2001 AUMF gives the Federal Government the right to detain U.S. citizens indefinitely without having to prove anything, even though an explicit grant of such power appears nowhere at all in the 2001 AUMF.

My amendment would resolve this problem. In clear and straightforward language, my amendment clarifies that a general authorization to use military force, a declaration of war, or any similar authority on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States. This means that if Congress believes it is necessary to have the power to indefinitely detain U.S. citizens who are captured in the United States, then Congress must expressly say so in any authorization it passes.

My amendment recognizes that the due process protections of U.S. citizens are far too important to leave up to implied legal contemplation.

The 2001 AUMF does not expressly state that the Federal Government has the power to indefinitely detain U.S. citizens who were apprehended on American soil. It just doesn't say it. You can look at the 2001 AUMF and you will not find that. For those who believe it is somehow in the national security interests of the United States for the Federal Government to have that power, they should file an amendment to the AUMF that says so explicitly, and then we can see what the American people think and we can find out, just as importantly, what their elected representatives in the House and in the Senate think, or they can file an entirely new AUMF that expressly provides such authority.

This amendment—the one I am discussing today—should not be controversial. In fact, in 2012—just a year after the initial offending provision that I described a moment ago was passed—the Senate passed this amendment with 67 votes, in large part thanks to the tireless efforts of my distinguished colleague, the senior Senator from California, Mrs. FEINSTEIN, who today joins me as a cosponsor of the amendment.

Unfortunately, the due process guarantee amendment was stripped from that version of the NDAA passed in 2012 for 2013 during the conference process. At the time, some opponents of the amendment were under the impression that it would extend due process provisions to citizens outside of the United States, but that is undeniably false. The due process guarantee amendment applies only to U.S. citizens and lawful permanent residents who are apprehended on U.S. soil.

It has been 4 years since that misunderstanding prevented Congress from passing this commonsense bipartisan reform. That is more than enough time for this institution to gain clarity on what this amendment does do and, just as importantly, on what this amendment does not do. So it is time that we finally pass this amendment, and I urge each of my colleagues to do so.

Mr. PAUL. Will the Senator yield for a question?

Mr. LEE. Yes.

Mr. PAUL. Four years ago we passed legislation under the Defense authorization that allows the American Government to detain an American citizen without a trial. Think about that. One of our basic rights, one of our most important rights is the right to a trial, to be represented, to have a jury of our peers.

You say: Well, it will never be used. Well, President Obama recognized this. He said: This is a terrible power, and I promise never to use it. Any power that is so terrible that a President says he is not going to use it should not be on the books.

As the Senator from Utah said, it is not about having laws that require angels to be in charge of your government. Someday there will be someone in charge of the government who makes a grievous mistake, like rounding up the Japanese. So we have to be very careful about giving power to our government. That is what the challenge is here.

Many will say: Well, we are at war, and when at war you have to have the law of war.

What is the law of war also known as? Martial law. But this is a war that does not seem to have an end. They are not asking for a 1- or 2-year period in which there won't be trials; they are asking you to relinquish your right to trial for a war that may have no end.

I want you to imagine this. Who could these enemy combatants be who may not get trials? Imagine you are an Arab-American in Dearborn, MI, and you send an email to someone overseas. Maybe that person is a bad person and maybe there is a connection, but shouldn't a person in Dearborn, MI, have a right to defend themselves in court and say: I was just sending an email to them and I said a few stupid things, but I am not a terrorist. Shouldn't they get the right to defend themselves?

We need to be very careful that, as we fight this long war, we don't wake up one day and say we won the war, but we lost what we stood for. We lost the Bill of Rights. We lost it to our soldiers. I know soldiers who lost two arms and a leg fighting for us, and they come back and say they were fighting for the Bill of Rights. That is what this should be about—protecting the Bill of Rights while they are gone.

So the question I have for my esteemed colleague is—some will say:

Well, they get a hearing. They get a habeas hearing. They go before a judge. Isn't that due process?

Is a habeas hearing equivalent to due process?

Mr. LEE. No. No. Due process can include habeas, but someone might say habeas corpus is the beginning of due process, not the end. Sometimes it occurs at the beginning, sometimes at the end, but regardless of when in the process it occurs, a habeas proceeding does not represent the sum total universe of what due process means.

You can't read the Fourth, Fifth, Sixth, and Eighth Amendments of the U.S. Constitution to see that what happened in the version of NDAA that we passed in 2011 was an affront to the constitutional order. It was an aberration.

We are not asking for anything drastic. All we are asking here is that before the government takes this step—the type of drastic step you are describing—that at minimum we require Congress to expressly authorize that. Is that really too much?

For those who would say that we are at war, we are in danger—and I understand that. There are those who don't like our way of life. They even perhaps want to do us harm. For those who would say that we are at war and we have to take that into account and consider that, my response is, OK, if that is the case, then let's at least do it the way we are supposed to do it. Let's at least have that discussion rather than doing it by subterfuge, rather than doing it under a cloud of uncertainty, rather than doing it by implication. We need to do so expressly. That is all this amendment does.

Mr. PAUL. Let me clarify in a followup question. If an American citizen goes to Syria and fights with ISIS and is captured on the battlefield, this amendment would not mean they get a trial.

Mr. LEE. No.

Mr. PAUL. They could still be held as an enemy combatant.

Mr. LEE. That is correct. This wouldn't cover them at all because that person is outside the United States. That person is captured on a battlefield outside the United States. That person wouldn't be covered under this amendment.

Mr. PAUL. Let's also be clear on what we are talking about. People who have been defined as enemy combatants are not always holding a weapon. You can have a propagandist. We have had propagandists who have been killed overseas who were propagandists for the enemy. So it is conceivable that an American citizen could be exchanging information and saying something derogatory about us or something in favor of the enemy, and that could be considered to be—that person is now a propagandist.

My point is, shouldn't they have a day in court to determine the facts and have representation as opposed to being plucked up and saying: You are going to Guantanamo Bay for the rest of your life because you made some criticism, and now the state has deemed you an enemy.

Mr. LEE. That is absolutely right, and that is precisely why we need these protections. That helps illustrate the slippery-slope nature of this problem. And it also emphasizes why it is that there are some in our body who want to make sure this power exists in the government, that we must pass legislation affirmatively making it so, expressly providing that power rather than doing it indirectly. That is all our amendment does.

This is indeed a slippery slope. If all you have to do to indefinitely detain someone without charge, without trial, suspending their rights under the Fourth, Fifth, Sixth, and Eighth amendments—if that is all you have to do, is charge them in a certain way, then our constitutional protections have become weakened, indeed, to a dangerous degree.

Mr. PAUL. Is it currently true that this amendment is being blocked by one Senator from gaining a vote?

Mr. LEE. We are trying to get a vote. This got a vote in 2012. It received 67 votes from people of both parties, votes from some Members—including at least one person whom you may be thinking of who has objections to it now. We need this to get a vote. If we are voting on other amendments, which we should be doing, this should get a vote. Nobody has explained to me why this should not at a minimum receive a vote. If somebody doesn't like this, fine, let them vote against it. But we should have a vote on this because this is relevant to the National Defense Authorization Act. It was the National Defense Authorization Act passed in 2011 that was the vehicle for enacting this into law.

Mr. PAUL. One concluding point I would make would be that we have time in the Senate body to vote about which rockets we are going to use, made in which State and in which country. Shouldn't we take time to vote about the abrogation or possible abrogation of the Bill of Rights, of the right to a trial by jury?

I think this is an eminently important issue, should not be pushed under the rug, and that no one should be afraid to take a stand. Not everyone will agree, but we should be allowed to take a stand on the Senate floor, openly debate, and have a vote on whether you will have your right to trial by jury or whether we are going to abbreviate that right and say we are at war. But realize that if you think your rights can be abbreviated in times of war, this is a war—that the people who tell you they are going to abbreviate

your rights are also telling you that this war has no end, that there is no conceivable end to this war, and that the diminishment of your liberty, the loss of your right to trial by jury, will go on and on without end.

I wholeheartedly support the amendment by my fellow Senator from Utah, and I advocate for having a vote on the Senate floor.

Mr. LEE. I agree.

I note the presence of my distinguished colleague from California, and I yield the floor so that she can address the body.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Senators, and I thank the Presiding Officer.

I have listened to this debate, and I rise to urge my colleagues to allow a vote on this due process guarantee amendment.

Senator LEE has filed it, I am a cosponsor, and I am delighted to be a cosponsor. We actually voted on an earlier version of this amendment in 2012, so this is nothing new. What Members may not recall is that it passed with 67 votes as an amendment to this bill for fiscal year 2013.

I would also note that thanks to then-Chairman LEAHY, the bill on which this amendment is based had a hearing in the Judiciary Committee on February 29, 2012.

So this bill has come before this body before. It got 67 votes, and it had a hearing in the Judiciary Committee 4 years ago. Unfortunately, the amendment was taken out of the NDAA in conference that year.

It is my hope that the Senate will pass this amendment again this year and that the House will support it so that the law will clearly protect Americans in the United States from indefinite detention by their own government.

Members may say: Well, this isn't going to happen. We are not going to do this.

But we have done it. I remember as a small child going just south of San Francisco to a racetrack called Tanforan. It was no longer a racetrack; it was a detention center for Japanese Americans during World War II, and there were hundreds of families housed there for years against their will.

To prevent this from ever happening again, Congress passed and President Nixon signed into law the Non-Detention Act of 1971 which clearly states: "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an act of Congress." That sounds good, but it didn't go far enough.

Despite the shameful history of the indefinite detention of Americans and the legal controversy since 9/11, some in the Senate have advocated for the indefinite detention of U.S. citizens

during debate on the Defense authorization bill in past years. These Members have argued that the Supreme Court's plurality decision in the 2004 case of *Hamdi v. Rumsfeld* supports their view. However, the *Hamdi* case involved an American captured by the United States military on the battlefield in Afghanistan. Yaser Esam Hamdi was a U.S. citizen who took up arms on behalf of the Taliban. He was captured on the battlefield in Afghanistan, not on United States soil. That is the difference. While the Supreme Court did effectively uphold *Hamdi*'s military detention, the Supreme Court did not accept the government's broad assertions of executive authority to detain citizens without charge or trial.

In fact, the *Hamdi* decision says clearly that it covers only "individuals falling into the limited category we are considering," and did not foreclose the possibility that indefinite detention of a U.S. citizen would raise a constitutional problem at a later date.

Since *Hamdi* was decided in 2004, decisions by the lower courts have contributed to the legal ambiguity when it comes to the detention of U.S. citizens apprehended in our very own country. You can look at the case of Jose Padilla. He is a U.S. citizen arrested in Chicago in 2002. Padilla was initially detained by the Bush administration under a material witness warrant based on the 9/11 terrorist attacks and was later designated as an enemy combatant who allegedly conspired with Al Qaeda to carry out terrorist attacks, including a plot to detonate a dirty bomb inside our country.

Padilla was transferred to a military brig in South Carolina, where he was detained for 3½ years while seeking his freedom by filing a writ of habeas corpus in Federal court. Now, it is important to note that Padilla was never charged with attempting to carry out the dirty bomb plot. Instead, he was released from military custody in November 2005 and transferred to civilian Federal custody in Florida, where he was indicted on other charges in Federal court related to terrorist plots overseas.

In a 2003 decision by the Second Circuit known as *Padilla v. Rumsfeld*, the court of appeals held that the 2001 authorization for use of military force, which we call the AUMF, did not authorize Padilla's military detention. The decision stated: "We conclude that clear Congressional authorization is required for detentions of American citizens on American soil, because 18 U.S.C. Section 4001(a), the Non-Detention Act, prohibits such detentions absent specific Congressional authorization."

So the Padilla case bounced back and forth from the Second Circuit up to the Supreme Court and then to the Fourth Circuit. The legality of his military detention was never conclusively re-

solved. Thus there remains ambiguity about whether a congressional authorization for the use of military force permits the indefinite detention of United States citizens arrested on United States soil.

So let me say that 12 years—let me repeat, 12 years—after Padilla was initially arrested and detained, he was finally sentenced to 21 years in prison in 2014.

The simple point is that we can protect national security while also ensuring that the constitutional due process rights of every American captured within the United States are protected.

That is what this amendment would do. Like the amendment that passed here in 2012 with 67 votes on this floor, this amendment would prevent the government from using a general authorization for the use of military force to apprehend Americans at home and detain them without charge or trial indefinitely. So no one could be picked up and not charged and held indefinitely.

It states very simply in our legislation: "A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States."

The amendment also modifies the existing subsection (a) of the Non-Detention Act, so it covers lawful permanent residents of the United States and ensures that any detention is consistent with the Constitution.

So new subsection (a) will read: "No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention."

Now, let me explain the impact of these changes to the law. First, the U.S. Government will continue to be able to detain U.S. citizens or lawful permanent residents on a foreign battlefield pursuant to an authorization to use military force, like what we passed after 9/11. That AUMF provides the authority to detain Al Qaeda, ISIL, and affiliated terrorist fighters.

In other words, if the government needs to detain an enemy combatant on a foreign battlefield under a post-9/11 congressional authorization to use force, that is not barred, even if the enemy combatant is, in fact, a U.S. citizen. Indeed, the Supreme Court held in *Hamdi* that the AUMF is "explicit authorization" for that limited kind of detention. So the amendment does not disturb the *Hamdi* decision.

Second, when acting with respect to citizens or lawful permanent residents apprehended at home, the amendment

makes clear that a general authorization for the use of military force does not authorize the detention, without charge or trial, of citizens or green card holders like Padilla, who are apprehended inside the United States. Instead, they should be arrested and charged like other terrorists captured in the United States.

Now, the simple point is that indefinite military detention of Americans apprehended in the United States is not the American way and must not be allowed. In the United States, the FBI and other law enforcement and intelligence agencies have proven time and again that they are up to the challenge of detecting, stopping, arresting, and convicting terrorists found on United States soil.

Our law enforcement personnel have successfully arrested, detained, and convicted literally hundreds of terrorists, both before and after 9/11. Specifically, there were 580 terrorism-related convictions in the Federal criminal courts between 9/11 and the end of 2014. That is according to the Department of Justice.

More recently, Federal prosecutors have charged 85 men and women around our country in connection with ISIL since March of 2014. Suspected terrorists can still be detained within the U.S. criminal justice system using at least the following four options: One, they can be charged with a Federal or State crime and held. Two, some can be held for violating immigration laws. Three, they can be held as a material witness as part of a Federal grand jury proceeding. Or, four, they can be detained under section 412 of the PATRIOT Act, which provides that an alien may be detained for up to 6 months if their release "will threaten the national security of the United States or the safety of the community or any person."

Simply put, there is no shortage of authority for U.S. law enforcement to take the necessary actions on our soil to protect the homeland. Some may ask why this legislation protects green card holders as well as citizens. Others may ask why the bill does not protect all persons apprehended in the United States from indefinite military detention.

Let me make clear that I would support providing the protections in this amendment to all persons in the United States, but the question comes: is there political support to expand it to cover others besides U.S. citizens and green card holders? We went through this in 2012, I believe, before the Presiding Officer was here. The overriding situation is to prevent the Federal Government from moving in and picking up Americans and holding them without charge or trial, as was done with Japanese Americans after World War II.

Finally, with the passage of this, we will close out that chapter once and for

all. So this is not about whether citizens apprehended in the United States, like Jose Padilla or others who would do us harm, should be captured, interrogated, incarcerated, and severely punished. They should be to the fullest extent the law allows, but not an innocent American picked up off the street and held without charge or trial—perhaps because of the person's name or looks or heritage.

So what about how a future President might abuse his or her authority to indefinitely detain people militarily here in the United States? Our Constitution gives everyone in the United States basic due process rights. The Fifth Amendment provides that “no person shall be deprived of life, liberty, or property without due process of law.” This is a basic tenet of our Constitution and our values.

People are entitled to notice of charges, to an opportunity to be heard, and to a fair proceeding before a neutral arbiter. In criminal cases, the accused also has a right to a speedy and public trial by a jury of their peers. So these protections are really a sacred part of who we are as Americans. I think it is something we all take great pride in, and now it is, once again, the time. We did this in 2012, in the fiscal year 2013 NDAA bill.

It received 67 votes on this floor. I would hope that we would not be blocked from taking another vote on this. We experimented with indefinite detention during World War II. It was a mistake we all realize and a betrayal of our core values. So let's not repeat it.

I want to thank Senator LEE, Senator TOM UDALL, Senator PAUL, Senator CRUZ, and others who have worked with us on this issue over the years. I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, when we ask the men and women of this country to go to war on our behalf, we make a solemn promise to take care of them, to support them while they are abroad, and take care of them when they come home. As a daughter of a World War II veteran, this is a promise I take very seriously, and I know that my colleagues do too.

One aspect of this promise that I have been proud to fight for is the idea that we should help warriors who have sustained grievous injuries achieve their dream of starting families. This is something that is hard for many people to think about, but it is a reality for far too many men and women, people like Tyler Wilson. He is a veteran I met who is paralyzed and nearly died in a firefight in Afghanistan.

After years of surgeries and rehab and learning an entirely new way of living, he met Crystal, the woman he wanted to spend the rest of his life

with. Together, they wanted to start a family. I believe we have an obligation as a nation to help them. That is why I have been fighting to expand VA care to pay for IVF treatments for people like Tyler. It is why I was so encouraged that 6 months ago the Pentagon announced a pilot program to allow servicemembers who are getting ready to deploy—the very men and women who are willing to put their lives on the line in defense of our country—an opportunity at cryopreservation.

That is a practice already widely used among the general population. It gives our deploying members not only the ability to have options for family planning in the event they are injured on the battlefield, but it gives them peace of mind. It says they don't have to worry about choosing between defending their country or a chance at a family someday. As Secretary Ash Carter said himself, this was a move that “honors the desire of our men and women to commit themselves completely to their careers, or to serve courageously in combat, while preserving their ability to have children in the future.”

I couldn't agree with that sentiment more. While the pilot program was not groundbreaking and, in fact, has been used by the British Armed Forces for years, I believe the Pentagon's announcement spoke volumes about having respect for servicemembers who are willing to risk suffering catastrophic injuries on our behalf to tell them: No matter what happens on the battlefield, your country will be there for you with the best care available.

I applaud Secretary Ash Carter for his leadership. It is the right thing to do for our young men and women who have big plans after their service is complete. That is why I was so shocked by one line in this massive NDAA bill before us, a line that brings me to the floor today. Blink and you will miss it. On page 1,455 of the 1,600-page bill, in one line in a funding chart, you will find an attempt to roll back access to the care members of our military earned in their service to our country.

That line—that simple little line—will zero out the very program that helps men and women in our military realize their dreams of having a family, even if they go on to suffer catastrophic injuries while fighting on our behalf. The very program that Secretary Carter got off the ground just 6 months ago, the promise the Pentagon made, this bill throws in the trash.

Taking away that dream is wrong. It is not what our country is about. While I don't know how or why that line got into this bill, I am here today to shine a light on it in the hopes that we can get this fixed before it is too late.

In the past day, I have talked to both the chair and ranking member, and I am hopeful that we can change course. We simply cannot allow this provision

or others like it to slip through the cracks and continue to chip away at the care that these servicemembers deserve. That is not what this country is about. Many of my colleagues are so quick to honor our military members with their words, but our servicemembers need to see that same commitment with their actions.

That is why I am here today urging my colleagues to keep this vital service intact for members of our military. We can take action that truly shows our servicemembers and our veterans that we understand this service is a cost of war and it is a cost that we, as a country, are willing to take on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I am going to try to make sense out of some of the discussion that has been going on, which has been quite detailed and very esoteric, with regard to the Russian rocket engine which is the main engine in the tail of the Atlas V rocket—the first stage of the Atlas V.

Why is there a Russian engine? In the early 1990s, at the time of the disintegration of the Soviet Union, the United States went in to try to help secure the nuclear material and nuclear weapons. It was clearly in the interests of the United States and her allies that loose nukes not get into the hands of rogue nations or rogue groups.

At the same time, it was clearly in the interests of the United States that we try to prevent all of the experts, the Russian scientists and engineers that had been involved in the Russian or the Soviet Union's rocket program—and it was an exceptional program—from going to rogue nations or to rogue groups. Read: Iran.

Thus it became apparent, when U.S. scientists, engineers, and space pioneers visited the Russian engine plant, that it was this extraordinary engine that had this high compression with liquid oxygen as a fuel and also kerosene. As a result, it was clearly in the interests of the United States not only to prevent loose nukes and scientists leaving but to keep them interested and employed. Remember, this was in a Soviet Union that was disintegrating at the moment. Therefore, it was in the interest of keeping that Russian rocket engine manufacturing facility employing those engineers and scientists. In one instance, that facility has been called Energomash, and in another instance, it has been made reference to as Roscosmos.

Therefore, private companies in the United States arranged to buy the Russian engines and keep them employed and, at the same time, to obtain the plans with the idea that down the road the United States would manufacture the same Russian engine, but its manufacture would be done in the United States. That intention was never carried out.

As a result, that leads us to where we are today. Today, we still buy the Russian engines. On average, that is costing us \$88 million a year. How much is that of the total expenditures that we buy from Russia in other goods? It is less than a percent. In fact, that \$88 million a year, on average, is one-third of 1 percent that is purchasing this excellent engine. That excellent engine happens to be the workhorse engine of the Atlas V, which is our most reliable rocket for military launches, as well as future NASA launches, as well as commercial launches of communications satellites in orbit.

The whole fracas that has been engulfing this Defense bill here is because now that same Russian Federation, where it was so important for us to keep employing its scientists and engineers 25 years ago,—today is being led by a former KGB agent, Vladimir Putin. He is doing things that we don't like. He runs over Ukraine and he takes a part called Crimea. He is pushing into eastern Ukraine and he is doing all kinds of bad things there that is threatening the freedom of the people of Ukraine.

As articulated by Senator MCCAIN, naturally we would not want to continue to buy those Russian engines, which is basically helping Vladimir Putin, even though it is minuscule—less than one-third of 1 percent of the total goods that we buy from Russia.

So that brings us to this point: How do we get out of the mess? How we get out of the mess is that we build our own engine. We should have done that years ago. But now we can actually build a better engine and not plug into the same rocket, because if it is a different engine you cannot plug into the same rocket in the Atlas V. You have to basically plug it into a different rocket. As we speak, there is now a competition going on to develop a replacement engine. In one case, it is called the BE-4. In another case it is called an Aerojet Rocketdyne engine. That competition is going to continue, but we can't do it overnight. So it is going to take some time.

An optimistic estimate might say that the engine is ready in about 2019, and then you have to test-fire in the new rocket that you have developed. So a realistic time of when the new engine is available is at the end of the year 2022.

So what do we do to make sure we have the rockets to have assured access to space between now and the end of 2022? That is what all this discussion is on the floor.

On the one hand, there is a very successful company called SpaceX. They are now certified with a rocket called the Falcon 9, and that rocket has won some competitions and has put payloads in space, including one defense payload that I know of. There may be more, but I do know that they have

been certified for the Department of Defense.

Its competitor is the other company, United Launch Alliance, which is a combination of Boeing and Lockheed. They have been successfully launching the Atlas V without a miss for years and years. I think the successful number of rocket launches is something in excess of 50 or maybe 60. Thus, it is a proven workhorse.

We never want to get to the position where we have just one rocket company, because if something happened, you want to have a backup because we have to get satellites into space to protect our national security, and we have to do it over this period of time from now until the end of 2022. Therefore, how do you keep them going alive if you eliminate the ability of being able to buy the Russian engine?

That is what all of the very emotional and very well-meaning speeches on the floor have been about—in one case, United Launch Alliance, and in another case, SpaceX. For the good of the country, we have to have both until we can develop, test, and successfully fly the replacement engine for the Russian engine.

As we speak, these discussions, by the way, that have been going on over the past several weeks, and with intensity over the past few days, continue. It is certainly my hope that we are going to get resolution and can get an agreement on this and a way to go forward so that we can get this issue behind us and move on with a defense bill that is so important to the future of this country.

Mr. President, I wanted to lay out the predicate of what this is all about. When you start getting into the weeds about this number of launches and that number of launches, all of it boils down to what this Senator has just shared. So I hope we get resolution. And since I am basically an optimist, I think we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, just to continue—and I do with some reluctance—on this whole issue of rocket engines, as I mentioned earlier, there is an individual who is one of the head executives of ULA who was recorded, and in the recording he talks about ULA and the relationship and how they have an “in” with the Department of Defense, and I just want to quote from his recording. He was talking about the rocket engine. He said:

But unfortunately, it's built by the Soviet Union, and there's a couple of people, one person in particular, this guy right here, John McCain, who basically doesn't like us.

Remember, this is an employee of ULA.

He continues:

He's like this with Elon Musk, and so Elon Musk says, why don't you guys go, why don't

you go after United Launch Alliance and see if you can get that engine to be outlawed. So he was able to get legislation through that basically got our number of engines down that we could use for national security space competitions down to four; we needed nine. . . . And so, then, we got his friend, I told you about that big factory down in Alabama, in Decatur, and basically this is Richard Shelby, Senator Richard Shelby, from Alabama, both Republicans, and he basically at the last minute, at December of last year, they were doing an omnibus bill to keep the government running. And what he did is talk to John McCain and parachuted in, in the middle of the night, and added some language into the appropriations. . . . Shelby's in charge of appropriations. He says ignore McCain's language and basically allowed United Launch Alliance to pick any engine they want from any country abroad.

Then he goes on to say:

But we can't afford that any more because the price points are coming down as low as 60 million dollars per launch vehicle, and on the best day you'll see us bid at 125 million dollars, or twice that number, and if you were to take and add in that capabilities cost, it's closer to 200 million dollars. . . . SpaceX will take them to court if they don't, so they have demonstrated ability to say, if you do not allow us to compete on an apples-to-apples basis, that we will take you to court, and you will lose.

So if you saw just recently, they bid the second GPS-III launch, ULA opted to not bid that. Because the government was not happy with us not bidding that contract because they had felt that they'd bent over backwards to lean the field in our advantage.

I repeat, this is what an executive of ULA said. “Because the government was not happy with us not bidding that contract because they had felt that they'd bent over backwards to lean the field in our advantage.” That is from an executive of ULA. Is there any better evidence of what he said?

Continuing the quote from the recording:

But we even said we don't bid, because we saw it as a cost sheet up between us and SpaceX, so now we're going to have to take and figure out how to bid these things much lower cost. And the government can't just say ULA's got a great track record, they've got 105 launches in a row, and 100 percent mission success and we can give it to them on a silver platter even though their costs are two or three times as high.

Two or three times as high. Mr. President, this is what makes the American people cynical about the way we do business.

Before I suggest the absence of a quorum, let me just say that we are going to be moving the amendments on interpreters and Guantanamo, and so I alert my colleagues that we will be doing that shortly.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SULLIVAN. Mr. President, I rise to speak in support of what we have been doing on the Senate floor the past 2 weeks—moving forward on the National Defense Authorization Act. I wish to pay a compliment and my deepest respect to the chairman of the Armed Services Committee, to the ranking member, and to all the members of the Armed Services Committee who have been focused on this bill that we have been putting forward in this Congress and every Congress for the last half century.

Our forces are under strain at a time when Henry Kissinger said before the Armed Services Committee that “the United States has not faced a more diverse and complex array of crises since the end of the Second World War.”

Here is what some of our top military officials have told our committee about the threats that are rising globally and the dramatic reduction in our military forces. Chief of Staff of the Army, GEN Mark Milley, recently stated that due to cuts and threats, our Army is at a state of “high military risk” when it comes to being ready enough to defend our interests. That is a very serious statement by the Chief of Staff of the Army, “high military risk” for our military and the ability of the U.S. Army to do its mission. He also said that when it comes to Russia and its new aggressiveness, we are “outranged and outgunned.”

Let me spend a little bit of time on the new challenge from Russia. There are many provisions in this bill—which is why it is so important—that will strengthen our military threat with regard to Russia—something that, as a Senator from Alaska, I am very concerned about.

Nobody spoke more eloquently and compellingly about our country’s credibility than President Reagan when he stated that his philosophy of dealing with our potential adversaries was that “we maintain the peace through our strength; weakness only invites aggression.” And he matched his rhetoric with credible action. That is what we need to do with regard to the NDAA, and that is why it is so important that we move forward and pass this bill.

But the Russian threat is not just in Europe, it also in the Arctic, and those threats—we are hearing more and more in committee testimony on and what the Russians are doing. For example, there are 4 new Arctic brigades; a new Arctic command; 14 operational airfields in the Russian Arctic by the end of this year; up to 50 airfields by 2020; a 30-percent increase in Russian special forces in the Arctic; 40 Russian Government and privately owned icebreakers, with 11 additional icebreakers in development right now, including 3 new nuclear-powered icebreakers; huge land claims in the Arctic; increased long-range air patrols with Bear bombers—

the most since the Cold War—and pilots in Alaska are intercepting these Russian bombers on a weekly basis; and a recent deployment of two sophisticated S-400 air defense systems again to the Arctic. Why are they doing this? Because it is a strategic place, new transportation routes, enormous resources.

Our own Secretary of Defense stated in testimony that he realized we were late to the Arctic given how strategic and important it is. Right now we have no Arctic port infrastructure; two icebreakers—that is it; no plans to increase Arctic-capable special forces; and a lack of surveillance capabilities in this strategic region of the world.

Why do I mention this? Because in this NDAA we start to address the problem. Just as we did in last year’s NDAA, we start to lay the foundation for having a strategic vision of what is going on in the Arctic, the way the Russians are, and we are beginning to be prepared in an area of the world that is absolutely critical to U.S. security. Provisions include the first steps to build up an appropriate strategic Arctic port. We will also build up our Arctic domain awareness, and we will have a much better sense of what is going on in this region not only with regard to the Russians but what the Chinese are doing in this critical area of the world.

Make no mistake—America is an Arctic nation. We are an Arctic nation because of my State, the State of Alaska. This NDAA begins the important process to start addressing the strategic concerns we are seeing in the Arctic and securing our Nation in a way that is important for all of us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, after discussions with the Senator from New Hampshire, the Senator from Missouri, the Senator from South Carolina, and the Senator from Kansas, I ask unanimous consent to have a colloquy with these Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. We are going to propose a unanimous consent request that the Senate take up and pass both the issue of the interpreters to our Afghan allies and the issue of Guantanamo Bay. I know there is objection, so we will await those individuals since it would require their presence on the floor.

I will say a few words about the SIV Program. The fact is, the Senator from Colorado, maybe the Senator from Alabama, maybe the Senator from someplace else, has an axe to grind here: They didn’t get a vote on their amendment. They didn’t get their vote, so, by God, nobody is going to get a vote.

Do you know what they neglect here? We are talking about our men and women in the military who literally

saved their lives. And they are using their parochial reasons, because they didn’t get their vote, to object. My friends, that is not what the job of a United States Senator should be.

GEN David Petraeus:

Throughout my time in uniform, I saw how important our in-country allies are in the performance of our missions. Many of our Afghan allies have not only been mission-essential—serving as the eyes and ears of our own troops and often saving American lives—they have risked their own lives and their families’ lives in the line of duty. Protecting these allies is as much a matter of American national morality as it is American national security.

So the Senators who have come and objected disagree with an effort we are making on the issue of American national morality, in the eyes of GEN David Petraeus.

General Nicholson is over there now. He says basically the same thing:

They followed and supported our troops in combat at great personal risk, ensuring the safety and effectiveness of Coalition members on the ground. Many have been injured or killed in the line of duty, a testament to their commitment, resolve, and dedication to support our interests. Continuing our promise of the American dream is more than in our national interests, it is a testament to our decency and long-standing tradition of honoring our allies.

That is from General Nicholson, who is over there now.

There is no more admired diplomat in America than Ryan Crocker. He states:

This is a very personal issue for me. I was U.S. Ambassador to Iraq from 2002 to 2009 and to Afghanistan from 2011 to 2012. I observed firsthand the courage of the citizens who risked their lives trying to help their own countries by helping the United States. It takes a special kind of heroism for them to serve alongside of us.

GEN Stanley McChrystal:

I ask for your help in upholding this obligation by appropriating additional Afghan SIVs to bring our allies to safety in America. They have risked their own and their families’ lives in the line of duty.

I will stop with this. General Campbell says the same thing:

They frequently live in fear that they are or their families will be targeted for kidnappings and death. Many have suffered this fate already. The SIV program offers hope that their sacrifices on our behalf will not be forgotten.

I would hope that a Senator who comes to object to this act of humanitarian—a moral obligation, as stated by these respected military leaders, that they wouldn’t object because they didn’t get a vote on their amendment. That would be a reason to stop this act that is a moral obligation of this country? Well, if they come over and object, then they have their priorities badly screwed up. If these people are killed, they will have nobody to answer to but their families.

I hope we will pass this by unanimous consent and not have—for a parochial, their own selfish reason—some Senator come and object.

I yield to the Senator from New Hampshire, Mrs. SHAHEEN.

Mrs. SHAHEEN. I say thank you to Senator MCCAIN. Thank you for your leadership and thanks to Senator JACK REED for his leadership on this issue. As the Senator points out, there are real lives at stake. If we are not able to continue the Special Immigrant Visa Program for those Afghans who have helped us during the conflict in Afghanistan, then—we know the Taliban has already murdered a number of them, their family members. As the Senator points out, to have someone object to going forward with this amendment—not related to the program at all but because people have other personal issues they want to address—it would be unfortunate and not in this country's interest.

What we are actually hoping we can vote on today is a carefully crafted amendment. It addresses the legitimate concerns that people have raised about this program. We spent hours over the last few days and last night trying to come to some agreement to address those issues, and I think the legislation before us does that.

The concern, as I understand, isn't about this program and about what is in this program; it is about individuals who have their own issues unrelated to this program that they want to see addressed. I understand that. We all have our issues, but that is not what we ought to be voting on at this point.

The Senator pointed out that Ryan Crocker, who served both in Afghanistan and Iraq, has talked about the importance of this program, as have so many of our generals and those who have served. I want to quote from an op-ed piece he wrote last month about the importance of Congress addressing this program. He said:

In an era of partisan rancor, this has been an area where Republicans and Democrats have acted together. Congress has continued to support policies aimed at protecting our wartime allies by renewing the Afghanistan SIV program annually—demonstrating a shared understanding that taking care of those who took care of us is not just an act of basic decency; it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

As we all know, this country owes a great debt to the Afghans who provided essential assistance to the U.S. mission in Afghanistan. Thousands of brave men and women put themselves and their families at risk to help our soldiers and diplomats accomplish their mission and return home safely. We must not turn our back on these individuals. We must not imperil our ability to secure this kind of assistance in the future, and a "no" vote today would do exactly that.

I urge this body to move forward to allow a vote on a compromise that has been supported by everybody who was raising concerns about this program.

I would like to yield to my colleague from South Carolina.

Mr. MCCAIN. Senator MORAN first.

Mrs. SHAHEEN. Sorry. Senator MORAN.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, thank you very much, and I appreciate the opportunity to be here on the Senate floor today with my colleagues.

I, too, have an amendment to strike section 1023 of this bill, the national defense authorization bill, S. 2943. This is amendment No. 4068. We will seek unanimous consent for this amendment to be considered, but what it does is strike section 1023, which provides for the design and planning related to construction of a facility in the United States to house detainees. This is part of the constant effort by some to close Guantanamo Bay and bring the detainees to the United States.

In my view, it is essential for the United States to maintain the ability to hold terrorists, both those who were captured in 2002, as well as those whom we may find on the battlefields of terrorism with ISIS today. Since 2008, the effort has been to close Guantanamo Bay with the objective of bringing those detainees to the United States. This Congress, this Senate has spoken time and time again both in the predecessors' legislation to this bill we are considering today, NDAA of past years, as well as the appropriations process in which we prohibit those detainees from being brought to the United States and housed in a facility in the United States.

In fact, the Attorney General and the Secretary of Defense have, on numerous occasions, confirmed that the President has no legal authority to close Gitmo or to transfer detainees to the United States. For some reason, the national defense authorization bill, as it came out of the committee, provides for the planning and designing related to construction of a facility here.

This amendment strikes that language, and it reaffirms what we have said before. In fact, in last year's national defense authorization bill, we said there had to be a plan provided by the administration that outlines, in significant criteria and detail, what would be involved in bringing those detainees to the United States. I am opposed to that in the first place. I am opposed to that in the second place. I would add that plan that we keep looking for, it has yet to be, in any specificity, granted to us to see in Congress.

Mr. President, I would ask my colleagues to allow, at the appropriate time, that this bill be made in order for consideration for a vote by the Senate as an amendment to this bill.

Mr. MCCAIN. There are a number of Members on both sides of the aisle who have had the honor of serving in Iraq and Afghanistan, and particularly

some of the newer members have added enormously to the Armed Services Committee. There is also one member of the committee who I believe, in his many years of Active Duty, has served in Afghanistan as many as 33 times. He has had an up close and personal relationship with these brave interpreters who literally put their lives on the line in assisting people like Colonel Graham and all others as they were able to accomplish their mission, which they would not have been able to do if it had not been for the outstanding service and sacrifice of these interpreters.

Senator GRAHAM.

Mr. GRAHAM. Thank you. I compliment Senator SHAHEEN and all those involved in trying to get to yes. The people who had concerns about your amendment, I understand their concerns. You are able to find a way to accommodate those concerns. This is sort of how the legislative process works. You get to yes when you can. But why this is important to America and particularly to me—Senator SULLIVAN served some time in Afghanistan as a marine working in the Embassy dealing with detainee operations.

I did about 140 days on the ground in Iraq and Afghanistan, mostly in Afghanistan, as a Reservist. I did my Reserve duty, 1 week, 2 weeks at a time, with Task Force 435 that was in charge of detainee operations at Bagram prison. That unit's job was to advise the commanders about who to put in Bagram, what requirements there were to hold somebody in Bagram prison under U.S. custody, and also to build up the rule of law, where the rule-of-law field forces would go out to different parts of Afghanistan and work with the police and the judiciary to try to build capacity.

During my experience in Afghanistan, I learned something that is, quite frankly, overwhelming to this day, how brave some people in Afghanistan are to change their country. There was one interpreter—and I am certainly not going to use his name—who was there the entire time I did my Reserve duty. I retired last year. This man was invaluable. It is not just interpreting the language and repeating what we said. It is the context that he made over time to make sure the coalition forces could accomplish their mission. Of all the people we owe a debt to as Americans, it is these interpreters and those who have assisted our forces. They have come out of the shadows. They have taken a skill set we did not have, which is local knowledge, and they have applied that skill set to helping our efforts to protect America but, equally important, to protect their homeland, Afghanistan.

All the letters from those who were in command can say it better than I can. I had a small glimpse as a military lawyer over about a 5-year period coming in and coming out, and all I can

tell you is what I saw was amazing, and it moved me beyond measure. I got to meet their family. The interpreters had families. I got to know them. They have children. They have wives. All the ones I know were male, but I know there were females who were helping too. I can tell you, if there is any way for this body to pass Senator SHAHEEN's amendment, you would be doing our country and those who helped us under the most dire situation a great service.

As to how the body works, I wish I could get everything I wanted. I have not been able to do that in life or in the Senate. I wanted to have a vote on the Ex-Im Bank because the Ex-Im Bank is not operating because we don't have a quorum. I asked for an amendment on this bill to change that to get us back in the game in terms of the Ex-Im Bank because it shut down. It was objected to because it is not germane. I understand that. I am disappointed, but I am not going to stop the whole bill because I didn't get what I want.

There are other people who are offering amendments that are very important to them. Ex-Im Bank is very important to people of South Carolina, but there is a process. The Ex-Im Bank is about jobs that are important to Americans. This is about lives. This is about the here and now. This is not about what might happen one day. Maybe if something happened, maybe we will do this or maybe we will do that. This is about people who have already stepped out. This is the here and now. There is nothing hypothetical about this debate. There are thousands of people in Afghanistan who have risked their lives to help us, and we are trying to get some of them out of Afghanistan to the safety of the United States, honoring their service to make sure other people in the future would also want to do the same.

The one thing I tell my colleagues, the war is not over. Since 2012, 2011, the last time we had some of these debates, has it gotten better? The world is on fire right now. The threats to our country are at an all-time high, in my opinion. In 2012, ISIL didn't even exist. Today they are trying to penetrate the homeland. The Homeland Security Secretary said what keeps him up at night is homegrown terrorism.

The enemy is actively involved in trying to get people on their side who live among us. All I can say is, the things that have changed over the last few years are all for the worse, not the better, and this amendment is literally life and death. I honest to God beg and plead with the Members of this body, if you can't get everything you want, please don't stop this. I did not get everything I want. This really matters.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. GRAHAM. Yes.

Mr. MCCAIN. Suppose this unanimous consent request is objected to by

a Member. Would my colleague say the blood of these interpreters who will be killed and their families murdered is on their hands? Would my friend say that just because they didn't get their amendment—by the way, I offered Senator LEE the chance to bring up his amendment on the issue of women in the Selective Service, and he turned that down. He said he wanted to take up his other amendment first.

Let the record be clear that I immediately approached him and asked: When do you want to take up the amendment on Selective Service? He said: That is not my priority. My priority is this one here, which apparently he will object to.

If we don't do this and those people are killed by the Taliban because they have to stay in Afghanistan—the Senator from South Carolina would agree they are the No. 1 target—wouldn't you say that those who objected to their having freedom in the United States of America have blood on their hands?

Mr. GRAHAM. Mr. President, the first thing I would say is I blame the Taliban. They are the ones who are doing the killing. What I would say to Senators is, where you can help people who make our country safer, you should. All of us should try to find a way to get to yes at least sometimes if you can't do it all the time.

I can tell the Members of this body that I have been to Iraq and Afghanistan 37 times—probably 20 times in Afghanistan. I spent close to 100 days on the ground in Afghanistan. I have seen in person what they do. They get outside the wire, make the mission possible, risk their lives, and Senator SHAHEEN has been able to navigate a very thorny issue and get a solution that is not 100 percent of what she wanted. She had to give up thousands of visas just to find a way to move forward.

All I can say is that this really is a big deal. People's lives are at stake. This is not a hypothetical issue. All I can say is that I hope we can find it among ourselves to get to yes on this and what Senator MORAN is trying to do. If we can't, we can't, but let me tell you this: Senator LEE objected to my Ex-Im Bank amendment in committee. He had every right to do so. It wasn't germane. It is very important to me. We are losing thousands of jobs. South Carolina is losing hundreds of jobs because the Bank shut down. I will still fight to get the Ex-Im Bank operating, but what I will not do to help the people of South Carolina is to put the lives of those in Afghanistan at risk. I don't think I am helping the people in South Carolina by making it harder for us to fight and win a war we can't afford to lose. I can't live with myself knowing what is coming their way.

This is not a matter of "what if" to me. I have been there, I have seen it, and people are literally going to die. My amendment is important to me,

and it is important to the economy of South Carolina and the Nation. I did not get my way, but I am not going to stand in the way of people being able to avoid being killed.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, will my colleague from South Carolina yield for a question?

Mr. GRAHAM. Mr. President, I would be glad to.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the Senator from South Carolina talked about the fight against ISIL and how that is spreading across the Middle East. What kind of message does it send to the Taliban, ISIL, and other terrorist groups, should they hear that we are defeating this program that was designed to help those people who helped us?

Mr. GRAHAM. Mr. President, that is a great question. They are called night letters. Let me tell you how this works. I was in Kandahar with the rule of law field forces, and we were trying to build up the capacity of their judges in Kandahar. The judges were being killed in large measure, so it was pretty hard to find anybody who wanted to be a judge.

We hardened the site, and we put some American troops, along with Afghan soldiers, to try to get a judiciary up and running in a really hot spot. We had a couple of police stations that were being overrun, and we tried to get people to go back to the police stations.

The night letter was delivered to some of the leaders who were buying into what we were doing. I don't speak Pashto, but these night letters were from the Taliban saying: We are watching. The Americans will leave you. They will leave you, and we will remember you.

I know what the night letter looks like because I saw one, but here is the difference—I never got one. Imagine what it would be like if you woke up tomorrow and the enemy of your country, which is trying to take your country down, is telling you and your family: We are watching you. We are coming after you. You are hiding behind the Great Satan, and the Great Satan will abandon you.

I can tell you what it would do. It would make those letters real, and they will take this failure to help people who helped us and make it really hard in the future for us to defend our Nation.

The night letters are going to increase. We had to sit down with these people and say: No, we are not going to abandon you.

It is funny the Senator from New Hampshire mentioned that. I have a resolution that Senator REED has agreed to which urges the President, if

he chooses, to keep troops at 9,800 based on conditions. If he felt that was the right thing, we would all support him and let the next President find out if we need to go down in size. I am all for leaving. I just want to make sure the conditions are right to leave, and I don't think it is right to go from 9,800 to 5,500.

All I can say to Senator SHAHEEN is that these night letters will be larger in number, and the people who get the letters are watching what we are doing.

Mr. McCAIN. Mr. President, I ask unanimous consent that the following amendments be in order to be offered: Shaheen No. 4604 and Moran No. 4068; I further ask there be 5 minutes equally divided between the managers or their designees and that the Senate then proceed to vote in relation to the amendments in the order listed with no second-degree amendments to these amendments in order prior to the votes.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I sat here and I heard some fairly hyperbolic arguments—arguments suggesting somehow that anyone who has other amendments they would like to have considered are somehow unpatriotic or unsympathetic if they don't allow these amendments to go through.

The fact is, I have no problem with either of these amendments. I will gladly not only allow a vote on them, but I will also vote for the amendment from Senator SHAHEEN and the amendment from Senator MORAN. I support both of them, but I would like a vote on my amendment as well. This is an issue I have worked on for 5 years. This issue arose 5 years ago when a provision was slipped into the NDAA that we passed that year that I think raises significant concerns.

I have worked with my colleague, the senior Senator from California, and Senators on both sides of the aisle, and put together a proposal to deal with that language. We put that in and had a vote on it in 2012, and 67 Members of this body voted for it, including some of the people who have spoken in the last few minutes. This is an issue that became a part of our law because of the NDAA 5 years ago. It is appropriate to bring this up now.

Moments ago, the Senator from South Carolina made reference to an objection I made to an amendment of his within the Senate Armed Services Committee on which he and I serve. It is true that I made an objection because in the committee we have some jurisdictional rules. There are reasons why certain amendments aren't jurisdictionally proper within the committee. There was a reason I didn't bring up the amendment that I wanted to vote on within the committee be-

cause of a jurisdictional issue. I was told last year and this year that if this is an amendment you want to bring up, the appropriate time to do so is on the floor and not in committee. The reason I did that is that there are jurisdictional issues present within the committee.

Again, I don't have a problem with the Shaheen or Moran amendments. I will support both of them. All I am asking for is to give me a vote on my amendment as well.

Therefore, I ask that the unanimous consent be modified to include my amendment—amendment No. 4448.

The PRESIDING OFFICER. Does the Senator from Arizona so modify his request?

Mr. GRAHAM. Mr. President, I reserve the right to object.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, No. 1, I will object, and let me tell you why. The last time we had a hearing about the issue of whether or not an American citizen can be held as an enemy combatant if they collaborate with Al Qaeda was 2012. Since 2012, things have changed all for the worse.

To my friend from Utah, your amendment should be in the Judiciary Committee. That is where primary jurisdiction exists. I am chairman of the Crime, Terrorism Subcommittee. I promise that we will have a hearing about your idea that never made it in the NDAA, and we will see what has changed from 2012 till now. I think that is much better than having a debate on the floor of the Senate about something this important that will last 30 minutes or an hour.

I would argue to the American people that the rise of ISIL has changed the game. If you read their literature, they are talking about how it is easier to penetrate America than it is to get somebody to come here. When you listen to the FBI and Homeland Security director, their No. 1 fear is homegrown terrorism.

Here is my view: We will debate the substance of this later. I think the best thing we can do is pass these two amendments. The Ex-Im Bank was brought up by Senator SCHUMER, and Senator SHELBY objected. He has every right to do so. Senator LEE came on the floor and talked about what a bad idea the Bank is, and he has every right to do so.

In order to allow these two people to go forward, the Senator has to get a vote on his amendment. That is what this is all about. I didn't get my amendment. I wish that we could have had a vote on the Ex-Im Bank reauthorization. It really does matter to me. I didn't get that.

Mr. LEE. Mr. President, will the Senator yield?

Mr. GRAHAM. Mr. President, if I could finish my thought, what I would

suggest to Senator LEE is that the prudent thing for us to do is to have another hearing because the last one we had was in 2012. Listen to the FBI Director and Homeland Security Secretary and see why they feel so strongly about homegrown terrorism and see if we can find a way to move forward. But what the Senator from Utah and others have said—there is not one American being held as an enemy combatant today. There are thousands of people who have helped us in Afghanistan who will be killed if we don't do something about it.

The Senator from Utah and I will never agree on this issue, and I respect my friend greatly. I believe we are fighting a war, not a crime. I will never agree that because you are an American citizen, you can collaborate with the enemy and work actively with Al Qaeda and ISIL to attack your homeland and not be held under the law of war, which we have been doing for decades in other wars.

I do believe in due process. As the law is written today, if our military or intelligence community picks up someone they believe is collaborating with ISIL or Al Qaeda, someone covered as an enemy combatant, they can be held, but they can be held only if a Federal judge allows the continued holding. You do get a hearing under the habeas corpus statute. The government has to prove you are, in fact, an enemy combatant.

The last time we had this debate, it was suggested this was a slippery slope. What prevents you from being held as an enemy combatant if you went to a tea party rally? That was pretty offensive to me then, and it is really offensive to me now. The idea that somehow American soil is not part of the battlefield blows me away.

Mr. McCAIN. Mr. President, will the Senator yield for a question?

Mr. GRAHAM. Mr. President, I will in a moment.

Let me make this real to you. We will have a big debate. I would love to have a hearing.

This guy pictured here is Anwar al-Awlaki. He is dead, thank God. He was an American citizen and head of Al Qaeda in Yemen. President Obama put him on the kill list, and we killed him. That is good. Well done, Mr. President.

If you are an American citizen and you go to Yemen and join Al Qaeda, I hope you get killed too. If we capture you, you will have your day in court to argue that you are not part of Al Qaeda, that we have it all wrong, and the government has to prove that you in fact are. But if the government can make that argument, the last thing I want somebody like this to hear is "Hey, you have a right to remain silent." I don't want these people to remain silent; I want to hold them as enemy combatants and gather intelligence. I don't want to torture them. I

don't want to beat them up. But I don't want to put them in Federal court and act like it is not part of the war. I don't want to criminalize the war; I want to make sure you have due process consistent with being at war.

What Senator LEE and others are suggesting is that if this guy made it to America, came back to his homeland, and we shot him on the steps of the Capitol and he survived, we would have to read him his Miranda rights and we couldn't hold him to find out under military interrogation what he knows about this attack and future attacks. So what you do when you go down this road is you stop the ability to gather intelligence at a time we need more information, not less.

I am not going to belabor this point any more. As you can tell, I strongly disapprove of having this debate now without another hearing, going down this road, because so much has changed. And I hope you respect where I am coming from. I respect your passion. I hope you respect my passion on this.

Here is the point: I didn't get all I want, and I am not going to stop the process for others who have done a good thing. Here is what you are going to do because you are worried about something that is not real at this moment because nobody is in custody. You are objecting to finding a solution for something that is real for the moment.

Senator MORAN, what you are worried about is real.

So all I am asking is that before we can get to yes, let's get to yes, and if you can't get everything you want because somebody is passionate on the other side, don't stop everybody else from getting what they want. That, to me, just makes a stronger country, a better Senate.

As you know, I respect you, but I am never going to agree with you, ever, because I have been a military lawyer for 33 years. What you are saying makes no sense to me. I am sure you are sincere about it. I think it weakens the ability to defend this Nation at a time when we need all the defenses we can get.

I am not suggesting that you would be rounded up by your government, thrown in jail, accused of being an Al Qaeda or ISIL member, and nobody ever hears from you again and you never get a chance to speak. That is not the law, and it has never been the law.

I plead with the Senator, please, please, let's take this issue to the Judiciary Committee where it belongs. Let's have a hearing, mark up the bill in Judiciary, and then do whatever you want to do. Don't stop these two amendments. That is all I am asking.

Mr. McCAIN. Mr. President, let me also mention a couple of facts. As of 10 o'clock this morning, there were 537

amendments that had been filed—537 amendments—which is always the case with the Defense authorization bill. I am sure that every Member who filed those amendments wanted a vote and a debate on every single one of them, as is their right, but the fact is that we can't do that for a whole variety of reasons, including objections, et cetera. So if every Senator blocked every vote because his or her amendment is not being considered, obviously we would never do anything, which is why we have done so little here on this bill.

Now we are talking about the lives of men who have put it on the line for the men and women who are serving. Don't we have some sense of perspective and priority here? People are going to die. I tell the Senator from Utah. They are going to die if we don't pass this amendment and take them out of harm's way. Don't you understand the gravity of that? Can't you understand that your issue on extended detaining is an important one, but don't you understand these people's lives are in danger as we speak? They have been marked for death. They have been marked for death. Why do you think General Petraeus and General Nicholson and Ryan Crocker and all our most respected military leaders say with great urgency—they say with urgency that we have to do this because they are going to die. They are going to be killed. Doesn't that somehow appeal to your sense of compassion for these people?

Mr. LEE. If the Senator will yield, I will answer—

Mr. McCAIN. Let me finish.

Don't you understand what is at stake here? Do you respect General Petraeus, General Nicholson, and General McChrystal? Every one of them has written to us and said that these people's lives are in danger and that this is a moral issue.

So you are going to object because your amendment is being blocked, as so many amendments are blocked. Many, many amendments are blocked. If that is good or bad, I don't know, but people object.

Now we are talking about a compelling humanitarian issue that is far more important than humanitarian because we abandon these people, and you can't expect people in future conflicts or in these conflicts we are in to cooperate and help the United States of America if we are going to abandon them to a cruel and terrible death.

This is a serious issue. This is not something that we like to maneuver around what the steering committee wants and how we are going to do all these kinds of things we get mired down in, and we will have the Heritage Foundation write a letter or something like that. This is a matter of life and death, and that issue and challenge is immediate.

So I appeal to the Senator from Utah's humanity, for his compassion,

for his ability to save lives here, and let this go through, as the most respected military and diplomatic leaders in the world have urged us to do. I appeal to the life-or-death situation that will entail a lot of deaths if you block this legislation.

Mr. GRAHAM. I object to the modification.

The PRESIDING OFFICER. Objection to the modification is heard.

Is there objection to the original request?

Mr. LEE. I object to the original request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I have been asked by a couple of my colleagues why it is that I couldn't just have the good sense to let their amendments go through. I say let's do it. Let's have it right now. I support the amendment. Let's vote on it right now. Let's vote on Senator MORAN's amendment right now, and let's vote on mine right now.

Now the comparison has been made by the Senator from South Carolina that because he didn't get his vote because someone objected this morning to his amendment dealing with the Export-Import Bank, that I should also have my amendment blocked.

It is important to realize that the Export-Import Bank was not created by a previous iteration of the National Defense Authorization Act. The provision I am objecting to here and the provision I am trying to address here was, in fact, created by a previous iteration of the National Defense Authorization Act. It was passed in 2011 with, I believe, far too little consideration, without the American people being aware of what they were doing, and it remains on the books to this day.

The next argument made by my friend from South Carolina is an interesting one, which is that this needs more of an airing, needs more of a hearing. He has promised me now a hearing on the Judiciary Committee which he chairs. As much as I appreciate that gesture, that is not enough.

Let me replay a couple of things. First of all, I have been working on this for 5 years. I got a vote on it 4 years ago, and 67 Senators voted for it. It was removed in a conference committee. Someone said there was confusion as to why it was removed in a conference committee; regardless, it was removed. I have been trying ever since then, in subsequent iterations of the Defense authorization act, to get another vote on it.

I served on the Armed Services Committee, and I was told by the chairman, my distinguished colleague, the senior Senator from Arizona last year—I told him I wanted to bring it up in committee. He said: You can't bring it up in committee because there is a jurisdictional issue with the Judiciary Committee. That is better dealt with on the floor.

I said: OK. I will deal with it on the floor.

We got to the floor. I was blocked from operating on the floor. It didn't happen.

So this year I was told: You can't bring it up in committee. There is a jurisdiction issue. You are best served waiting for the floor for that.

I said: OK. I will wait for the floor.

I brought it up again this year. Now I have been told by the chairman of the Armed Services Committee, the senior Senator from Arizona, that we will deal with it next year. I have been told by the Senator from South Carolina that he will deal with it at some unknown point in the future in a hearing—not markup, just a hearing—in a subcommittee of the Judiciary Committee which he chairs.

So we are talking about an issue now that was brought up 5 years ago, and I am being told again and again to wait, to wait, to wait more. This is an issue that got the vote of 67 Members of our body 4 years ago. This is an issue that was brought about by a previous iteration of the National Defense Authorization Act. This is the appropriate vehicle in which to address this.

This is not a frivolity. This is not just some nicety. This is not some parochial interest. This is a basic human rights interest. This is an interest that relates to some of the most fundamental protections in the U.S. Constitution.

When you say that you want to lock up American citizens detained on U.S. soil without charge, without trial, without access to a jury, indefinitely, for an unlimited period of time, you are implicating at a minimum the Fourth, the Fifth and the Sixth and Eighth Amendments to the Constitution. These are very significant.

My friend from South Carolina says we just need to take a deep breath and deal with this another day. Why does the status quo—the status quo which is insulting to the history, the traditions, the text, the context of the U.S. Constitution—why should that be the status quo? Why should we wait to deal with this? Why should the status quo be one that is insulting to the American people, one that is insulting to the descendants of those Japanese Americans who were interned in World War II indefinitely without charge, without access to trial, without access to the jury system, without access to their fundamental rights under the Fourth, Fifth, Sixth, and Eighth Amendments under the Constitution, among others? Why should that status quo prevail?

Why, moreover, should someone who is concerned about these issues—these fundamental human rights issues, these fundamental constitutional rights issues—why should someone who is concerned about those be maligned and accused of not caring about individuals who would be harmed by the

non-passage of another amendment? Why should that person be blamed when that person—I—is willing to allow a vote on the Shaheen amendment, on the Moran amendment, as long as they give me a vote on my amendment—an amendment that was allowed a vote 4 years ago, an amendment that received 67 votes—a veto-proof supermajority—only 4 years ago?

So, having been told again and again, wait until next year, wait until next year, wait until the next committee process, wait until the next floor process, after a while, one begins to discern a pattern. That is a pattern that I am discerning.

There is another pattern that I discern, which is a pattern in which when you allow government to exercise a certain power, even if it might not being exercised at the moment, eventually it will. That is why we put precautionary language within our laws. That is why we have rights in our laws. What are rights, after all, but statements of law that restrict action by the government?

As Madison noted in Federalist 51, the government is a reflection of human nature. To understand government, you have to understand human nature. If men were angels, we would have no need of a government. And if government could be administered by angels, we would have no need for these external constraints on government, on its ability to exercise power. But we have learned through sad experience that when human beings get power and when they get excessive power, sometimes they abuse that power, so we have to constrain it. And it is important that we decide that we are going to constrain it before the moment arrives, lest we see another Korematsu moment, lest we see the internment of more American citizens without charge, without trial, on an indefinite basis, on the basis of mere accusations—accusations unproven, accusations untested by a jury.

The whole reason for having a Constitution rests on this understanding. This fundamental understanding is that when government power grows, when it expands, it does so at the expense of individual freedom, and it sometimes does so at great risk to the human soul, at great risk to the ability of an individual to remain free.

I am all in favor of the Shaheen amendment. I am all in favor of the Moran amendment. Let's have a vote on those two amendments and on the amendment that I have proposed, an amendment that is limited and an amendment, I should note here, that would not foreclose the ability of this body down the road to identify the changed circumstances of the sort that some of my colleagues have referred to. It simply says that if the government is going to do this, there has to be a plain statement, a clear statement;

that it has to do so expressly; that Congress must expressly authorize this kind of action either in a declaration of war or an authorization for the use of military force. I don't think that is too much to ask, especially given the types of constitutional protections we are dealing with.

If, in fact, we are going to call the American homeland—if, in fact, we are going to call the territorial jurisdiction of the United States of America part of the battlefield, ought we not to have a declaration of war, an authorization for use of military force that identifies it as such? I mean, after all, the precedents that we are talking about, the precedents upon which this theory is based are premised on this idea that you have enemy combatants who become part of an enemy's fighting force, as was the case of *Ex parte Quirin*, where you had American citizens going over to Germany, putting on a German uniform, and fighting for the Germans. That was part of that war. They were enemy combatants on the battlefield.

There was *Ex parte Milligan*, where you had Confederate rebel soldiers who were enemy combatants on the battlefield fighting against the United States. So if we are willing to do that, we need a declaration of war. We need an authorization for the use of military force that states so expressly. That is the sole purpose of my amendment. I don't think that is unreasonable. In fact, I think that is necessary.

So I would like to get this done. I would like to get this done. We can get this done today. Let's have votes on all three amendments.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I guess, finally, I woke up in the middle of the night last night thinking about this issue. It made me think of a long time ago when I saw a lot of brave Americans die, some of them in aerial combat. Several times I thought that perhaps I could have prevented their deaths by being a better airman or taking certain actions. It bothers me to this day.

I can't imagine how it must bother someone who is literally signing the death warrants of some people who in their innocence decided they would help the United States of America. I could not bear that burden. I believe that what we are doing here by blocking this amendment that allow would these wonderful people, as described by all of our leaders, to leave a place where death is almost certain—at least in the case of some of them—because of some exercise that would have no immediate effect, is that we are blocking this ability to save lives. I do not understand.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROUNDS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROUNDS. Mr. President, as the Senate continues to consider the National Defense Authorization Act, the NDAA, I rise today to discuss an amendment in support of my constituents who are military retirees, as well as military retirees in many other States.

My amendment would change a provision being proposed in this bill that requires military retirees and their families who don't have easy access to a military treatment facility, such as on a base, to unfairly pay higher copays for their prescription medications. TRICARE provides health care services for our servicemembers, our military retirees, and their families.

Using TRICARE, military retirees can get free prescription drugs at a military treatment facility. In other words, our military retirees who live close to a base have no copays for their prescription drugs. However, if they draw these prescriptions from a retail pharmacy or through the TRICARE-approved mail order system, they are required to make a copayment.

My amendment deals with a provision in today's bill that directs the Department of Defense, or DOD, to increase these copayments that military retirees obtain from a retail pharmacy or through mail order rather than from a military treatment facility. The provision will require those military retirees who live far away from a base, without easy access to a military treatment facility, to get their prescriptions and to pay more for their use of retail pharmacies and mail order.

Why would anybody seek to make it more expensive for our military retirees to receive a benefit they have been promised just because they live far away from a military treatment facility? The answer is simple. It is sequestration. We are making cuts to an existing budget. This provision was inserted as a cost-savings measure, one that tries to balance and measure out the costs based upon or demanded by sequestration.

But we are doing it on the backs of military retirees. It is being done to try to make some tough budget decisions. But this arbitrary cost-cutting measure is estimated to cost our military retiree families in rural areas—and I emphasize “in rural areas”—\$2 billion over the next 10 years. I don't think it is fair for us to make those who live in rural areas—rural years like South Dakota—to pay a higher copay because of where they live.

We have made promises to these men and whom who made incredible sac-

rifices to protect our country that they would be able to have adequate health insurance coverage, including access to prescription drugs and medicines. It is not fair to make them bear a \$2 billion cost for prescription drugs simply because of where they live. My amendment would stipulate that if a military retiree lives more than 40 miles from a military treatment facility, they would not be saddled with this additional copay.

Further, my amendment would require an assessment by the Department of Defense of the added costs that would be borne by these military retirees and their families as a result of increased TRICARE prescription drug copays. This will enable Congress to make reasonable future decisions with regard to increased TRICARE prescription drug copayments that may have a disproportionate impact on those living distant from military treatment facilities.

I appreciate the opportunity to discuss my amendment, which would rectify a serious effect on military retirees and their families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

FOREIGN POLICY

Mr. BARRASSO. Mr. President, like many people in this body, I was home last week in Wyoming honoring the sacrifice of America's veterans. Every day we see evidence of just how much America relies on our men and women in uniform to keep us safe, to keep us free, to fight for our freedoms, to fight for our safety. Every day we get fresh reminders that the world continues to be a very dangerous place.

So to me it is disturbing that the Democrats in Washington have done so much to slow down our efforts to provide for America's troops—troops we need for our national defense. The National Defense Authorization Act that we are debating here sets important policies and priorities that have a great effect on our national security.

A strong American military is absolutely essential—essential as we need to address the world's dangers that we face overseas before they become direct threats here at home.

So when I consider legislation like this, I try to keep one thing in mind: If we want to make America safe and secure, then we need to provide the greatest possible security for our country while maintaining the greatest possible freedom for the American people and also at the same time improving America's standing in the world.

So when I look back over the past 7 years, I have to ask the Obama administration—ask of the Obama administration and ask all Americans and anyone listening in today—how the Obama administration's foreign policies have met the goals of greatest possible security, greatest possible freedom, and improving our standing in the world.

I just think that in far too many cases, in too many parts of the world, the only honest conclusion is that the policies of the Obama administration have actually failed. Now, I am not the only one that thinks so. I found it very interesting when you take a look at what former President Jimmy Carter has to say when he was asked about this. He said this about President Obama: “I can't think of many nations in the world where we [the United States] have a better relationship now than we did when he [President Obama], took over.”

He went on to say that the United States' influence, prestige, and respect—think about this: influence, prestige and respect—in the world is probably lower now than it was 6 or 7 years ago. This is a former President of the United States, a Democratic President of the United States, Jimmy Carter.

So let's look at some examples. It has been more than 5 years since the start of the uprisings in Syria. In August of 2011, President Obama responded by calling on Bashar Assad to step aside. A few months later, Secretary of State Hillary Clinton said that it was only “a matter of time before the Assad regime would fail.” Well, that was more than 4 years ago. Assad is still there. “A matter of time,” she said.

The Obama administration did not back up its words, and any meaningful support for the moderate opposition in Syria was not there. They did nothing. The President did nothing to enforce the so-called redline that he drew on Assad's use of chemical weapons against his people. Assad used the chemical weapons, and the President of the United States did nothing.

The administration's weak response in Syria essentially gave a green light for Assad to continue and a green light for Russia to come in and pump up and protect Assad. So I find it interesting when you take a look at what the President of the United States has done. If you go to the Washington Post for Tuesday, June 7, this was the headline:

Empty words, empty stomachs.

Syrian children continue to face starvation as another Obama administration promise falls by the wayside.

That is what we see with Barack Obama, another Obama administration promise falling by the wayside. Thousands and thousands and hundreds of thousands killed. The President's redline became a green light. So the invitation came for Russia to come in. They have done that.

Well, what else has Russia done over the past 7 years? Remember how the Obama administration launched its so-called Russian reset? President Obama was so intent on resetting the U.S. relations with the Kremlin that he showed a complete lack of resolve. He

gave Russia one concession after another in the new START treaty. That was in 2010. He had only become President in 2009. In 2010, there was one concession after another.

President Obama showed Vladimir Putin that the American President, Barack Obama, could easily be pushed around. Under this treaty, America is cutting our nuclear arsenal while Russia is expanding theirs. It was allowed by the treaty. This is the President's "best he could do." Russia responded to the reset. We remember Hillary Clinton there pressing the reset button. Russia responded to the reset of relations by sending troops into Ukraine, by annexing Crimea. Russia moved.

President Obama shows weakness, and Russia moves. Yes, Vladimir Putin is a thug. When President Obama shows weakness, Putin does the things that thugs do. But that is the Obama administration for you. The administration's policy on Russia has not provided the greatest possible security for America—not at all.

But let's look at Iran. Last week President Obama gave a very political speech at the graduation ceremony at the U.S. Air Force Academy in Colorado Springs.

He criticized Republicans for questioning the treaties he negotiates. To me, it seems more like capitulates rather than negotiates. While President Obama negotiated a major treaty with Iran over their illicit nuclear weapons program, he said it was this or war. He thought the treaty was so great he didn't want the Senate to have a chance to review it. That was it, his way or no.

In his State of the Union Address in January, he said that because of the nuclear deal with Iran, "the world has avoided another war." These are President Obama's words.

This is complete fiction, complete fiction. The choice was never between his deal and another war. It was a choice between a bad deal and a better deal, and President Obama chose a bad deal.

As they say in the military, if you want it bad enough, you get it bad. And that is what we got, a lesson President Obama apparently never learned.

We have learned from an interview with one of the President's top advisers that this was something the administration knew all along. This adviser, Ben Rhodes, bragged about creating an echo chamber to help deceive—intentionally designed to deceive the American people about the agreement.

Let's go back. Before the nuclear deal, there was actually an international ban on Iran testing ballistic missile technology. A ban was in place. What is happening today? Well, Iran is right back to doing the tests.

I remember the administration promising the inspectors would get access to

Iran's nuclear facilities. They said anywhere, anytime, 24/7. That is what Ben Rhodes said. It turns out it is more like 24 days, not 24/7. That is the kind of notice that now is needed prior to access.

So how is it working for Iran? Well, the Iranian economy is benefiting from access to \$100 billion because the Obama administration gave them sanctions relief. What are they going to do with the money—build roads, build hospitals, help educate the young? Don't count on it because even the President's National Security Advisor admits some of this money is going to be used by Iran to keep supporting terrorist groups. We see it. We know it—Hamas, Hezbollah, and the Houthis in Yemen.

President Obama wanted to get a deal with Iran so badly that he got a very bad deal, a bad deal—not for him—for the American people, for our country. The President and his foreign policy team were willing to say anything to sell this deal to the American people. The administration's policy in Iran has not provided the greatest possible security for America.

I could go on and on talking about more places around the world. Members of this body are fully aware. The American people are fully aware of the failures of this administration. There are so many places where America does not have a better relationship now than we did when President Obama came into office—just like Jimmy Carter said: "I can't think of many nations in the world where we have a better relationship now than when [President Obama] took over."

So President Obama is going to spend the rest of his time in office trying to create an echo chamber. He will try to convince people around the world that his foreign policy has been a success, but *The Economist* magazine recently noted America, under President Obama, has been a foreign policy—in their words—"pushover."

As the Senate considers this vital national security legislation, the National Defense Authorization Act, I think it is important that we honestly evaluate what the President's record really is, and today the world is less safe, less secure, and less stable than it was 7 years ago. The President and all the people who have been a part of his foreign policy team over the years will say whatever it takes to try to hide and disguise the facts. It is time to block out the echo chamber. It is time to ignore the spin. We need to make sure we are providing the greatest possible security for America while maintaining the greatest possible freedom for the American people and improving America's standing in the world. That is our responsibility as a legislative body.

For decades upon decades, America has been the most powerful and re-

spected Nation on the face of the Earth. Under President Obama, American power has declined and respect around the world has evaporated.

President Obama was given the Nobel Peace Prize in 2009. It was completely undeserved, and it deserves to be removed from him if something like this could actually be done. Unfortunately, it is not possible to revoke a Nobel Peace Prize. In this case it should be. That prize remains undeserved.

American men and women in uniform deserve better than what they have gotten from their Commander in Chief. It is now up to Congress to make sure they receive the support, the equipment, and the technology they need to protect our country and our citizens.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, the Federal Government's No. 1 responsibility is to protect the American people. As the Obama administration approaches its final months, the American people still do not feel, with any degree of confidence, that Washington is taking the proper steps to carry out that responsibility. The Islamic State terror group has repeatedly encouraged sympathizers in the West to launch domestic attacks. In the group's self-declared caliphate in Syria and Iraq, it continues to carry out atrocities on a daily basis.

ISIS has no intention of letting up, and the President's strategy of scattered attacks is doing little to slow the terror groups' strength. A group President Obama once dubbed the JV team has become a clear and serious threat during his watch.

That is just one of the many failures during this administration's foreign policy which is rooted in wishful thinking rather than grounded in reality. The idea that we can wish away the Nation's threats that our Nation faces by passively withdrawing from the international stage is a dangerous approach. It is this mentality that the President and his aides used to justify not calling jihadi attacks what they are, radical Islamic terrorism. The President has convinced himself that radical Islamic terrorism will not be a threat if we just call it something else. Clearly, this is not true.

It is the same mindset that thinks closing Gitmo and moving dangerous terrorists to U.S. soil is the right thing to do, and it is how we ended up with a deal that does nothing to prevent Iran from going nuclear but instead emboldens it to belligerently threaten the United States, our allies like Israel, and its neighboring Arab States.

The regime in Tehran acts as if it is virtually untouchable as a result of the Obama administration's agreement. Iran has no intentions of being a responsible, peaceful player in the international community. Even before the deal's implementation, Iran shamelessly violated U.N. Security Council

mandates. Now, free from sanctions, the Iranians are flush with resources to build an arsenal to fund terror across the region. None of this seems to matter to the White House, which was bent on making this deal the cornerstone of its foreign policy.

The administration was so determined to sell this deal that it engaged in a propaganda campaign, enlisting outside groups to create an “echo chamber” and feeding material to a press corps that White House staffers said “knew nothing” about diplomacy. The administration even took extreme steps to keep the uncomfortable truths from the American people by removing a damaging exchange about whether officials lied about secret talks with Iran in 2012.

All of this just adds to the perception that the Obama administration was willing to go to any length to get this deal done, no matter how bad it is for our national security.

Senate Republicans have tried to correct this, of course. We wanted to stop this ill-advised Iran deal, but the minority leader forced his caucus to protect the President's legacy.

We have taken efforts to force the President to present a coherent plan to defeat ISIS abroad and to protect Americans here at home. That plan is still nonexistent.

We have inserted language into law after law to prevent the closure of Gitmo. In fact, the President is once again threatening to veto the bill we are currently considering, in part, due to the language that prevents closure of the facility.

We shouldn't be moving dangerous terrorists out of Gitmo. If anything, we should be moving more terrorists into Gitmo. The state-of-the-art facility is more than serving its purpose for detaining the worst of the worst, obtaining valuable intelligence from them, and keeping these terrorists who are bent on destroying America from returning to the battlefield.

A report from the Washington Post yesterday indicates that the Obama administration has evidence that about a dozen detainees released from Gitmo have launched attacks against the United States or allied forces in Afghanistan that have resulted in American deaths.

As the threat posed by ISIS grows, Gitmo remains the only option to house these terrorists. Any facility on U.S. soil is not an option. It never was with Al Qaeda terrorists, nor can it be with ISIS terrorists.

The President has failed to understand the gravity these terrorists pose to our homeland. Radical Islamic terrorists around the globe are pledging allegiance to the group and, as we have seen in Paris, Brussels, and San Bernardino, they are committed to and capable of hitting Westerners at home.

The President has never presented a strategy to Congress for eliminating

ISIS, and our sporadic airstrikes have done little to stop the group from pressing forward and attempting to strengthen its global reach.

While ISIS grows and the United States sits idly by, Iran, Russia, China, and North Korea have ramped up their belligerent actions, putting our security at risk around the world. This will only continue to increase if we continue to chase the diplomacy to the point where it puts the safety of the American people at risk, to the point where any leverage the United States started with is gone, and to the point where we withdraw from conflicts with enemies because it is easier to allow someone else to fight the battle.

We are trying to fix the problems created by the Obama administration's failures so we can restore the confidence of the American people that their government is working to protect them here and abroad. Passage of the bill before us this week is a good step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I am not on the floor to interrupt any kind of debate relative to this bill, but given the fact we are at a stalemate situation and nobody is on the floor, I thought I would at least highlight a foreign policy speech I have been wanting to give. I plan to do it in significant detail on Monday, if the hours work out as I think they will.

Let me just take this short amount of time to summarize some of what I have been thinking and that I think is something my colleagues and all of us ought to be thinking about in terms of our foreign policy. Of course, it is related to our national defense, and that is what we are debating today, supporting our military. It is unfortunate we are in the situation we are in, but nevertheless I wish to take a few minutes to discuss what the next President will be inheriting—whomever that President turns out to be, a Republican or Democrat and potentially, I guess I should say, an Independent, although I don't think that will happen.

The next President is going to be faced with a bucket full of foreign policy issues that President is going to have to deal with. As I said, I hope to speak next week at some time in greater length about the challenges our President will face, but let me summarize a few key points that deserve further discussion among my colleagues, and, hopefully, by the Presidential candidates during the election campaign.

It is clear to me, and I believe it is clear to my Senate colleagues, that the President has failed to clearly define America's global role and a coherent strategy to pursue that goal. It is equally clear that his vision of America's role has been woefully inadequate to respond to the growing crises throughout the world.

Someone earlier here mentioned, and I had mentioned before, that the world is on fire. The Director of National Intelligence, James Clapper, with 51 years of service in the intelligence world, has said he has never seen anything like this in his 51 years of service—the multitude of crises that exist around the world and that we are confronted with. As the world's leading Nation—the Nation that has provided freedom for hundreds of millions, if not billions, of people by taking the lead to fight terrorism, to fight the evil that exists in this world—it is important we understand America's decisions. The decisions made by America's leaders have enormous impact on events around the world.

For nearly 8 years, we have been trying to read the President's foreign policy tea leaves to divine his purposes and methods of a foreign policy that, to me and to many, seems chaotic, ad hoc, and directionless. We don't know what the administration is trying to accomplish—whether we should or should not engage and at what cost it would be. These all remain mysteries—mysteries to us here in the Senate, where we have an obligation to advise and consent on foreign policy, and to the American people, who continue to ask us: What is going on here? What is America's role? What are we doing? What should we be doing? What is the debate?

The task is made even more daunting by the crisis-ridden world we now face. The next President will face foreign policy challenges from across the globe, but three stand out that I would especially like to touch on this evening and that I think are especially dangerous. Those three are the Middle East, Europe, and Russia.

Let's look at the Middle East. The region is disintegrating. We are now in the midst of the most profound and dangerous redefinition of the region since the end of the Ottoman Empire in 1917. Borders, regimes, stability, and alliances are all being swept away with no clear successors.

In the center of all of it is ISIS—the most lethal, best funded, dangerous terrorist organization in history—created and metastasized in a vacuum largely, unfortunately, of our own making.

At the same time, the civil war in Syria is continuing into its sixth year. The war has created nearly 300,000 dead, with millions of refugees and internally displaced persons and with no end in sight.

Iran continues its long history of destabilizing, hostile activities in the region, now growing its disruptive capacity in the wake of the misbegotten nuclear deal.

Europe is dealing with the largest refugee migrant flow since World War II. This migration is entirely unsustainable and unmanageable, threatening European unity and individual

state stability. This crisis could unravel the EU itself and cost trillions of euros. More than that, it is a humanitarian disaster.

The Supreme Allied Commander Europe, General Breedlove, in a discussion I had with him not that long ago, correctly said the migration flow has been “weaponized.” He argues the migration crisis has become a cover for flows of dangerous terrorists to Europe and beyond.

Our Russia policy is one of the biggest and most long-term failures of American leadership in our age. The administration’s infamous reset of Russian policy, loudly championed at the time by Mrs. Clinton, by the way, preceded Russia’s invasion and annexation of a neighbor.

Since the so-called reset with Russia, Russia has acquired a vastly greater role in the Middle East, where Russia had not before been present, much less dominant. It has demonstrated reliability as a modern capable military partner, in contrast with our own unreliability.

These are just three of the crises the next President will face. James Clapper, speaking at a public hearing before the Senate Select Committee on Intelligence, handed out the current assessment of the crises the world faces. It was 29 pages long, with eight regional crises—I named three of them—and each one of them posing a significant threat to world order and to our own people here in the United States.

Since that reset, Russia has acquired a vastly greater role, as I have said. The next President is going to have to face not just these three major crises but many, many more, and I will talk about some of them next week.

We need a policy from this President and from the White House that is based on a clear linkage to U.S. national interests and that will articulate a coherent strategy to guide policy and actions that we take; that will be an accurate assessment of consequences, both short-term and long term; that will be transparent, with candor and realism; that will have ensured resources adequate to secure the defined policy or task that is being laid out; and that will show strength and leadership coming from the Nation that every other free nation in the world depends upon for guidance, for strength, as an ally or coalition.

The American people are yearning for a coherent foreign policy that is clear-eyed, articulate, transparent, and with common sense. They want to see it, and they want to understand it, and we have an obligation to let them know what it is. We are not going to get that out of this administration. That is clear. There continues to be confused, behind-the-curve reaction to world events and a lack of a solid policy to deal with it.

If the next President can give the American people a coherent foreign

policy that is clear-eyed, articulate, transparent and with common sense, we will once again begin to reassert ourselves in terms of being a nation dedicated to finding peace and solutions to major crises around the world. But if we remain guessing about purpose and direction, while the world disintegrates around us, our sons and daughters will pay a great price. As a consequence, America will continue to be a nation in retreat, and the free world will be confused and looking for a leader.

With that, I yield the floor, as I notice another of my colleagues on the floor to speak.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

“GASPEE” DAYS

Mr. WHITEHOUSE. Mr. President, I come here, as I do every year in the Senate, to commemorate the anniversary of a brave blow that Rhode Island struck for liberty and justice—the *Gaspee* Affair of 1772.

On the night of June 9, and into the morning of June 10, 1772, in the waters of Rhode Island, a band of American patriots pushed back against their British overlords and drew the first blood of the struggle that would become the American Revolution.

American schoolchildren, the pages here in this room, and all of us no doubt learned in their history books of the Boston revelers who painted their faces and pushed tea into Boston harbor. But those same history books often omit the tale of the *Gaspee*, a bloodier saga, which occurred more than a year earlier.

As tensions with the American colonies grew, King George III stationed revenue cutters, armed customs patrol vessels, along the American coastline to prevent smuggling, enforce the payment of taxes, and impose the authority of the Crown. One of the most notorious of these ships was the HMS *Gaspee*, stationed in Rhode Island’s Narragansett Bay. The *Gaspee* and its captain, Lieutenant William Dudingston, were known for destroying fishing vessels, unjustly seizing cargo, and flagging down ships that had properly passed customs inspection in Newport only to interrogate and humiliate the colonials.

“The British armed forces had come to regard almost every local merchant as a smuggler and a cheat,” wrote author Nick Bunker about that era. Rhode Islanders chafed at this egregious disruption of their liberty at sea, for “out of all colonies, Rhode Island was the one where the ocean entered most deeply into the lives of the people.” Something was bound to give.

The spark was lit on June 9, 1772, when the *Gaspee* attempted to stop the

Hannah, a swift Rhode Island trading sloop that ran routes to New York through Long Island Sound, bound that afternoon for Providence from Newport. When the *Gaspee* sought to hail and board the *Hannah*, the *Hannah*’s captain, Benjamin Lindsey, ignored Lieutenant Dudingston’s commands. As the *Gaspee* gave chase, Captain Lindsey veered north toward Pawtuxet Cove, toward the shallows off Namquid Point—known today as Gaspee Point—knowing that the tide was low and falling and that the *Hannah* drew less water than the *Gaspee*. The *Hannah* shot over the shallows off the point, but the larger *Gaspee* ran dead into a sandbar and stuck fast in a falling tide.

Captain Lindsey wasted no time in reporting the *Gaspee*’s predicament to his fellow Rhode Islanders, who rallied at the sound of a beating drum to Sabin’s Tavern in Providence. They resolved to end once and for all the *Gaspee*’s menace in Rhode Island waters.

That night, the men shoved off from Fenner’s Wharf, paddling eight longboats quietly down Narragansett Bay, under a moonless sky, toward the stranded *Gaspee*. As told by LCDR Benjamin F. Armstrong in Naval History Magazine, they were led by Captain Lindsey and Abraham Whipple, a merchant captain who had served as a privateer in the French and Indian War and who would go on to command a Continental Navy squadron in the Revolution. Armstrong describes the excursion as “an increasingly rowdy group of Rhode Islanders who were ready to strike out at the oppressive work of the Royal Navy.”

Beware, increasingly rowdy groups of Rhode Islanders will be our lesson.

The boats silently surrounded the *Gaspee*, then shouted for Lieutenant Dudingston to surrender the ship. Surprised and enraged, Dudingston refused. Armstrong recounts the fierce, if brief, fight that ensued:

Dudingston shouted down the hatch, calling for his crew to hurry on deck whether they had clothes on or not, and then ran to the starboard bow, where the first of the raiding boats were coming alongside the ship. He swung at the attackers with his sword, pushing the first attempted boarder back into the boat. Then a musket shot rang out. The ball tore through the lieutenant’s left arm, breaking it, and into his groin. He fell back on the deck as the raiders swarmed over the sides of the ship. Swinging axe handles and wooden staves, the raiders beat the British seamen back down the hatchway and kept them below decks. Dudingston struggled aft and collapsed in his own blood at the companionway to his cabin at the stern of the ship.

The struggle was over. One of the Rhode Islanders, a physician named John Mawney, tended to Dudingston’s wounds. The patriots commandeered the *Gaspee*, loaded the British crew onto the longboats and took them ashore, and then set combustibles along the length of the *Gaspee*. They

set her ablaze, and watched from a hillside onshore as the ship burned.

When the fire reached the ship's magazine, this is what ensued. The *Gaspee* was no more.

You can be sure that the British authorities immediately called for the heads of the American saboteurs. An inquiry was launched and a lavish reward was posted. But even though virtually all of Rhode Island knew about the attack, investigators were able to find no witnesses willing to name names. The entire colony seemed afflicted with a terrible case of amnesia.

William Staple's "Documentary History of the Destruction of the *Gaspee*" describes this distinct cloudiness of Rhode Island memories.

James Sabin said: "I could give no information relative to the assembling, arming, training or leading on the people concerned in destroying the schooner *Gaspee*."

Stephen Gulley said: "As to my own knowledge, I know nothing about it."

John Cole said he "saw several people collected together, but did not know any of them."

William Thayer was asked: "Do you know anything?"

He said a simple "No."

D. Hitchcock said: "We met at Mr. Sabin's, by ourselves, and about 8 o'clock, I went to the door, or, finally, kitchen, and saw a number of people in the street, but paid no attention to them."

Arthur Fenner said: "I am a man of seventy-four years of age, and very infirmed, and at the time said schooner was taken and plundered, I was in my bed."

Completely frustrated by the Rhode Islanders' stonewalling, the British commissioners dropped the inquiry, finding it "totally impossible at present to make a report, not having all the evidence we have reason to expect."

Nick Bunker wrote, "The British had never seen anything quite like the *Gaspee* affair. . . . Like the Boston Tea Party, their attack on the ship amounted to a gesture of absolute denial: A complete rejection of the empire's right to rule."

Rhode Islanders had grown accustomed to and fiercely protective of a level of personal freedom unique in that time. "Even by American standards," says Bunker, Rhode Island "was an extreme case of popular government."

As Frederic D. Schwarz noted in American Heritage magazine, one of the exasperated British investigators even scorned the Rhode Island Colony as "a downright democracy."

This Rhode Island independence streak was well known to the British imperialist. But the burning of the *Gaspee* foretold greater struggles to come. In the words of Commander Armstrong:

[British officers] were beginning to realize there was something more dangerous out on the water and in American harbors. Alongside the salt air and the smell of wet canvas was the scent of treason. A revolution began on the sandbar of Namquid Point—in the spot that bears the name *Gaspee* on today's charts of the Narragansett.

Oh, and Boston: Nice job a year later with the tea bags.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am proud to stand once again with Senator GILLIBRAND in support of the Military Justice Improvement Act.

Two years ago, Congress enacted a number of commonsense reforms as part of the National Defense Authorization Act. These changes were mostly good, commonsense measures, and I supported them; however, they were not sufficient.

As I said at that time a year ago, we are past the point of tinkering with the current system and hoping that does the trick. I urged the Senate at that time to support bold actions that would make sexual assault in the military a thing of the past.

Unfortunately, those of us arguing for the Military Justice Improvement Act did not prevail. We were told to wait and see if the reforms that were included would work, while leaving in place the current military justice system. Well, we have had time to see if things have really changed. They have not. The rate of sexual assault in the military is unchanged.

Forty-two percent of servicemember survivors who reported retaliation were actually encouraged to drop the issue by their supervisor or someone else in the chain of command. That means a crime was committed, and you shouldn't bother to report the crime.

A majority of servicemember survivors indicated that they were not satisfied with the official actions taken against the alleged perpetrator.

Three out of four survivors lacked sufficient confidence in the military justice system to report the crime. Isn't that awful. If we didn't have confidence in the local police to report a crime, we know just how high the crime rate would go. I suppose somebody is going to tell me that can't apply to the military, but it does. In fact, there has been a decrease in the percentage of survivors willing to make an unrestricted report of sexual assault.

Two years ago, when military leaders were arguing against the reforms Senator GILLIBRAND and I and others were advocating, Congress was provided with data from military sexual assault cases that we now know was very misleading. But those statistics and data, quite frankly, carried great weight with a lot of our colleagues here in the Senate. We were told at that time that military commanders were taking

cases that were "declined" by civilian prosecutors. The implication was very clear, as we were told that things will be all right; the military system results in prosecutions that civilian prosecutors turn down.

An independent report by Protect Our Defenders and reported by the Associated Press shows that there was no evidence that the military was taking cases that civilian prosecutors would not take.

When Senator GILLIBRAND and I wrote to the President asking for an independent investigation of how this misleading information was allowed to be presented to Congress, guess what. We received a response from Secretary Carter, and that response said it was all a misunderstanding. The Secretary's response went into a semantic discussion of the meaning of certain terms.

Apparently, in the military justice system, when a civilian prosecutor agrees to defer to the jurisdiction of the military to prosecute a case, it is listed as a "declination." Such a situation is very different—very different—from a civilian prosecutor refusing to prosecute a case. If the military asks the civilian prosecutor to defer to the military's jurisdiction or if it is done by mutual agreement, it is not a case of a civilian prosecutor turning down a prosecution.

As I said, a review of the cases used to back up the Department of Defense's claims last year found no evidence that civilian prosecutors had refused those same prosecutions. Nevertheless, that was the clear implication of the statistics supplied to Congress by the Pentagon last year, and we were all sucked into that.

The response to our letter to President Obama claimed that the authors of that review just didn't understand the meaning of the term "declined" as it is used in the military justice system. The reality is that the information the Pentagon provided to Congress was obviously presented in a very misleading way.

So this question: When military leaders claimed that civilian prosecutors had declined to prosecute cases that the military then prosecuted, would it have had the same impact if they added a footnote saying that, in this context, "declined" doesn't really mean declined?

To summarize, the reforms we were told would reduce military sexual assaults haven't worked. And, folks, a rape is a rape, and a rape is a crime, and it needs to be reported, and it needs to be prosecuted. And, of course, a chief rationale for opposing our reform of the military justice system was based on very misleading data, as I hope I have made very clear.

So how many more lives need to be ruined before we are ready to take bold action? If a sexual assault isn't prosecuted, predators will remain in the

military, and that results in a perception that sexual assault is actually tolerated in the military culture. That destroys morale, and it also destroys lives. The men and women who have volunteered to place their lives on the line deserve better.

Taking prosecutions out of the hands of commanders and giving them to professional prosecutors, who are independent of the chain of command, will help ensure impartial justice for the men and women of our armed services. That is what Senator GILLIBRAND's and my amendment is all about.

Let's not wait any longer. Let's not be sucked into certain arguments that we have been sucked into in the past. Let's stand up and change the culture of the military so that people are prosecuted when they do wrongdoing. Let's get it done, and get it done on this reauthorization bill.

Mr. GRASSLEY. Mr. President, one of the issues being discussed this week is the restrictions on the transfer of Guantanamo detainees to the United States. In November 2015 and in previous years, President Obama has signed annual defense bills that include a prohibition on the use of Federal funds to close Guantanamo. The National Defense Authorization Act, NDAA, for 2017 keeps this crucial prohibition.

Today I want to discuss one of the often-overlooked reasons why that prohibition should continue: the troubling immigration implications of transferring dangerous terrorist detainees from Guantanamo to the United States.

This is a serious issue with serious consequences, and it is one that hasn't always been considered as prominently as it should be. A March 2016 report by the Center for Immigration Studies highlighted this problem, and I will mention that report again in a moment.

About 80 detainees remain at Guantanamo today. In April of this year, nine detainees were released and returned to Saudi Arabia. According to media reports, one of the most dangerous terror suspects at Guantanamo was among those released, and he was still committed to jihad and killing Americans. He and the rest of the nine released terrorists could very well return to the battlefield after their so-called rehabilitation program in Saudi Arabia.

Rowan Scarborough of the Washington Times writes that this is exactly what has happened with about 30 percent of the detainees that were released from Guantanamo: they have resumed or are suspected of restarting, terrorist activity.

In fact, Obama administration officials have admitted that these detainees are killing Americans. As the Washington Post reported earlier this week, "at least 12 detainees released from the prison at Guantanamo Bay,

Cuba, have launched attacks against U.S. or allied forces in Afghanistan, killing about a half-dozen Americans." These numbers will likely increase as our intelligence agencies continue to obtain information. Clearly, these detainees are a deadly group who should be held in Guantanamo for as long as necessary.

Fortunately, right now the NDAA specifically forbids spending taxpayer funds to transfer any of these detainees to the United States. That is why, in a CNN interview earlier this year, Secretary of Defense Ash Carter stated that transferring Guantanamo prisoners to the United States is against the law.

But Secretary Carter also said "there are people in Gitmo who are so dangerous we cannot transfer them to the custody of another government no matter how much we trust that government . . . we need to find another place and it would have to be the United States." But if these individuals are too dangerous for any other country, aren't they too dangerous to bring to the U.S. as well? Why would we bring these jihadist terrorist detainees into the United States when this would pose significant national security risks to the American people?

What particularly worries me about Secretary Carter's statement is that any transfer of Guantanamo detainees to the United States would apply highly ambiguous legal doctrines that could mean these terrorists would eventually be released on the streets in our homeland.

Very serious questions arise from this proposition, as the immigration implications of such a potential transfer are far from clear. Some of those questions include: What sort of immigration status would the Guantanamo detainees have? May Guantanamo detainees be detained indefinitely? Could Guantanamo detainees apply for asylum? What immigration benefits would the Guantanamo detainees be eligible for? Perhaps most important, how would U.S. courts rule on these issues, particularly if a future court decides that the war on terror has ceased? We've seen Federal courts in the past grant Guantanamo detainees greater rights than Congress intended.

It is my understanding that if these detainees were to be transferred to the United States, it would likely be done by granting them "parole" status. Immigration parole does not constitute an admission to the United States, but provides permission to enter the United States. It is supposed to be provided on a case-by-case basis, based on "urgent humanitarian reasons" or "significant public benefit."

As an initial matter, I don't see how paroling any of these terrorists into the country could be said to be either a humanitarian gesture or one that constituted a "significant public ben-

efit." But in addition to that concern, there is almost no precedent for immigration parole being used as a means of indefinite detention of aliens on U.S. territory. It should be used as a means to an end, such as bringing a criminal to the U.S. to serve as witness in a trial or allowing certain individuals in the U.S. to obtain emergency medical care.

Consequently, as the Center for Immigration Studies report I mentioned before recently put it, "If the Guantanamo detainees are transferred to the United States, we are faced with the very real likelihood of open-ended immigration paroles, which rely on indefinite imprisonment under undefined, little-understood rules and protocols."

Given these legal uncertainties, the most likely results for detainees brought to the United States who will not be tried for their terrorist activities, or who the administration otherwise intends to hold indefinitely, are writs of habeas corpus and complaints of violations of the Immigration and Nationality Act.

The war on terror has no end in sight, so these legal actions would inevitably arise as a result of the detainees' newly established presence on American soil and the indefinite nature of their detention.

I would further expect Federal courts to be particularly willing to entertain such writs or other legal actions if any of the detainees are tried for their crimes but not found guilty. And the risk of finding sympathetic, activist judges surely is heightened in the cases of the 28 detainees already cleared for transfer but who have not yet been released.

Even if some detainees are prosecuted and found guilty, they would serve a sentence, be ordered removed from the United States, and, ideally, be removed from our country upon the sentence's completion. But what happens if no other country—particularly their home country—is willing to take them? This would be very likely, as statistics provided by the Department of Homeland Security show there are many countries who will simply not allow the hardcore terrorist Guantanamo detainees back into their country. Countries like Iran, Pakistan, China, Somalia and Liberia, just to mention a few, won't take custody of these enemy combatants. Alternatively, what if their home country, or another country, is willing to take them but that country is also likely to mistreat them to gain information about their terrorist activities? In that case, our obligations under the Convention Against Torture would prohibit us from returning the detainees to those countries.

If any of those removable detainees do remain in the United States, we won't be able to keep them detained for

very long. The U.S. Supreme Court ruled in *Zadvydas v. Davis* that the United States may not indefinitely detain removable aliens just because no other country would accept them. In order for the U.S. Government to justify the detention of foreign nationals longer than six months, the basic rule is that the government must show that there is a "significant likelihood of removal in the reasonably foreseeable future." The *Zadvydas* decision has thus set a precedent that dangerous, deportable, convicted criminal aliens who have completed their sentences, but who cannot be deported to other countries, cannot continue to be indefinitely detained and must be released.

Equally concerning, if a trial were to take place that resulted in a sentence of anything other than capital punishment or life in prison, then the *Zadvydas* precedent would most likely require the release of the terrorist within 6 months of the completion of his or her sentence. The danger any such releases could present has unfortunately already been illustrated. The *Zadvydas* decision has already resulted in extraordinary violence against Americans and threats to public safety.

In the last 3 years alone, almost 10,000 criminal aliens have been released from U.S. Immigration and Customs Enforcement custody because of *Zadvydas*. Too many of these aliens are released because the U.S. cannot obtain travel documents from home countries. This has real consequences.

For example, in Hillsdale, NY, a criminal alien who had been convicted of sexually abusing a 12-year-old girl was released onto American streets when his home country of Bangladesh refused to take him back after he had served his sentence. After his release, he proceeded to go on a rampage of theft and violence culminating in the brutal murder of a 73-year-old woman.

Given that the Obama administration already allows the release of convicted, dangerous, criminal aliens into our communities, I am deeply concerned that a similar situation would arise from transferring the terror suspects from Guantanamo to the United States. Bringing these hardcore terrorists to the United States would be tantamount to injecting a disease into our society.

As you can see, the potential transfer of these detainees presents a real problem with serious consequences. Many decisions will have to be made and discussions had regarding the viability of transferring these hardcore terrorist detainees to the United States.

If the Obama administration decides to transfer these detainees to the continental United States, this illegal action would force serious constitutional issues that could lead to an impasse. The matter of bringing hardcore terrorists into the United States would undoubtedly go before the Supreme

Court. Pushing to close Guantanamo and bringing these hardcore terrorists to the United States without exhausting all alternative options is especially risky to the American people as it pertains to national security and public safety.

I refer my colleagues to the Center for Immigration Studies Web site and the March 2016 report by Dan Cadman entitled, "The Immigration Implications of Moving Guantanamo Detainees to the United States."

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, in a moment I am going to ask unanimous consent to address an amendment of mine to the national defense authorization bill, amendment No. 4066.

There is legislation I have introduced with a number of my colleagues that then is reflected perhaps identically in the amendment I hope we will consider this evening. This amendment is related to the National Labor Relations Act, which was enacted in 1935. That legislation exempted Federal, State, and local governments but did not explicitly mention Native American governments from the purview of the National Labor Relations Act. Despite that not being mentioned for 70 years, the NLRB honored the sovereign status of tribes accorded to them by the U.S. Constitution. In fact, there is a good argument that the reason tribal governments were not listed in the Labor Relations Act was because the Constitution made clear the sovereign nation of tribes. So for 70 years, they were not affected by the NLRB. Unfortunately, in my view, beginning in 2004, the NLRB reversed its treatment of tribes and legally challenged the right of tribes to enact so-called right-to-work laws.

The amendment I have offered to this bill is pretty straightforward. The National Labor Relations Act is amended to provide that any enterprise or institution owned and operated by an Indian tribe and located on tribal lands is not subject to the NLRA.

This narrow amendment protects tribal sovereignty and gives tribal governments the ability to make the best decisions for their people. The amendment seeks to treat tribal governments no differently from other levels of government, just like we treat cities and counties across the country.

Sovereignty is an important aspect of tribal relations with their tribal members. It is something tribes take very seriously, and in my view, it is something Members of the Senate should take very seriously, in part because it is the right policy, and perhaps even more importantly, it is the right moral position to have. And of equal value, it is what the Constitution of the United States says.

The legislation on which this amendment is based was passed by the House

of Representatives in a bipartisan vote. Even our former colleague, the late Senator Daniel Inouye of Hawaii, wrote in 2009 that "Congress should affirm the original construction of the NLRA by expressly including Indian tribes in the definition of employer."

This amendment presents Congress with an opportunity to reaffirm the constitutional recognition of tribes and the rights accorded to them under the supreme law of our land.

Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment, amendment No. 4066; that there be 10 minutes of debate, equally divided; and that following the use or yielding back of time, the Senate vote in relation to the amendment with no second-degree amendment in order prior to the vote.

The PRESIDING OFFICER (Mr. SULLIVAN). Is there objection?

The Senator from Ohio.

Mr. BROWN. Mr. President, reserving the right to object, and I will explain if I could.

First of all, this doesn't belong in NDAA. This is not a defense issue, but I would like to talk more substantively about it and then make another statement.

I strongly support tribal sovereignty. I know my colleagues appreciate Senator MORAN's genuine interest in this. He is my friend. We have worked on a number of issues in banking together. We don't agree on this, but that is the way things are. I do believe both sides of the aisle do support tribal sovereignty.

This amendment, though, is not about tribal sovereignty. It is about undermining labor laws—laws that protect the rights of workers to organize and collectively bargain—one of America's great values that more than almost anything—other than democratic government—created and maintained a middle class, organizing and bargaining collectively. Specifically, the amendment attempts to overturn NLRB decisions that have asserted the Board's jurisdiction over labor disputes on tribal lands.

The Board has methodically evaluated when they do and don't have jurisdiction on tribal lands by using a very carefully crafted test to ensure that the Board's jurisdiction would not violate tribal rights and does not interfere in exclusive right to self-governance.

In a June 2015 decision, the NLRB employed the test and did not assert jurisdiction in a tribal land-labor dispute. Instead, the amendment is part of an agenda to undermine the rights of American workers. We have seen it regularly. We see it in State capitols. We saw it in my State capitol 5 years ago when the Governor went after collective bargaining rights for public employees.

For the first and only time in American history, voters in a statewide election said no to rolling back collective

bargaining rights. It was the only time it ever happened, and it was by 22 percentage points.

The amendment is part of an agenda to undermine the rights of American workers, including 600,000 employees of tribal casinos—75 percent of them are not nonnative Indians, non-Indians. Courts have upheld the application to the tribes of Federal employment laws, including Fair Labor Standards Act, the Operational Safety and Health Act, the Employment Retirement Income Security Act, and title III of the Americans with Disabilities Act.

In addition to harming the thousands of already organized workers at commercial tribal enterprises, this amendment would establish a dangerous precedent to weaken longstanding worker protections on tribal lands.

Mr. President, for these reasons, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MORAN. I regret the objection from the Senator from Ohio and indicate that we will continue our efforts to see that this issue is addressed and the sovereignty of tribes across the Nation is protected.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I am on the floor this afternoon, along with my good friend and colleague, the senior Senator from Connecticut. He is going to be here shortly to speak as well, and I thank him for his leadership throughout the NDAA process.

We are here because we strongly believe that in Congress we should be working on ways to boost economic security for more families and help our economy grow from the middle out, not from the top down. A fundamental part of that is making sure our companies pay workers fairly and provide them with safe workplaces and treat them with respect. Unfortunately, Senator BLUMENTHAL and I have come to the floor to speak against a provision that would seriously undermine the spirit of bipartisanship we have cultivated thus far.

As it stands, this bill contains a provision that would help shield defense contractors that steal money out of their workers' paychecks or refuse to pay the minimum wage. It would help protect the companies that violate workplace safety laws while receiving taxpayer dollars, and it would allow companies with a history of discriminating against women, people of color, and individuals with disabilities to

continue receiving defense contracts, and to me that is unacceptable.

For too long, the Federal Government has awarded billions of taxpayer dollars to companies that rob workers of their paychecks and fail to maintain safe working conditions. To help right those wrongs, President Obama issued the Fair Pay and Safe Workplaces Executive order, and I was very proud to support him.

Under the new proposed guidelines, when a company applies for a Federal contract, they will need to be upfront about their safety, health, and labor violations over the past 3 years. That way, government agencies can consider an employer's record of providing workers with a safe workplace and paying workers what they have earned before granting or renewing Federal contracts. To be clear, the new rules do not prevent these companies from winning Federal contracts. The new protections will just improve transparency so government agencies are aware of the company's violations and can help them come into compliance with the law. These are worker protection laws that are already on the books, including laws that affect our veterans, such as the Vietnam Era Veterans' Readjustment Assistance Act of 1974.

This will have some major benefits for our workers and taxpayers. First of all, it will help hold Federal contractors accountable. American taxpayers should have the basic guarantee that their dollars are going to responsible contractors that will not steal from their workers or expose their workers to safety hazards. This will help protect basic worker rights and that in turn will help expand economic security for more working families and, finally, this new protection will help level the playing field for businesses that follow our laws.

These businesses should not have to compete with corporations that cut corners and put their workers' safety at risk or cheat workers on their paychecks. It will also have another benefit. Some of these same irresponsible companies that exploit their workers are also irresponsible when it comes to staying on schedule and on budget.

One report found that among the companies that had the most egregious workplace violations between 2005 and 2009, one-quarter of them also had significant performance problems like cost overruns and schedule delays. So these new rules will help the Federal Government choose contractors that are actually efficient and effective, which in return will help save taxpayer dollars.

Rewarding efficient and effective contractors should be a bipartisan goal, but unfortunately some of my colleagues want to give defense contractors a special carve-out from these crucial accountability measures and, to me, that is unacceptable.

It is time to stop rewarding Federal contractors that have a history of violating workers' rights. That is why I support the amendment of my colleague from Connecticut, which will make sure the Defense Department considers all companies' full record before granting or renewing their Federal contracts.

Like many of our colleagues, I am focused on leveling the playing field for companies that do the right thing by their workers, protect American taxpayers, and boost economic security for our workers. That is why I remain strongly opposed to the damaging provision in the underlying bill, and I do hope our colleagues will join us in supporting our amendment to undo the carve-out and allow these critical protections for our workers to be implemented as they were intended.

I thank the Presiding Officer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, the amendment I filed, Blumenthal No. 4255, will not be made pending, but I want to emphasize the importance of the amendment and hope I can work with my colleagues on the substance of it because it is so profoundly important to fairness in the workplace and the protection of American workers.

My friend and colleague, the Senator from Washington, PATTY MURRAY, has spoken on this issue within the last few minutes, and I join her in supporting the critical Executive order issued by the President called the Fair Pay and Safe Workplaces Executive Order.

This effort requires companies doing business by the Federal Government to disclose whether they violated any of the 14 longstanding labor laws protecting American workers included in this Executive order. There is no requirement to disclose a mere allegation or claim of a violation of one of those laws, rather, the Executive order requires, very simply, disclosure of a determination by a court or administrative body of an actual violation. In effect, this Executive order would be gutted by the National Defense Authorization Act now on the floor of this Congress, and the amendment I was intending to offer is the very same amendment that was offered in the NDAA markup and supported by groups like Easter Seals and Paralyzed Veterans of America. They worry that the language in this law that we now have before us will do a damaging injustice to our veterans and constituents with disabilities and thousands of other employees working under Federal contracts.

I am proud to be joined in this effort by not only Senator MURRAY but also Senators FRANKEN, GILLIBRAND, BROWN, SANDERS, LEAHY, BALDWIN, MERKLEY, BOXER, CASEY, and the ranking member of the committee with jurisdiction over this bill, Senator JACK REED of the Armed Services Committee, where the Presiding Officer and I sit.

We need to ensure that the Fair Pay and Safe Workplaces Executive Order applies across all Federal agencies and to all workers, or as many as possible at least, strengthening this vital effort to protect workers and taxpayer dollars. It is not only about workers, it is also about taxpayer dollars.

The laws that are covered here are sort of the bread-and-butter protections of all Federal workers and all workers, generally, such as the Americans with Disabilities Act, the Family and Medical Leave Act, and the Civil Rights Act. Other laws that may be more obscure are also covered, but they have been around for decades, and this measure and those laws are designed to protect veterans and women from harmful, debilitating discrimination, among other wrongful practices.

Let's be very clear. Most companies covered by Federal contracts play by the rules and obey the law. All they would need to do is literally check a box confirming that they are in compliance. There are no big administrative expenses or elaborate bureaucratic hurdles to overcome. They just need to check a box to confirm that they are in compliance. For the small subset of companies with compliance issues, the contracting agency would take information about violations into consideration in the procurement process. This is not to bar them. They can still be considered, but they would then try to work with the company to make sure it comes into compliance with the law.

The basic theory of this Executive order is a matter of common sense. It is not about blacklisting companies. It is about ensuring that companies that want to do business with the Federal Government follow the law and provide a safe, equitable, and fair workplace. Those are the companies we can trust in being our partners in carrying out the Federal Government's work, as long as they obey the law and are in compliance with it.

Companies that violate those laws should not receive taxpayer dollars. Companies that violate the law, very bluntly, are creating an unlevel playing field and forcing law-abiding companies into an unfair competition for contracts. They can cut corners, save money by in effect skirting the law, present lowball offers, and when they are hired, provide poor performance—again, wasting Federal funds to the detriment of taxpayers.

Of course, it is not just about dollars—important to the taxpayer—but

about workers. Every year, tens of thousands of American workers are denied overtime wages. Unlawfully discriminated against in hiring and pay, they have their health and safety put at risk by Federal contractors who cut those corners on workers' safety or otherwise deny a basic safe workplace, and that is another reason we need full force and effect to this Executive order, not the gutting of it that is contained now in the NDAA before us.

Some have called the Fair Pay and Safe Workplaces Executive order one of the most important advances for workers achieved by this administration, and it is. According to the Department of Labor, one in five Americans are employed by companies that do business with the Federal Government, an enormous source of leverage requiring compliance with Federal protections, not just in letter but in spirit. We must very simply allow for consistent and appropriate application of this Executive order to ensure that workers or contractors under the defense laws have the same protections as other workers.

The NDAA provision that guts this Executive order must be removed at some point. It may not happen in our consideration of this measure now, but my hope is that we can work with colleagues and overcome the potentially harmful effects of this provision.

I look forward, in fact, to a collegial effort to make sure that we provide long-term protections to American workers through this Executive order.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SASSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SASSE. Mr. President, why is it that Washington also jumps blindly into culture war fighting? Why is it we first divide into blue shirts versus red shirts, retreat into our tribes, and then try to figure out how we can inflict maximum damage on each other? That is not how adults in the communities across our country solve their problems, and that is not how they would like us to be solving our problems, but that is actually what is happening right now in this body.

The legislation before the Senate is supposed to be about national security, which is the first and most important duty of the Federal Government. Republicans and Democrats, all 100 Members of this body, tell ourselves and tell our constituents that we love and want to support and provide for the troops.

I want that to be true. Thus, I think we should be able to agree that na-

tional security is far more important than trying to run up partisan scores in another culture war battle. By the way, culture war battles are almost never settled well by compulsion, by government, and by force.

But here we are, getting ready to have divide again, this time over the issue of women in the draft, and I want to ask why.

Let me ask a question that should be obvious. Why are we now fighting about drafting our sisters, our mothers, and our daughters into a draft that no one anywhere is telling us they need?

Seriously, where is there any general who has appeared before us and said that the most pressing issue or even a pressing issue about our national security challenges and efforts at the present time is that we don't have enough people to draft? Where has that happened? Who has said it? Because I have been listening, and I haven't heard a single person from the national security community come before us and say: Do you know what we need? We need more people in the draft.

I haven't heard that conversation anywhere.

This fight about women in the draft is entirely unnecessary, and wisdom should be nudging us to try to avoid unnecessary fighting. We have enough big, real, and important fighting we should be doing around here. Why would we take on unnecessary fighting?

So before we send out our press releases and before we decide to condemn people that are on the other side of a culture war battle, why don't we just pause and together agree on this one indisputable fact: We have the best fighting force that the world has ever known. In fact, it is an all-volunteer force right now. We are not drafting anybody, and no one is recommending that we draft anybody. So why are we having this fight?

Rather than needlessly dividing the American people over a 20th century registration process, why wouldn't we do this: Why wouldn't we pause, stop the expansion of the draft, stop to study the purposes of the draft, and actually evaluate whether we need a draft? Maybe we do, but let's actually evaluate it before we start fighting over the most controversial pieces of it.

Let's not start by fighting about who to add to the draft. Let's not start by trying to import culture warring into a national security bill. Let's start by asking if we are really certain we need the draft.

I am introducing a simple amendment, and I hope that this body could agree that its aim is common sense and its aim is to deescalate our bitter conflicts. My simple amendment would replace the NDAA's controversial draft provisions with three relatively non-controversial—and I think much more important—steps.

No. 1, my amendment would ask the Senate to admit that the draft, which last had a call, by the way—the last call of the draft was in December of 1972. I was 10 months old, and I think I am 5 years older than the youngest Member of this body. The last time there was a call in the draft was December of 1972. We should probably admit that it is time for a reevaluation instead of just continuing on autopilot.

No. 2, it would sunset the draft 3 years from now unless this body decides that we have consulted the generals and we can tell the American people that we need the draft to continue. So the second thing it does is sunset the draft 3 years in the future unless we would act to restore the draft.

No. 3, it requires the Secretary of Defense to report back to this body—to report back to the Congress—in 6 months on the merits of the Selective Service System rather than simply continuing it on status quo autopilot, unscrutinized.

Again, this isn't asking the Secretary of Defense to wade into the culture wars or to take a lead in any social engineering. By the way, I am the father of two girls so there is nobody who is going to outbid me on the limitless potential of young women in American life, but that is not what this is all about. This is about the Secretary of Defense reporting back to us after consulting with the generals and telling us one of three things.

I think it was a pretty simple question. We should have the Secretary of Defense come back before Congress in 6 months and say to us one of three things. Either, A, the all-volunteer forces we are actually using right now are sufficient and they think the draft is obsolete, in which case the sunset would just go into effect; or, B, they would tell us that after consideration they believe the draft is still necessary and some version of the present draft should be continued; or, C, they actually think we have a deficit of human capital to potentially draft, and they think we need an expansion of the draft. Then this body could debate who do we expand it to.

But let's first have the Secretary of Defense consult the generals, come back to us in 6 months, and say: A, an all-volunteer force works; B, we have about the right amount of human capital registered for the draft; or C, we think we need to expand the draft.

Maybe we will say we should have men who are older than 26 years added to the draft. Maybe we should add women. Maybe there will be some other configuration of people we would add to the draft. But until we know we need more people in the draft or that we need a draft at all, why would we dive headlong into what would be the most controversial version of this debate.

Again, the generals are probably going to tell us they are fine with an

all-volunteer force, but we don't know that. So why don't we have them report back before we start bickering.

One of the fundamental purposes of this body is to debate the biggest issues facing the Nation and to do so in an honorable way. That is what the Senate is for. The reason we have a Senate is to debate—not abstractions—but to address and ultimately solve the meatiest challenges that the Constitution in present circumstances demands we tackle. Right now women in the draft isn't really one of those issues, so I don't know why we would start fighting about it and dividing so many of the American people about it.

If there is any Senator who believes that the purpose of the NDAA should be to have a culture war fight, humbly I would invite him or her to come to the floor and please make that case. If there is a reason we should have a culture war fight in the context of the NDAA, tell us why we should do it. But, if not, let's avoid unnecessary cultural division and stick with the actual national security tasks that are before us today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING DR. JAMES CRASE

Mr. McCONNELL. Mr. President, I wish to pay tribute to a distinguished Kentuckian and talented physician who has sadly passed away. Dr. James Crase, a good friend of mine who was a veteran and a former State senator, departed this life on May 28. He was 78 years old.

Dr. Crase, born in Letcher County, KY, practiced medicine for over 53 years, 40 of those years in his beloved hometown of Somerset, KY. He served as chief of staff at the Lake Cumberland Regional Hospital.

As a Somerset doctor, he provided care to over 10,000 patient families and was named "Citizen Physician of the Year" by the Kentucky Academy of Family Practice. He previously practiced medicine in Berea, KY, McKee, KY, and in Norfolk, VA with the U.S. Navy.

Dr. Crase was elected to the Kentucky Senate in 1994 and became well known for his dedication to constituent service. After retiring from his medical practice, he helped create ClubMD, a healthcare clinic that focused on improving the patient experience.

Dr. Crase was deeply involved with the community and committed to volunteer service with many organizations, including the Lake Cumberland Lincoln Club, the Lake Cumberland Performing Arts, the Kentucky Medical Association, the Berea College Board of Trustees, the Somerset Community College Athletic Directorship, the First Presbyterian Church of Somerset, the Lake Cumberland Regional Hospital, the Pulaski Civil War Round Table, and the United Way.

Elaine and I wish to send our deepest condolences to Dr. Crase's family and many beloved friends during their time of grief. Dr. Crase was a friend, a caring and empathetic physician, and a devoted public servant. The Commonwealth of Kentucky is poorer for his loss.

An area publication, the Lexington Herald-Leader, published an article detailing the life and career of Dr. James Crase. I ask unanimous consent that said article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Lexington Herald-Leader,
June 1, 2016]

LONGTIME SOMERSET PHYSICIAN JAMES CRASE
DIES AT 78

(By Bill Estep)

James D. Crase, a longtime Somerset physician who served a partial term in the state Senate, died May 28. The Letcher County native was 78.

Crase was a U.S. Navy veteran who worked as a physician for 53 years, including more than 40 years in Somerset, where he served as chief of staff of the Lake Cumberland Regional Hospital and an elder at First Presbyterian Church.

Crase's obituary said he was proud to have provided care to more than 10,000 families during his time in Somerset. The Kentucky Academy of Family Practice named Crase its Citizen Physician of the Year, the obituary said.

Crase, a small-government Republican, was elected to the state Senate in December 1994 to finish the term of a lawmaker who had been convicted in a corruption case.

Republicans control the Kentucky Senate now, but were in the minority then. In a newspaper commentary, Crase expressed some frustration about the relative lack of power of the minority, and with the legislative process.

"First, one must convince his or her own party to support the measure. Then comes the dubious chore of convincing the opposing party of its merits, thus the trades—you vote for mine, I'll smile upon yours," Crase wrote. He did not seek election to a full term in 1996.

U.S. Senate Majority Leader Mitch McConnell said in a statement Wednesday said Crase will be missed.

"As a veteran and former state senator, Dr. Crase was well-respected in the community and worked tirelessly to improve the lives of his constituents," McConnell said.

Crase is survived by three children.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. WARNER. Mr. President, I regret I was not present for the June 8, 2016, vote on the motion to invoke cloture on the compound motion to go to conference on H.R. 2577, the Departments of Transportation, and Housing and Urban Development, and Military Construction and Veterans Affairs appropriations bill, and the Zika supplemental appropriations bill.

Had I been present, I would have voted yes on cloture. This bipartisan bill supports our Veterans, invests in our national infrastructure, and provides funding to address the Zika virus.

Additionally, I would have supported the Nelson motion to instruct conferees and opposed the Sullivan motion to instruct conferees.●

SECTION 2152 OF THE FEDERAL AVIATION REAUTHORIZATION BILL

Mrs. FEINSTEIN. Mr. President, I wish to discuss the issue of preemption and ask to engage in a colloquy with Senators TILLIS and NELSON.

I come to the floor today to discuss the Federal Aviation Administration Reauthorization Act of 2016, which passed the Senate on April 19 by a vote of 95 to 3. This vote reflects the strong, bipartisan work that went into negotiating this bill, and I hope that the House will take it up.

However, there is unfinished business with this bill: the need to remove section 2152. This provision of the bill would preempt any State or local laws related to the operation, manufacture, design, testing, licensing, registration, certification, operation, or maintenance of an unmanned aircraft system including airspace, altitude, flight paths, equipment or technology requirements, purpose of operations, and pilot, operator, and observer qualifications, training, and certification.

This provision of the bill would be effective on the date of enactment prior to the FAA promulgating any regulations in these areas.

When this came to my attention, as a former mayor, I became very alarmed about the possible reach of this provision and how it might impact local communities, State parks, schools, infrastructure, and other areas with a strong State or local interest.

So I filed two amendments, and, ultimately, the managers of this bill—Chairman THUNE and Ranking Member NELSON—agreed to accept an amendment to strike the provision from the underlying bill.

This is amendment No. 3704, filed by myself and Senator TILLIS, and cosponsored by Senators BLUMENTHAL, PERDUE, LEE, and MARKEY.

I would now like to yield, if I could, to my colleague from North Carolina, Mr. TILLIS.

Mr. TILLIS. As a former State legislator, I very much agree with what my colleague from California has said. In North Carolina, we worked hard to get the regulatory and legislative framework right for this new technology. In fact, we commissioned a legislative research committee to propose legislation and obtained input from stakeholders prior to the bill's passage. You see, not all wisdom resides at the Federal Government. Our system is designed to let States and localities weigh factors that bureaucrats in Washington might not consider, such as potential privacy concerns, law enforcement operations, search and rescue, natural disaster mitigation, infrastructure monitoring—the list goes on.

I would add that it was my understanding as well that Chairman THUNE and Ranking Member NELSON had graciously agreed to accept this amendment and that it had been cleared as part of a group of noncontroversial amendments. I was disappointed to see that package held up over a disagreement on unrelated matters between other Members. I am encouraged, however, by the chairman's and ranking members' commitment to continue addressing our concerns in conference committee.

Mr. NELSON. Mr. President, my distinguished colleague from North Carolina, Mr. TILLIS, is correct. Chairman THUNE and I did agree to accept this amendment as part of a package of 26 amendments agreed to by all but one of our colleagues.

While I am disappointed that these amendments could not clear the full Senate, including one that preserves certain State and local powers to deal with public safety concerns regarding drones, I will work with Chairman THUNE to address this and other issues in the conference committee once the House has acted.

REMEMBERING TERESA SCALZO

Mr. TOOMEY. Mr. President, today I wish to honor Ms. Teresa Scalzo, who recently passed away after a 23 year legal career focused on public service, supporting the victims of violence and sexual assault, and advancing the prosecution of those horrible crimes. After a battle with an aggressive cancer, Teresa passed away on Monday, May 23, 2016.

A native of Easton, PA, Teresa earned a law degree from Temple University School of Law in 1993. Over the next 23 years, she held numerous legal positions, all focused on giving victims a voice and advancing the prosecution of these complex cases.

Most recently, Teresa served as the deputy director of the U.S. Navy Judge Advocate General's Corps Trial Counsel Assistance Program. In this position, Teresa helped cultivate and hone the skills of multiple generations of Navy prosecutors, enhancing the Navy's ability to support victims of sexual assault and to hold perpetrators accountable. Among the many prestigious and important positions throughout her career, she also served as senior policy adviser for the Department of Defense Sexual Assault Prevention and Response Office, director of the National Center for the Prosecution of Violence Against Women, chief of the sex crimes unit at the Northampton County District Attorney's Office, and a member of the sexual assault response team at the National Sexual Violence Resource Center.

Teresa radiated that special balance of determination and compassion that enabled victims of sexual assault and family violence to find their voices in the pursuit of justice. In recognition of her accomplishments, she received the 2009 Visionary Award from Ending Violence Against Women International. In 2001, she received the Allied Professional Award for Outstanding Commitment to Victims' Services from the Crime Victims Council of the Lehigh Valley.

I would like to recognize Ms. Scalzo's honorable commitment and exceptional service to victims, the justice system, and our country. She is survived by her mother Marie; her brother Carl; his wife Theresa; and her nephew and nieces, Brett, Paige, and Maggie. It is an honor to stand in recognition of this compassionate advocate and seeker of justice.

REMEMBERING COE SWOBE

Mr. HELLER. Mr. President, today I wish to remember a true Nevada statesman and dedicated public servant, former Nevada State Assemblyman and State Senator Coe Swobe. I send my condolences and prayers to his family during this difficult time. Although he will be sorely missed, his legendary influence throughout Nevada will continue on.

Mr. Swobe was born in 1929 and raised in northern Nevada. He graduated from the University of Nevada, Reno, after serving in the U.S. Air Force during the Korean war. As one of our Nation's servicemembers, he made exceptional sacrifices for our country and deserves our deepest gratitude. His service to his country, as well as his bravery and dedication to his family and community, have earned him a place in history among the many outstanding men and women who have contributed to our Nation and to our State. Mr. Swobe later earned his juris doctorate from the University of Denver Sturm College of Law. He then returned to Reno,

where he served as assistant U.S. Attorney for the District of Nevada for 2 years and began his career as a true public servant to the Silver State.

In 1962, Mr. Swobe was first elected to the Nevada State Assembly. Shortly thereafter, he became a member of the Nevada State Senate, where he served from 1966 to 1974. During his tenure, Mr. Swobe was a staunch supporter of the preservation of Lake Tahoe and led the way in establishing the first agreement between then Nevada Governor Paul Laxalt and California Governor Ronald Reagan and the two State legislatures in helping to protect the Lake. This agreement later established the Tahoe Regional Planning Agency, TRPA, which continues to protect this precious Nevada jewel today. He also helped expand the Lake Tahoe park system, including the establishment of Sand Harbor State Park. In 2007, he was appointed to serve on the governing board for the TRPA, where he worked vigorously to help raise awareness about wildfire prevention. Residents across the State of Nevada and the Lake Tahoe Basin are fortunate to have had someone dedicated to working towards the betterment and protection of our State.

In addition, Mr. Swobe cofounded Nevada's Lawyers Concerned for Lawyers, LCL, to help others struggling with alcohol addiction. For over 30 years, he dedicated his time to this program, which is available to lawyers, judges, and anyone else in the legal community in need of support. His legacy and love for Nevada, as well as his genuine concern for others, will live on for generations to come.

Throughout his life, Mr. Swobe demonstrated only the highest level of excellence and dedication while serving the great State of Nevada. I am deeply appreciative of his hard work and invaluable contributions to our State. Today, I join citizens across the Silver State in celebrating the life of an upstanding Nevadan, Coe Swobe.

CENTENNIAL OF THE WYOMING DENTAL ASSOCIATION

Mr. BARRASSO. Mr. President, I am honored to recognize the Wyoming Dental Association as it celebrates its 100th anniversary. This historic milestone marks the success of the organization's efforts to assist its members in their mission of achieving the highest level of patient care for Wyoming.

Life on the frontier posed many challenges for Wyoming's first dentists. Pioneer practitioners often traveled long distances through rugged terrain to treat their patients. Armed with rudimentary tools including forceps, pedal-powered drills, and whiskey to kill the pain, these circuit riders treated patients with little or no oversight. Seeing a need for standardization, the Wyoming Legislature created the Wyom-

ing Board of Dental Examiners, which required all practicing dentists to register with the State. In 1916, several licensed dentists joined to form the Wyoming Dental Association, an organization dedicated to supporting the State's dentists. From that day forward, the association's members dedicated themselves to advancing the practice of dentistry.

Thanks to extensive progress made in technology and medical care, modern oral health care has dramatically improved. Today there are over 500 licensed dentists in Wyoming. Our State's dentists are dedicated to their patients' health, not only providing dental care but also educating the public on the importance of oral hygiene. Every dentist has adopted a professional code of ethics and works to maintain the highest standards of excellence.

The Wyoming Dental Association is a leader in promoting dental hygiene. Through its dedicated advocacy and leadership, the association collaborates with the Wyoming Legislature, local government agencies, and nonprofit organizations to help the people of Wyoming. Their achievements are impressive.

In particular, dentists around the State volunteered hundreds of hours to complete Wyoming's Oral Health Initiative, which was designed to gauge the overall dental health of residents. The initiative provided stakeholders with valuable data that led to the development of strategies to improve education and access to care. Thanks to the Wyoming Dental Association's participation in this crucial study, the State is advancing dental health care to new levels of success.

After 100 years, the Wyoming Dental Association is stronger than ever thanks to its incredible leadership. The dedicated efforts of the association's executive director, Diane Bouzis, and its current board of directors continue to improve the services its members receive. Thank you to President Mike Shane, President-elect Dana Leroy, Vice President Lance Griggs, Secretary-Treasurer Deb Shevick, and ADA Delegates Rod Hill and Brad Kincheloe. We also acknowledge the hard work of the State's district directors, including Lorraine Gallagher, Brian Cotant, Steve Harmon, Paul Dona, Aaron Taff, and Leslie Basse. These incredible individuals serve the association and their patients with great integrity.

Thanks to the strength of the association's membership, we can always count on Wyoming's dental practitioners to come to Washington. They provide up-to-date information and input about the major concerns and issues facing the industry. Our entire State benefits from their advocacy. It is always great to meet with John Roussalis, Earl Kincheloe, Mike Keim,

Bob Pattalochi, David Okano, Tyler Bergien, Brian Hokanson, and Carl Jeffries. These fine folks are excellent representatives of the profession.

The Wyoming Dental Association is a remarkable organization committed to improving dental health care in all of Wyoming's communities. I am pleased to offer my sincere appreciation to the members of the Wyoming Dental Association as they celebrate their centennial.

NATIONAL JERKY DAY

Mr. ROUNDS. Mr. President, today I remind my fellow Americans of National Jerky Day on June 12, 2016.

Jerky has been a staple of the American diet since the birth of our Nation because of its portability and high protein content. Early settlers learned bison jerky preparation techniques from Native Americans. Lewis and Clark cured and ate jerky over the course of their historic expedition. Now, our astronauts consume jerky aboard the International Space Station.

The production of jerky is also an important component of our national economy. Companies from coast to coast employ thousands of workers to produce American-made jerky and distribute it internationally. Our Nation's farmers and ranchers produce high-quality products that help make the best jerky in the world.

Therefore, I encourage my fellow citizens to enjoy a nutritious jerky snack in celebration of National Jerky Day on Sunday, June 12, 2016.

ADDITIONAL STATEMENTS

STRATHAM'S 300TH ANNIVERSARY CELEBRATION

• Ms. AYOTTE. Mr. President, today I wish to honor the 300th anniversary of the town of Stratham, New Hampshire.

Stratham is located in southeast New Hampshire, in a region inhabited by Native Americans for thousands of years before the arrival of Europeans on our shores. It was first settled in 1631, and in 1709, the residents petitioned for the creation of their own town in order to build a school, church, and meeting house. Lieutenant Governor George Vaughn granted residents permission, on March 20, 1716, to collect taxes, hold town meetings, elect selectmen, appoint a minister, and build a meeting house on Kings Grant Highway. The location of the original Stratham Meeting House is where the Stratham Community Church stands today.

In 1906, a park was opened in town after Edward Tuck sold 70 acres of land to the town of Stratham for \$1. Mr. Tuck's major stipulation during the transfer of Stratham Hill Park's land

was that “it was given for the free use and enjoyment of the residents of Stratham and the surrounding communities.” In 1966, the town of Stratham celebrated their 250th anniversary and residents have gathered every year since to celebrate their founding at what is now known as the Stratham Fair. A Land Protection Committee was created in 2002, and a decade later, over 543 acres or nearly 6 percent of the town of Stratham has been conserved and protected permanently.

Today Stratham is home to the headquarters of the Timberland Corporation and to the only Lindt & Sprungli factory in the United States, and a number of other exemplary businesses, large and small.

This year, on the occasion of Stratham’s 300th Anniversary of its founding, I join more than 7,000 residents in commemorating the rich heritage and valuable contributions to the State of New Hampshire and our Nation.●

REMEMBERING GARY DiGIUSEPPE

● Mr. BOOZMAN. Mr. President, today I wish to acknowledge the life of Gary John DiGiuseppe whose passion for agriculture and journalism helped keep Arkansans informed about the State’s No. 1 industry.

Gary was a man who knew the importance of dedication and hard work. He was fiercely dedicated to his family and his life’s work. He was a man who possessed a broad base of invaluable knowledge that he shared eagerly through his radio shows and literature. He worked as an agricultural reporter for 35 years. To others in his field, he was known as a true professional of agriculture.

Many knew Gary as the man who started their mornings off with a friendly voice. He was an accomplished talk show host and writer. He was known for doing an excellent job reporting on conferences and interviews. There are few who do not trust his educated opinion. His writing has also been published in the “Arkansas Money & Politics” magazine.

Gary was often referred to as an asset, trustworthy, and well informed. In addition, he was well versed in other aspects of life. He was an accomplished musician and stood firm on his important principles through determined discipline.

Gary always represented situations clearly and fair in his reporting. I was happy to talk with him about the agricultural topics that he was researching and reporting on.

He maintained a passion for learning and teaching all aspects of agriculture.

I am remembering Gary today as a true friend of Arkansas agriculture. My thoughts and prayers go out to Gary’s wife, Mary, and his entire family. I humbly offer my gratitude and appre-

ciation for one of Arkansas’ finest agriculture advocates.●

TRIBUTE TO COLTER SCULLY

● Mr. DAINES. Mr. President, I would like to acknowledge an exceptional Montanan, Colter Scully. Colter is a rising senior at Powell County High School and is preparing for his board of reviews to complete his Eagle Scout application. Three years ago, Colter was inspired to create a frisbee-golf course in his community. Thanks to his leadership and perseverance, the course was opened on May 31, 2016.

Colter’s scoutmaster, Tom Burkhart, describes Colter as a natural outdoorsman and leader, who leads quietly and kindly but has earned the following and respect of his peers. Tom says, “What sets Colter apart is once he sets his mind to something he’s going to do all that he needs to do to see it through.”

Eagle Scouts applicants must present a community project that requires planning, coordination, and future thinking. Colter sought out the Deer Lodge Parks Board and a local youth club against corporate tobacco, reACT, to coordinate the creation of his frisbee-golf course. Colter created a dynamic team of individuals who came together to provide the communities of Deer Lodge and Powell with a tobacco-free and entertaining activity.

The Eagle Scout is one of the highest performance-based achievements a young man can earn. In fact, only 5 percent of scouts attain this ranking. Colter had to secure 21 merit badges ranging from first-aid and camping to environmental science and family life, while holding leadership positions. Colter has humbly served Troop 239 as quartermaster, patrol leader, and senior patrol leader.

He embodies the boy scout oath to do his best, to serve God and his country, and to help others at all times in all areas of his life. At Powell County High School, Colter is an honor student who puts forth his best work, earning a 4.0 GPA, while juggling three sports: football, basketball, and track.

I have no doubt this young man’s hard work and dedication will be rewarded. As an Eagle Scout, he will be joining the ranks of impressive individuals such as Neil Armstrong and Gerald Ford. I hope you will join me in wishing Colter the best of luck as he prepares for his Eagle Scout board of review.●

TRIBUTE TO WILLIAM PARK

● Mr. HELLER. Mr. President, today I wish to recognize an upstanding Nevadan, William Park, who has served as a volunteer firefighter for the Smith Valley Fire Protection District for

over 50 years. It gives me great pleasure to recognize his years of hard work and dedication to creating a safe environment for the Smith Valley community.

Mr. Park joined the Smith Valley Fire Protection District as a volunteer firefighter in 1966. He was one of the first Emergency Medical Services, EMS, instructors in the State as part of the Professional Rescue Instructors of Nevada, where he trained hundreds of emergency medical technicians. In just 10 years, Mr. Park rose in the ranks and was selected to serve as assistant fire chief and later fire chief of the District. In the late 1970s, Mr. Park’s construction company, Park Construction, rebuilt the Smith Valley Fire Protection District’s Wellington Station, growing the facility to two apparatus bays. By 1980, he became the president of the Nevada State Firefighters Association, NSFA, while continuing to serve as fire chief. Mr. Park is truly a role model in the fire services community throughout northern Nevada and across the Silver State.

In August of 1979, Mr. Park was badly burned during an accident after a Wednesday night training class and spent weeks recovering in the intensive care unit. This incident brought great support from the Nevada fire family and ultimately led to the creation of the NSFA Benevolence Fund and the Smith Valley Fire Protection District Community Assistance Fund. Even after this traumatic experience, Mr. Park showed great resilience and continued to serve the district as assistant chief and by instructing EMS training. To this day, Mr. Park continues to be an active participant with the district and responded to over 50 percent of department calls in 2015. Mr. Park stands as a shining example of someone who has gone above and beyond for those around him.

It is the brave men and women who serve in our local fire departments that help keep our communities safe. These heroes selflessly put their lives on the line every day. I extend my deepest gratitude to Mr. Park for his courageous contributions to the people of Smith Valley and the Silver State. His sacrifice and courage earn him a place among the outstanding men and women who have valiantly put their lives on the line to benefit others.

Mr. Park has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Smith Valley Fire Protection District. I am both humbled and honored by his service and am proud to call him a fellow Nevadan. Today I ask all of my colleagues to join me in recognizing Mr. Park for his years of hard work, and I give my deepest appreciation for all that he has done to make Nevada a safer place. I offer him my best wishes for many successful and fulfilling years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:36 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with amendment, in which it request the concurrence of the Senate:

S. 2276. An act to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3826. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

H.R. 4775. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4775. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BLUNT, from the Committee on Appropriations, without amendment:

S. 3040. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114-274).

By Mr. BARRASSO, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1879. A bill to improve processes in the Department of the Interior, and for other purposes (Rept. No. 114-275).

By Mr. GRASSLEY, from the Committee on the Judiciary, with amendments:

S. 2944. A bill to require adequate reporting on the Public Safety Officers' Benefit program, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2992. A bill to amend the Small Business Act to strengthen the Office of Credit Risk Management of the Small Business Administration, and for other purposes.

S. 3009. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 3024. A bill to improve cyber security for small businesses.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BLUNT for the Committee on Rules and Administration.

Carla D. Hayden, of Maryland, to be Librarian of Congress for a term of ten years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KING (for himself, Mr. NELSON, and Mr. BURR):

S. 3039. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT:

S. 3040. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. PAUL:

S. 3041. A bill to repeal the Military Selective Service Act; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Mr. LEAHY, Mr. FRANKEN, and Mr. DURBIN):

S. 3042. A bill to amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Mrs. ERNST):

S. 3043. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 3044. A bill to provide certain assistance for the Commonwealth of Puerto Rico, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 3045. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 3046. A bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over-related death or injury, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE (for himself, Mr. CRUZ, Mr. INHOFE, and Mr. VITTER):

S. 3047. A bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes; to the Committee on Finance.

By Mr. FLAKE (for himself and Mr. ALEXANDER):

S.J. Res. 35. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to "Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act"; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FLAKE (for himself, Mr. COONS, Mr. ISAKSON, and Mr. DURBIN):

S. Res. 485. A resolution to encourage the Government of the Democratic Republic of the Congo to abide by constitutional provisions regarding the holding of presidential elections in 2016, with the aim of ensuring a peaceful and orderly democratic transition of power; to the Committee on Foreign Relations.

By Mr. RUBIO (for himself and Mr. CASSIDY):

S. Res. 486. A resolution commemorating "Cruise Travel Professional Month" in October 2016; to the Committee on Commerce, Science, and Transportation.

By Mrs. ERNST:

S. Res. 487. A resolution commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army; considered and agreed to.

ADDITIONAL COSPONSORS

S. 217

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 217, a bill to protect a woman's right to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services.

S. 461

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 461, a bill to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

S. 1301

At the request of Ms. HIRONO, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1301, a bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to restore Medicaid coverage for citizens of the Freely Associated States lawfully residing in the United States under the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

S. 1421

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1421, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a 6-month extension of certain exclusivity periods in the case of approved drugs that are subsequently approved for a new indication to prevent, diagnose, or treat a rare disease or condition, and for other purposes.

S. 1661

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1661, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 1911

At the request of Ms. COLLINS, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1911, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2212

At the request of Mr. KING, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2212, a bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes.

S. 2551

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2551, a bill to help prevent acts of genocide and mass atrocities, which threaten national and international security, by enhancing United States civilian capacities to prevent and mitigate such crises.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from Montana (Mr. DAINES) and the Senator from California (Mrs. BOXER) were added as

cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2694

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2694, a bill to ensure America's law enforcement officers have access to lifesaving equipment needed to defend themselves and civilians from attacks by terrorists and violent criminals.

S. 2759

At the request of Mrs. ERNST, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a non-refundable credit for working family caregivers.

S. 2854

At the request of Mr. BURR, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2854, a bill to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2882

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2882, a bill to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

S. 2892

At the request of Ms. STABENOW, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 2892, a bill to accelerate the use of wood in buildings, especially tall wood buildings, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2912

At the request of Mr. JOHNSON, the names of the Senator from Indiana (Mr. COATS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2918

At the request of Mr. TESTER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2918, a bill to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent ap-

pointment at any Federal agency, and for other purposes.

S. 2924

At the request of Mr. REID, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 2946

At the request of Mr. BOOKER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2946, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 2984

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2984, a bill to impose sanctions in relation to violations by Iran of the Geneva Convention (III) or the right under international law to conduct innocent passage, and for other purposes.

S. 2993

At the request of Mrs. FISCHER, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. 2993, a bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms.

S. 3009

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3009, a bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes.

S. 3022

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3022, a bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes.

S. 3024

At the request of Mr. VITTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3024, a bill to improve cyber security for small businesses.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 479

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 479, a resolution urging the Government of the Democratic Republic of the Congo to comply with constitutional limits on presidential terms and fulfill its constitutional mandate for a democratic transition of power in 2016.

S. RES. 482

At the request of Mrs. SHAHEEN, the names of the Senator from California (Mrs. BOXER), the Senator from Connecticut (Mr. MURPHY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

S. RES. 483

At the request of Mr. ALEXANDER, the names of the Senator from California (Mrs. BOXER), the Senator from Idaho (Mr. CRAPO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Res. 483, a resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

AMENDMENT NO. 4118

At the request of Mr. PERDUE, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 4118 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4178

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 4178 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4222

At the request of Ms. MURKOWSKI, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Montana (Mr. TESTER) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropri-

tions for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4229

At the request of Mr. INHOFE, his name was added as a cosponsor of amendment No. 4229 proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4250

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4250 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4267

At the request of Mr. COCHRAN, the names of the Senator from North Carolina (Mr. BURR), the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mrs. FISCHER), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Maryland (Mr. CARDIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 4267 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4310

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of amendment No. 4310 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4320

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 4320 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the De-

partment of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4327

At the request of Mr. THUNE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 4327 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4336

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4336 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4364

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 4364 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4390

At the request of Ms. BALDWIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 4390 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4410

At the request of Mr. CARPER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 4410 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4426

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr.

DURBIN), the Senator from Montana (Mr. DAINES) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of amendment No. 4426 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4438

At the request of Mr. SCHATZ, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 4438 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4441

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 4441 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4448

At the request of Mr. LEE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of amendment No. 4448 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4475

At the request of Mr. COTTON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 4475 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4483

At the request of Mr. COTTON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of

amendment No. 4483 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4498

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4498 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4567

At the request of Ms. BALDWIN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 4567 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4574

At the request of Mr. WHITEHOUSE, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 4574 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4580

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4580 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4588

At the request of Mr. BOOZMAN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of amendment No. 4588 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4597

At the request of Mrs. BOXER, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 4597 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4599

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of amendment No. 4599 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4600

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 4600 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4601

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 4601 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 3045. A bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, today I am introducing the DUE PROCESS Act. I am very pleased that Senator LEAHY is a cosponsor of the bill. This legislation will make important reforms to the practice of civil asset forfeiture.

The Senate Judiciary Committee held hearings last year on the problems associated with civil asset forfeiture. This is a process by which a person who has been convicted of no crime, and in fact is often not even charged with a crime, can nonetheless lose his property if the property is suspected to be owned as a result of wrongdoing. Civil asset forfeiture has a place in our society, including gaining control over assets used to further terrorism and the drug trade. But there have been excesses, and this bill is designed to address many of them.

Working together in a bipartisan and bicameral way, we have had months long discussions about how to draft legislation to improve the fairness of civil asset forfeiture. The bill that I am introducing today has been introduced and passed through the House Judiciary Committee on a bipartisan voice vote. It is the result of these bipartisan and bicameral discussions. The Senate should consider the same bill.

The DUE PROCESS Act broadens the timelines for an owner to challenge forfeitures. It extends protections in existing law to judicial forfeitures, not only administrative forfeitures. The government must provide greater notice to owners whose property has been seized, including notice of the rights that they may invoke to regain their property and their right to be represented by counsel in contesting a forfeiture either judicially or administratively. The property owner is given more time to respond to the seizure. Very importantly, an owner who challenges the seizure receives an initial hearing, at which time she is further notified of her rights and will have her property released if the seizure was not made according to law. Under the bill, the government must prove that seizure is warranted by clear and convincing evidence, rather than the current preponderance of the evidence standard.

Some of these provisions are in the bill because of media reports, including in my home state of Iowa. For instance, the Des Moines Register has reported that in many instances, innocent motorists surrender the property that law enforcement seizes without always having an understanding of how the seizure can be challenged. The bill will ensure that those whose assets are seized are given notice of the process by which the seizure can be contested and their right to have counsel represent them in the forfeiture proceeding.

In a change to criminal forfeiture, which can take place after a defendant is convicted of a crime, the bill overturns the Supreme Court's recent decision in *Kaley v. United States*. A defendant will have the right to ask for a hearing to modify the seizure so as to demonstrate that assets not associated with the charged criminal activity can

be used to hire the attorney of the defendant's choice. The court is directed to consider various factors at the hearing.

Additionally, the bill makes it easier for those whose assets have been seized to recover their attorney's fees when they settle their cases. The bill requires the Justice Department's Inspector General to audit a sample of civil forfeitures to make sure they are consistent with the Constitution and the law. And it directs the Attorney General to establish databases on real-time status of forfeitures and on the types of forfeitures sought, the agencies seeking them, and the conduct that leads the property to be forfeited.

Further, the bill codifies DOJARS policy to allow civil forfeiture in structuring cases only when the property to be seized is derived from an underlying crime other than structuring, or where it is done to conceal illegal activity. Structuring is a crime by which cash deposits or withdrawals are made with the intent of avoiding government reporting requirements. In Iowa, for instance, prosecutors brought an action against a restaurateur, Carole Hinders, who had deposited cash from her operations without any intention to evade any reporting requirement or to conceal some other illegal activity. After IRS changed its policy, prosecutors dropped the case. The bill will prevent the government from pursuing civil asset forfeiture cases such as these in the future.

Finally, the bill expands existing protections for innocent owners of property that is sought to be forfeited. The government will have to prove that there is a substantial connection between the property and an offense and that the owner of the seized property intentionally used the property, knowingly consented to its criminal use, or reasonably should have known that the property might be used in connection with the offense.

Many of these provisions strengthen the Civil Asset Forfeiture Reform Act. That legislation improved the process and provided greater protection for innocent owners involved in civil asset forfeiture than had previously been the case. But, as we have seen, excesses and injustices still remain. The DUE PROCESS Act is designed to make further progress in this area to protect the rights of people whose property has been seized without any judicial finding of criminal wrongdoing.

The problems associated with civil asset forfeiture need to be addressed. In various ways, it would have been preferable to make changes that go even beyond those in this bill. However, we do want to work with law enforcement and address their legitimate interests and concerns. I can assure them that we will continue to talk as this legislation works its way to Senate passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 485—TO ENCOURAGE THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO ABIDE BY CONSTITUTIONAL PROVISIONS REGARDING THE HOLDING OF PRESIDENTIAL ELECTIONS IN 2016, WITH THE AIM OF ENSURING A PEACEFUL AND ORDERLY DEMOCRATIC TRANSITION OF POWER

Mr. FLAKE (for himself, Mr. COONS, Mr. ISAKSON, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 485

Whereas the United States Government has supported and will continue to support the principle that the people of the Democratic Republic of the Congo (in this resolution referred to as "the DRC") should choose their own government in accordance with their constitution and all relevant laws and regulations;

Whereas the constitution of the DRC requires that elections be held in time for the inauguration of a new president on December 19, 2016, when the current presidential term expires;

Whereas, on March 30, 2016, the United Nations Security Council adopted resolution 2277, which called upon the Government of the DRC and its national partners, including the CENI (Independent National Electoral Commission), "to ensure a transparent and credible electoral process, in fulfillment of their primary responsibility to create propitious conditions for the forthcoming elections . . . scheduled for November 2016 in accordance with the Constitution" and urged the Government of the DRC and all relevant parties to ensure an electoral environment conducive to a "free, fair, credible, inclusive, transparent, peaceful, and timely electoral process, in accordance with the Congolese constitution";

Whereas events in the DRC over the last year and a half have called into serious question the commitment of the Government of the DRC to hold such elections on the required timeline, and President Joseph Kabila has not publicly committed to stepping down at the end of his term;

Whereas there are 12 presidential elections slated to take place on the continent of Africa by the end of 2017, and what transpires in the DRC will set an important example for the leaders of those countries; and

Whereas many observers have expressed concern that failure to move ahead with elections in the DRC could lead to violence and instability inside the DRC, which could reverberate throughout central Africa's Great Lakes region: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Government of the DRC and all other relevant parties to engage in a credible, independently-monitored, and technical dialogue to reach consensus on a way forward on establishing a detailed electoral calendar and organizing elections;

(2) urges the Government of the DRC to respect the constitution of the DRC and, as constitutionally required, to ensure a free, open, peaceful, and democratic transition of power;

(3) expresses its solidarity with the people of the DRC to choose their own government

in an atmosphere free of violence, threats, and intimidation by the government or other parties, including the release of Fred Bauma and Yves Makwambala;

(4) commits to maintain vigilance and scrutiny of the electoral process in the DRC, to help ensure that all United States Government activities contribute fully and robustly to the abovementioned objectives; and

(5) pledges to examine continuously the use of all available and appropriate means to ensure these objectives, including the imposition of targeted sanctions on individuals or entities responsible for violence and human rights violations and undermining democratic processes in the DRC.

SENATE RESOLUTION 486—COMMEMORATING “CRUISE TRAVEL PROFESSIONAL MONTH” IN OCTOBER 2016

Mr. RUBIO (for himself and Mr. CASSIDY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 486

Whereas Cruise Lines International Association was established in 1975 and as of 2016 is the largest cruise industry trade association in the world, providing a unified voice and serving as the leading authority for the global cruise community;

Whereas Cruise Lines International Association supports policies and practices that foster a safe, secure, healthy, and sustainable cruise ship environment and is dedicated to promoting the cruise travel experience;

Whereas approximately 10,000 travel agencies and 19,000 individual cruise travel professionals are members of Cruise Lines International Association and participate in ongoing professional development and training programs to build cruise industry knowledge;

Whereas cruise travel professionals deliver value to consumers by providing advice on choosing the best cruise based on the budgets and interests of the customers and taking the worry out of vacation planning by arranging the details of vacations;

Whereas cruise passengers have consistently ranked cruise travel professionals as the most helpful sources of information and service among all distribution channels used for purchasing cruises;

Whereas 70 percent of cruise passengers from the United States use a cruise travel professional to plan and book a cruise vacation;

Whereas Cruise Lines International Association and cruise travel professionals across the world celebrate and promote October as “Plan a Cruise Month”;

Whereas the United States has the most cruise passengers in the world, with almost 11,500,000 cruise passengers in 2014;

Whereas the cruise industry in the United States generated 375,000 jobs across all 50 States in 2014; and

Whereas, in 2014, the cruise industry spent \$21,000,000,000 directly with United States businesses and generated \$46,000,000,000 in gross outputs due to the spending of cruise lines and the crew and passengers of cruise lines, including indirect economic impacts: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the inaugural “Cruise Travel Professional Month” in October 2016;

(2) acknowledges the creativity and professionalism of the men and women of the cruise travel professional community; and

(3) encourages the people of the United States to observe “Cruise Travel Professional Month” with appropriate ceremonies and activities.

SENATE RESOLUTION 487—COMMEMORATING THE 100TH ANNIVERSARY OF THE RESERVE OFFICERS’ TRAINING CORPS PROGRAM OF THE ARMY

Mrs. ERNST submitted the following resolution; which was considered and agreed to:

S. RES. 487

Whereas June 3, 2016, marks the 100th anniversary of the Reserve Officers’ Training Corps program of the Army (referred to in this preamble as “Army ROTC”);

Whereas Congress established Army ROTC and the Naval Reserve Officer Training Corps in the Act of June 3, 1916 (39 Stat. 166, chapter 134) (commonly known as the “National Defense Act of 1916”);

Whereas the Army has commissioned more than 650,000 officers from Army ROTC;

Whereas Army ROTC serves as a critical component for the training of men and women to take command, protecting the national security of the United States and way of life of individuals in the United States;

Whereas Army ROTC produces the next generation of innovative and adaptive leaders while providing those leaders with essential collegiate educational opportunities;

Whereas Army ROTC commissioned 5,536 officers in 2014;

Whereas Army ROTC produced 21 4-star generals between 2000 and 2016;

Whereas Army ROTC is available at nearly 1,000 institutions of higher education across all 50 States and all territories;

Whereas the Army has included in Army ROTC programs such as the Green to Gold and Simultaneous Membership programs to allow an enlisted member of the Army to gain a college education and become an officer of the Army;

Whereas women have been an integral part of Army ROTC since academic year 1972–1973; and

Whereas Army ROTC serves as a way for an individual to gain a college education and serve the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the Reserve Officers’ Training Corps program of the Army (referred to in this resolving clause as “Army ROTC”) continues to train the next generation of military leaders, who are well-equipped to defeat existing enemies of the United States and those enemies that may emerge in the future;

(2) the Senate is encouraged by the quality of leaders that Army ROTC has and will continue to produce; and

(3) as of the date of adoption of this resolution, Army ROTC produces more Army officers than any other source.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4604. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense,

for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4605. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4607. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra.

SA 4608. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4609. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4610. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4611. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4612. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4613. Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. GRAHAM, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4614. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4615. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4616. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4617. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4618. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4619. Mr. INHOFE (for himself, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4620. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4621. Mrs. ERNST (for herself, Mr. CORKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4622. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN, Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4604. Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, and Mr. MCCAIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AFGHANS.

(a) PRIORITIZATION OF APPLICATIONS BY THE CHIEF OF MISSION.—Section 602(b)(2)(D)(i) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended by adding at the end “In processing applications under this paragraph, the Chief of Mission shall prioritize, to the maximum extent practicable, applications for those aliens who have experienced or are experiencing an ongoing and credible serious threat as a consequence of the alien’s employment by the United States Government.”.

(b) NUMERICAL LIMITATIONS.—Section 602(b)(3)(F) of such Act is amended—

(1) in the subparagraph heading, by striking “AND 2017” and inserting “2017, AND 2018”;

(2) by striking “December 31, 2016;” each place it appears and inserting “December 31, 2017;” and

(3) in the matter preceding clause (i)—

(A) by striking “exhausted,,” and inserting “exhausted;,” and

(B) by striking “7,000” and inserting “9,500”.

(c) REPORT.—Section 602(b)(14) of such Act is amended—

(1) in the matter preceding subparagraph (A), by striking “Not later than 60 days after the date of the enactment of this paragraph,” and inserting “Not later than December 31, 2016, and annually thereafter through January 31, 2021;” and

(2) in subparagraph (A)(i), by striking “under this section;” and inserting “under subclause (I) or (II)(bb) of paragraph (2)(A)(ii);”.

(d) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—Section 602(b) of such Act is amended by adding at the end the following:

“(17) PLAN TO BRING AFGHAN SIV PROGRAM TO A RESPONSIBLE END.—

“(A) IN GENERAL.—Not later than 120 days after the earlier of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017 or March 1, 2018, the Secretary of Defense and the Secretary of State, in consultation with the Secretary of Homeland Security, the Chairman of the Joint Chiefs of Staff, the Commander of United States Central Command, and the Commander Resolute Support/United States Forces – Afghanistan, shall submit a report to the appropriate committees of Congress that details a strategy for bringing the program authorized under this subsection to provide special immigrant status to certain Afghans to a responsible end by or before December 31, 2018.

“(B) CONTENT.—The report required under subparagraph (A) shall—

“(i) identify the number of visas that would be required to meet existing or reasonably projected commitments, taking into account the need to support a continued United States Government presence in Afghanistan;

“(ii) provide an estimate of how long such visas should remain available;

“(iii) assess whether other existing programs would be adequate to incentivize the continued recruitment, retention, and protection of critical Afghan employees, after the program authorized under this subsection expires; and

“(iv) describe potential alternative programs that could be considered if existing programs are inadequate.”.

(e) REPORT.—Not later than 120 days after the enactment of this Act, the Secretary of the Department of Homeland Security shall submit to Congress a report on the frequency, duration, and reasons recipients of these visas from Afghanistan travel back to Afghanistan.

SA 4605. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: “The plan for outreach shall include annual updates of the most recent information, disaggregated for each State and local educational agency, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

“(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

“(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).”.

SA 4606. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 829A.

SA 4607. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

On page 508, strike line 10 and all that follows through “(d) TRAINING.—” on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) TRAINING.—

SA 4608. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:

SEC. 578. CRIMINAL HISTORY CHECKS FOR COVERED INDIVIDUALS AT DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) DEFINITIONS.—In this section:

(1) The term “covered individual” means an individual involved in the provision of child care services (as defined in section 231 of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041)) for children under the age of 18 at a covered school.

(2) The term “covered school” means a Department of Defense domestic dependent elementary or secondary school established under section 2164 of title 10, United States Code.

(b) CRIMINAL HISTORY CHECKS.—

(1) IN GENERAL.—The Secretary of Defense, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), shall have the authority to establish regulations to implement policy, assign responsibilities, and provide procedures, and shall have in effect policies and procedures, regarding criminal history checks.

(2) POLICIES AND PROCEDURES FOR CRIMINAL HISTORY CHECKS.—The policies and procedures to implement criminal history checks required under paragraph (1) may include the following:

(A) Databases searches of—

(i) the State criminal registry or repository of the State in which the covered individual resides;

(ii) State-based child abuse and neglect registries and databases of the State in which the covered individual resides;

(iii) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(iv) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(B) Providing covered individuals with training and professional development about how to recognize, respond to, and prevent child abuse.

(C) The development, implementation, or improvement of mechanisms to assist covered schools in effectively recognizing and quickly responding to incidents of child abuse by covered individuals.

(D) Developing and disseminating information on best practices and Federal, State, and local resources available to assist covered schools in preventing and responding to incidents of child abuse by covered individuals.

(E) Developing professional standards and codes of conduct for the appropriate behavior of covered individuals.

(F) Establishing, implementing, or improving policies and procedures for covered schools to provide the results of criminal history checks to—

(i) covered individuals subject to the criminal history checks in a statement that indicates whether the individual is ineligible for certain employment due to the criminal history check and includes information related to each disqualifying finding from the criminal history check; and

(ii) a covered school in a statement that indicates whether a covered individual is eligible or ineligible for certain employment, without revealing any disqualifying finding from the criminal history check or other related information regarding the covered individual.

(G) Establishing, implementing, or improving procedures that include periodic criminal history checks for covered individuals, while maintaining an appeals process.

(H) Establishing, implementing, or improving a process by which a covered individual may appeal the results of a criminal history check, which process shall be completed in a timely manner, give each covered individual notice of an opportunity to appeal, and give each covered individual instructions on how to complete the appeals process.

(I) Establishing, implementing, or improving a review process through which a covered school may determine that a covered individual who was disqualified due to a finding in the criminal history check is eligible for employment due to mitigating circumstances, as determined by the covered school.

(J) Establishing, implementing, or improving policies and procedures intended to ensure that a covered school does not knowingly transfer or facilitate the transfer of a covered individual if the covered school knows or has probable cause to believe that the covered individual has engaged in sexual misconduct, in accordance with section 578A.

(K) Publishing the applicable policies and procedures described in this subsection on the website of covered schools.

(L) Providing covered individuals with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)).

(M) Supporting any other activities determined by a covered school to protect student safety or improve the comprehensiveness, coordination, and transparency of policies and procedures regarding criminal history checks for covered individuals at the covered school.

SEC. 578A. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

(a) IN GENERAL.—The Secretary of Defense shall promulgate regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the information giving rise to probable cause—

(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(B) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(2)(A) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school em-

ployee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(B) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(C) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4609. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 578 and insert the following:
SEC. 578. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

(a) IN GENERAL.—Subpart 2 of part F of title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

“SEC. 8549D. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

“(a) CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

“(1) IN GENERAL.—Each State educational agency and local educational agency that receives funds under this Act shall have in effect policies and procedures that require a criminal background check for each school employee in each covered school served by such State educational agency and local educational agency.

“(2) REQUIREMENTS.—A background check required under paragraph (1) shall be conducted and administered by—

“(A) the State;

“(B) the State educational agency; or

“(C) the local educational agency.

“(b) STATE AND LOCAL USES OF FUNDS.—A State educational agency or local educational agency that receives funds under this Act may use such funds to establish, implement, or improve policies and procedures on background checks for school employees required under subsection (a) to—

“(1) expand the registries or repositories searched when conducting background checks, such as—

“(A) the State criminal registry or repository of the State in which the school employee resides;

“(B) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

“(C) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(D) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

“(2) provide school employees with training and professional development on how to recognize, respond to, and prevent child abuse;

“(3) develop, implement, or improve mechanisms to assist covered local educational agencies and covered schools in effectively recognizing and quickly responding to incidents of child abuse by school employees;

“(4) develop and disseminate information on best practices and Federal, State, and local resources available to assist local educational agencies and schools in preventing and responding to incidents of child abuse by school employees;

“(5) develop professional standards and codes of conduct for the appropriate behavior of school employees;

“(6) establish, implement, or improve policies and procedures for covered State educational agencies, covered local educational agencies, or covered schools to provide the results of background checks to—

“(A) individuals subject to the background checks in a statement that indicates whether the individual is ineligible for such employment due to the background check and includes information related to each disqualifying crime;

“(B) the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual;

“(C) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

“(D) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual;

“(7) establish, implement, or improve procedures that include periodic background checks, which also allows for an appeals process as described in paragraph (8), for school employees in accordance with State policies or the policies of covered local educational agencies served by the covered State educational agency;

“(8) establish, implement, or improve a process by which a school employee may appeal the results of a background check, which process is completed in a timely manner, gives each school employee notice of an opportunity to appeal, and instructions on how to complete the appeals process;

“(9) establish, implement, or improve a review process through which the covered State educational agency or covered local educational agency may determine that a school employee disqualified due to a crime is eligible for employment due to mitigating circumstances as determined by a covered local educational agency or a covered State educational agency;

“(10) establish, implement, or improve policies and procedures intended to ensure a covered State educational agency or covered local educational agency does not knowingly transfer or facilitate the transfer of a school employee if the agency knows that employee has engaged in sexual misconduct, as defined by State law, with an elementary school or secondary school student;

“(11) provide that policies and procedures are published on the website of the covered State educational agency and the website of each covered local educational agency served by the covered State educational agency;

“(12) provide school employees with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)); and

“(13) support any other activities determined by the State to protect student safety

or improve the comprehensiveness, coordination, and transparency of policies and procedures on criminal background checks for school employees in the State.

“(c) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a State, covered State educational agency, covered local educational agency, or covered school is in compliance with State regulations and requirements concerning background checks.

“(d) BACKGROUND CHECK FEES.—Nothing in this section shall be construed as prohibiting States or local educational agencies from charging school employees for the costs of processing applications and administering a background check as required by State law, provided that the fees charged to school employees do not exceed the actual costs to the State or local educational agency for the processing and administration of the background check.

“(e) STATE AND LOCAL PLAN REQUIREMENTS.—Each plan submitted by a State or local educational agency under title I shall include—

“(1) an assurance that the State and local educational agency has in effect policies and procedures that meet the requirements of this section; and

“(2) a description of laws, regulations, or policies and procedures in effect in the State for conducting background checks for school employees designed to—

“(A) terminate individuals in violation of State background check requirements;

“(B) improve the reporting of violations of the background check requirements in the State;

“(C) reduce the instance of school employee transfers following a substantiated violation of the State background check requirements by a school employee;

“(D) provide for a timely process by which a school employee may appeal the results of a criminal background check;

“(E) provide each school employee, upon request, with a copy of the results of the criminal background check, including a description of the disqualifying item or items, if applicable;

“(F) provide the results of the criminal background check to the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual; and

“(G) provide for the public availability of the policies and procedures for conducting background checks.

“(f) TECHNICAL ASSISTANCE TO STATES, SCHOOL DISTRICTS, AND SCHOOLS.—The Secretary, in collaboration with the Secretary of Health and Human Services and the Attorney General, shall provide technical assistance and support to States, local educational agencies, and schools, which shall include, at a minimum—

“(1) developing and disseminating a comprehensive package of materials for States, State educational agencies, local educational agencies, and schools that outlines steps that can be taken to prevent and respond to child sexual abuse by school personnel;

“(2) determining the most cost-effective way to disseminate Federal information so that relevant State educational agencies and local educational agencies, child welfare agencies, and criminal justice entities are aware of such information and have access to it; and

“(3) identifying mechanisms to better track and analyze the prevalence of child

sexual abuse by school personnel through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

“(g) REPORTING REQUIREMENTS.—

“(1) REPORTS TO THE SECRETARY.—A covered State educational agency or covered local educational agency that uses funds pursuant to this section shall report annually to the Secretary on—

“(A) the amount of funds used; and

“(B) the purpose for which the funds were used under this section.

“(2) SECRETARY'S REPORT CARD.—Not later than July 1, 2018, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card that includes—

“(A) actions taken pursuant to subsection (f), including any best practices identified under such subsection; and

“(B) incidents of reported child sexual abuse by school personnel, as reported through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

“(h) RULES OF CONSTRUCTION REGARDING BACKGROUND CHECKS.—

“(1) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

“(A) mandate, direct, or control the background check policies or procedures that a State or local educational agency develops or implements under this section;

“(B) establish any criterion that specifies, defines, or prescribes the background check policies or procedures that a State or local educational agency develops or implements under this section; or

“(C) require a State or local educational agency to submit such background check policies or procedures for approval.

“(2) PROHIBITION ON REGULATION.—Nothing in this section shall be construed to permit the Secretary to establish any criterion that—

“(A) prescribes, or specifies requirements regarding, background checks for school employees;

“(B) defines the term ‘background checks’, as such term is used in this section; or

“(C) requires a State or local educational agency to report additional data elements or information to the Secretary not otherwise explicitly authorized under this section or any other Federal law.

“(i) DEFINITIONS.—In this section—

“(1) the term ‘covered local educational agency’ means a local educational agency that receives funds under this Act;

“(2) the term ‘covered school’ means a public elementary school or public secondary school, including a public elementary or secondary charter school, that receives funds under this Act;

“(3) the term ‘covered State educational agency’ means a State educational agency that receives funds under this Act; and

“(4) the term ‘school employee’ includes, at a minimum—

“(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of

such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

“(B) any person, or any employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or unsupervised interaction with elementary school or secondary school students.”.

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 8549C the following:

“Sec. 8549D. Criminal background checks for school employees.”.

(c) BACKGROUND CHECKS FOR DEPARTMENT OF DEFENSE SCHOOLS.—

(1) IN GENERAL.—The Secretary of Defense shall have the authority, pursuant to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), and subtitle E of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13041), to establish regulations to implement policy, assign responsibilities, and provide procedures to conduct criminal history checks on individuals involved in the provision of child care services (as defined in section 231 of such Act) for children under the age of 18 in Department of Defense domestic dependent elementary and secondary schools established under section 2164 of title 10, United States Code.

(2) CONTENTS OF CRIMINAL HISTORY CHECKS.—The criminal history checks established in the regulations required under paragraph (1) may include—

(A) a search of the State criminal registry or repository of the State in which the individual resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the individual resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919).

(d) PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.—

(1) IN GENERAL.—Commencing not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall create regulations, policies, or procedures that prohibit any individual who is a school employee, contractor, or agent of any Department of Defense domestic dependent elementary or secondary school established pursuant to section 2164 of title 10, United States Code, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the individual or agency knows, or has probable cause to believe, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

(2) EXCEPTIONS.—The requirements of paragraph (1) shall not apply if the information giving rise to probable cause—

(A)(i) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

(ii) has been properly reported to any other authorities as required by Federal, State, or local law, including chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

(B)(i) the matter has been officially closed or the prosecutor or police with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law;

(ii) the school employee, contractor, or agent has been charged with, and acquitted or otherwise exonerated of the alleged misconduct; or

(iii) the case or investigation remains open and there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

SA 4610. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXIX, add the following:

SEC. 2904. FIRE STATION, FORT LEONARD WOOD, MISSOURI.

The amount authorized to be appropriated under section 2903 and available for Army military construction projects as specified in the funding table in section 4602 is increased by \$6,900,000, with the amount of such increase to be allocated for a Fire Station, Fort Leonard Wood, Missouri.

SA 4611. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PUBLICATION OF INFORMATION ON PROVISION OF HEALTH CARE BY DEPARTMENT OF VETERANS AFFAIRS AND ABUSE OF OPIOIDS BY VETERANS.

(a) PUBLICATION OF INFORMATION.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once every 180 days thereafter, the Secretary of Veterans Affairs shall publish on a publicly available Internet website of the Department of Veterans Affairs information on the provision of health care by the Department and the abuse of opioids by veterans.

(b) ELEMENTS.—

(1) HEALTH CARE.—

(A) IN GENERAL.—Each publication required by subsection (a) shall include, with respect to each medical facility of the Department during the 180-day period preceding such publication, the following:

(i) The average number of patients seen per month by each primary care physician.

(ii) The average length of stay for inpatient care.

(iii) A description of any hospital-acquired condition acquired by a patient.

(iv) The rate of readmission of patients within 30 days of release.

(v) The rate at which opioids are prescribed to each patient.

(vi) The average wait time for emergency room treatment.

(vii) A description of any scheduling backlog with respect to patient appointments.

(B) ADDITIONAL ELEMENTS.—The Secretary may include in each publication required by subsection (a) such additional information on the safety of medical facilities of the Department, health outcomes at such facilities, and quality of care at such facilities as the Secretary considers appropriate.

(C) SEARCHABILITY.—The Secretary shall ensure that information described in subparagraph (A) that is included on the Internet website required by subsection (a) is searchable by State, city, and facility.

(2) OPIOID ABUSE BY VETERANS.—Each publication required by subsection (a) shall include, for the 180-day period preceding such publication, the following information:

(A) The number of veterans prescribed opioids by health care providers of the Department.

(B) A comprehensive list of all facilities of the Department offering an opioid treatment program, including details on the types of services available at each facility.

(C) The number of veterans treated by a health care provider of the Department for opioid abuse.

(D) Of the veterans described in subparagraph (C)—

(i) the number treated for opioid abuse in conjunction with posttraumatic stress disorder, depression, or anxiety; and

(ii) the number with a diagnosis of opioid abuse during the one-year period before beginning treatment from a health care provider of the Department and for which there is no evidence of treatment for opioid abuse from a health care provider of the Department during such period.

(c) PERSONAL INFORMATION.—The Secretary shall ensure that personal information connected to information published under subsection (a) is protected from disclosure as required by applicable law.

(d) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth recommendations for additional elements to be included with the information published under subsection (a) to improve the evaluation and assessment of the safety and health of individuals receiving health care under the laws administered by the Secretary and the quality of health care received by such individuals.

SA 4612. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe mili-

tary personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. UNITED STATES POLICY ON BALLISTIC MISSILE DEFENSE.

(a) POLICY.—With respect to ballistic missile defense, it is the policy of the United States to—

(1) defend the United States homeland against the threat of limited ballistic missile attack, particularly from nations such as North Korea and Iran;

(2) defend against regional missile threats to deployed United States military forces, while also protecting allies and partners and helping enable them to defend themselves;

(3) ensure that before new ballistic missile defense capabilities are deployed, they must undergo sufficient operationally realistic testing and demonstrate that they can perform reliably and effectively to help United States forces accomplish their missions;

(4) ensure that such ballistic missile defense systems are affordable and fiscally sustainable over the long term;

(5) ensure that United States ballistic missile defense capabilities are flexible enough to adapt to evolving missile threats; and

(6) enhance international efforts and cooperation on ballistic missile defense to increase regional security and appropriate burden-sharing.

(b) CONFORMING REPEAL.—The National Missile Defense Act of 1999 (Public Law 106-38) is hereby repealed.

SA 4613. Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. GRAHAM, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. QUORUM REQUIREMENT FOR BOARD OF DIRECTORS OF EXPORT-IMPORT BANK OF THE UNITED STATES.

Notwithstanding section 3(c)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(c)(6)), the entire voting membership of the Board of Directors of the Export-Import Bank of the United States shall constitute a quorum during any period during which there are fewer than 3 voting members holding office on the Board.

SA 4614. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VI, add the following:

SEC. 673. CREDIT PROTECTIONS FOR SERVICEMEMBERS.

(a) **ACTIVE DUTY FREEZE ALERTS.**—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c-1) is amended—

(1) in the heading for such section, by striking “**AND ACTIVE DUTY ALERTS**” and inserting “**ACTIVE DUTY ALERTS, AND ACTIVE DUTY FREEZE ALERTS**”;

(2) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively;

(3) by inserting after subsection (c) the following:

“(d) **ACTIVE DUTY FREEZE ALERTS.**—Upon the direct request of an active duty military consumer, or an individual acting on behalf of or as a personal representative of an active duty military consumer, a consumer reporting agency described in section 603(p) that maintains a file on the active duty military consumer and has received appropriate proof of the identity of the requester, at no cost to the active duty military consumer while the consumer is deployed, shall—

“(1) include an active duty freeze alert in the file of that active duty military consumer, during a period of not less than 12 months, or such longer period as the Bureau shall determine, by regulation, beginning on the date of the request, unless the active duty military consumer or such representative requests that such freeze alert be removed before the end of such period, and the agency has received appropriate proof of the identity of the requester for such purpose;

“(2) during the 2-year period beginning on the date of such request, exclude the active duty military consumer from any list of consumers prepared by the consumer reporting agency and provided to any third party to offer credit or insurance to the consumer as part of a transaction that was not initiated by the consumer, unless the consumer requests that such exclusion be rescinded before the end of such period; and

“(3) refer the information regarding the active duty freeze alert to each of the other consumer reporting agencies described in section 603(p), in accordance with procedures developed under section 621(f).”;

(4) in subsection (e), as so redesignated—

(A) by striking “extended, and active duty alerts” and inserting “extended, active duty, and active duty freeze alerts”; and

(B) by striking “extended, or active duty alerts” and inserting “extended, active duty, or active duty freeze alerts”;

(5) in subsection (f), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “or active duty alert” and inserting “active duty alert, or active duty freeze alert”;

(B) in paragraph (2), by striking “; and” and inserting a semicolon;

(C) in paragraph (3), by striking the period and inserting “; and”; and

(D) by adding at the end the following:

“(4) paragraphs (1) and (2) of subsection (d), in the case of a referral under subsection (d)(3).”;

(6) in subsection (g), as so redesignated, by striking “or active duty alert” and inserting “active duty alert, or active duty freeze alert”; and

(7) in subsection (i), as so redesignated, by adding at the end the following:

“(3) **REQUIREMENTS FOR ACTIVE DUTY FREEZE ALERTS.**—

“(A) **NOTIFICATION.**—Each active duty freeze alert under this section shall include information that notifies all prospective users of a consumer report on the consumer to which the freeze alert relates that the consumer does not authorize the establish-

ment of any new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issuance of an additional card on an existing credit account requested by a consumer, or any increase in credit limit on an existing credit account requested by a consumer.

“(B) **PROHIBITION ON USERS.**—No prospective user of a consumer report that includes an active duty freeze alert in accordance with this section may establish a new credit plan or extension of credit, other than under an open-end credit plan (as defined in section 103(i)), in the name of the consumer, or issue an additional card on an existing credit account requested by a consumer, or grant any increase in credit limit on an existing credit account requested by a consumer.”.

(b) **RULEMAKING.**—The Bureau of Consumer Financial Protection shall prescribe regulations to define what constitutes appropriate proof of identity for purposes of section 605A(d) of the Fair Credit Reporting Act, as amended by subsection (a).

(c) **TECHNICAL AMENDMENT.**—Section 603(q)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(2)) is amended—

(1) in the heading for such paragraph, by striking “**ACTIVE DUTY ALERT**” and inserting “**ACTIVE DUTY ALERT; ACTIVE DUTY FREEZE ALERT**”; and

(2) by inserting “and ‘active duty freeze alert’” before “mean”.

(d) **EFFECTIVE DATE.**—This Act, and any amendment made by this Act, shall take effect 1 year after the date of enactment of this Act.

SA 4615. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XXVIII, add the following:

SEC. 2853. CONGRESSIONAL DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Medal of Honor Museum will be the only museum in the United States that exists for the exclusive purpose of interpreting the story of the Medal of Honor and all of its recipients.

(2) The Medal of Honor Museum will be the only museum to educate a diverse group of audiences through its collection of artifacts, photographs, letters, documents, and first-hand personal accounts of Medal of Honor recipients and the wars they fought in during United States conflicts since the Civil War.

(3) The Medal of Honor Museum mission is—

(A) to preserve and present the extraordinary stories of individuals who reached the highest levels of recognition, “above and beyond the call of duty,” in service to the Nation;

(B) to inspire current and future generations about the ideals of the Medal of Honor six columns of character—Courage, Commitment, Integrity, Citizenship, Sacrifice, and Patriotism;

(C) to help visitors understand the meaning and price of freedom and what it means to put service above self; and

(D) to serve as an education center that, through various programs, reaches out across the country to further the Medal of Honor’s ideals among all Americans, especially our Nation’s youth.

(4) The Medal of Honor was established by an Act of Congress in 1861 and is awarded in its name. The Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Forces of the United States and is generally presented to its recipient by the President in the name of Congress.

(5) The total number of Medal of Honor recipients from the Civil War through the current War on Terrorism is 3,495 (19 individuals are double recipients). Since World War II, the vast majority of recipients from WWII, the Korean War, and Vietnam have been awarded posthumously.

(6) As of May 3, 2016, there are only 76 living Medal of Honor recipients, whose average age is 77, creating an urgent need to preserve the stories, artifacts, and heroic achievements of these individuals.

(7) The United States has a need to preserve forever the stories, knowledge, and history of the 3,495 recipients of the Medal of Honor to portray that history and the courage, commitment, integrity, citizenship, sacrifice, and patriotism of the recipients to citizens, visitors, and school children for centuries to come.

(8) Therefore, it is appropriate to designate The Medal of Honor Museum as “National Medal of Honor Museum”.

(b) **DESIGNATION OF THE NATIONAL MEDAL OF HONOR MUSEUM.**—The Medal of Honor Museum is hereby designated as “The National Medal of Honor Museum”.

(c) **FUNDING.**—The amount authorized to be appropriated under section 2403 for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the finding table in section 4601, is increased by \$10,000,000, with the amount of such increase to be allocated for planning and construction of the National Medal of Honor Museum.

SA 4616. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE’S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration may not require an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People’s Republic of China that is inconsistent with United States policy, overlaps with pre-existing air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4617. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. STRATEGIC SOURCING IMPROVEMENTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “Department” means the Department of Defense;

(2) the term “Secretary” means the Secretary of Defense; and

(3) the term “small business concern” has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

(b) **IMPROVING THE USE OF STRATEGIC SOURCING.**—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics, shall establish performance measures for the inclusion of small business concerns in Department-wide strategic sourcing initiatives, including efforts being conducted through the Federal Strategic Sourcing Initiative and the Category Management Initiative; and

(2) the Secretary shall begin collecting data, including data relating to the performance measures established under paragraph (1), on the participation of small business concerns in strategic sourcing initiatives established by the Department, which shall include participation as subcontractors to the extent feasible and that data is available in order to determine the effectiveness of these contract vehicles and impact on the small business industrial base.

SA 4618. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1247. DEFENSE AND SECURITY COOPERATION WITH INDIA.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States and India face mutual security threats, and a robust defense partnership is in the interest of both countries.

(2) The relationship between the United States and India has developed over the past two decades to become a multifaceted, global strategic and defense partnership rooted in shared democratic values and the promotion of mutual prosperity, greater economic cooperation, regional peace, security, and stability.

(3) In 2012, the Department of Defense began an initiative to increase senior-level oversight and engagement on defense cooperation between the United States and India, which is referred to as the “U.S.-India

Defense Technology and Trade Initiative” (DTTI).

(4) On June 3, 2015, the Government of the United States and the Government of India entered into an executive agreement, entitled “Framework for the U.S.-India Defense Relationship”, which renewed and updated the previous defense framework agreement between the United States and India, executed on June 28, 2005.

(5) Consistent with the Framework for the U.S.-India Defense Relationship and the goals of the U.S.-India Defense Technology and Trade Initiative, improving defense cooperation, achieving greater interaction between the military forces of both countries, increasing the flow of technology and investment, developing capabilities and partnership in co-development and co-production, and strengthening two-way defense trade are in the national security interests of the United States.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the defense partnership between the United States and India is vital to regional and international stability and security;

(2) the national security interests of the United States can be furthered by advancing the goals of the Framework for the U.S.-India Defense Relationship and the effective operation of the U.S.-India Defense Technology and Trade Initiative; and

(3) the commitment of the President to enhancing defense and security cooperation with India should be considered a priority in advancing the interests of the United States in South Asia and the Indo-Pacific region.

(c) **REQUIRED ACTIONS.**—The President shall take such actions as may be necessary—

(1) to recognize the status of India as a global strategic and defense partner of the United States through appropriate modifications to defense export control regulations;

(2) to approve and facilitate the transfer of advanced technology in the context of, and in order to satisfy, combined military planning with the India military for missions such as humanitarian assistance and disaster relief, counter piracy, and maritime domain awareness;

(3) to strengthen the effectiveness of the U.S.-India Defense Technology and Trade Initiative and the durability of the “India Rapid Reaction Cell” of the Department of Defense;

(4) to resolve issues impeding defense trade, security cooperation, and co-production and co-development opportunities between the United States and India;

(5) to collaborate with the Government of India to develop mutually agreeable mechanisms to verify the security of defense technology information and equipment, such as tailored cyber security and end-use monitoring arrangements;

(6) to promote policies that will encourage the efficient review and authorization of defense sales and exports to India, including the treatment of military sales and export authorizations to India in a manner similar to that of the closest defense partners of the United States;

(7) to pursue greater government-to-government and commercial military transactions between the United States and India; and

(8) to support the development and alignment of the export control and procurement regimes of India with those of the United States and multilateral control regimes.

(d) **BILATERAL COORDINATION.**—The President is encouraged to coordinate with the Government of India on an ongoing basis—

(1) to develop and keep updated military contingency plans for addressing threats to the mutual security interests of both countries;

(2) to develop combined military plans for missions such as humanitarian assistance and disaster relief, maritime domain awareness, freedom of navigation, and other missions in the national security interests of both countries; and

(3) to work toward actions and joint efforts, such as significant contributions to ongoing global conflicts, that would allow the United States to treat India the same as its closest partners and allies with respect to United States laws and regulations.

(e) **ASSESSMENT REQUIRED.**—

(1) **IN GENERAL.**—The President shall, on an ongoing basis, carry out an assessment of the extent to which India possesses capabilities to execute military operations of mutual interest between the United States and India.

(2) **USE OF ASSESSMENT.**—The President shall ensure that the assessment described in paragraph (1) is used to inform the review by the United States of applications to export defense articles, defense services, or technical data to India under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

SA 4619. Mr. INHOFE (for himself, Mr. HOEVEN, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. RISK MANAGEMENT AND INTEGRATION EFFORTS WITH RESPECT TO CIVIL AND MILITARY UNMANNED AIRCRAFT SYSTEMS.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Administrator of the Federal Aviation Administration and the heads of other relevant Federal agencies, submit to Congress a report that—

(1) assesses the risk posed by civil unmanned aircraft systems operating at or below 400 feet above ground level to—

(A) the safety of aircraft of the Armed Forces operating in military special use airspace and on military training routes; and

(B) the security of military installations located in the United States that directly support strategic operations of the Armed Forces;

(2) assesses the technology the Department of Defense employs to provide unmanned aircraft operators with airspace situational awareness, the degree to which that technology is compatible with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after the date of enactment of this Act, and the potential of the technology to enhance the safety of the United States national airspace system;

(3) describes—

(A) the cases in which unmanned aircraft of the Department of Defense may need to be interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace

system after the date of the enactment of this Act; and

(B) the efforts of the Department of Defense to coordinate with the Federal Aviation Administration and the National Aeronautics and Space Administration on—

(i) research, development, testing, and evaluation of concepts, technologies, and systems required to ensure that unmanned aircraft systems of the Department of Defense are interoperable with any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(ii) the development of technology and standards for any civilian unmanned aircraft system traffic management system that may be part of the national airspace system after such date of enactment; and

(4) assesses the adequacy of current laws, regulations, procedures, and activities to address risks assessed under paragraph (1) and identifies additional actions that may be appropriate and necessary to address such risks.

(b) DEFINITIONS.—In this section:

(1) CIVIL UNMANNED AIRCRAFT SYSTEM.—The term “civil unmanned aircraft system” means an unmanned aircraft system that is a civil aircraft (as that term is defined in section 40102 of title 49, United States Code).

(2) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4620. Mrs. ERNST (for herself, Mr. DURBIN, Mr. GRASSLEY, Mr. KIRK, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2814. ARSENAL INSTALLATION REUTILIZATION AUTHORITY.

(a) MODIFIED AUTHORITY.—In the case of a military manufacturing arsenal, the Secretary concerned may authorize leases and contracts under section 2667 of title 10, United States Code, for a term of up to 25 years, notwithstanding subsection (b)(1) of such section, if the Secretary determines that a lease or contract of that duration will promote the national defense or be in the public interest for the purpose of—

(1) helping to maintain the viability of the military manufacturing arsenal and any military installations on which it is located;

(2) eliminating, or at least reducing, the cost of Government ownership of the military manufacturing arsenal, including the costs of operations and maintenance, the costs of environmental remediation, and other costs; and

(3) leveraging private investment at the military manufacturing arsenal through long-term facility use contracts, property management contracts, leases, or other agreements that support and advance the preceding purposes.

(b) DELEGATION AND REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary concerned may delegate the authority provided by this section to the commander of the major subordinate command of the Army that has responsibility for the military manufacturing arsenal or, if part of a larger military installation, the installation as a whole. The commander may approve a lease or contract under such authority on a case-by-case basis or a class basis.

(2) REVIEW PERIOD.—Any lease or contract that is approved utilizing the delegation authority under paragraph (1) is subject to a 90-day hold period so that the Army real property manager may review the lease or contract pursuant to paragraph (3).

(3) DISPOSITION OF REVIEW.—If the Army real property manager disapproves of a contract or lease submitted for review under paragraph (2), the agreement shall be null and void upon transmittal by the real property manager to the delegating authority of a written disapproval, including a justification for such disapproval, within the 90-day hold period. If no such disapproval is transmitted within the 90-day hold period, the agreement shall be deemed approved.

(4) APPROVAL OF REVISED AGREEMENT.—If, not later than 60 days after receiving a disapproval under paragraph (3), the delegating authority submits to the Army real property manager a new contract or lease that addresses the Army real property manager's concerns outlined in such disapproval, the new contract or lease shall be deemed approved unless the Army real property manager transmits to the delegating authority a disapproval of the new contract or lease within 30 days of such submission.

(c) MILITARY MANUFACTURING ARSENAL DEFINED.—In this section, the term “military manufacturing arsenal” means a Government-owned, Government-operated defense plant of the Department of the Defense that manufactures weapons, weapon components, or both.

(d) SUNSET.—The authority under this section shall terminate at the close of September 30, 2019.

SA 4621. Mrs. ERNST (for herself, Mr. CORKER, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. SENSE OF CONGRESS ON THE PESHMERGA OF THE KURDISTAN REGION OF IRAQ.

It is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have been one of the most effective fighting forces in the military campaign against the Islamic State of Iraq and al-Sham (ISIS);

(2) the Islamic State of Iraq and al-Sham poses an acute threat to the people and territorial integrity of Iraq, including the Kurdistan Region, and the security and stability of the Middle East;

(3) the severe budget shortfalls faced by both the Government of Iraq and the Kurdistan Regional Government are hindering the effort to defeat the Islamic State of Iraq and al-Sham;

(4) the \$415,000,000 pledged by the Department of Defense to the Peshmerga in April 2016, in coordination with the Government of Iraq, in addition to the \$65,000,000 already provided from the Iraq Train and Equip Fund, should be a priority for the Department as part of the continued support for the Peshmerga in the fight against the Islamic State of Iraq and al-Sham;

(5) the Peshmerga should receive all weapons and equipment that the United States agrees to provide uninterrupted and in a timely manner;

(6) the Peshmerga require medium and heavy weaponry that will allow them to defend the Peshmerga and their coalition advisers against the increased use of vehicle-borne improvised explosive devices by the Islamic State of Iraq and al-Sham; and

(7) increased assistance to ensure the Peshmerga can continue to fight the Islamic State of Iraq and al-Sham is vital to the liberation of Mosul, Iraq, to enhance the combat medicine and logistical capabilities of the Peshmerga, for the defense of internally displaced persons and refugees, and for the defense of the coalition advisers of the Peshmerga.

SA 4622. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. COORDINATION AND, AS APPROPRIATE, CONSOLIDATION OF FINANCIAL LITERACY PROGRAMS AND TRAINING FOR MEMBERS OF THE ARMED FORCES.

(a) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth a plan for the coordination and, as possible, consolidation of the current financial literacy training programs of the Department of Defense and the military departments for members of the Armed Forces into a coordinated and comprehensive program of financial literacy training for members that provides access over the life of the members' service and in transit—

(1) and reduces unnecessary duplication and unnecessary costs in the provision of financial literacy training to members; and

(2) ensures that members receive effective and comprehensive training in financial literacy as efficiently as possible.

(b) IMPLEMENTATION.—The Secretary of Defense and the Secretaries of the military departments shall commence implementation of the plan required by subsection (a) 90 days after the date of the submittal of the plan as required by that subsection.

SA 4623. Mr. PAUL (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. JUSTICE SAFETY VALVE.

(a) **SHORT TITLE.**—This section may be cited as the “Justice Safety Valve Act of 2016”.

(b) **AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM.**—Section 3553 of title 18, United States Code, is amended by adding at the end the following:

“(g) **AUTHORITY TO IMPOSE A SENTENCE BELOW A STATUTORY MINIMUM TO PREVENT AN UNJUST SENTENCE.**—

“(1) **GENERAL RULE.**—Notwithstanding any provision of law other than this subsection, the court may impose a sentence below a statutory minimum if the court finds that it is necessary to do so in order to avoid violating the requirements of subsection (a).

“(2) **COURT TO GIVE PARTIES NOTICE.**—Before imposing a sentence under paragraph (1), the court shall give the parties reasonable notice of the court’s intent to do so and an opportunity to respond.

“(3) **STATEMENT IN WRITING OF FACTORS.**—The court shall state, in the written statement of reasons, the factors under subsection (a) that require imposition of a sentence below the statutory minimum.

“(4) **APPEAL RIGHTS NOT LIMITED.**—This subsection does not limit any right to appeal that would otherwise exist in its absence.”.

SA 4624. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. PROCUREMENT OF MEDIUM-RANGE DISCRIMINATION RADAR TO IMPROVE HOMELAND MISSILE DEFENSE.

(a) **ISSUANCE OF REQUEST FOR PROPOSALS.**—Not later than October 1, 2017, the Director of the Missile Defense Agency shall issue a request for proposals for the Medium-Range Discrimination Radar in order to improve homeland missile defense.

(b) **PLAN FOR FIELDING.**—The Director shall plan as follows:

(1) To procure the Medium-Range Discrimination Radar, or an equivalent sensor, for fielding at a location determined by the Director to be appropriate to improve homeland missile defense for the defense of Hawaii against limited ballistic missile attack (including by accidental or unauthorized launch).

(2) To field the Radar, or such equivalent sensor, at the location determined pursuant to paragraph (1) by not later than December 31, 2021.

(c) **FUNDING.**—Any procurement for purposes of this section during fiscal year 2017 shall be made from within amounts otherwise authorized to be appropriated by this Act. This section does not authorize the appropriation of funds for procurement for such purposes.

SA 4625. Mr. MURPHY (for himself and Mr. PAUL) submitted an amend-

ment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1058, line 15, strike “country.” and insert the following: “country; and

(9) consistent with the principles of good governance and the rule of law, and to ensure alignment with the broader foreign policy and national security objectives of the United States, no funds authorized for the Defense Security Cooperation Agency by this Act, any previous Act, or otherwise available to the Agency may be used to carry out the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the purposes of implementing a sale of air to ground munitions to Saudi Arabia unless the Government of Saudi Arabia—

(A) demonstrates an ongoing effort to combat the mutual threat our nations face from designated foreign terrorist organizations; and

(B) takes all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law, in the course of military actions it pursues for the purpose of legitimate self-defense as described in section 4 of the Arms Export Control Act (22 U.S.C. 2754).

SA 4626. Mr. CARPER (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division B, add the following:

TITLE XXX—FEDERAL PROPERTY MANAGEMENT REFORM

SEC. 2951. SHORT TITLE.

This title may be cited as the “Federal Property Management Reform Act of 2016”.

SEC. 2952. PURPOSE.

The purpose of this title is to increase the efficiency and effectiveness of the Federal Government in managing property of the Federal Government by—

(1) requiring the United States Postal Service to take appropriate measures to better manage and account for property and modernize the Postal fleet;

(2) providing for increased collocation with Postal Service facilities and guidance on Postal Service leasing practices;

(3) establishing a Federal Property Council to develop guidance on and ensure the implementation of strategies for better managing Federal property;

(4) providing incentives to agencies to dispose of excess property through retention of proceeds; and

(5) providing guidance for surplus property donations to museums.

SEC. 2953. PROPERTY MANAGEMENT.

(a) **IN GENERAL.**—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

“Subchapter VII—Property Management

“§ 621. Definitions

“In this subchapter:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of General Services.

“(2) **COUNCIL.**—The term ‘Council’ means the Federal Property Council established by section 623(a).

“(3) **DIRECTOR.**—The term ‘Director’ means the Director of the Office of Management and Budget.

“(4) **DISPOSAL.**—The term ‘disposal’ means any action that constitutes the removal of any property from the inventory of the Federal agency, including sale, transfer, deed, demolition, donation, or exchange.

“(5) **FEDERAL AGENCY.**—The term ‘Federal agency’ means—

“(A) an executive department or independent establishment in the executive branch of the Government; or

“(B) a wholly owned Government corporation (other than the United States Postal Service).

“(6) **FIELD OFFICE.**—The term ‘field office’ means any office of a Federal agency that is not the headquarters office location for the Federal agency.

“(7) **POSTAL PROPERTY.**—The term ‘postal property’ means any property owned or leased by the United States Postal Service.

“(8) **PUBLIC-PRIVATE PARTNERSHIP.**—The term ‘public-private partnership’ means any partnership or working relationship between a Federal agency and a corporation, individual, or nonprofit organization for the purpose of financing, constructing, operating, managing, or maintaining 1 or more Federal real property assets.

“(9) **UNDERUTILIZED PROPERTY.**—The term ‘underutilized property’ means a portion or the entirety of any real property, including any improvements, that is used—

“(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

“(B) for program purposes that can be satisfied only with a portion of the property.

“§ 622. Collocation among United States Postal Service properties

“(a) **IDENTIFICATION OF POSTAL PROPERTY.**—Each year, the Postmaster General shall—

“(1) identify a list of postal properties with space available for use by Federal agencies; and

“(2) not later than September 30, submit the list to—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Oversight and Government Reform of the House of Representatives.

“(b) **VOLUNTARY IDENTIFICATION OF POSTAL PROPERTY.**—Each year, the Postmaster General may submit the list under subsection (a) to the Council.

“(c) **SUBMISSION OF LIST OF POSTAL PROPERTIES TO FEDERAL AGENCIES.**—

“(1) **IN GENERAL.**—Not later than 30 days after the completion of a list under subsection (a), the Council shall provide the list to each Federal agency.

“(2) **REVIEW BY FEDERAL AGENCIES.**—Not later than 90 days after the receipt of the list submitted under paragraph (1), each Federal agency shall—

“(A) review the list;

“(B) review properties under the control of the Federal agency; and

“(C) recommend collocations if appropriate.

“(d) TERMS OF COLLOCATION.—On approval of the recommendations under subsection (c) by the Postmaster General and the applicable agency head, the Federal agency or appropriate landholding entity may work with the Postmaster General to establish appropriate terms of a lease for each postal property.”

“(e) RULE OF CONSTRUCTION.—Nothing in this section exceeds, modifies, or supplants any other Federal law relating to any competitive bidding process governing the leasing of postal property.”

“§ 623. Establishment of a Federal Property Council

“(a) ESTABLISHMENT.—There is established a Federal Property Council.

“(b) PURPOSE.—The purpose of the Council shall be—

“(1) to develop guidance and ensure implementation of an efficient and effective property management strategy;

“(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

“(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.”

“(c) COMPOSITION.—

“(1) IN GENERAL.—The Council shall be composed exclusively of—

“(A) the senior real property officers of each Federal agency and the Postal Service;

“(B) the Deputy Director for Management of the Office of Management and Budget;

“(C) the Controller of the Office of Management and Budget;

“(D) the Administrator; and

“(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.”

“(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

“(3) EXECUTIVE DIRECTOR.—

“(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

“(B) QUALIFICATIONS; FULL-TIME.—The Executive Director shall—

“(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management;

“(ii) serve full time; and

“(iii) hold no outside employment that may conflict with duties inherent to the position.”

“(d) MEETINGS.—

“(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

“(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

“(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

“(1) not later than 1 year after the date of enactment of this subchapter, establish a property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property, to achieve better utilization of underutilized property, or to enhance management of high value personal property, and evaluation criteria to determine the effectiveness of property management that are designed—

“(A) to enable Congress and heads of Federal agencies to track progress in the

achievement of property management objectives on a Government-wide basis;

“(B) to improve the management of real property; and

“(C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies in terms of performance;

“(2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;

“(3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;

“(4) provide guidance on eliminating inefficiencies in the Federal leasing process;

“(5) compile a list of field offices that are suitable for collocation with other property assets;

“(6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property;

“(7) not later than 1 year after the date of enactment of this subchapter—

“(A) examine the disposal of surplus property through the State Agencies for Surplus Property program; and

“(B) issue a report that includes recommendations on how the program could be improved to ensure accountability and increase efficiencies in the property disposal process; and

“(8) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—

“(A) a list of the remaining excess property or surplus property that is real property, and underutilized properties of each Federal agency;

“(B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;

“(C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7); and

“(D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess real or personal property or underutilized property.”

“(f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—

“(1) State, local, tribal authorities, and affected communities; and

“(2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—

“(A) commercial real estate and development;

“(B) government management and operations;

“(C) space planning;

“(D) community development, including transportation and planning;

“(E) historic preservation;

“(F) providing housing to the homeless population; and

“(G) personal property management.”

“(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing,

and administrative support for the Council, as appropriate.

“(h) ACCESS TO INFORMATION.—The Council shall make available, on request, all information generated by the Council in performing the duties of the Council to—

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(2) the Committee on Environment and Public Works of the Senate;

“(3) the Committee on Oversight and Government Reform of the House of Representatives;

“(4) the Committee on Transportation and Infrastructure of the House of Representatives; and

“(5) the Comptroller General of the United States.”

“(i) EXCLUSIONS.—In this section, surplus property shall not include—

“(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101-510));

“(2) any property that is excepted from the definition of the term ‘property’ under section 102;

“(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

“(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

“(5) any real property the Director excludes for reasons of national security;

“(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

“(A) the Secretary of the Interior, acting through—

“(i) the Director of the Bureau of Land Management;

“(ii) the Director of the National Park Service;

“(iii) the Commissioner of Reclamation; or

“(iv) the Director of the United States Fish and Wildlife Service; or

“(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

“(7) any property operated and maintained by the United States Postal Service.”

“§ 624. Inventory and database

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subchapter, the Administrator shall establish and maintain a single, comprehensive, and descriptive database of all real property under the custody and control of all Federal agencies.

“(b) CONTENTS.—The database shall include—

“(1) information provided to the Administrator under section 524(a)(11)(B); and

“(2) a list of property disposals completed, including—

“(A) the date and disposal method used for each property;

“(B) the proceeds obtained from the disposal of each property;

“(C) the amount of time required to dispose of the property, including the date on which the property is designated as excess property;

“(D) the date on which the property is designated as surplus property and the date on which the property is disposed; and

“(E) all costs associated with the disposal.”

“(c) ACCESSIBILITY.—

“(1) COMMITTEES.—The database established under subsection (a) shall be made available on request to the Committee on Homeland Security and Governmental Affairs and the Committee on Environment

and Public Works of the Senate and the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) GENERAL PUBLIC.—Not later than 3 years after the date of enactment of this subchapter and to the extent consistent with national security, the Administrator shall make the database established under subsection (a) accessible to the public at no cost through the website of the General Services Administration.

“(d) EXCLUSIONS.—In this section, surplus property shall not include—

“(1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101-510));

“(2) any property that is excepted from the definition of the term ‘property’ under section 102;

“(3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);

“(4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);

“(5) any real property the Director excludes for reasons of national security;

“(6) any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) administered by—

“(A) the Secretary of the Interior, acting through—

“(i) the Director of the Bureau of Land Management;

“(ii) the Director of the National Park Service;

“(iii) the Commissioner of Reclamation; or

“(iv) the Director of the United States Fish and Wildlife Service; or

“(B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or

“(7) any property operated and maintained by the United States Postal Service.

“§ 625. Information on certain leasing authorities

“(a) IN GENERAL.—Except as provided in subsection (b), not later than December 31 of each year following the date of enactment of this subchapter, a Federal agency with independent leasing authority shall submit to the Council a list of all leases, including operating leases, in effect on the date of enactment of this subchapter that includes—

“(1) the date on which each lease was executed;

“(2) the date on which each lease will expire;

“(3) a description of the size of the space;

“(4) the location of the property;

“(5) the tenant agency;

“(6) the total annual rental payment; and

“(7) the amount of the net present value of the total estimated legal obligations of the Federal Government over the life of the contract.

“(b) EXCEPTION.—Subsection (a) shall not apply to—

“(1) the United States Postal Service; or

“(2) any other property the President excludes from subsection (a) for reasons of national security.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

“SUBCHAPTER VII—PROPERTY MANAGEMENT
“Sec. 621. Definitions.

“Sec. 622. Collocation among United States Postal Service properties.

“Sec. 623. Establishment of a Federal Property Council.

“Sec. 624. Inventory and database.

“Sec. 625. Information on certain leasing authorities.”.

(2) TECHNICAL AMENDMENT.—Section 102 of title 40, United States Code, is amended in the matter preceding paragraph (1) by striking “The” and inserting “Except as provided in subchapters VII and VIII of chapter 5 of this title, the”.

SEC. 2954. UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, as amended by section 2953, is amended by adding at the end the following:

“Subchapter VIII—United States Postal Service Property Management

“§ 641. Definitions

“In this subchapter:

“(1) EXCESS PROPERTY.—The term ‘excess property’ means any postal property that the Postal Service determines is not required to meet the needs or responsibilities of the Postal Service.

“(2) POSTAL PROPERTY.—The term ‘postal property’ means any property owned or leased by, or under the control of, the Postal Service.

“(3) POSTAL SERVICE.—The term ‘Postal Service’ means the United States Postal Service.

“(4) UNDERUTILIZED PROPERTY.—The term ‘underutilized property’ means a portion or the entirety of any real property, including any improvements, that is used—

“(A) irregularly or intermittently by the Postal Service for program purposes of the Postal Service; or

“(B) for program purposes that can be satisfied only with a portion of the property.

“§ 642. United States Postal Service property management

“(a) IN GENERAL.—The Postal Service—

“(1) shall maintain adequate inventory controls and accountability systems for postal property;

“(2) shall develop current and future workforce projections so as to have the capacity to assess the needs of the Postal Service workforce regarding the use of property;

“(3) may develop a 5-year management template that—

“(A) establishes goals and policies that will lead to the reduction of excess property and underutilized property in the inventory of the Postal Service;

“(B) adopts workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

“(C) assesses leased space to identify space that is not fully used or occupied;

“(D) develops recommendations on how to address excess capacity at Postal Service facilities without negatively impacting mail delivery; and

“(E) develops recommendations on ensuring the security of mail processing operations; and

“(4) if the Postal Service develops a template under paragraph (3), shall, as part of that template, on a regular basis—

“(A) conduct an inventory of postal property that is real property; and

“(B) create a report that covers each property identified under subparagraph (A), similar to the ‘USPS Owned Facilities Report’ and the ‘USPS Leased Facilities Report’, that includes—

“(i) the date on which the Postal Service first occupied the property;

“(ii) the size of the property in square footage and acreage;

“(iii) the geographical location of the property, including an address and description;

“(iv) the extent to which the property is being utilized;

“(v) the actual annual operating costs associated with the property;

“(vi) the total cost of capital expenditures associated with the property;

“(vii) the number of postal employees, contractor employees, and functions housed at the property;

“(viii) the extent to which the mission of the Postal Service is dependent on the property; and

“(ix) the estimated amount of capital expenditures projected to maintain and operate the property over each of the next 5 years after the date of enactment of this subchapter.

“(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(4)(B) shall be construed to require the Postal Service to obtain an appraisal of postal property.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, as amended by section 3, is amended by inserting after the item relating to section 626 the following:

“SUBCHAPTER VIII—UNITED STATES POSTAL SERVICE PROPERTY MANAGEMENT

“Sec. 641. Definitions.

“Sec. 642. United States Postal Service property management.”.

SEC. 2955. AGENCY RETENTION OF PROCEEDS.

Section 571 of title 40, United States Code, is amended to read as follows:

“§ 571. General rules for deposit and use of proceeds

“(a) PROCEEDS FROM TRANSFER OR SALE OF REAL PROPERTY.—

“(1) DEPOSIT OF NET PROCEEDS.—Except as otherwise provided by Federal law, net proceeds described in subsection (d) shall be deposited into the appropriate account of the agency that had custody and accountability for the property at the time the property is determined to be excess.

“(2) EXPENDITURE OF NET PROCEEDS.—The net proceeds deposited pursuant to paragraph (1) may only be expended as authorized in annual appropriations Acts, for—

“(A) activities described in sections 543 and 545, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title; and

“(B) activities pursuant to implementation of the Federal Buildings Personnel Training Act of 2010 (40 U.S.C. 581 note; Public Law 111-308).

“(3) DEFICIT REDUCTION.—Any net proceeds described in subsection (d) from the sale, lease, or other disposition of surplus real property that are not expended under paragraph (2) shall be used for deficit reduction.

“(b) EFFECT ON OTHER SECTIONS.—Nothing in this section is intended to affect section 572(b), 573, or 574.

“(c) DISPOSAL AGENCY FOR REVERTED PROPERTY.—For the purposes of this section, for any property that reverts to the United States under sections 550 and 553, the General Services Administration, as the disposal agency, shall be treated as the agency with custody and accountability for the property at the time the property is determined to be excess.

“(d) NET PROCEEDS.—The net proceeds described in this subsection are proceeds under

this chapter, less expenses of the transfer or disposition as provided in section 572(a), from—

“(1) a transfer of excess real property to a Federal agency for agency use; or

“(2) a sale, lease, or other disposition of surplus real property.

“(e) PROCEEDS FROM TRANSFER OR SALE OF PERSONAL PROPERTY.—

“(1) IN GENERAL.—Except as otherwise provided in this subchapter, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

“(2) PROCEEDS.—The proceeds described in this paragraph are proceeds under this chapter from—

“(A) a transfer of excess personal property to a Federal agency for agency use; or

“(B) a sale, lease, or other disposition of surplus personal property.

“(3) PAYMENT OF EXPENSES OF SALE BEFORE DEPOSIT.—

“(A) IN GENERAL.—Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of the sale so that only the net proceeds are deposited in the Treasury.

“(B) APPLICATION.—This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.

“(f) SAVINGS PROVISION.—Nothing in this section modifies, affects, or repeals any other provision of Federal law directing the use of retained proceeds relating to the sale of the property of an agency.”.

SEC. 2956. INSPECTOR GENERAL REPORT ON UNITED STATES POSTAL SERVICE PROPERTY.

(a) DEFINITION OF EXCESS PROPERTY.—In this section, the term “excess property” has the meaning given the term in section 641 of title 40, United States Code, as added by section 2954.

(b) EXCESS PROPERTY REPORT.—Not later than 2 years after the date of enactment of this Act, the Inspector General of the United States Postal Service shall submit to Congress a report that includes—

(1) a survey of excess property held by the United States Postal Service; and

(2) recommendations for repurposing property identified in paragraph (1)—

(A) to—

(i) reduce excess capacity; and

(ii) increase collocation with other Federal agencies; and

(B) without diminishing the ability of the United States Postal Service to meet the service standards established under section 3691 of title 39, United States Code, as in effect on January 1, 2016.

SEC. 2957. REPORTS ON UNITED STATES POSTAL SERVICE FLEET MODERNIZATION.

(a) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall study and submit to Congress a report on—

(1) the feasibility of the United States Postal Service designing mail delivery vehicles that are equipped for diverse geographic conditions such as travel in rural areas and extreme weather conditions; and

(2) the feasibility and cost of the United States Postal Service integrating the use of collision-averting technology into its vehicle fleet.

(b) POSTAL SERVICE REPORT.—Not later than 1 year after the date of enactment of this Act, the United States Postal Service shall submit to Congress a report that includes—

(1) a review of the efforts of the United States Postal Service relating to fleet replacement and modernization; and

(2) a strategy for carrying out the fleet replacement and lifecycle plan of the United States Postal Service.

SEC. 2958. SURPLUS PROPERTY DONATIONS TO MUSEUMS.

Section 549(c)(3)(B) of title 40, United States Code, is amended by striking clause (vii) and inserting the following:

“(vii) a museum open to the public on a regularly scheduled weekly basis, and the hours of operation are, at a minimum, during normal business hours (as determined by the Administrator);”.

SEC. 2959. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) develop current and future workforce projections so as to have the capacity to assess the needs of the Federal workforce regarding the use of real property;

“(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

“(8) submit to the Federal Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including—

“(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

“(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

“(9) adopt workplace practices, configurations, and management techniques that can achieve increased levels of productivity and decrease the need for real property assets;

“(10) assess leased space to identify space that is not fully used or occupied;

“(11) on an annual basis and subject to the guidance of the Federal Property Council—

“(A) conduct an inventory of real property under control of the executive agency; and

“(B) make an assessment of each property, which shall include—

“(i) the age and condition of the property;

“(ii) the size of the property in square footage and acreage;

“(iii) the geographical location of the property, including an address and description;

“(iv) the extent to which the property is being utilized;

“(v) the actual annual operating costs associated with the property;

“(vi) the total cost of capital expenditures incurred by the Federal Government associated with the property;

“(vii) sustainability metrics associated with the property;

“(viii) the number of Federal employees and contractor employees and functions housed at the property;

“(ix) the extent to which the mission of the executive agency is dependent on the property;

“(x) the estimated amount of capital expenditures projected to maintain and operate the property during the 5-year period beginning on the date of enactment of this paragraph; and

“(xi) any additional information required by the Administrator of General Services to carry out section 623; and

“(12) provide to the Federal Property Council and the Administrator of General Services the information described in paragraph (11)(B) to be used for the establishment and maintenance of the database described in section 624.”.

(b) DEFINITION OF EXECUTIVE AGENCY.—Section 524 of title 40, United States Code, is amended by adding at the end the following:

“(c) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of paragraphs (6) through (12) of subsection (a), the term ‘executive agency’ shall have the meaning given the term ‘Federal agency’ in section 621.”.

SA 4627. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE AIR FORCE STRATEGIC BASING PROCESS.

(a) REPORT REQUIRED.—Not later 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees an interim report on the suitability and effectiveness of the Air Force's strategic basing process, with a final report to follow not later than 270 days after the date of the enactment of this Act.

(b) ELEMENTS.—The report under subsection (a) shall include a description and assessment of each of the following:

(1) Effectiveness and alignment of the strategic basing process with Air Force strategy and objectives.

(2) Authoritativeness, transparency, consistency, and auditability of the Air Force strategic basing process.

(3) Development of the criteria, basing objectives, policies, programming, planning, and directives used for determining the enterprise-wide review for potential basing actions.

(4) Development of the criteria basing objectives, policies, programming, planning, and directives used for determining candidate bases for potential basing actions.

(5) Integration of risk management into the strategic basing process and communication of risk to stakeholders and Congress.

(6) The decision-making process to arrive at final strategic basing decisions.

(7) Notification, method, timeliness, and transparency of changes to criteria to stakeholders and Congress.

(8) Appropriateness and timeliness of notifications to various stakeholders.

(9) Applicability to the other military departments and Defense agencies.

(10) Other information determined to be appropriate by the Comptroller General.

SA 4628. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. ROUNDS, Mrs. GILLIBRAND, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

“(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have access to animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(4) have expertise in allergy, immunology, and pulmonary diseases.

“(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to

burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to veterans diagnosed with medical conditions specific to exposure to burn pits and other environmental exposures.

“(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

“(g) FUNDING.—(1) There is authorized to be appropriated to carry out this section \$30,000,000 for each of the first five fiscal years beginning after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(2)(A) The Secretary may award additional amounts on a competitive basis to the center of excellence from the medical and prosthetics research account of the Department for the purpose of conducting research under this section.

“(B) The Secretary shall give priority in the award of amounts under subparagraph (A) to research on multiple sclerosis and other neurodegenerative disorders.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

“7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”.

SA 4629. Mr. RUBIO (for himself, Mr. COCHRAN, Mr. WARNER, Mr. INHOFE, Mr. HATCH, Mr. MORAN, Mrs. SHAHEEN, Mr. NELSON, Mr. HOEVEN, Mr. LEE, Mr. KING, Mr. THUNE, Ms. AYOTTE, Mrs. FISCHER, Mr. BURR, Mr. CARDIN, Ms. COLLINS, Mr. KAINE, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 844, strike subsection (e).

SA 4630. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title XII, add the following:

SEC. 1097. COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION AND DEPARTMENT OF DEFENSE ON UNMANNED AIRCRAFT SYSTEMS.

(a) COLLABORATION BETWEEN FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE REQUIRED.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration and the Secretary of Defense shall collaborate on developing standards, policies, and procedures for sense and avoid capabilities for unmanned aircraft systems.

(2) ELEMENTS.—The collaboration required by paragraph (1) shall include the following:

(A) Sharing information and technology on safely integrating unmanned aircraft systems and manned aircraft in the national airspace system.

(B) Building upon Air Force and Department of Defense experience to inform the Federal Aviation Administration's development of civil standards, policies, and procedures for integrating unmanned aircraft systems in the national airspace system.

(C) Assisting in the development of best practices for unmanned aircraft airworthiness certification, development of airborne and ground-based sense and avoid capabilities for unmanned aircraft systems, and research and development on unmanned aircraft systems, especially with respect to matters involving human factors, information assurance, and security.

(b) PARTICIPATION BY FEDERAL AVIATION ADMINISTRATION IN DEPARTMENT OF DEFENSE ACTIVITIES.—

(1) IN GENERAL.—The Administrator may participate and provide assistance for participation in test and evaluation efforts of

the Department of Defense, including the Air Force, relating to ground-based sense and avoid and airborne sense and avoid capabilities for unmanned aircraft systems.

(2) PARTICIPATION THROUGH CENTERS OF EXCELLENCE AND TEST SITES.—Participation under paragraph (1) may include provision of assistance through the Unmanned Aircraft Systems Center of Excellence and Unmanned Aircraft Systems Test Sites.

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term “unmanned aircraft system” has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note).

SA 4631. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Hi Mob Multi-Purp Whld Veh (HMMWV), strike the amount in the Senate authorized column and insert “26,000”.

In the funding table in section 4101, in the item relating to Total Other Procurement, Army, strike the amount in the Senate authorized column and insert “5,567,063”.

In the funding table in section 4101, in the item relating to Total Procurement, strike the amount in the Senate authorized column and insert “102,439,976”.

In the funding table in section 4301, in the item for Operation & Maintenance, Navy relating to Enterprise Information, strike the amount in the Senate authorized column and insert “731,385”.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, Navy, strike the amount in the Senate authorized column and insert “39,394,291”.

In the funding table in section 4301, in the item relating to Total Operation & Maintenance, strike the amount in the Senate authorized column and insert “171,384,798”.

SA 4632. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 111.

SA 4633. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. FEDERAL LAW ENFORCEMENT OFFICER SELF-DEFENSE AND PROTECTION.

(a) SHORT TITLE.—This section may be cited as the “Federal Law Enforcement Self-Defense and Protection Act of 2016”.

(b) FINDINGS.—Congress finds the following:

(1) Too often, Federal law enforcement officers encounter potentially violent criminals, placing officers in danger of grave physical harm.

(2) In 2012 alone, 1,857 Federal law enforcement officers were assaulted, with 206 sustaining serious injuries.

(3) From 2008 through 2011, an additional 8,587 Federal law enforcement officers were assaulted.

(4) Federal law enforcement officers remain a target even when they are off-duty. Over the past 3 years, 27 law enforcement officers have been killed off-duty.

(5) It is essential that law enforcement officers are able to defend themselves, so they can carry out their critical missions and ensure their own personal safety and the safety of their families whether on-duty or off-duty.

(6) These dangers to law enforcement officers continue to exist during a covered furlough.

(c) DEFINITIONS.—In this section—

(1) the term “agency” means each authority of the executive, legislative, or judicial branch of the Government of the United States;

(2) the term “covered Federal law enforcement officer” means any individual who—

(A) is an employee of an agency;

(B) has the authority to make arrests or apprehensions for, or prosecute, violations of Federal law; and

(C) on the day before the date on which the applicable covered furlough begins, is authorized by the agency employing the individual to carry a firearm in the course of official duties;

(3) the term “covered furlough” means a planned event by an agency during which employees are involuntarily furloughed due to downsizing, reduced funding, lack of work, or any budget situation including a lapse in appropriations; and

(4) the term “firearm” has the meaning given that term in section 921 of title 18, United States Code.

(d) PROTECTING FEDERAL LAW ENFORCEMENT OFFICERS WHO ARE SUBJECTED TO A COVERED FURLOUGH.—During a covered furlough, a covered Federal law enforcement officer shall have the same rights to carry a firearm issued by the Federal Government as if the covered furlough was not in effect, including, if authorized on the day before the date on which the covered furlough begins, the right to carry a concealed firearm, if the sole reason the covered Federal law enforcement officer was placed on leave was due to the covered furlough.

(e) COMPENSATION FOR FEDERAL EMPLOYEES AFFECTED BY A LAPSE IN APPROPRIATIONS.—Section 1341 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking “An officer” and inserting “Except as specified in this subchapter or any other provision of law, an officer”; and

(2) by adding at the end the following:

“(c)(1) In this subsection—

“(A) the term ‘covered lapse in appropriations’ means a lapse in appropriations that begins on or after October 1, 2016; and

“(B) the term ‘excepted employee’ means an excepted employee or an employee per-

forming emergency work, as such terms are defined by the Office of Personnel Management.

“(2) Each Federal employee furloughed as a result of a covered lapse in appropriations shall be paid for the period of the lapse in appropriations, and each excepted employee who is required to perform work during a covered lapse in appropriations shall be paid for such work, at the employee’s standard rate of pay at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.

“(3) During a covered lapse in appropriations, each excepted employee who is required to perform work shall be entitled to use leave under chapter 63 of title 5, or any other applicable law governing the use of leave by the excepted employee, for which compensation shall be paid at the earliest date possible after the lapse in appropriations ends, regardless of scheduled pay dates.”.

SA 4634. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 306. COMPLIANCE OF MILITARY HOUSING WATER SUPPLIES WITH FEDERAL AND STATE DRINKING WATER STANDARDS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a study to determine whether members of the Armed Forces and their families who live in military housing in the United States have access to water that complies with Federal and State drinking water standards and guidance, including health advisory levels.

(b) COMPLIANCE MEASURES.—If the Secretary finds that water available to members of the Armed Forces and their families who live in military housing does not meet State or Federal drinking water standards and guidance, including health advisory levels, the Secretary shall—

(1) in the case of military housing serviced by Department of Defense-controlled water supply systems, take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels, and in the case of military housing serviced by non-Department of Defense-controlled water supply systems, work with the municipal or private water system to take immediate steps to bring noncompliant water sources into compliance with State and Federal standards and guidance, including health advisory levels; and

(2) within 30 days of discovering that a water source does not meet State or Federal drinking water standards and guidance, including health advisory levels, provide to the Committees on Armed Services of the Senate and the House of Representatives and the congressional delegation of the affected State written verification describing the noncompliant water sources, including the location of all affected members of the Armed Forces, and an explanation about how the Secretary will bring the water source

into compliance with State and Federal standards and guidance, including health advisory levels.

SA 4635. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PREFERENCE FOR POTENTIAL DEFENSE CONTRACTORS THAT CARRY OUT CERTAIN STEM-RELATED ACTIVITIES.

(a) IN GENERAL.—In evaluating offers submitted in response to a solicitation for contracts, the Secretary of Defense shall provide a preference to any offeror that—

(1) establishes or enhances undergraduate, graduate, and doctoral programs in science, technology, engineering, and mathematics (in this section referred to as “STEM” disciplines);

(2) makes investments, such as programming and curriculum development, in STEM programs within elementary and secondary schools, including those that support the needs of military children;

(3) encourages employees to volunteer in schools eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) in order to enhance STEM education and programs;

(4) makes personnel available to advise and assist faculty at colleges and universities in the performance of STEM research and disciplines critical to the functions of the Department of Defense;

(5) establishes partnerships between the offeror and historically Black colleges and universities (HBCUs) and other minority-serving institutions for the purpose of training students in scientific disciplines;

(6) awards scholarships and fellowships, and establishes cooperative work-education programs in scientific disciplines;

(7) attracts and retains faculty involved in scientific disciplines critical to the functions of the Department of Defense;

(8) conducts recruitment activities at universities and community colleges, including HBCUs, or offers internships or apprenticeships; or

(9) establishes programs and outreach efforts to strengthen STEM.

(b) CONSIDERATION OF EVALUATION FACTORS AND EFFECT ON SMALL BUSINESS CONCERNS.—In prescribing regulations to carry out this section, the Secretary of Defense shall ensure that all award decisions are based on evaluation factors and significant subfactors that are tailored to the acquisition, and that small business concerns are not unduly adversely affected.

SA 4636. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

“§ 1703A. Veterans Choice Program

“(a) PROGRAM.—

“(1) FURNISHING OF CARE.—

“(A) IN GENERAL.—Subject to the availability of appropriations provided for such purpose, hospital care and medical services under this chapter may be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (d), or any other law administered by the Secretary, with entities specified in subparagraph (B) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the ‘Veterans Choice Program’.

“(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

“(i) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

“(ii) Any Federally-qualified health center (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))).

“(iii) The Department of Defense.

“(iv) The Indian Health Service.

“(v) Any health care provider not otherwise covered under any of clauses (i) through (iv) that meets criteria established by the Secretary for purposes of this section.

“(2) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (c) to receive hospital care or medical services under this section may select a provider of such care or services from among the entities specified in paragraph (1)(B) that are accessible to the veteran.

“(3) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

“(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

“(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

“(i) the wait-time goals of the Veterans Health Administration for such care or services; or

“(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

“(B) the veteran does not reside within 40 miles driving distance from a medical facil-

ity of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

“(C) the veteran—

“(i) resides in a State without a medical facility of the Department that provides—

“(I) hospital care;

“(II) emergency medical services; and

“(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

“(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

“(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

“(i) geographical challenges;

“(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

“(iii) a medical condition of the veteran that affects the ability to travel; or

“(iv) such other factors as determined by the Secretary;

“(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

“(F) the veteran is enrolled in the pilot program under section 403 of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017; or

“(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

“(c) ELECTION AND AUTHORIZATION.—

“(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

“(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

“(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

“(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

“(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

“(A) To determine the place of such eligible veteran on the waiting list.

“(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

“(d) CARE AND SERVICES THROUGH CONTRACTS.—

“(1) CONTRACTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B) and subject to the availability of appropriations provided for such purpose, the Secretary may enter into contracts for furnishing care and services to eligible veterans under this section with entities specified in subsection (a)(1)(B).

“(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to such veterans under this section with such entities pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

“(C) TREATMENT OF CONTRACTS.—A contract entered into under this paragraph may not be treated as a Federal contract for the acquisition of goods or services and is not subject to any provision of law governing Federal contracts for the acquisition of goods or services.

“(D) CONTRACT DEFINED.—In this paragraph, the term ‘contract’ has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

“(2) RATES AND REIMBURSEMENT.—

“(A) IN GENERAL.—In entering into a contract under paragraph (1) with an entity specified in subsection (a)(1)(B), the Secretary shall—

“(i) negotiate rates for the furnishing of care and services under this section; and

“(ii) reimburse the entity for such care and services at the rates negotiated under clause (i) as provided in such contract.

“(B) LIMIT ON RATES.—

“(i) IN GENERAL.—Except as provided in clause (ii), rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

“(ii) EXCEPTIONS.—

“(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

“(II) OTHER EXCEPTIONS.—

“(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department of Veterans Affairs will be followed, except for when another payment agreement, including a contract or provider agreement, is in place.

“(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under section 1814 of the Social Security Act (42 U.S.C. 1395f), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

“(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term ‘highly rural area’ means an area located in a county that has fewer than seven individuals residing in that county per square mile.

“(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an entity specified

in subsection (a)(1)(B) may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

“(e) VETERANS CHOICE CARD.—

“(1) IN GENERAL.—For purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

“(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ‘Veterans Choice Card’.

“(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

“(A) The name of the veteran.

“(B) An identification number for the veteran that is not the social security number of the veteran.

“(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

“(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

“(E) The following statement: ‘This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.’

“(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

“(f) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

“(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

“(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

“(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

“(g) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from a health care provider in an episode of care under this section, the veteran receives such care or services from that health care provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

“(h) PROVIDERS.—To be eligible to furnish care or services under this section, a health care provider must—

“(1) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined

by the Secretary for purposes of this section; and

“(2) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

“(i) COST-SHARING.—

“(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(j) CLAIMS PROCESSING SYSTEM.—

“(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

“(2) OVERSIGHT.—The Chief Business Office of the Veterans Health Administration shall oversee the implementation and maintenance of such system.

“(3) ACCURACY OF PAYMENT.—

“(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

“(B) QUARTERLY REPORT.—

“(i) IN GENERAL.—The Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a quarterly report on the accuracy of such system.

“(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

“(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

“(II) An assessment of the success of the Department in meeting such goals during the quarter covered by the report.

“(iii) DEADLINE.—The Secretary shall submit each report required by clause (i) not later than 20 days after the end of the quarter covered by the report.

“(k) MEDICAL RECORDS.—

“(1) IN GENERAL.—The Secretary shall ensure that any health care provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such health care provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

“(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

“(l) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by a health care provider under this section, the receipt by the Department of a medical record under subsection (k) detailing such care or services is not required before reimbursing the health care provider for such care or services.

“(m) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism

to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

“(n) RULES OF CONSTRUCTION.—

“(1) PRESCRIPTION MEDICATIONS.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

“(2) TIERED NETWORK.—Nothing in this section shall be construed to authorize the creation of a tiered network in which an eligible veteran would be required to receive care or services from an entity in a higher tier than any other entity or provider network.

“(o) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ‘wait-time goals of the Veterans Health Administration’ means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

“(2) ALTERNATE GOALS.—If the Secretary submits to Congress, not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

“(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

“(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

“(p) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.

“(q) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$3,500,000,000.

“(r) TERMINATION.—The Secretary may not furnish hospital care or medical services under this section after January 31, 2019.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

“1703A. Veterans Choice Program.”.

(3) SOURCE OF AMOUNTS.—All amounts required to carry out section 1703A of title 38, United States Code, as added by paragraph (1), shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act.

SA 4637. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 249, between lines 12 and 13, insert the following:

(a) REPORT ON MILITARY COMPENSATION PACKAGE.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the full array of the military compensation package, including—

(A) the adequacy of Regular Military Compensation to sustain all aspects of the All-Volunteer Force;

(B) the modernization of the military retirement system to be accomplished by part I of subtitle D of title VI of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 842);

(C) indirect compensation that accrues by reason of military service, including commissary and exchange benefits, child care, health care, military life insurance, education benefits, and veterans benefits;

(D) the value of providing greater transparency to members of the Armed Forces, prospective members of the Armed Forces, and the public by providing an annual statement to members of the total value of their military compensation package, including the value of the compensation described in subparagraph (C);

(E) the impacts of the matters in subparagraphs (A) through (D) on recruitment, retention, and compensation of the All-Volunteer Force.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A review of all the components of Regular Military Compensation, defined by the Department of Defense as the following:

(i) Basic pay.
(ii) Basic allowance for housing.
(iii) Basic allowance for subsistence
(iv) The tax treatment of pay and allowances.

(B) An analysis of Regular Military Compensation with respect to the following:

(i) Members of the Armed Forces who are married to other members.
(ii) Members who reside with other members.
(iii) Members who share accommodations to achieve improved financial standards.

(C) A review of—

(i) the ability of members to contribute toward military retirement under the modernized military retirement system described in paragraph (1)(B), including a review of the pay and allowances required to contribute under the current Regular Military Compensation structure and under any proposed changes to Regular Military Compensation; and

(ii) the adequacy of the modernized system to contribute to the successful recruitment and retention of individual to and in military service.

(D) A review of indirect compensation, including commissary and exchange benefits, child care, health care, Servicemembers' Group Life Insurance (SGLI), education benefits, and veterans benefits, and the manner in which such compensation impacts the total military compensation package.

(E) A robust analysis of, and a proposal for reform of, the personal statement of military compensation issued annually to each member, including its accuracy, its currency with current and proposed changes to military compensation, and a requirement for the clear statement of both “Total Direct Compensation” and “Service-Estimated Indirect Compensation”.

(F) An assessment of the adequacy of Regular Military Compensation, the modernized

military retirement system, and indirect compensation for the recruitment and retention of the All-Volunteer Force (including the readiness and combat effectiveness of the Force) and for overall military compensation.

(G) A review and assessment of any other matters the Secretary considers appropriate to produce recommendations on the means by which to best recruit, retain, and reward the All-Volunteer Force with a competitive compensation and benefits package.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) SURVEYS.—Each annual status of forces survey conducted by the Defense Manpower Data Center (DMDC) after fiscal year 2017 shall include questions on the value of the total military compensation package, including basic allowance for housing, to members of the Armed Forces, with such questions designed to determine the following:

(A) The value of the total military compensation package to members.

(B) The impact of the current total military compensation package on the retention of members, and on the recruitment of individuals to military service in the All-Volunteer Force.

After section 604, insert the following:

SEC. 604A. DELAY IN EFFECTIVE DATE AND IMPROVEMENT OF REFORM OF BASIC ALLOWANCE FOR HOUSING.

(a) DELAY.—

(1) IN GENERAL.—Notwithstanding any provision of section 403a of title 37, United States Code (as added by section 604(a) of this Act), or subsection (p) of section 403 of title 37, United States Code (as added by section 604(b) of this Act), the reform of basic allowance for housing provided for in such section 403a shall take effect on January 1, 2019.

(2) CONSTRUCTION OF CERTAIN DATES.—Any reference to “January 1, 2018” in section 403a of title 37, United States Code (as so added), or subsection (p) of section 403 of title 37, United States Code (as so added), shall be deemed to be a reference to “January 1, 2019”. Any reference to “December 31, 2017” in subsection (m) of such section 403a shall be deemed to be a reference to “December 31, 2018”.

(b) INCLUSION OF COST UTILITIES IN DETERMINATION OF AMOUNT PAYABLE.—

(1) INCLUSION.—Subsection (b)(2) of section 403a of title 37, United States Code (as so added), is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) A maximum amount of the allowance shall be established for each military housing area, based on the costs of adequate housing and utilities in such area, for each pay grade and dependency status.

“(B) The amount of the allowance payable to a member may not exceed the lesser of—

“(i) the actual monthly cost of housing of the member plus an amount equal to the estimated average amount paid for utilities in the military housing area concerned during the preceding year; or

“(ii) the maximum amount determined under subparagraph (A) for members in the member's pay grade and dependency status.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act immediately after the coming into effect of the amendment in section 604(a) of this Act adding section 403a of title 37, United States Code, to which section 403a the amendment made by paragraph (1) relates.

SA 4638. Mr. KIRK (for himself, Mr. GRASSLEY, Mrs. ERNST, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title VIII, add the following:

SEC. 899C. STRATEGY ON REVITALIZING ARMY ORGANIC INDUSTRIAL BASE.

(a) **STRATEGY.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a strategy on revitalizing the Army Organic Industrial Base (OIB). The strategy should detail the Army's plan to ensure the long-term viability of the Army's Organic Industrial Base.

(b) **ELEMENTS.**—The strategy required under subsection (a) shall include at a minimum the following elements:

(1) An assessment of Army legacy items sustained by the Defense Logistics Agency.

(2) A description of the use of the OIB to address Diminishing Manufacturing Sources and Material Shortages.

(3) Required critical capabilities across the OIB.

(4) An assessment of infrastructure across the OIB.

(5) An assessment of the OIB and private sector manufacturing sources.

(6) A description of the use of contracting to meet the OIB requirements.

(7) An assessment of current and future workloads across the OIB.

(8) An assessment of processes used to identify critical capabilities for the Army's OIB and methods used to determine workloads.

(9) An assessment of exiting labor rates.

(10) A description of required manufacturing skills needed to sustain readiness.

(11) A description of the use of private and public partnerships.

(12) A description of the use of working capital funds.

(13) An assessment of operating expenses and the ability to reduce or recover those expenses.

(c) **DEFINITIONS.**—In this section:

(1) **LEGACY ITEMS.**—The term “legacy items” means manufactured items that are no longer produced by the private sector but continue to be used for Department of Defense weapons systems, excluding information technology and information systems (as those terms are defined in section 11101 of title 40, United States Code).

(2) **ORGANIC INDUSTRIAL BASE.**—The term “organic industrial base” means United States military facilities, including arsenals, depots, munition plants and centers, and storage sites, that advance a vital national security interest by producing, maintaining, repairing, and storing the necessary materiel, munitions, and hardware.

SA 4639. Mrs. ERNST (for herself, Mr. MCCAIN, and Mr. CARDIN) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 308 strike line 16 and insert the following:

complies with the requirements of this subsection.

“(4) This subsection does not apply to the furnishing of athletic footwear to the members of the Army, the Navy, the Air Force, or the Marine Corps upon their initial entry into the armed forces, or prohibit the provision of a cash allowance to such members for such purpose, if—

“(A) the Secretary of Defense determines that compliance with paragraph (2) would result in a sole source contract for procurement of athletic footwear for the purpose stated in paragraph (1) because there would be limited qualified or approved sources of supply for such footwear; or

“(B) the Secretary of the military department concerned determines, with respect to members in initial entry and recruit training under the jurisdiction of such Secretary, that providing athletic footwear as otherwise required by this subsection would have the potential to cause unnecessary harm and risk to the safety and wellbeing of members in initial entry training.”.

SA 4640. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. AUTHORIZATION OF CANINE TEAMS FOR PASSENGER SCREENING BY TRANSPORTATION SECURITY ADMINISTRATION.

(a) **IN GENERAL.**—The Administrator of the Transportation Security Administration may employ 178 passenger screening canine teams over the number of such teams in operation as of the date of the enactment of this Act.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to the Transportation Security Administration for fiscal year 2017 \$52,000,000 to carry out subsection (a).

(2) **OFFSET.**—The Secretary of Homeland Security shall reduce amounts available for fiscal year 2017 for the Office of the Secretary of Homeland Security, the Office of the Under Secretary for Management, the Office of Chief Information Officer, and the Office of the Administrator of Transportation Security Administration on a pro rata basis so that the aggregate amount of such reductions is equal to the amount authorized to be appropriated by paragraph (1).

SA 4641. Mrs. SHAHEEN (for herself, Mr. BURR, and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. REPORT ON FEASIBILITY AND ADVISABILITY OF TRANSFERRING EXISTING DEVELOPMENTAL CRUISE MISSILE DEFENSE PLATFORMS TO MISSILE DEFENSE AGENCY.

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that assesses the feasibility and advisability of transferring existing developmental cruise missile defense platforms to the Missile Defense Agency.

(b) **LIMITATION ON DEMILITARIZATION.**—The Secretary of the Army may not demilitarize any existing developmental cruise missile defense platform until the date that is 30 days after the submission of the report required by subsection (a).

SA 4642. Mr. BOOKER (for himself, Mr. NELSON, Mr. SCHUMER, Mr. MENENDEZ, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. COMPLETION OF OUTSTANDING TRANSPORTATION SECURITY REQUIREMENTS.

(a) **FINDINGS.**—Congress finds the following:

(1) According to the Inspector General of the Department of Homeland Security, the Transportation Security Administration's failure to complete certain requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) may diminish the ability of the Transportation Security Agency to strengthen passenger rail security.

(2) The Inspector General of the Department of Homeland Security—

(A) recognizes that voluntary initiatives can assist the Transportation Security Agency in identifying potential security vulnerabilities; and

(B) recommends completing the requirements of the Implementing Recommendations of the 9/11 Commission Act of 2007 to improve passenger rail security.

(b) **REQUIRED COMPLETION.**—Not later than 6 months after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall, at a minimum, complete sections 1512 and 1517 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1162 and 1167).

SA 4643. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:
SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(A) DEPARTMENT OF DEFENSE PROCUREMENTS.—

(1) INCREASED MICRO-PURCHASE THRESHOLD.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2338. Micro-purchase threshold

“Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is \$5,000.”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2338. Micro-purchase threshold.”.

(2) CONFORMING AMENDMENT.—Section 1902(a) of title 41, United States Code, is amended by striking “For purposes” and inserting “Except as provided in section 2338 of title 10, for purposes”.

(b) OTHER PROCUREMENTS.—

(1) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(A) in subsection (a), by striking “\$3,000” and inserting “\$10,000”; and

(B) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting “with a price not greater than the micro-purchase threshold”.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall update the guidance in Circular A-123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(d) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A-123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(A) AUTHORITY.—

(1) IN GENERAL.—The head of an agency may carry out a pilot program, to be known as a “commercial solutions opening pilot program”, under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) HEAD OF AN AGENCY.—In this section, the term “head of an agency” means the following:

(A) The Secretary of Homeland Security.

(B) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Homeland Security.

(B) The General Services Administration.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered, in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) LIMITATION.—The head of an agency may not enter into a contract under the pilot program for an amount in excess of \$10,000,000.

(d) GUIDANCE.—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(C) A recommendation on whether the authority for the pilot program should be made permanent.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) INNOVATIVE DEFINED.—In this section, the term “innovative” means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829L. INCREASE IN SIMPLIFIED ACQUISITION THRESHOLD.

(a) CIVILIAN CONTRACTS.—Section 134 of title 41, United States Code, is amended by striking “\$100,000” and inserting “\$500,000”.

(b) DEFENSE CONTRACTS.—Section 2302a(a) of title 10, United States Code, is amended by striking “as specified in section 134 of title 41” and inserting “\$150,000”.

(c) HOMELAND SECURITY CONTRACTS.—Section 604(f) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is amended by striking “the simplified acquisition threshold referred to in section 2304(g) of title 10, United States Code” and inserting “\$150,000”.

SEC. 829M. INNOVATION SET ASIDE PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal con-

tracting through the use of innovation set-asides.

(b) AUTHORITY.—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small Business Act (15 U.S.C. 644), a Federal agency other than the Department of Defense, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) AWARD AMOUNT.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed \$2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than \$2,000,000 but not greater than \$5,000,000 (including any options).

(f) GUIDANCE AND REPORTING.—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term “new entrant contractor”, with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SEC. 829N. OTHER TRANSACTION AUTHORITY FOR DEPARTMENT OF HOMELAND SECURITY.

Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2016,” and inserting “Until September 30, 2021.”; and

(2) in subsection (c)(1), by striking “September 30, 2016,” and inserting “September 30, 2021.”.

SA 4644. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. INFORMATION REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, as amended by section 563 of this Act, is further amended by inserting after section 2012a the following new section:

“§ 2012b. Information regarding educational benefits for members of the armed forces

“(a) WEBSITE REGARDING EDUCATIONAL BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

“(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Education, the Secretary of Veterans Affairs, and the Secretary of Homeland Security, shall create a revised and updated searchable Internet website that—

“(A) contains information, in simple and understandable terms, about all Federal and State student financial assistance, readmission requirements under section 484C of the Higher Education Act of 1965 (20 U.S.C. 1091c), and other student services, for which members of the armed forces (including members of the National Guard and Reserves), veterans, and the dependents of such members or veterans may be eligible; and

“(B) is easily accessible through the Internet website described in section 131(e)(3) of the Higher Education Act of 1965 (20 U.S.C. 1015(e)(3)).

“(2) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense shall make publicly available the revised and updated Internet website described in paragraph (1).

“(3) DISSEMINATION.—The Secretary of Defense, in coordination with the Secretary of Education and the Secretary of Veterans Affairs, shall make the availability of the Internet website described in paragraph (1) widely known to members of the armed

forces (including members of the National Guard and Reserves), veterans, the dependents of such members or veterans, States, institutions of higher education, and the general public.

“(4) DEFINITION.—In this subsection, the term ‘Federal and State student financial assistance’ means any grant, loan, work assistance, tuition assistance, scholarship, fellowship, or other form of financial aid for pursuing a postsecondary education that is—

“(A) administered, sponsored, or supported by the Department of Defense, the Department of Education, the Department of Veterans Affairs, or a State; and

“(B) available to members of the armed forces (including members of the National Guard and Reserves), veterans, or the dependents of such members or veterans.

“(b) ENROLLMENT FORM FOR BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

“(1) IN GENERAL.—The Secretary of Defense, in consultation with the Director of the Bureau of Consumer Financial Protection, the Secretary of Education, and the heads of any other relevant Federal agencies, shall create a simplified disclosure and enrollment form for borrowers who are performing military service.

“(2) CONTENTS.—The disclosure and enrollment form described in paragraph (1) shall include—

“(A) information about the benefits and protections under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) and under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.) that are available to such borrower because the borrower is performing military service; and

“(B) an opportunity for the borrower, by completing the enrollment form, to invoke certain protections, activate certain benefits, and enroll in certain programs that may be available to that borrower, which shall include the opportunity—

“(i) to invoke applicable protections that are available under the Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.), as such protections relate to Federal student loans under parts B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.; 1087a et seq.; 1087aa et seq.); and

“(ii) to activate or enroll in any other applicable benefits that are available to such borrower under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) because the borrower is performing military service, such as eligibility for a deferment or eligibility for a period during which interest shall not accrue.

“(3) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Defense, in consultation with the Secretary of Education, shall make the disclosure and enrollment form described in paragraph (1) available to—

“(A) lenders of loans made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

“(B) institutions of higher education eligible to participate in any program under title IV of such Act (20 U.S.C. 1070 et seq.); and

“(C) personnel at the Department of Education, the Bureau of Consumer Financial Protection, and other Federal agencies that provide services to borrowers who are members of the armed forces or the dependents of such members.

“(4) NOTICE REQUIREMENTS.—

“(A) SCRA INTEREST RATE LIMITATION.—The completion of the disclosure and enroll-

ment form created pursuant to paragraph (1) by the borrower of a loan made, insured, or guaranteed under part B or part D of title IV of Higher Education Act of 1965 who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) and submittal of such form to the Secretary of Defense shall be considered, for purposes of such section, provision to the creditor of written notice as described in subsection (b)(1) of such section.

“(B) FFEL LENDERS.—The Secretary of Defense, in consultation with the Secretary of Education, shall provide each such disclosure and enrollment form completed and submitted by a borrower of a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) who is otherwise subject to the interest rate limitation in subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)) to any applicable eligible lender under such part B so as to satisfy the provision to the lender of written notice as described in subsection (b)(1) of such section 207.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title, as amended by section 563 of this Act, is further amended by inserting after the item relating to section 2012a the following new item:

“2012a. Information regarding educational benefits for members of the armed forces.”.

SA 4645. Ms. WARREN (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 565. IMPLEMENTATION OF STUDENT LOAN BORROWER BENEFITS FOR MEMBERS OF THE ARMED FORCES SERVING IN A CONFLICT.

(a) IN GENERAL.—The Secretary of Defense shall enter into any necessary agreements, with the Secretary of Education and the heads of any other relevant agencies, in order to take all actions necessary to—

(1) ensure that interest does not accrue for eligible military borrowers in accordance with section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)), for any loan made under part D of title IV of such Act and disbursed on or after October 1, 2008;

(2) ensure that any borrower of such a loan who was an eligible military borrower and qualified for the no accrual of interest benefit under such section 455(o) during any period beginning on or after October 1, 2008, and did not receive the full benefit under such section for which the borrower qualified, is provided compensation in an amount equal to the amount of interest paid by the borrower that would have been subject to the benefit;

(3) ensure that any borrower who is eligible for a waiver or modification provided by the Secretary of Education under the authority of section 2(a) of the Higher Education Relief Opportunities for Students Act of 2003 (20

U.S.C. 1098bb) is provided such waiver or modification (including through automatic enrollment to the extent practicable and beneficial to the borrower), including waivers from income certifications required under an income-based repayment program under section 493C of the Higher Education Act of 1965 (20 U.S.C. 1098e) or other similar certifications;

(4) ensure that any borrower with a Federal Perkins Loan under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.) receives a cancellation of the percentage of debt based on years of qualifying service in accordance with section 465(a)(2)(D) of such Act (20 U.S.C. 1087ee(a)(2)(D)); and

(5) obtain or provide any information securely and as necessary to implement this section without requiring a request from the borrower, including information regarding—

(A) whether a military borrower is serving on active duty in connection with a war, national emergency, or contingency operation and, if so, the time period of such service; and

(B) whether a military borrower is receiving special pay under section 310 of title 37, United States Code, and if so, the time period of such service.

(b) REPORTS.—

(1) PLAN.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report on the implementation of subsection (a).

(2) FOLLOW-UP REPORT.—If the Secretary of Defense has not implemented subsection (a) during the 90-day period beginning on the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit, by the final day of such period, a report to the appropriate committees of Congress that includes an explanation of why such subsection has not been implemented.

SEC. 566. IMPLEMENTATION OF SCRA INTEREST RATE LIMITATION FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall provide to the Secretary of Education and any other relevant agencies the necessary information as to the duty status of military borrowers to provide that the interest rate charged on any loan made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for borrowers who are subject to section 207(a)(1) of the Servicemembers Civil Relief Act (50 U.S.C. 3937(a)(1)) does not exceed the maximum interest rate set forth in such section.

(b) SCRA INTEREST RATE LIMITATION NOTICE REQUIREMENTS.—The submittal by the Secretary of Defense to the Secretary of Education of information that informs the Secretary of Education that a member of the Armed Forces with a student loan under part D of title IV of Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) has been or is being called to military service (as defined in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. 3911)), including a member of a reserve unit who is ordered to report for military service as provided for under section 106 of such Act (50 U.S.C. 3917), shall be considered, for purposes of subjecting such student loan to the provisions of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937), provision by the borrower to the creditor of written notice and a copy of military orders as described in subsection (b)(1) of such section.

(c) REPORTS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Education, shall prepare and submit to the appropriate committees of Congress a report that includes a plan to implement the interest rate limitation provision described in subsection (a).

SA 4646. Mrs. FEINSTEIN (for herself, Mr. LEE, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Mr. WHITEHOUSE, Mr. COONS, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 4647. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) IN GENERAL.—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) AWARD OF CONTRACTS.—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2), shall award the contract to the provider of launch services that offers the best value to the Federal Government; and

(2) notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle, in order to ensure robust competition and continued assured access to space.

SA 4648. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 4649. Mr. KIRK (for himself, Mr. MANCHIN, Mr. CARDIN, Mr. SCHUMER, Mr. PORTMAN, Mr. RUBIO, Ms. MURKOWSKI, Mr. TILLIS, Mr. VITTER, Mr. HATCH, Mr. CRUZ, Mr. MENENDEZ, Mr. ROBERTS, Mr. CORNYN, Mr. NELSON, Mr. WYDEN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle I—Matters Relating to Israel

SEC. 1281. SHORT TITLE.

This subtitle may be cited as the “Combating BDS Act of 2016”.

SEC. 1282. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL.

(a) AUTHORITY TO DIVEST.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (b) to divest the assets of the State or local government from, or prohibit investment of the assets of the State or local government in—

(1) an entity that the State or local government determines, using credible information available to the public, knowingly engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel;

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls, is owned or controlled by, or is under common ownership or control with, an entity described in paragraph (1).

(b) REQUIREMENTS.—A State or local government that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) NOTICE.—The State or local government shall provide written notice to each entity to which a measure under subsection (a) is to be applied.

(2) TIMING.—The measure shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) OPPORTUNITY FOR HEARING.—The State or local government shall provide an opportunity to comment in writing to each entity to which a measure is to be applied. If the entity demonstrates to the State or local government that the entity has not engaged in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel, the measure shall not apply to the entity.

(4) SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.—It is the sense of Congress that a State or local government should not adopt a measure under subsection (a) with respect to an entity unless the State or local government has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in a commerce-related or investment-related boycott, divestment, or sanctions activity targeting Israel.

(c) NOTICE TO DEPARTMENT OF JUSTICE.—Not later than 30 days after adopting a measure pursuant to subsection (a), a State or local government shall submit written notice to the Attorney General describing the measure.

(d) NONPREEMPTION.—A measure of a State or local government authorized under subsection (a) is not preempted by any Federal law.

(e) EFFECTIVE DATE.—This section applies to any measure adopted by a State or local government before, on, or after the date of the enactment of this Act.

(f) RULE OF CONSTRUCTION.—

(1) AUTHORITY OF STATES.—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the “McCarran-Ferguson Act”).

(2) POLICY OF THE UNITED STATES.—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

(g) DEFINITIONS.—In this section:

(1) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “assets” means any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term “assets” does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITY TARGETING ISRAEL.—The term “boycott, divestment, or sanctions activity targeting Israel” means any activity that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or in Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(3) ENTITY.—The term “entity” includes—
(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(4) INVESTMENT.—The term “investment” includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(5) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) STATE OR LOCAL GOVERNMENT.—The term “State or local government” includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

SEC. 1283. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(1)) is amended—

(1) in subparagraph (A), by striking “; or” and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) engage in any boycott, divestment, or sanctions activity targeting Israel described in section 1282 of the Combating BDS Act of 2016.”.

SA 4650. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. MODIFICATION OF LIMITATIONS ON PROCUREMENT OF PHOTOVOLTAIC DEVICES BY THE DEPARTMENT OF DEFENSE.

Section 846(b)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (10 U.S.C. 2534 note; Public Law 111-383) is amended—

(1) by striking “exclusive” and inserting “principal”; and

(2) by striking “full”.

SA 4651. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall be in effect 4 days after enactment.

SA 4652. Mr. SCOTT submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 582. INFORMATION ON MILITARY STUDENT PERFORMANCE.

Section 574(b)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note) is amended by adding at the end the following: “The plan for outreach shall include annual updates of the most recent information, disaggregated for each State, local educational agency, and school, available from the State and local report cards required under section 1111(h)(1)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(ii)) regarding—

“(A) the number of public elementary school and secondary school students with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title); and

“(B) the achievement by such students for each level of achievement, as determined by the State, on the academic assessments described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)).”.

SA 4653. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “4” and insert “3”.

SA 4654. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike “3” and insert “2”.

SA 4655. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1227. ASSESSMENT OF INADEQUACIES IN INTERNATIONAL MONITORING AND VERIFICATION WITH RESPECT TO IRAN'S NUCLEAR PROGRAM.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in conjunction with the Secretary of Energy and the heads and other officials of related agencies, submit to Congress a joint assessment report detailing existing inadequacies in the international monitoring and verification system, including the extent to which such inadequacies relate to the findings and recommendations pertaining to verification shortcomings identified within—

(1) the September 26, 2006, Government Accountability Office report entitled, “Nuclear Nonproliferation: IAEA Has Strengthened Its Safeguards and Nuclear Security Programs, but Weaknesses Need to Be Addressed”;

(2) the May 16, 2013, Government Accountability Office report entitled, “IAEA Has Made Progress in Implementing Critical Programs but Continues to Face Challenges”;

(3) the Defense Science Board Study entitled, “Task Force on the Assessment of Nuclear Treaty Monitoring and Verification Technologies”;

(4) the report of the International Atomic Energy Agency (in this section referred to as the “IAEA”) entitled, “The Safeguards System of the International Atomic Energy Agency” and the IAEA Safeguards Statement for 2010;

(5) the IAEA Safeguards Overview: Comprehensive Safeguards Agreements and Additional Protocols;

(6) the IAEA Model Additional Protocol;

(7) the IAEA February 2015 Director General Report to the Board of Governors; and

(8) other related reports on Iranian safeguard challenges.

(b) **RECOMMENDATIONS.**—The joint assessment report required by subsection (a) shall include recommendations based upon the reports referenced in that subsection, including recommendations to overcome inadequacies or develop an improved monitoring framework and recommendations related to the following matters:

(1) The nuclear program of Iran.

(2) Development of a plan for—

(A) the long-term operation and funding of increased activities of the IAEA and relevant agencies in order to maintain the necessary level of oversight with respect to Iran's nuclear program;

(B) resolving all issues of past and present concern with the IAEA, including possible military dimensions of Iran's nuclear program; and

(C) giving IAEA inspectors access to personnel, documents, and facilities involved, at any point, with nuclear or nuclear weapons-related activities of Iran.

(3) A potential national strategy and implementation plan supported by a planning and assessment team aimed at cutting across agency boundaries or limitations that affect the ability to draw conclusions, with absolute assurance, about whether Iran is developing a clandestine nuclear weapons program.

(4) The limitations of IAEA actors.

(5) Challenges in the region that may be too large to anticipate under applicable treaties or agreements or the national technical means monitoring regimes alone.

(6) Continuation of sanctions with respect to the Government of Iran and Iranian persons and Iran's proxies for—

(A) ongoing abuses of human rights;

(B) actions in support of the regime of Bashar al-Assad in Syria;

(C) procurement, sale, or transfer of technology, services, or goods that support the development or acquisition of weapons of mass destruction or the means of delivery of those weapons; and

(D) continuing sponsorship of international terrorism.

(c) **FORM OF REPORT.**—The joint assessment report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) **PRESIDENTIAL CERTIFICATION.**—Not later than 60 days after the joint assessment report is submitted under subsection (a), the President shall certify to Congress that the President has reviewed the report, including the recommendations contained therein, and has taken available actions to address existing gaps within the monitoring and verification framework, including identified potential funding needs to address necessary requirements.

SA 4656. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION F—VETERANS MATTERS
TITLE LXIV—VETERANS CHOICE PROGRAM**

SEC. 6401. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) **ESTABLISHMENT OF PROGRAM.**—

(1) **IN GENERAL.**—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

“§ 1703A. Veterans Choice Program

“(a) **PROGRAM.**—

“(1) **FURNISHING OF CARE.**—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the ‘Veterans Choice Program’.

“(2) **COORDINATION OF CARE AND SERVICES.**—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the

Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

“(b) **ELIGIBLE VETERANS.**—A veteran is an eligible veteran for purposes of this section if—

“(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

“(i) the wait-time goals of the Veterans Health Administration for such care or services; or

“(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

“(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

“(C) the veteran—

“(i) resides in a State without a medical facility of the Department that provides—

“(I) hospital care;

“(II) emergency medical services; and

“(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

“(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

“(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

“(i) geographical challenges;

“(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

“(iii) a medical condition of the veteran that affects the ability to travel; or

“(iv) such other factors as determined by the Secretary;

“(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

“(F) the veteran is enrolled in the pilot program under section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

“(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

“(c) **ELIGIBLE PROVIDERS.**—

“(1) **IN GENERAL.**—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

“(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

“(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

“(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))).

“(C) Any health care provider of the Department of Defense.

“(D) Any health care provider of the Indian Health Service.

“(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

“(F) Any health care provider of a health system established to serve Alaska Natives.

“(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

“(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

“(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

“(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

“(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

“(5) TIERED NETWORK.—

“(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

“(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

“(6) ALASKA NATIVE DEFINED.—In this subsection, the term ‘Alaska Native’ means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

“(d) ELECTION AND AUTHORIZATION.—

“(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

“(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

“(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

“(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the

eligible veteran is eligible to receive under this section.

“(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

“(A) To determine the place of such eligible veteran on the waiting list.

“(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

“(e) CARE AND SERVICES THROUGH CONTRACTS.—

“(1) CONTRACTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

“(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

“(C) CONTRACT DEFINED.—In this paragraph, the term ‘contract’ has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

“(2) RATES AND REIMBURSEMENT.—

“(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

“(i) negotiate rates for the furnishing of care and services under this section; and

“(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

“(B) LIMIT ON RATES.—

“(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

“(ii) EXCEPTIONS.—

“(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

“(II) OTHER EXCEPTIONS.—

“(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

“(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment

rates under clause (i) shall be calculated based on the payment rates under such agreement.

“(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term ‘highly rural area’ means an area located in a county that has fewer than seven individuals residing in that county per square mile.

“(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

“(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

“(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

“(g) VETERANS CHOICE CARD.—

“(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

“(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ‘Veterans Choice Card’.

“(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

“(A) The name of the veteran.

“(B) An identification number for the veteran that is not the social security number of the veteran.

“(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

“(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

“(E) The following statement: ‘This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.’

“(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

“(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

“(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

“(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

“(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

“(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

“(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

“(j) COST-SHARING.—

“(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(k) CLAIMS PROCESSING SYSTEM.—

“(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

“(2) ACCURACY OF PAYMENT.—

“(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

“(B) ANNUAL REPORT.—

“(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the accuracy of such system.

“(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

“(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

“(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

“(l) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

“(m) MEDICAL RECORDS.—

“(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

“(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

“(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

“(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

“(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

“(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ‘wait-time goals of the Veterans Health Administration’ means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

“(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

“(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

“(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

“(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

“1703A. Veterans Choice Program.”.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking “section 101” and inserting “section 1703A of title 38, United States Code”.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as “PC3”).

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 6411(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 6402. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note) is amended by striking “to be comprised of” and all that follows and inserting “to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities”.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term “Veterans Choice Program” means—

(1) the program under section 1703A of title 38, United States Code, as added by section 6401(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 6401(b).

SEC. 6403. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6401(a)(1), is further amended by inserting after section 1703A the following new section:

“§ 1703B. Veterans Choice Program: payment of health care providers

“(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the ‘Prompt Payment Act’) and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

“(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

“(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

“(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

“(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

“(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

“(i) a notification that the claim is a non-clean claim;

“(ii) an explanation of why the claim has been determined to be a non-clean claim; and

“(iii) an identification of the information or documentation that is required to make the claim a clean claim.

“(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

“(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

“(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

“(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

“(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to

all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

“(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

“(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

“(2) The term ‘non-clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

“(3) The term ‘Veterans Choice Program’ means—

“(A) the program under section 1703A of this title; and

“(B) the programs, contracts, and agreements of the Department described in section 6401(b) of the National Defense Authorization Act for Fiscal Year 2017.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6401(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

“1703B. Veterans Choice Program: payment of health care providers.”.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) **ELECTRONIC INTERFACE.**—

(A) **IN GENERAL.**—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) **FUNCTIONS.**—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) **PROTECTION OF INFORMATION.**—

(i) **IN GENERAL.**—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) **DEFINITIONS.**—In this subparagraph:

(I) **ELECTRONIC PROTECTED HEALTH INFORMATION.**—The term “electronic protected health information” has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) **SECURE DEVELOPMENT REQUIREMENTS.**—The term “secure development requirements” means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) **ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.**—

(A) **IN GENERAL.**—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) **ELEMENTS.**—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) **LIMITATION ON USE OF AMOUNTS.**—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 6404. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) **TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.**—

(1) **IN GENERAL.**—Section 1703 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) The authority of the Secretary under this section terminates on December 31, 2017.”.

(2) **CONFORMING AMENDMENTS.**—

(A) **IN GENERAL.**—

(i) **DENTAL CARE.**—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking “under clause (1), (2), or (5) of section 1703(a) of this title” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”;

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking “and section 1703 of this title” and inserting “and the Veterans

Choice Program (as defined in section 1703B(e) of this title)”;

(bb) by striking “in section 1703 of this title” and inserting “under the Veterans Choice Program”.

(ii) **READJUSTMENT COUNSELING.**—Section 1712A(e)(1) of such title is amended by striking “(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)” and inserting “(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)”.

(iii) **DEATH IN DEPARTMENT FACILITY.**—Section 2303(a)(2)(B)(i) of such title is amended by striking “in accordance with section 1703” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”.

(iv) **MEDICARE PROVIDER AGREEMENTS.**—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking “under section 1703 of title 38” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)”;

(II) by striking “such section” and inserting “such program”.

(B) **EFFECTIVE DATE.**—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) **REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.**—

(1) **IN GENERAL.**—Section 7409 of such title is repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

TITLE LXV—HEALTH CARE ADMINISTRATIVE MATTERS

Subtitle A—Care From Non-Department Providers

SEC. 6411. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) **IN GENERAL.**—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 6403(a)(1), is further amended by inserting after section 1703B the following new section:

“§ 1703C. Veterans Care Agreements

“(a) **AGREEMENTS TO FURNISH CARE.**—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a ‘Veterans Care Agreement’.

“(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

“(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

“(b) **RECEIPT OF CARE.**—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and

provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

“(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

“(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

“(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

“(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

“(4) A health care provider that is—

“(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

“(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

“(5) A provider that is located in—

“(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

“(B) a county that is not in a metropolitan statistical area.

“(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

“(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

“(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

“(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

“(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

“(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

“(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

“(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

“(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare pro-

gram under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

“(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

“(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

“(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

“(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

“(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

“(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

“(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

“(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

“(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

“(B) determines that the eligible provider is—

“(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

“(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

“(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

“(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

“(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as

determined by the Secretary for purposes of this section.

“(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds \$1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

“(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

“(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

“(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

“(1) to monitor the quality of care and services furnished to veterans under this section; and

“(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

“(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.”

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 6403(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

“1703C. Veterans Care Agreements.”

SEC. 6412. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is

amended, in the matter preceding subparagraph (A), by striking “a contract (or agreement under section 1720(c)(1) of this title)” and inserting “an agreement”.

(2) **PAYMENT.**—Paragraph (2) of such section is amended by striking “contract (or agreement)” each place it appears and inserting “agreement”.

(b) **TREATMENT OF CERTAIN LAWS.**—Such section is amended by adding at the end the following new paragraph:

“(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

“(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.”.

(c) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) **PUBLICATION.**—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 6413. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) **IN GENERAL.**—Section 1725 of title 38, United States Code, is amended to read as follows:

“§ 1725. Reimbursement for emergency treatment and urgent care

“(a) **IN GENERAL.**—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

“(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

“(A) to the hospital or other health care provider that furnished the treatment or care; or

“(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

“(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimburse-

ment for the reasonable value of transportation for such emergency treatment or urgent care.

“(b) **ELIGIBILITY.**—A veteran described in this subsection is an individual who—

“(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

“(c) **RESPONSIBILITY FOR PAYMENT.**—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

“(d) **LIMITATIONS ON PAYMENT.**—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

“(A) establish the maximum amount payable under subsection (a); and

“(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

“(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

“(i) constitute payment in full for the emergency treatment or urgent care provided; and

“(ii) extinguish any liability on the part of the veteran for that treatment or care.

“(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

“(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

“(e) **RECOVERY.**—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

“(f) **COPAYMENTS.**—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

“(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

“(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

“(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

“(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

“(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

“(g) **DEFINITIONS.**—In this section:

“(1) The term ‘emergency treatment’ means medical care or services furnished, in the judgment of the Secretary—

“(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

“(B) until—

“(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

“(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

“(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

“(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

“(2) The term ‘health-plan contract’ includes any of the following:

“(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

“(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

“(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(D) A workers’ compensation law or plan described in section 1729(a)(2)(A) of this title.

“(3) The term ‘third party’ means any of the following:

“(A) A Federal entity.

“(B) A State or political subdivision of a State.

“(C) An employer or an employer’s insurance carrier.

“(D) An automobile accident reparations insurance carrier.

“(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

“(4) The term ‘urgent care’ shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

“1725. Reimbursement for emergency treatment and urgent care.”.

(c) **REPEAL OF SUPERSEDED AUTHORITY.**—

(1) **IN GENERAL.**—Section 1728 is repealed.

(2) **EFFECTIVE DATE.**—

(A) **IN GENERAL.**—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) **PUBLICATION.**—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) **CONFORMING AMENDMENTS.**—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 6414. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(7) Veterans Health Administration, Veterans Choice Program.”

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

“(G) Veterans Health Administration, Veterans Choice Program.”

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 6415. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

“(c) ANNUAL TRANSFER OF AMOUNTS.—

“(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

“(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.”

SEC. 6416. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

Subtitle B—Other Health Care Administrative Matters

SEC. 6421. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

“§ 1725A. Reimbursement of certain entities for emergency medical transportation

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

“(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

“(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

“(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

“(d) DEFINITIONS.—In this section, the terms ‘emergency treatment’ and ‘health-plan contract’ have the meanings given those terms in section 1725(f) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

“1725A. Reimbursement for emergency medical transportation.”

SEC. 6422. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

“§ 1705A. Management of health care: information regarding health-plan contracts

“(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

“(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

“(A) The name of the entity providing coverage under the health-plan contract.

“(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

“(C) The identification number for the health-plan contract.

“(D) The group code for the health-plan contract.

“(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

“(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

“(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term ‘health-plan contract’ has the meaning given that term in section 1725(g) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

“1705A. Management of health care: information regarding health-plan contracts.”

SEC. 6423. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking “(a) The hours” and inserting “(a)(1) Except as provided in paragraph (2), the hours”; and

(2) by adding at the end the following new paragraph:

“(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.”

TITLE LXVI—FAMILY CAREGIVERS

SEC. 6431. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

“(B) for assistance provided under this subsection—

“(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 6432(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

“(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

“(I) on or before May 7, 1975; or

“(II) on or after September 11, 2001; or

“(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and”

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking “; or” and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

“(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or”.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking “; and” and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subclause:

“(VI) through the use of contracts with, or the provision of grants to, public or private entities—

“(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

“(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.”.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

“(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(i) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

“(I) The assessment by the family caregiver of the needs and limitations of the veteran.

“(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

“(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.”.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

“(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.”.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting “(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)” after “evaluate”.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

“(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

“(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

“(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.”.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking “independent”;

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

“(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

“(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.”.

SEC. 6432. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under para-

graph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 6431(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term “active military, naval, or air service” has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term “Program” means the program of comprehensive assistance for

family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 6431 of this Act.

SEC. 6433. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **BARRIERS TO CARE AND SERVICES.**—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 38 U.S.C. 1720G note) is amended by inserting “, including a description of any barriers to accessing and receiving care and services under such programs” before the semicolon.

(b) **SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.**—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.”.

SEC. 6434. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) **ESTABLISHMENT.**—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the “Committee”).

(b) **COMPOSITION.**—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) **DUTIES.**—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a nonprofit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and rel-

evant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) **REPORTS.**—

(1) **ANNUAL REPORT TO SECRETARY.**—

(A) **IN GENERAL.**—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) **ELEMENTS.**—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) **TRANSMITTAL TO CONGRESS.**—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) **TERMINATION.**—The Committee shall terminate on December 31, 2022.

SEC. 6435. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) **STUDY REQUIRED.**—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) **ELEMENTS.**—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) **CONTRACT.**—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) **PERIOD SPECIFIED.**—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 6431(a)(1) of this Act.

(e) **REPORT.**—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

TITLE LXVII—FACILITY CONSTRUCTION AND LEASES

Subtitle A—Medical Facility Construction and Leases

SEC. 6441. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$161,700,000.

SEC. 6442. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed \$17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed \$6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed \$10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed \$5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed \$6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed \$12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed \$17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed \$4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed \$18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed \$23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed \$7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed \$8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed \$5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed \$6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed \$5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed \$6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed \$21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed \$6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed \$7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed \$18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed \$4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed \$6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed \$10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed \$4,475,000.

SEC. 6443. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account \$1,915,600,000 for the projects authorized in section 6441.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account \$190,954,000 for the leases authorized in section 6442.

(c) LIMITATION.—The projects authorized in section 6431 may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subtitle B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 6451. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the “Campus”).

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as “The Regents”), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or non-use of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by

this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) **COMMUNITY VETERANS ENGAGEMENT BOARD.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the “Board”) for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) **MEMBERS.**—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) **COMMUNITY INPUT.**—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) **NOTIFICATION AND REPORTS.**—

(1) **CONGRESSIONAL NOTIFICATION.**—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans’ Affairs of the Senate, the Committee on Veterans’ Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate, the Committee on Veterans’ Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) **INSPECTOR GENERAL REPORT.**—

(A) **IN GENERAL.**—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans’ Affairs of the Senate, the Committee on Veterans’ Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in

which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) **CONSIDERATION OF ANNUAL REPORT.**—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(K) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(1) **PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.**—In this section the term “principally benefit veterans and their families”, with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(A) means services—

(1) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) **CONFORMING AMENDMENTS.**—

(1) **PROHIBITION ON DISPOSAL OF PROPERTY.**—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2272) is amended by striking “The Secretary of Veterans Affairs” and inserting “Except as authorized under section 6451 of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs”.

(2) **ENHANCED-USE LEASES.**—Section 8162(c) of title 38, United States Code, is amended by inserting “, other than an enhanced-use lease under section 6451 of the National Defense Authorization Act for Fiscal Year 2017,” before “shall be considered”.

TITLE LXVIII—OTHER VETERANS MATTERS

SEC. 6461. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) **COMPENSATION.**—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including its territorial seas)” after “served in the Republic of Vietnam” each place it appears.

(b) **HEALTH CARE.**—Section 1710(e)(4) of such title is amended by inserting “(including its territorial seas)” after “served on active duty in the Republic of Vietnam”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

TITLE LXIX—OTHER MATTERS

SEC. 6471. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) **IN GENERAL.**—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114–113), is amended—

(1) by amending to section heading to read as follows: “**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**”; and

(2) by striking subsections (a) and (b) and inserting the following:

“(a) **TEMPORARY L VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by \$4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

“(b) **TEMPORARY H-1B VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”.

(b) **EFFECTIVE DATES.**—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4657. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

AMENDMENT No. 4657

At the end of subtitle F of title XII, add the following:

SEC. 1247. PROHIBITION ON REQUIRING UNITED STATES AIR CARRIERS TO COMPLY WITH AIR DEFENSE IDENTIFICATION ZONES DECLARED BY THE PEOPLE’S REPUBLIC OF CHINA.

The Administrator of the Federal Aviation Administration shall not promulgate a special rule that requires an air carrier that holds an air carrier certificate issued under chapter 411 of title 49, United States Code, to comply with any air defense identification zone declared by the People’s Republic of China that is inconsistent with United States policy, overlaps with preexisting air identification zones, covers disputed territory, or covers a specific geographic area over the East China Sea or South China Sea.

SA 4658. Mr. BLUMENTHAL submitted an amendment intended to be

proposed to amendment SA 4336 submitted by Mr. BROWN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters

PART I—VETERANS CHOICE PROGRAM

SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

“§ 1703A. Veterans Choice Program

“(a) PROGRAM.—

“(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the ‘Veterans Choice Program’.

“(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

“(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

“(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

“(i) the wait-time goals of the Veterans Health Administration for such care or services; or

“(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

“(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

“(C) the veteran—

“(i) resides in a State without a medical facility of the Department that provides—

“(I) hospital care;

“(II) emergency medical services; and

“(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

“(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

“(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

“(i) geographical challenges;

“(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

“(iii) a medical condition of the veteran that affects the ability to travel; or

“(iv) such other factors as determined by the Secretary;

“(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

“(F) the veteran is enrolled in the pilot program under section 403 of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

“(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

“(c) ELIGIBLE PROVIDERS.—

“(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

“(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

“(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

“(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))).

“(C) Any health care provider of the Department of Defense.

“(D) Any health care provider of the Indian Health Service.

“(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

“(F) Any health care provider of a health system established to serve Alaska Natives.

“(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

“(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

“(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

“(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

“(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

“(5) TIERED NETWORK.—

“(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

“(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

“(6) ALASKA NATIVE DEFINED.—In this subsection, the term ‘Alaska Native’ means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

“(d) ELECTION AND AUTHORIZATION.—

“(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

“(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

“(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

“(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

“(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

“(A) To determine the place of such eligible veteran on the waiting list.

“(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

“(e) CARE AND SERVICES THROUGH CONTRACTS.—

“(1) CONTRACTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

“(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

“(C) CONTRACT DEFINED.—In this paragraph, the term ‘contract’ has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

“(2) RATES AND REIMBURSEMENT.—

“(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

“(i) negotiate rates for the furnishing of care and services under this section; and

“(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

“(B) LIMIT ON RATES.—

“(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

“(ii) EXCEPTIONS.—

“(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

“(II) OTHER EXCEPTIONS.—

“(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

“(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

“(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term ‘highly rural area’ means an area located in a county that has fewer than seven individuals residing in that county per square mile.

“(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

“(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

“(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

“(g) VETERANS CHOICE CARD.—

“(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

“(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ‘Veterans Choice Card’.

“(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

“(A) The name of the veteran.

“(B) An identification number for the veteran that is not the social security number of the veteran.

“(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

“(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

“(E) The following statement: ‘This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.’

“(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

“(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

“(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

“(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

“(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

“(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

“(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

“(j) COST-SHARING.—

“(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt

of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(k) CLAIMS PROCESSING SYSTEM.—

“(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

“(2) ACCURACY OF PAYMENT.—

“(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

“(B) ANNUAL REPORT.—

“(i) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the accuracy of such system.

“(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

“(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

“(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

“(I) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

“(m) MEDICAL RECORDS.—

“(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

“(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

“(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

“(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

“(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

“(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ‘wait-

time goals of the Veterans Health Administration' means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

“(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

“(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

“(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

“(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

“1703A. Veterans Choice Program.”.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(l) of such Act is amended by striking “section 101” and inserting “section 1703A of title 38, United States Code”.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on an publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as “PC3”).

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under

paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note) is amended by striking “to be comprised of” and all that follows and inserting “to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities”.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term “Veterans Choice Program” means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

“§ 1703B. Veterans Choice Program: payment of health care providers

“(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the ‘Prompt Payment Act’) and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

“(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

“(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

“(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

“(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

“(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

“(i) a notification that the claim is a non-clean claim;

“(ii) an explanation of why the claim has been determined to be a non-clean claim; and

“(iii) an identification of the information or documentation that is required to make the claim a clean claim.

“(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

“(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a claim submitted to the Secretary electronically, not later than 30 days after receiving such information or documentation; or

“(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

“(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

“(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

“(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

“(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

“(2) The term ‘non-clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

“(3) The term ‘Veterans Choice Program’ means—

“(A) the program under section 1703A of this title; and

“(B) the programs, contracts, and agreements of the Department described in sec-

tion 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

“1703B. Veterans Choice Program: payment of health care providers.”.

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may accept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term “electronic protected health information” has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term “secure development requirements” means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that

would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) **LIMITATION ON USE OF AMOUNTS.**—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) **TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.**—

(1) **IN GENERAL.**—Section 1703 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) The authority of the Secretary under this section terminates on December 31, 2017.”.

(2) **CONFORMING AMENDMENTS.**—

(A) **IN GENERAL.**—

(i) **DENTAL CARE.**—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking “under clause (1), (2), or (5) of section 1703(a) of this title” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”;

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking “and section 1703 of this title” and inserting “and the Veterans Choice Program (as defined in section 1703B(e) of this title)”;

(bb) by striking “in section 1703 of this title” and inserting “under the Veterans Choice Program”.

(ii) **READJUSTMENT COUNSELING.**—Section 1712A(e)(1) of such title is amended by striking “(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)” and inserting “(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)”.

(iii) **DEATH IN DEPARTMENT FACILITY.**—Section 2303(a)(2)(B)(i) of such title is amended by striking “in accordance with section 1703” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”.

(iv) **MEDICARE PROVIDER AGREEMENTS.**—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking “under section 1703 of title 38” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)”;

(II) by striking “such section” and inserting “such program”.

(B) **EFFECTIVE DATE.**—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) **REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.**—

(1) **IN GENERAL.**—Section 7409 of such title is repealed.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) **IN GENERAL.**—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

“§ 1703C. Veterans Care Agreements

“(a) **AGREEMENTS TO FURNISH CARE.**—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a ‘Veterans Care Agreement’.

“(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

“(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

“(b) **RECEIPT OF CARE.**—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

“(c) **ELIGIBLE PROVIDERS.**—For purposes of this section, an eligible provider is one of the following:

“(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

“(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

“(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

“(4) A health care provider that is—

“(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

“(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

“(5) A provider that is located in—

“(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

“(B) a county that is not in a metropolitan statistical area.

“(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

“(d) **CERTIFICATION OF ELIGIBLE PROVIDERS.**—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

“(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

“(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

“(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

“(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

“(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

“(e) **TERMS OF AGREEMENTS.**—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

“(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

“(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

“(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

“(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

“(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

“(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

“(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

“(f) **TERMINATION OF AGREEMENTS.**—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

“(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

“(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

“(B) determines that the eligible provider is—

“(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

“(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

“(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

“(g) **PERIODIC REVIEW OF CERTAIN AGREEMENTS.**—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

“(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

“(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds \$1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

“(h) **TREATMENT OF CERTAIN LAWS.**—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

“(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

“(i) **MONITORING OF QUALITY OF CARE.**—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

“(1) to monitor the quality of care and services furnished to veterans under this section; and

“(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

“(j) **DISPUTE RESOLUTION.**—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.”

(b) **REGULATIONS.**—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

“1703C. Veterans Care Agreements.”

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) **USE OF AGREEMENTS.**—

(1) **IN GENERAL.**—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking “a contract (or agreement under section 1720(c)(1) of this title)” and inserting “an agreement”.

(2) **PAYMENT.**—Paragraph (2) of such section is amended by striking “contract (or agreement)” each place it appears and inserting “agreement”.

(b) **TREATMENT OF CERTAIN LAWS.**—Such section is amended by adding at the end the following new paragraph:

“(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics,

fraud, or that subject a person to civil or criminal penalties.

“(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.”

(c) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) **PUBLICATION.**—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) **IN GENERAL.**—Section 1725 of title 38, United States Code, is amended to read as follows:

“§ 1725. Reimbursement for emergency treatment and urgent care

“(a) **IN GENERAL.**—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

“(2) In any case in which reimbursement of a veteran is authorized under paragraph (1), the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

“(A) to the hospital or other health care provider that furnished the treatment or care; or

“(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

“(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

“(b) **ELIGIBILITY.**—A veteran described in this subsection is an individual who—

“(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

“(c) **RESPONSIBILITY FOR PAYMENT.**—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

“(d) **LIMITATIONS ON PAYMENT.**—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

“(A) establish the maximum amount payable under subsection (a); and

“(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

“(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

“(i) constitute payment in full for the emergency treatment or urgent care provided; and

“(ii) extinguish any liability on the part of the veteran for that treatment or care.

“(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

“(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

“(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

“(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

“(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

“(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

“(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

“(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

“(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘emergency treatment’ means medical care or services furnished, in the judgment of the Secretary—

“(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

“(B) until—

“(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

“(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

“(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

“(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

“(2) The term ‘health-plan contract’ includes any of the following:

“(A) An insurance policy or contract, medical or hospital service agreement, member-

ship or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

“(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

“(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(D) A workers’ compensation law or plan described in section 1729(a)(2)(A) of this title.

“(3) The term ‘third party’ means any of the following:

“(A) A Federal entity.

“(B) A State or political subdivision of a State.

“(C) An employer or an employer’s insurance carrier.

“(D) An automobile accident reparations insurance carrier.

“(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

“(4) The term ‘urgent care’ shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

“1725. Reimbursement for emergency treatment and urgent care.”

(c) REPEAL OF SUPERSEDED AUTHORITY.—(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(7) Veterans Health Administration, Veterans Choice Program.”

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is

amended by adding at the end the following new subparagraph:

“(G) Veterans Health Administration, Veterans Choice Program.”

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

“(c) ANNUAL TRANSFER OF AMOUNTS.—

“(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

“(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.”

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

Subpart B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

“§ 1725A. Reimbursement of certain entities for emergency medical transportation

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

“(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

“(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost

of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

“(c) **TIMING.**—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

“(d) **DEFINITIONS.**—In this section, the terms ‘emergency treatment’ and ‘health-plan contract’ have the meanings given those terms in section 1725(f) of this title.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

“1725A. Reimbursement for emergency medical transportation.”.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) **IN GENERAL.**—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

“§ 1705A. Management of health care: information regarding health-plan contracts

“(a) **IN GENERAL.**—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

“(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

“(A) The name of the entity providing coverage under the health-plan contract.

“(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

“(C) The identification number for the health-plan contract.

“(D) The group code for the health-plan contract.

“(b) **ACTION TO COLLECT INFORMATION.**—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

“(c) **EFFECT ON SERVICES FROM DEPARTMENT.**—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

“(d) **HEALTH-PLAN CONTRACT DEFINED.**—In this section, the term ‘health-plan contract’ has the meaning given that term in section 1725(g) of this title.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

“1705A. Management of health care: information regarding health-plan contracts.”.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking “(a) The hours” and inserting “(a)(1) Except as provided in paragraph (2), the hours”; and

(2) by adding at the end the following new paragraph:

“(2) The Secretary may modify the hours of employment for a physician or physician

assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.”.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) **FAMILY CAREGIVER PROGRAM.**—

(1) **EXPANSION OF ELIGIBILITY.**—

(A) **IN GENERAL.**—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

“(B) for assistance provided under this subsection—

“(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

“(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

“(I) on or before May 7, 1975; or

“(II) on or after September 11, 2001; or

“(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and”.

(B) **PUBLICATION IN FEDERAL REGISTER.**—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) **EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.**—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking “; or” and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

“(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or”.

(3) **EXPANSION OF SERVICES PROVIDED.**—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking “; and” and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subclause:

“(VI) through the use of contracts with, or the provision of grants to, public or private entities—

“(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

“(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.”.

(4) **MODIFICATION OF STIPEND CALCULATION.**—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

“(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

“(I) The assessment by the family caregiver of the needs and limitations of the veteran.

“(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

“(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.”.

(5) **PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.**—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

“(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6), the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.”.

(6) **USE OF PRIMARY CARE TEAMS.**—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting “(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)” after “evaluate”.

(7) **ASSISTANCE FOR FAMILY CAREGIVERS.**—Subsection (a) of such section is amended by adding at the end the following new paragraph:

“(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

“(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

“(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.”.

(b) **MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.**—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking “independent”;

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

“(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

“(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.”.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure

the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information technology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term “active military, naval, or air service” has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term “Program” means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 38 U.S.C. 1720G note) is amended by inserting “, including a description of any barriers to accessing and receiving care and services under such programs” before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.”.

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the “Committee”).

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a non-profit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facil-

ity projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed \$17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed \$6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed \$10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed \$5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed \$6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed \$12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed \$17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed \$4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed \$18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed \$23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed \$7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed \$8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed \$5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed \$6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed \$5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed \$6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed \$21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed \$6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed \$7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed \$18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed \$4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed \$6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed \$10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed \$4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account \$1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account \$190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 1097U. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the "Campus").

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as "The Regents"), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) LIMITATION ON LAND-SHARING AGREEMENTS.—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) REVENUES FROM LEASES AT THE CAMPUS.—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) EASEMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including,

fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) IMPROVEMENTS.—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) TERMINATION.—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or non-use of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) PROHIBITION ON SALE OF PROPERTY.—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) CONSISTENCY WITH MASTER PLAN.—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) COMPLIANCE WITH CERTAIN LAWS.—

(1) LAWS RELATING TO LEASES AND LAND USE.—If the Inspector General of the Department of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) COMPLIANCE OF PARTICULAR LEASES.—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) COMMUNITY VETERANS ENGAGEMENT BOARD.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the "Board") for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) MEMBERS.—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not

less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) COMMUNITY INPUT.—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) NOTIFICATION AND REPORTS.—

(1) CONGRESSIONAL NOTIFICATION.—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) INSPECTOR GENERAL REPORT.—

(A) IN GENERAL.—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) CONSIDERATION OF ANNUAL REPORT.—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.—In this section the term "principally benefit veterans and their families", with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) CONFORMING AMENDMENTS.—

(1) PROHIBITION ON DISPOSAL OF PROPERTY.—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 2272) is amended by striking “The Secretary of Veterans Affairs” and inserting “Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs”.

(2) ENHANCED-USE LEASES.—Section 8162(c) of title 38, United States Code, is amended by inserting “, other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017,” before “shall be considered”.

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting “(including its territorial seas)” after “served in the Republic of Vietnam” each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting “(including its territorial seas)” after “served on active duty in the Republic of Vietnam”.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) IN GENERAL.—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114-113), is amended—

(1) by amending to section heading to read as follows: “TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE”; and

(2) by striking subsections (a) and (b) and inserting the following:

“(a) TEMPORARY L VISA FEE INCREASE.—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by \$4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

“(b) TEMPORARY H-1B VISA FEE INCREASE.—Notwithstanding section 281 of the Immigra-

tion and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner's employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”.

(b) EFFECTIVE DATES.—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4659. Mr. FRANKEN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. ____ REPORTING REQUIREMENTS REGARDING OIL WELL AND PETROCHEMICAL MANUFACTURING PLANT SAFETY.

(a) REPORTING OIL AND GAS PRODUCTION SAFETY INFORMATION.—Each issuer that is required to file reports pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o) and that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall include, in each periodic report filed with the Securities and Exchange Commission under the securities laws on or after the date of enactment of this Act, the following information for the time period covered by such report:

(1) For each oil well or petrochemical manufacturing plant of which the issuer or a subsidiary of the issuer is an operator—

(A) the total number of serious violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant safety, including health hazards under section 9 of the Occupational Safety and Health Act of 1970;

(B) the total number of citations issued including serious, willful and repeated violations under section 5 of the Occupational Safety and Health Act of 1970;

(C) the total dollar value of proposed penalties under the Occupational Safety and Health Act of 1970; and

(D) the total number of oil well or petrochemical manufacturing plant related fatalities.

(2) A list of oil wells or petrochemical manufacturing plants of which the issuer or a subsidiary of the issuer is an operator, that receive written notice from the Occupational Safety and Health Administration of willful, serious and repeated violations of mandatory health or safety standards at an oil well or petrochemical manufacturing plant health, including safety hazards under section 9 of the Occupational Safety and Health Act of 1970.

(3) Any pending legal action before the Occupational Safety and Health Review Commission involving such oil well or a petrochemical manufacturing plant.

(b) REPORTING SHUTDOWNS AND PATTERNS OF VIOLATIONS.—Beginning on and after the date of enactment of this Act, each issuer that is an operator, or that has a subsidiary that is an operator, of an oil well or petrochemical manufacturing plant shall file a current report with the Securities and Exchange Commission on Form 8-K (or any successor form) disclosing the following regarding each oil well or a petrochemical manufacturing plant of which the issuer or subsidiary is an operator:

(1) The receipt of a citation issued under section 5 of the Occupational Safety and Health Act of 1970.

(2) The receipt of a citation from the Occupational Safety and Health Administration that the oil well or petrochemical manufacturing plant has—

(A) willfully or repeatedly violated mandatory health or safety standards at an oil well or petrochemical manufacturing plant health or safety hazards under such Act; or

(B) the potential to have such a pattern.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any obligation of a person to make a disclosure under any other applicable law in effect before, on, or after the date of enactment of this Act.

(d) COMMISSION AUTHORITY.—

(1) ENFORCEMENT.—A violation by any person of this section, or any rule or regulation of the Commission issued under this section, shall be treated for all purposes in the same manner as a violation of the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or the rules and regulations issued thereunder, consistent with the provisions of this section, and any such person shall be subject to the same penalties, and to the same extent, as for a violation of such Act or the rules or regulations issued thereunder.

(2) RULES AND REGULATIONS.—The Securities and Exchange Commission is authorized to issue such rules or regulations as are necessary or appropriate for the protection of investors and to carry out the purposes of this section.

(e) DEFINITIONS.—In this section—

(1) the terms “issuer” and “securities laws” have the meaning given the terms in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c);

(2) the term “operator of an oil well” shall refer to the North American Industry Classification System code 213111; and

(3) the term “petrochemical manufacturing plant” shall refer to any entity assigned North American Industry Classification System code 213112, 324, or 32511.

(f) EFFECTIVE DATE.—This section shall take effect on the day that is 30 days after the date of enactment of this Act.

SA 4660. Mr. MURPHY (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title XII, add the following:

SEC. 1277. SENSE OF CONGRESS ON THE CONFLICT IN YEMEN.

It is the sense of Congress that—

(1) all sides to the current conflict in Yemen should—

(A) abide by international obligations to protect civilians;

(B) facilitate the delivery of humanitarian relief throughout the country; and

(C) respect negotiated cease-fires and work toward a lasting political settlement;

(2) United States-supported Saudi military operations in Yemen should—

(A) take all feasible precautions to reduce the risk of harm to civilians and civilian objects, in compliance with international humanitarian law; and

(B) increase prioritization of targeting of designated foreign terrorist organizations, including al Qaeda in the Arabian Peninsula and affiliates of the Islamic State of Iraq and the Levant; and

(3) the Houthi-Saleh forces engaged in the conflict in Yemen should—

(A) cease indiscriminate shelling of areas inhabited by civilians; and

(B) allow free access by humanitarian relief organizations seeking to deliver aid to civilian populations under siege.

SA 4661. Mr. GRAHAM (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. SENSE OF SENATE ON THE CRITICAL IMPORTANCE OF THE ADVICE OF MILITARY COMMANDERS TO ENSURE FORCE LEVELS IN AFGHANISTAN AFTER 2016 ARE CONDITIONS-BASED.

(a) FINDING.—The Senate makes the following findings:

(1) The United States vowed to hold those responsible for the September 11, 2001, terrorist attacks accountable, and seeks to ensure that terrorists never again use Afghan soil to plot an attack on another country.

(2) Following the terrorist attacks of September 11, 2001, the United States decisively expelled the Taliban from control of Afghanistan and sought to promote a multilateral agenda to support the stabilization and reconstruction of Afghanistan by rebuilding its institutions and economy.

(3) The United States and Afghanistan signed a Bilateral Security Agreement (BSA) on September 30, 2014, that provides for an enduring commitment between the Government of the United States and the Government of Afghanistan to enhance the ability of the Government of Afghanistan to deter internal and external threats against its sovereignty.

(4) The United States and its coalition partners remain in Afghanistan at the invitation of the National Unity Government.

(5) Continued political and economic progress in Afghanistan is contingent upon the security of the country and the safety of its people.

(6) Since the beginning of 2016, senior military commanders, including the current Commander of Resolute Support and United

States Forces-Afghanistan, General John W. Nicholson Jr. and the current Commander of United States Central Command, General Joseph L. Votel, the senior military commanders closest to the fight, have testified that the security situation in Afghanistan is deteriorating, and that they support a withdrawal of United States forces from Afghanistan only when conditions warrant.

(7) In the first three months of 2016, the United Nations reported that Afghanistan documented 600 civilian deaths and 1,343 wounded, with almost one-third of the casualties being children.

(8) The Islamic State of Iraq and the Levant (ISIL) has metastasized beyond the borders of Iraq and Syria, announcing its formation on January 10, 2015, in Afghanistan where it has carried out bombings, small arms attacks, and kidnappings against civilians and security forces in a number of provinces.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the future trajectory of security and stability in Afghanistan relies significantly upon the continued support of the United States and coalition partners;

(2) adjustments to United States and coalition force levels in Afghanistan should be conditions-based and made with all due consideration to the assessment and advice of military commanders on the ground;

(3) decisions on United States and coalition force levels in Afghanistan should take into account the capabilities required to preserve and promote the hard-fought gains achieved over the last 15 years;

(4) any decisions with regard to changes in United States force levels in Afghanistan should be determined in a timely manner and communicated to allies and partners to afford adequate planning and force generation lead times;

(5) the United States should continue its efforts to train and advise the Afghan National Defense and Security Forces (ANDSF) in warfighting functions so that they are capable of defending their country and ensuring that Afghanistan never again becomes a terrorist safe-haven for groups like the Taliban, al Qaeda, and the Islamic State of Iraq and the Levant (ISIL);

(6) the United States should continue, in partnership with the Afghan National Defense and Security Forces and conducting counterterrorism operations to address threats to the national security interests of the United States and the security of Afghanistan;

(7) the decision of the President in October 2015 to continue the missions of training, advising, and assisting the Afghan National Defense and Security Forces and conducting counterterrorism operations while maintaining the associated United States force level of 9,800 troops in Afghanistan was in the national security interests of the United States; and

(8) Congress should support the President if the President decides to adjust current plans based on conditions on the ground by continuing robust missions to train, advise, and assist the Afghan National Defense and Security Forces and conduct counterterrorism operations and maintain the necessary level of United States forces in Afghanistan.

SA 4662. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 597. MILITARY APPRENTICESHIP PROGRAMS.

(a) PROMOTION REQUIRED.—The Secretary of Defense, in consultation with the Secretary of Labor, shall promote the enhancement and implementation of military apprenticeship programs that provide an opportunity for members of the Armed Forces to improve their job skills and obtain certificates of completion for such apprenticeship programs while such members are on active duty. The Secretary of Defense also shall promote connections between military training, education, and transition activities and registered apprenticeship programs in order to improve employment outcomes for veterans and help ready-to-hire employers connect to this skilled workforce.

(b) VOLUNTARY GOALS.—In carrying out subsection (a), the Secretary of Defense shall establish voluntary goals for each Armed Force relating to the following:

(1) The number of members participating in activities relating to military apprenticeships prior to separation from active duty.

(2) The establishment of partnerships with apprenticeship programs, including registered apprenticeship programs, through the United Services Military Apprenticeship Program, Skill Bridge programs, the Transition Assistance Program, tuition assistance programs, and other appropriate mechanisms.

(3) The number of veterans entering apprenticeship programs, including registered apprenticeship programs, upon separation from active duty.

(c) BIENNIAL REPORT.—The Secretary of Defense shall submit to the appropriate committees of the Congress on a biennial basis a report describing the activities undertaken pursuant to this section, including the progress in achieving the voluntary goals established under subsection (b).

SA 4663. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. MCCAIN and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1 of the amendment, strike line 2 and all that follows through page 20, line 6, and insert the following:

Subtitle J—Veterans Matters**PART I—VETERANS CHOICE PROGRAM****SEC. 1097. ESTABLISHMENT OF VETERANS CHOICE PROGRAM.**

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by inserting after section 1703 the following new section:

“§ 1703A. Veterans Choice Program

“(a) PROGRAM.—

“(1) FURNISHING OF CARE.—Hospital care and medical services under this chapter shall be furnished to an eligible veteran described in subsection (b), at the election of such veteran, through contracts authorized under subsection (e), or any other law administered by the Secretary, with eligible providers described in subsection (c) for the furnishing of such care and services to veterans. The furnishing of hospital care and medical services under this section may be referred to as the ‘Veterans Choice Program’.

“(2) COORDINATION OF CARE AND SERVICES.—The Secretary shall coordinate, through the Non-VA Care Coordination Program of the Department, the furnishing of care and services under this section to eligible veterans, including by ensuring that an eligible veteran receives an appointment for such care and services within the wait-time goals of the Veterans Health Administration for the furnishing of hospital care and medical services.

“(b) ELIGIBLE VETERANS.—A veteran is an eligible veteran for purposes of this section if—

“(1) the veteran is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2)(A) the veteran is unable to schedule an appointment for the receipt of hospital care or medical services from a health care provider of the Department within the lesser of—

“(i) the wait-time goals of the Veterans Health Administration for such care or services; or

“(ii) a period determined by a health care provider of the Department to be clinically necessary for the receipt of such care or services;

“(B) the veteran does not reside within 40 miles driving distance from a medical facility of the Department, including a community-based outpatient clinic, with a full-time primary care physician;

“(C) the veteran—

“(i) resides in a State without a medical facility of the Department that provides—

“(I) hospital care;

“(II) emergency medical services; and

“(III) surgical care rated by the Secretary as having a surgical complexity of standard; and

“(ii) does not reside within 20 miles driving distance from a medical facility of the Department described in clause (i);

“(D) the veteran faces an unusual or excessive burden in accessing hospital care or medical services from a medical facility of the Department that is within 40 miles driving distance from the residence of the veteran due to—

“(i) geographical challenges;

“(ii) environmental factors, such as roads that are not accessible to the general public, traffic, or hazardous weather;

“(iii) a medical condition of the veteran that affects the ability to travel; or

“(iv) such other factors as determined by the Secretary;

“(E) the veteran resides in a location, other than a location in Guam, American Samoa, or the Republic of the Philippines, that requires the veteran to travel by air, boat, or ferry to reach a medical facility of the Department, including a community-based outpatient clinic;

“(F) the veteran is enrolled in the pilot program under section 403 of the Veterans’ Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) as of the date on which such pilot program terminates under such section; or

“(G) there is a compelling reason, as determined by the Secretary, that the veteran needs to receive hospital care or medical services from a medical facility other than a medical facility of the Department.

“(c) ELIGIBLE PROVIDERS.—

“(1) IN GENERAL.—A health care provider is an eligible provider for purposes of this section if the health care provider is a health care provider specified in paragraph (2) and meets standards established by the Secretary for purposes of this section, including standards relating to education, certification, licensure, training, and employment history.

“(2) HEALTH CARE PROVIDERS SPECIFIED.—The health care providers specified in this paragraph are the following:

“(A) Any health care provider that is participating in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.), including any physician furnishing services under such program.

“(B) Any health care provider of a Federally-qualified health center (as defined in section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

“(C) Any health care provider of the Department of Defense.

“(D) Any health care provider of the Indian Health Service.

“(E) Any health care provider of an academic affiliate of the Department of Veterans Affairs.

“(F) Any health care provider of a health system established to serve Alaska Natives.

“(G) Any other health care provider that meets criteria established by the Secretary for purposes of this section.

“(3) CHOICE OF PROVIDER.—An eligible veteran who makes an election under subsection (d) to receive hospital care or medical services under this section may select a provider of such care or services from among the health care providers specified in paragraph (2) that are accessible to the veteran.

“(4) ELIGIBILITY.—To be eligible to furnish care or services under this section, a health care provider must—

“(A) maintain at least the same or similar credentials and licenses as those credentials and licenses that are required of health care providers of the Department, as determined by the Secretary for purposes of this section; and

“(B) submit, not less frequently than annually, verification of such licenses and credentials maintained by such health care provider.

“(5) TIERED NETWORK.—

“(A) IN GENERAL.—To promote the provision of high-quality and high-value health care under this section, the Secretary may develop a tiered provider network of eligible providers based on criteria established by the Secretary for purposes of this section.

“(B) EXCEPTION.—In developing a tiered provider network of eligible providers under subparagraph (A), the Secretary may not prioritize providers in a tier over providers in any other tier in a manner that limits the choice of an eligible veteran in selecting an eligible provider under this section.

“(6) ALASKA NATIVE DEFINED.—In this subsection, the term ‘Alaska Native’ means a person who is a member of any Native village, Village Corporation, or Regional Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

“(d) ELECTION AND AUTHORIZATION.—

“(1) IN GENERAL.—In the case of an eligible veteran described in subsection (b)(2)(A), the Secretary shall, at the election of the veteran—

“(A) provide the veteran an appointment that exceeds the wait-time goals described in such subsection or place such veteran on an electronic waiting list described in paragraph (2) for an appointment for hospital care or medical services the veteran has elected to receive under this section; or

“(B)(i) authorize that such care or services be furnished to the eligible veteran under this section; and

“(ii) notify the eligible veteran by the most effective means available, including electronic communication or notification in writing, describing the care or services the eligible veteran is eligible to receive under this section.

“(2) ELECTRONIC WAITING LIST.—The electronic waiting list described in this paragraph shall be maintained by the Department and allow access by each eligible veteran via www.myhealth.va.gov or any successor website (or other digital channel) for the following purposes:

“(A) To determine the place of such eligible veteran on the waiting list.

“(B) To determine the average length of time an individual spends on the waiting list, disaggregated by medical facility of the Department and type of care or service needed, for purposes of allowing such eligible veteran to make an informed election under paragraph (1).

“(e) CARE AND SERVICES THROUGH CONTRACTS.—

“(1) CONTRACTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall enter into contracts with eligible providers for furnishing care and services to eligible veterans under this section.

“(B) OTHER PROCESSES.—Before entering into a contract under this paragraph, the Secretary shall, to the maximum extent practicable and consistent with the requirements of this section, furnish such care and services to eligible veterans under this section with eligible providers pursuant to sharing agreements, existing contracts entered into by the Secretary, or other processes available at medical facilities of the Department.

“(C) CONTRACT DEFINED.—In this paragraph, the term ‘contract’ has the meaning given that term in subpart 2.101 of the Federal Acquisition Regulation.

“(2) RATES AND REIMBURSEMENT.—

“(A) IN GENERAL.—In entering into a contract under paragraph (1) with an eligible provider, the Secretary shall—

“(i) negotiate rates for the furnishing of care and services under this section; and

“(ii) reimburse the provider for such care and services at the rates negotiated under clause (i) as provided in such contract.

“(B) LIMIT ON RATES.—

“(i) IN GENERAL.—Except as provided in clause (ii), and to the extent practicable, rates negotiated under subparagraph (A)(i) shall not be more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) or a supplier (as defined in section 1861(d) of such Act (42 U.S.C. 1395x(d))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services.

“(ii) EXCEPTIONS.—

“(I) IN GENERAL.—The Secretary may negotiate a rate that is more than the rate paid by the United States as described in clause (i) with respect to the furnishing of care or services under this section to an eligible veteran who resides in a highly rural area.

“(II) OTHER EXCEPTIONS.—

“(aa) ALASKA.—With respect to furnishing care or services under this section in Alaska, the Alaska Fee Schedule of the Department shall be followed, except for when another payment agreement, including a contract or provider agreement, is in place, in which case rates for reimbursement shall be set forth under such payment agreement.

“(bb) OTHER STATES.—With respect to care or services furnished under this section in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), the Medicare payment rates under clause (i) shall be calculated based on the payment rates under such agreement.

“(III) HIGHLY RURAL AREA DEFINED.—In this clause, the term ‘highly rural area’ means an area located in a county that has fewer than seven individuals residing in that county per square mile.

“(C) LIMIT ON COLLECTION.—For the furnishing of care or services pursuant to a contract under paragraph (1), an eligible provider may not collect any amount that is greater than the rate negotiated pursuant to subparagraph (A)(i).

“(D) VALUE-BASED REIMBURSEMENT.—In negotiating rates for the furnishing of care and services under this section, the Secretary may incorporate the use of value-based reimbursement models to promote the provision of high-quality care.

“(f) RESPONSIBILITY FOR COSTS OF CERTAIN CARE.—In any case in which an eligible veteran is furnished hospital care or medical services under this section for a non-service-connected disability described in subsection (a)(2) of section 1729 of this title, the Secretary may recover or collect reasonable charges for such care or services from a health-plan contract (as defined in subsection (i) of such section 1729) in accordance with such section 1729.

“(g) VETERANS CHOICE CARD.—

“(1) IN GENERAL.—Except as provided in paragraph (5), for purposes of receiving care and services under this section, the Secretary shall issue to each veteran described in subsection (b)(1) a card that may be presented to a health care provider to facilitate the receipt of care or services under this section.

“(2) NAME OF CARD.—Each card issued under paragraph (1) shall be known as a ‘Veterans Choice Card’.

“(3) DETAILS OF CARD.—Each Veterans Choice Card issued to a veteran under paragraph (1) shall include the following:

“(A) The name of the veteran.

“(B) An identification number for the veteran that is not the social security number of the veteran.

“(C) The contact information of an appropriate office of the Department for health care providers to confirm that care or services under this section are authorized for the veteran.

“(D) Contact information and other relevant information for the submittal of claims or bills for the furnishing of care or services under this section.

“(E) The following statement: ‘This card is for qualifying medical care outside the Department of Veterans Affairs. Please call the Department of Veterans Affairs phone number specified on this card to ensure that treatment has been authorized.’.

“(4) INFORMATION ON USE OF CARD.—Upon issuing a Veterans Choice Card to a veteran, the Secretary shall provide the veteran with information clearly stating the circumstances under which the veteran may be eligible for care or services under this section.

“(5) PREVIOUS PROGRAM.—A Veterans Choice Card issued under section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, shall be sufficient for purposes of receiving care and services under this section and the Secretary is not required to reissue a Veterans Choice Card under paragraph (1) to any veteran that has such a card issued under such section 101.

“(h) INFORMATION ON AVAILABILITY OF CARE.—The Secretary shall provide information to a veteran about the availability of care and services under this section in the following circumstances:

“(1) When the veteran enrolls in the patient enrollment system of the Department established and operated under section 1705 of this title.

“(2) When the veteran attempts to schedule an appointment for the receipt of hospital care or medical services from the Department but is unable to schedule an appointment within the wait-time goals of the Veterans Health Administration for the furnishing of such care or services.

“(3) When the veteran becomes eligible for hospital care or medical services under this section under subparagraph (B), (C), (D), (E), (F), or (G) of subsection (b)(2).

“(i) FOLLOW-UP CARE.—The Secretary shall ensure that, at the election of an eligible veteran who receives hospital care or medical services from an eligible provider in an episode of care under this section, the veteran receives such care or services from that provider or another health care provider selected by the veteran, including a health care provider of the Department, through the completion of the episode of care, including all specialty and ancillary services deemed necessary as part of the treatment recommended in the course of such care or services.

“(j) COST-SHARING.—

“(1) IN GENERAL.—The Secretary shall require an eligible veteran to pay a copayment for the receipt of care or services under this section only if such eligible veteran would be required to pay a copayment for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(2) LIMITATION.—The amount of a copayment charged under paragraph (1) may not exceed the amount of the copayment that would be payable by such eligible veteran for the receipt of such care or services at a medical facility of the Department or from a health care provider of the Department under this chapter.

“(k) CLAIMS PROCESSING SYSTEM.—

“(1) IN GENERAL.—The Secretary shall provide for an efficient nationwide system for prompt processing and paying of bills or claims for authorized care and services furnished to eligible veterans under this section.

“(2) ACCURACY OF PAYMENT.—

“(A) IN GENERAL.—The Secretary shall ensure that such system meets such goals for accuracy of payment as the Secretary shall specify for purposes of this section.

“(B) ANNUAL REPORT.—

“(1) IN GENERAL.—Not less frequently than annually, the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the accuracy of such system.

“(ii) ELEMENTS.—Each report required by clause (i) shall include the following:

“(I) A description of the goals for accuracy for such system specified by the Secretary under subparagraph (A).

“(II) An assessment of the success of the Department in meeting such goals during the year covered by the report.

“(1) DISCLOSURE OF INFORMATION.—For purposes of section 7332(b)(1) of this title, an election by an eligible veteran to receive care or services under this section shall serve as written consent for the disclosure of information to health care providers for purposes of treatment under this section.

“(m) MEDICAL RECORDS.—

“(1) IN GENERAL.—The Secretary shall ensure that any eligible provider that furnishes care or services under this section to an eligible veteran submits to the Department a copy of any medical record related to the care or services provided to such veteran by such provider for inclusion in the electronic medical record of such veteran maintained by the Department upon the completion of the provision of such care or services to such veteran.

“(2) ELECTRONIC FORMAT.—Any medical record submitted to the Department under paragraph (1) shall, to the extent possible, be in an electronic format.

“(n) RECORDS NOT REQUIRED FOR REIMBURSEMENT.—With respect to care or services furnished to an eligible veteran by an eligible provider under this section, the receipt by the Department of a medical record under subsection (m) detailing such care or services is not required before reimbursing the provider for such care or services.

“(o) TRACKING OF MISSED APPOINTMENTS.—The Secretary shall implement a mechanism to track any missed appointments for care or services under this section by eligible veterans to ensure that the Department does not pay for such care or services that were not furnished to an eligible veteran.

“(p) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter the process of the Department for filling and paying for prescription medications.

“(q) WAIT-TIME GOALS OF THE VETERANS HEALTH ADMINISTRATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term ‘wait-time goals of the Veterans Health Administration’ means not more than 30 days from the date on which a veteran requests an appointment for hospital care or medical services from the Department.

“(2) ALTERNATE GOALS.—If the Secretary submits to Congress a report stating that the actual wait-time goals of the Veterans Health Administration are different from the wait-time goals specified in paragraph (1)—

“(A) for purposes of this section, the wait-time goals of the Veterans Health Administration shall be the wait-time goals submitted by the Secretary under this paragraph; and

“(B) the Secretary shall publish such wait-time goals in the Federal Register and on an Internet website of the Department available to the public.

“(r) WAIVER OF CERTAIN PRINTING REQUIREMENTS.—Section 501 of title 44 shall not apply in carrying out this section.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1703 the following new item:

“1703A. Veterans Choice Program.”.

(3) CONFORMING REPEAL OF SUPERSEDED AUTHORITY.—

(A) IN GENERAL.—Section 101 of the Veterans Access, Choice, and Accountability Act

of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 208(1) of such Act is amended by striking “section 101” and inserting “section 1703A of title 38, United States Code”.

(C) EFFECTIVE DATE.—

(i) IN GENERAL.—The amendments made by this paragraph shall take effect on the date on which the Secretary of Veterans Affairs begins implementation of section 1703A of title 38, United States Code as added by paragraph (1).

(ii) PUBLICATION.—The Secretary shall publish the date specified in clause (i) in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(4) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the furnishing of care and services under section 1703A of title 38, United States Code, as added by paragraph (1), that includes the following:

(A) The total number of veterans who have received care or services under this section, disaggregated by—

(i) eligible veterans described in subsection (b)(2)(A) of such section;

(ii) eligible veterans described in subsection (b)(2)(B) of such section;

(iii) eligible veterans described in subsection (b)(2)(C) of such section;

(iv) eligible veterans described in subsection (b)(2)(D) of such section;

(v) eligible veterans described in subsection (b)(2)(E) of such section;

(vi) eligible veterans described in subsection (b)(2)(F) of such section; and

(vii) eligible veterans described in subsection (b)(2)(G) of such section.

(B) A description of the types of care and services furnished to veterans under such section.

(C) An accounting of the total cost of furnishing care and services to veterans under such section.

(D) The results of a survey of veterans who have received care or services under such section on the satisfaction of such veterans with the care or services received by such veterans under such section.

(E) An assessment of the effect of furnishing care and services under such section on wait times for appointments for the receipt of hospital care and medical services from the Department of Veterans Affairs.

(b) CLASSIFICATION OF SERVICES.—Services provided under the following programs, contracts, and agreements shall be considered services provided under the Veterans Choice Program established under section 1703A of title 38, United States Code, as added by subsection (a)(1):

(1) The Patient-Centered Community Care program (commonly referred to as “PC3”).

(2) Contracts through the retail pharmacy network of the Department.

(3) Veterans Care Agreements under section 1703C of title 38, United States Code, as added by section 1097D(a).

(4) Health care agreements with Federal entities or entities funded by the Federal Government, including the Department of Defense, the Indian Health Service, tribal health programs, Federally-qualified health centers (as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B))), and academic teaching affiliates.

(c) ESTABLISHMENT OF CRITERIA AND STANDARDS FOR NON-DEPARTMENT CARE.—

(1) IN GENERAL.—Not later than December 31, 2017, the Secretary of Veterans Affairs shall establish consistent criteria and standards—

(A) for purposes of determining eligibility of non-Department of Veterans Affairs health care providers to provide health care under the laws administered by the Secretary, including standards relating to education, certification, licensure, training, and employment history; and

(B) for the reimbursement of such health care providers for care or services provided under the laws administered by the Secretary, which to the extent practicable shall—

(i) except as provided in clauses (ii) and (iii), use rates for reimbursement that are not more than the rates paid by the United States to a provider of services (as defined in section 1861(u) of the Social Security Act (42 U.S.C. 1395x(u))) under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for the same care or services;

(ii) with respect to care or services provided in Alaska, use rates for reimbursement set forth in the Alaska Fee Schedule of the Department of Veterans Affairs, except for when another payment agreement, including a contract or provider agreement, is in place, in which case use rates for reimbursement set forth under such payment agreement;

(iii) with respect to care or services provided in a State with an All-Payer Model Agreement in effect under the Social Security Act (42 U.S.C. 301 et seq.), use rates for reimbursement based on the payment rates under such agreement;

(iv) incorporate the use of value-based reimbursement models to promote the provision of high-quality care to improve health outcomes and the experience of care for veterans; and

(v) be consistent with prompt payment standards required of Federal agencies under chapter 39 of title 31, United States Code.

(2) INAPPLICABILITY TO CERTAIN CARE.—The criteria and standards established under paragraph (1) shall not apply to care or services furnished under section 1703A of title 38, United States Code, as added by subsection (a)(1).

SEC. 1097A. FUNDING FOR VETERANS CHOICE PROGRAM.

(a) IN GENERAL.—All amounts required to carry out the Veterans Choice Program shall be derived from the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—All amounts in the Veterans Choice Fund under section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) shall be transferred to the appropriations account described in section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note).

(2) CONFORMING REPEAL.—

(A) IN GENERAL.—Section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is repealed.

(B) CONFORMING AMENDMENT.—Section 4003 of the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (Public Law 114-41; 38 U.S.C. 1701 note) is amended by striking “to be comprised of”

and all that follows and inserting “to be comprised of discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities”.

(c) VETERANS CHOICE PROGRAM DEFINED.—In this section, the term “Veterans Choice Program” means—

(1) the program under section 1703A of title 38, United States Code, as added by section 1097(a)(1); and

(2) the programs, contracts, and agreements of the Department described in section 1097(b).

SEC. 1097B. PAYMENT OF HEALTH CARE PROVIDERS UNDER VETERANS CHOICE PROGRAM.

(a) PAYMENT OF PROVIDERS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097(a)(1), is further amended by inserting after section 1703A the following new section:

“§ 1703B. Veterans Choice Program: payment of health care providers

“(a) PROMPT PAYMENT COMPLIANCE.—The Secretary shall ensure that payments made to health care providers under the Veterans Choice Program comply with chapter 39 of title 31 (commonly referred to as the ‘Prompt Payment Act’) and the requirements of this section. If there is a conflict between the requirements of the Prompt Payment Act and the requirements of this section, the Secretary shall comply with the requirements of this section.

“(b) SUBMITTAL OF CLAIM.—(1) A health care provider that seeks reimbursement under this section for care or services furnished under the Veterans Choice Program shall submit to the Secretary a claim for reimbursement not later than 180 days after furnishing such care or services.

“(2) On and after January 1, 2019, the Secretary shall not accept any claim under this section that is submitted to the Secretary in a manner other than electronically.

“(c) PAYMENT SCHEDULE.—(1) The Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a clean claim submitted to the Secretary electronically, not later than 30 days after receiving the claim; or

“(B) in the case of a clean claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving the claim.

“(2)(A) If the Secretary determines that a claim received from a health care provider for care or services furnished under the Veterans Choice Program is a non-clean claim, the Secretary shall submit to the provider, not later than 30 days after receiving the claim—

“(i) a notification that the claim is a non-clean claim;

“(ii) an explanation of why the claim has been determined to be a non-clean claim; and

“(iii) an identification of the information or documentation that is required to make the claim a clean claim.

“(B) If the Secretary does not comply with the requirements of subparagraph (A) with respect to a claim, the claim shall be deemed a clean claim for purposes of paragraph (1).

“(3) Upon receipt by the Secretary of information or documentation described in paragraph (2)(A)(iii) with respect to a claim, the Secretary shall reimburse a health care provider for care or services furnished under the Veterans Choice Program—

“(A) in the case of a claim submitted to the Secretary electronically, not later than

30 days after receiving such information or documentation; or

“(B) in the case of claim submitted to the Secretary in a manner other than electronically, not later than 45 days after receiving such information or documentation.

“(4) If the Secretary fails to comply with the deadlines for payment set forth in this subsection with respect to a claim, interest shall accrue on the amount owed under such claim in accordance with section 3902 of title 31, United States Code.

“(d) INFORMATION AND DOCUMENTATION REQUIRED.—(1) The Secretary shall provide to all health care providers participating in the Veterans Choice Program a list of information and documentation that is required to establish a clean claim under this section.

“(2) The Secretary shall consult with entities in the health care industry, in the public and private sector, to determine the information and documentation to include in the list under paragraph (1).

“(3) If the Secretary modifies the information and documentation included in the list under paragraph (1), the Secretary shall notify all health care providers participating in the Veterans Choice Program not later than 30 days before such modifications take effect.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that includes the information and documentation necessary to adjudicate the claim.

“(2) The term ‘non-clean claim’ means a claim for reimbursement for care or services furnished under the Veterans Choice Program, on a nationally recognized standard format, that does not include the information and documentation necessary to adjudicate the claim.

“(3) The term ‘Veterans Choice Program’ means—

“(A) the program under section 1703A of this title; and

“(B) the programs, contracts, and agreements of the Department described in section 1097(b) of the National Defense Authorization Act for Fiscal Year 2017.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097(a)(2), is further amended by inserting after the item related to section 1703A the following new item:

“1703B. Veterans Choice Program: payment of health care providers.”

(b) ELECTRONIC SUBMITTAL OF CLAIMS FOR REIMBURSEMENT.—

(1) PROHIBITION ON ACCEPTANCE OF NON-ELECTRONIC CLAIMS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), on and after January 1, 2019, the Secretary of Veterans Affairs shall not accept any claim for reimbursement under section 1703B of title 38, United States Code, as added by subsection (a), that is submitted to the Secretary in a manner other than electronically, including medical records in connection with such a claim.

(B) EXCEPTION.—If the Secretary determines that accepting claims and medical records in a manner other than electronically is necessary for the timely processing of claims for reimbursement under such section 1703B due to a failure or serious malfunction of the electronic interface established under paragraph (2), the Secretary—

(i) after determining that such a failure or serious malfunction has occurred, may ac-

cept claims and medical records in a manner other than electronically for a period not to exceed 90 days; and

(ii) shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth—

(I) the reason for accepting claims and medical records in a manner other than electronically;

(II) the duration of time that the Department of Veterans Affairs will accept claims and medical records in a manner other than electronically; and

(III) the steps that the Department is taking to resolve such failure or malfunction.

(2) ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2019, the Chief Information Officer of the Department of Veterans Affairs shall establish an electronic interface for health care providers to submit claims for reimbursement under such section 1703B.

(B) FUNCTIONS.—The electronic interface established under subparagraph (A) shall include the following functions:

(i) A function through which a health care provider may input all relevant data required for claims submittal and reimbursement.

(ii) A function through which a health care provider may upload medical records to accompany a claim for reimbursement.

(iii) A function through which a health care provider may ascertain the status of a pending claim for reimbursement that—

(I) indicates whether the claim is a clean claim or a non-clean claim; and

(II) in the event that a submitted claim is indicated as a non-clean claim, provides—

(aa) an explanation of why the claim has been determined to be a non-clean claim; and

(bb) an identification of the information or documentation that is required to make the claim a clean claim.

(iv) A function through which a health care provider is notified when a claim for reimbursement is accepted or rejected.

(v) Such other features as the Secretary considers necessary.

(C) PROTECTION OF INFORMATION.—

(i) IN GENERAL.—The electronic interface established under subparagraph (A) shall be developed and implemented based on industry-accepted information security and privacy engineering principles and best practices and shall provide for the following:

(I) The elicitation, analysis, and prioritization of functional and nonfunctional information security and privacy requirements for such interface, including specific security and privacy services and architectural requirements relating to security and privacy based on a thorough analysis of all reasonably anticipated cyber and noncyber threats to the security and privacy of electronic protected health information made available through such interface.

(II) The elicitation, analysis, and prioritization of secure development requirements relating to such interface.

(III) The assurance that the prioritized information security and privacy requirements of such interface—

(aa) are correctly implemented in the design and implementation of such interface throughout the system development lifecycle; and

(bb) satisfy the information objectives of such interface relating to security and privacy throughout the system development lifecycle.

(ii) DEFINITIONS.—In this subparagraph:

(I) ELECTRONIC PROTECTED HEALTH INFORMATION.—The term “electronic protected

health information” has the meaning given that term in section 160.103 of title 45, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(II) SECURE DEVELOPMENT REQUIREMENTS.—The term “secure development requirements” means, with respect to the electronic interface established under subparagraph (A), activities that are required to be completed during the system development lifecycle of such interface, such as secure coding principles and test methodologies.

(3) ANALYSIS OF AVAILABLE TECHNOLOGY FOR ELECTRONIC INTERFACE.—

(A) IN GENERAL.—Not later than January 1, 2017, or before entering into a contract to procure or design and build the electronic interface described in paragraph (2) or making a decision to internally design and build such electronic interface, whichever occurs first, the Secretary shall—

(i) conduct an analysis of commercially available technology that may satisfy the requirements of such electronic interface set forth in such paragraph; and

(ii) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth such analysis.

(B) ELEMENTS.—The report required under subparagraph (A)(ii) shall include the following:

(i) An evaluation of commercially available systems that may satisfy the requirements of paragraph (2).

(ii) The estimated cost of procuring a commercially available system if a suitable commercially available system exists.

(iii) If no suitable commercially available system exists, an assessment of the feasibility of modifying a commercially available system to meet the requirements of paragraph (2), including the estimated cost associated with such modifications.

(iv) If no suitable commercially available system exists and modifying a commercially available system is not feasible, an assessment of the estimated cost and time that would be required to contract with a commercial entity to design and build an electronic interface that meets the requirements of paragraph (2).

(v) If the Secretary determines that the Department has the capabilities required to design and build an electronic interface that meets the requirements of paragraph (2), an assessment of the estimated cost and time that would be required to design and build such electronic interface.

(vi) A description of the decision of the Secretary regarding how the Department plans to establish the electronic interface required under paragraph (2) and the justification of the Secretary for such decision.

(4) LIMITATION ON USE OF AMOUNTS.—The Secretary may not spend any amounts to procure or design and build the electronic interface described in paragraph (2) until the date that is 60 days after the date on which the Secretary submits the report required under paragraph (3)(A)(ii).

SEC. 1097C. TERMINATION OF CERTAIN PROVISIONS AUTHORIZING CARE TO VETERANS THROUGH NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) TERMINATION OF AUTHORITY TO CONTRACT FOR CARE IN NON-DEPARTMENT FACILITIES.—

(1) IN GENERAL.—Section 1703 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(e) The authority of the Secretary under this section terminates on December 31, 2017.”

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—

(i) DENTAL CARE.—Section 1712(a) of such title is amended—

(I) in paragraph (3), by striking “under clause (1), (2), or (5) of section 1703(a) of this title” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”; and

(II) in paragraph (4)(A), in the first sentence—

(aa) by striking “and section 1703 of this title” and inserting “and the Veterans Choice Program (as defined in section 1703B(e) of this title)”; and

(bb) by striking “in section 1703 of this title” and inserting “under the Veterans Choice Program”.

(ii) READJUSTMENT COUNSELING.—Section 1712A(e)(1) of such title is amended by striking “(under sections 1703(a)(2) and 1710(a)(1)(B) of this title)” and inserting “(under the Veterans Choice Program (as defined in section 1703B(e) of this title) and section 1710(a)(1)(B) of this title)”.

(iii) DEATH IN DEPARTMENT FACILITY.—Section 2303(a)(2)(B)(i) of such title is amended by striking “in accordance with section 1703” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of this title)”.

(iv) MEDICARE PROVIDER AGREEMENTS.—Section 1866(a)(1)(L) of the Social Security Act (42 U.S.C. 1395cc(a)(1)(L)) is amended—

(I) by striking “under section 1703 of title 38” and inserting “under the Veterans Choice Program (as defined in section 1703B(e) of title 38, United States Code)”; and

(II) by striking “such section” and inserting “such program”.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect on January 1, 2018.

(b) REPEAL OF AUTHORITY TO CONTRACT FOR SCARCE MEDICAL SPECIALISTS.—

(1) IN GENERAL.—Section 7409 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by striking the item relating to section 7409.

PART II—HEALTH CARE ADMINISTRATIVE MATTERS

Subpart A—Care From Non-Department Providers

SEC. 1097D. AUTHORIZATION OF AGREEMENTS BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND NON-DEPARTMENT PROVIDERS.

(a) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, as amended by section 1097B(a)(1), is further amended by inserting after section 1703B the following new section:

“§ 1703C. Veterans Care Agreements

“(a) AGREEMENTS TO FURNISH CARE.—(1) In addition to the authority of the Secretary under this chapter to furnish hospital care, medical services, and extended care at facilities of the Department and under contracts or sharing agreements entered into under authorities other than this section, the Secretary may furnish hospital care, medical services, and extended care through the use of agreements entered into under this section. An agreement entered into under this section may be referred to as a ‘Veterans Care Agreement’.

“(2)(A) The Secretary may enter into agreements under this section with eligible providers that are certified under subsection (d) if the Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department.

“(B) The Secretary is not feasibly able to furnish care or services described in paragraph (1) at facilities of the Department if the Secretary determines that the medical condition of the veteran, the travel involved, the nature of the care or services required, or a combination of those factors make the use of facilities of the Department impracticable or inadvisable.

“(b) RECEIPT OF CARE.—Eligibility of a veteran under this section for care or services described in paragraph (1) shall be determined as if such care or services were furnished in a facility of the Department and provisions of this title applicable to veterans receiving such care or services in a facility of the Department shall apply to veterans receiving such care or services under this section.

“(c) ELIGIBLE PROVIDERS.—For purposes of this section, an eligible provider is one of the following:

“(1) A provider of services that has enrolled and entered into a provider agreement under section 1866(a) of the Social Security Act (42 U.S.C. 1395cc(a)).

“(2) A physician or supplier that has enrolled and entered into a participation agreement under section 1842(h) of such Act (42 U.S.C. 1395u(h)).

“(3) A provider of items and services receiving payment under a State plan under title XIX of such Act (42 U.S.C. 1396 et seq.) or a waiver of such a plan.

“(4) A health care provider that is—

“(A) an Aging and Disability Resource Center, an area agency on aging, or a State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)); or

“(B) a center for independent living (as defined in section 702 of the Rehabilitation Act of 1973 (29 U.S.C. 796a)).

“(5) A provider that is located in—

“(A) an area that is designated as a health professional shortage area (as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e)); or

“(B) a county that is not in a metropolitan statistical area.

“(6) Such other health care providers as the Secretary considers appropriate for purposes of this section.

“(d) CERTIFICATION OF ELIGIBLE PROVIDERS.—(1) The Secretary shall establish a process for the certification of eligible providers under this section that shall, at a minimum, set forth the following.

“(A) Procedures for the submittal of applications for certification and deadlines for actions taken by the Secretary with respect to such applications.

“(B) Standards and procedures for approval and denial of certification, duration of certification, revocation of certification, and recertification.

“(C) Procedures for assessing eligible providers based on the risk of fraud, waste, and abuse of such providers similar to the level of screening under section 1866(j)(2)(B) of the Social Security Act (42 U.S.C. 1395cc(j)(2)(B)) and the standards set forth under section 9.104 of title 48, Code of Federal Regulations, or any successor regulation.

“(2) The Secretary shall deny or revoke certification to an eligible provider under this subsection if the Secretary determines that the eligible provider is currently—

“(A) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(B) identified as an excluded source on the list maintained in the System for Award Management, or any successor system.

“(e) TERMS OF AGREEMENTS.—Each agreement entered into with an eligible provider under this section shall include provisions requiring the eligible provider to do the following:

“(1) To accept payment for care or services furnished under this section at rates established by the Secretary for purposes of this section, which shall be, to the extent practicable, the rates paid by the United States for such care or services to providers of services and suppliers under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

“(2) To accept payment under paragraph (1) as payment in full for care or services furnished under this section and to not seek any payment for such care or services from the recipient of such care or services.

“(3) To furnish under this section only the care or services authorized by the Department under this section unless the eligible provider receives prior written consent from the Department to furnish care or services outside the scope of such authorization.

“(4) To bill the Department for care or services furnished under this section in accordance with a methodology established by the Secretary for purposes of this section.

“(5) Not to seek to recover or collect from a health-plan contract or third party, as those terms are defined in section 1729 of this title, for any care or services for which payment is made by the Department under this section.

“(6) To provide medical records for veterans furnished care or services under this section to the Department in a time frame and format specified by the Secretary for purposes of this section.

“(7) To meet such other terms and conditions, including quality of care assurance standards, as the Secretary may specify for purposes of this section.

“(f) TERMINATION OF AGREEMENTS.—(1) An eligible provider may terminate an agreement with the Secretary under this section at such time and upon such notice to the Secretary as the Secretary may specify for purposes of this section.

“(2) The Secretary may terminate an agreement with an eligible provider under this section at such time and upon such notice to the eligible provider as the Secretary may specify for purposes of this section, if the Secretary—

“(A) determines that the eligible provider failed to comply substantially with the provisions of the agreement or with the provisions of this section and the regulations prescribed thereunder;

“(B) determines that the eligible provider is—

“(i) excluded from participation in a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f))) under section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7 and 1320a-7a); or

“(ii) identified as an excluded source on the list maintained in the System for Award Management, or any successor system;

“(C) ascertains that the eligible provider has been convicted of a felony or other serious offense under Federal or State law and determines that the continued participation of the eligible provider would be detrimental to the best interests of veterans or the Department; or

“(D) determines that it is reasonable to terminate the agreement based on the health care needs of a veteran or veterans.

“(g) PERIODIC REVIEW OF CERTAIN AGREEMENTS.—(1) Not less frequently than once every two years, the Secretary shall review each Veterans Care Agreement of material size entered into during the two-year period preceding the review to determine whether it is feasible and advisable to furnish the hospital care, medical services, or extended care furnished under such agreement at facilities of the Department or through contracts or sharing agreements entered into under authorities other than this section.

“(2)(A) Subject to subparagraph (B), a Veterans Care Agreement is of material size as determined by the Secretary for purposes of this section.

“(B) A Veterans Care Agreement entered into after September 30, 2016, for the purchase of extended care services is of material size if the purchase of such services under the agreement exceeds \$1,000,000 annually. The Secretary may adjust such amount to account for changes in the cost of health care based upon recognized health care market surveys and other available data and shall publish any such adjustments in the Federal Register.

“(h) TREATMENT OF CERTAIN LAWS.—(1) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(2)(A) Except as provided in subparagraph (B) and unless otherwise provided in this section or regulations prescribed pursuant to this section, an eligible provider that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which an eligible provider described in subsection (b)(1), (b)(2), or (b)(3) is not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(B) The exclusion under subparagraph (A) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

“(3) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to an eligible provider that enters into an agreement under this section to the same extent as such title applies with respect to the eligible provider in providing care or services through an agreement or arrangement other than under this section.

“(i) MONITORING OF QUALITY OF CARE.—The Secretary shall establish a system or systems, consistent with survey and certification procedures used by the Centers for Medicare & Medicaid Services and State survey agencies to the extent practicable—

“(1) to monitor the quality of care and services furnished to veterans under this section; and

“(2) to assess the quality of care and services furnished by an eligible provider under this section for purposes of determining whether to renew an agreement under this section with the eligible provider.

“(j) DISPUTE RESOLUTION.—The Secretary shall establish administrative procedures for eligible providers with which the Secretary has entered into an agreement under this section to present any dispute arising under or related to the agreement.”

(b) REGULATIONS.—The Secretary of Veterans Affairs shall prescribe an interim final rule to carry out section 1703C of such title, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title, as amended by section 1097B(a)(2), is further amended by inserting after the item related to section 1703B the following new item:

“1703C. Veterans Care Agreements.”

SEC. 1097E. MODIFICATION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH STATE HOMES TO PROVIDE NURSING HOME CARE.

(a) USE OF AGREEMENTS.—

(1) IN GENERAL.—Paragraph (1) of section 1745(a) of title 38, United States Code, is amended, in the matter preceding subparagraph (A), by striking “a contract (or agreement under section 1720(c)(1) of this title)” and inserting “an agreement”.

(2) PAYMENT.—Paragraph (2) of such section is amended by striking “contract (or agreement)” each place it appears and inserting “agreement”.

(b) TREATMENT OF CERTAIN LAWS.—Such section is amended by adding at the end the following new paragraph:

“(4)(A) An agreement under this section may be entered into without regard to any law that would require the Secretary to use competitive procedures in selecting the party with which to enter into the agreement.

“(B)(i) Except as provided in clause (ii) and unless otherwise provided in this section or in regulations prescribed pursuant to this section, a State home that enters into an agreement under this section is not subject to, in the carrying out of the agreement, any law to which providers of services and suppliers are not subject under the original Medicare fee-for-service program under parts A and B of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(ii) The exclusion under clause (i) does not apply to laws regarding integrity, ethics, fraud, or that subject a person to civil or criminal penalties.

“(C) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall apply with respect to a State home that enters into an agreement under this section to the same extent as such title applies with respect to the State home in providing care or services through an agreement or arrangement other than under this section.”

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to agreements entered into under section 1745 of such title on and after the date on which the regulations prescribed by the Secretary of Veterans Affairs to implement such amendments take effect.

(2) PUBLICATION.—The Secretary shall publish the date described in paragraph (1) in the Federal Register not later than 30 days before such date.

SEC. 1097F. EXPANSION OF REIMBURSEMENT FOR EMERGENCY TREATMENT AND URGENT CARE.

(a) IN GENERAL.—Section 1725 of title 38, United States Code, is amended to read as follows:

“§ 1725. Reimbursement for emergency treatment and urgent care

“(a) IN GENERAL.—(1) Subject to the provisions of this section, the Secretary shall reimburse a veteran described in subsection (b) for the reasonable value of emergency treatment or urgent care furnished the veteran in a non-Department facility.

“(2) In any case in which reimbursement of a veteran is authorized under paragraph (1),

the Secretary may, in lieu of reimbursing the veteran, make payment of the reasonable value of the furnished emergency treatment or urgent care directly—

“(A) to the hospital or other health care provider that furnished the treatment or care; or

“(B) to the person or organization that paid for such treatment or care on behalf of the veteran.

“(3) Notwithstanding section 111 of this title, reimbursement for the reasonable value of emergency treatment or urgent care under this section shall include reimbursement for the reasonable value of transportation for such emergency treatment or urgent care.

“(b) ELIGIBILITY.—A veteran described in this subsection is an individual who—

“(1) is enrolled in the patient enrollment system of the Department established and operated under section 1705 of this title; and

“(2) has received care under this chapter during the 24-month period preceding the furnishing of the emergency treatment or urgent care for which reimbursement is sought under this section.

“(c) RESPONSIBILITY FOR PAYMENT.—The Secretary shall be the primary payer with respect to reimbursing or otherwise paying the reasonable value of emergency treatment or urgent care under this section.

“(d) LIMITATIONS ON PAYMENT.—(1) The Secretary, in accordance with regulations prescribed by the Secretary for purposes of this section, shall—

“(A) establish the maximum amount payable under subsection (a); and

“(B) delineate the circumstances under which such payments may be made, including such requirements on requesting reimbursement as the Secretary may establish.

“(2)(A) Payment by the Secretary under this section on behalf of a veteran to a provider of emergency treatment or urgent care shall, unless rejected and refunded by the provider within 30 days of receipt—

“(i) constitute payment in full for the emergency treatment or urgent care provided; and

“(ii) extinguish any liability on the part of the veteran for that treatment or care.

“(B) Neither the absence of a contract or agreement between the Secretary and a provider of emergency treatment or urgent care nor any provision of a contract, agreement, or assignment to the contrary shall operate to modify, limit, or negate the requirements of subparagraph (A).

“(C) An individual or entity may not seek to recover from any third party the cost of emergency treatment or urgent care for which the Secretary has made payment under this section.

“(e) RECOVERY.—The United States has an independent right to recover or collect reasonable charges for emergency treatment or urgent care furnished under this section in accordance with the provisions of section 1729 of this title.

“(f) COPAYMENTS.—(1) Except as provided in paragraph (2), a veteran shall pay to the Department a copayment (in an amount prescribed by the Secretary for purposes of this section) for each episode of emergency treatment or urgent care for which reimbursement is provided to the veteran under this section.

“(2) The requirement under paragraph (1) to pay a copayment does not apply to a veteran who—

“(A) would not be required to pay to the Department a copayment for emergency treatment or urgent care furnished at facilities of the Department;

“(B) meets an exemption specified by the Secretary in regulations prescribed by the Secretary for purposes of this section; or

“(C) is admitted to a hospital for treatment or observation following, and in connection with, the emergency treatment or urgent care for which the veteran is provided reimbursement under this section.

“(3) The requirement that a veteran pay a copayment under this section shall apply notwithstanding the authority of the Secretary to offset such a requirement with amounts recovered from a third party under section 1729 of this title.

“(g) DEFINITIONS.—In this section:

“(1) The term ‘emergency treatment’ means medical care or services furnished, in the judgment of the Secretary—

“(A) when such care or services are rendered in a medical emergency of such nature that a prudent layperson reasonably expects that delay in seeking immediate medical attention would be hazardous to life or health; and

“(B) until—

“(i) such time as the veteran can be transferred safely to a Department facility or community care provider authorized by the Secretary and such facility or provider is capable of accepting such transfer; or

“(ii) such time as a Department facility or community care provider authorized by the Secretary accepts such transfer if—

“(I) at the time the veteran could have been transferred safely to such a facility or provider, no such facility or provider agreed to accept such transfer; and

“(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or community care provider.

“(2) The term ‘health-plan contract’ includes any of the following:

“(A) An insurance policy or contract, medical or hospital service agreement, membership or subscription contract, or similar arrangement under which health services for individuals are provided or the expenses of such services are paid.

“(B) An insurance program described in section 1811 of the Social Security Act (42 U.S.C. 1395c) or established by section 1831 of such Act (42 U.S.C. 1395j).

“(C) A State plan for medical assistance approved under title XIX of such Act (42 U.S.C. 1396 et seq.).

“(D) A workers’ compensation law or plan described in section 1729(a)(2)(A) of this title.

“(3) The term ‘third party’ means any of the following:

“(A) A Federal entity.

“(B) A State or political subdivision of a State.

“(C) An employer or an employer’s insurance carrier.

“(D) An automobile accident reparations insurance carrier.

“(E) A person or entity obligated to provide, or to pay the expenses of, health services under a health-plan contract.

“(4) The term ‘urgent care’ shall have the meaning given that term by the Secretary in regulations prescribed by the Secretary for purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 is amended by striking the item relating to section 1725 and inserting the following new item:

“1725. Reimbursement for emergency treatment and urgent care.”.

(c) REPEAL OF SUPERSEDED AUTHORITY.—

(1) IN GENERAL.—Section 1728 is repealed.

(2) EFFECTIVE DATE.—

(A) IN GENERAL.—The repeal made by paragraph (1) shall take effect on the date on which the Secretary of Veterans Affairs prescribes regulations to carry out section 1725 of title 38, United States Code, as amended by subsection (a).

(B) PUBLICATION.—The Secretary shall publish the date specified in subparagraph (A) in the Federal Register and on a publicly available Internet website of the Department of Veterans Affairs not later than 30 days before such date.

(d) CONFORMING AMENDMENTS.—

(1) MEDICAL CARE FOR SURVIVORS AND DEPENDENTS.—Section 1781(a)(4) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(2) HEALTH CARE OF FAMILY MEMBERS OF VETERANS STATIONED AT CAMP LEJEUNE, NORTH CAROLINA.—Section 1787(b)(3) is amended by striking “(as defined in section 1725(f) of this title)” and inserting “(as defined in section 1725(g) of this title)”.

(e) REGULATIONS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall prescribe regulations to carry out the amendments made by this section.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect one year after the date of the enactment of this Act.

SEC. 1097G. REQUIREMENT FOR ADVANCE APPROPRIATIONS FOR THE VETERANS CHOICE PROGRAM ACCOUNT OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 117(c) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(7) Veterans Health Administration, Veterans Choice Program.”.

(b) CONFORMING AMENDMENT.—Section 1105(a)(37) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

“(G) Veterans Health Administration, Veterans Choice Program.”.

(c) APPLICABILITY.—The amendments made by this section shall apply to fiscal years beginning on and after October 1, 2016.

SEC. 1097H. ANNUAL TRANSFER OF AMOUNTS WITHIN DEPARTMENT OF VETERANS AFFAIRS TO PAY FOR HEALTH CARE FROM NON-DEPARTMENT PROVIDERS.

Section 106 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

“(c) ANNUAL TRANSFER OF AMOUNTS.—

“(1) IN GENERAL.—At the beginning of each fiscal year, the Secretary of Veterans Affairs shall transfer to the Veterans Health Administration an amount equal to the amount estimated to be required to furnish hospital care, medical services, and other health care through non-Department of Veterans Affairs providers during that fiscal year.

“(2) ADJUSTMENTS.—During a fiscal year, the Secretary may make adjustments to the amount transferred under paragraph (1) for that fiscal year to accommodate any variances in demand for hospital care, medical services, or other health care through non-Department providers.”.

SEC. 1097I. APPLICABILITY OF DIRECTIVE OF OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS.

(a) IN GENERAL.—Directive 2014-01 of the Office of Federal Contract Compliance Programs of the Department of Labor (effective

as of May 7, 2014) shall apply to any health care provider entering into a contract or agreement under section 1703A, 1703C, or 1745 of title 38, United States Code, in the same manner as such directive applies to subcontractors under the TRICARE program.

(b) APPLICABILITY PERIOD.—The directive described in subsection (a), and the moratorium provided under such directive, shall not be altered or rescinded before May 7, 2019.

(c) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given that term in section 1072 of title 10, United States Code.

Support B—Other Health Care Administrative Matters

SEC. 1097J. REIMBURSEMENT OF CERTAIN ENTITIES FOR EMERGENCY MEDICAL TRANSPORTATION.

(a) IN GENERAL.—Subchapter III of chapter 17 of title 38, United States Code, is amended by inserting after section 1725 the following new section:

“§ 1725A. Reimbursement of certain entities for emergency medical transportation

“(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall reimburse an ambulance provider or any other entity that provides transportation to a veteran described in section 1725(b) of this title for the purpose of receiving emergency treatment at a non-Department facility the cost of such transportation.

“(b) SERVICE CONNECTION.—(1) The Secretary shall reimburse an ambulance provider or any other entity under subsection (a) regardless of whether the underlying medical condition for which the veteran is seeking emergency treatment is in connection with a service-connected disability.

“(2) If the Secretary determines that the underlying medical condition for which the veteran receives emergency treatment is not in connection with a service-connected disability, the Secretary shall recoup the cost of transportation paid under subsection (a) in connection with such emergency treatment from any health-plan contract under which the veteran is covered.

“(c) TIMING.—Reimbursement under subsection (a) shall be made not later than 30 days after receiving a request for reimbursement under such subsection.

“(d) DEFINITIONS.—In this section, the terms ‘emergency treatment’ and ‘health-plan contract’ have the meanings given those terms in section 1725(f) of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item related to section 1725 the following new item:

“1725A. Reimbursement for emergency medical transportation.”.

SEC. 1097K. REQUIREMENT THAT DEPARTMENT OF VETERANS AFFAIRS COLLECT HEALTH-PLAN CONTRACT INFORMATION FROM VETERANS.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1705 the following new section:

“§ 1705A. Management of health care: information regarding health-plan contracts

“(a) IN GENERAL.—(1) Any individual who seeks hospital care or medical services under this chapter shall provide to the Secretary such current information as the Secretary may require to identify any health-plan contract under which such individual is covered.

“(2) The information required to be provided to the Secretary under paragraph (1) with respect to a health-plan contract shall include, as applicable, the following:

“(A) The name of the entity providing coverage under the health-plan contract.

“(B) If coverage under the health-plan contract is in the name of an individual other than the individual required to provide information under this section, the name of the policy holder of the health-plan contract.

“(C) The identification number for the health-plan contract.

“(D) The group code for the health-plan contract.

“(b) ACTION TO COLLECT INFORMATION.—The Secretary may take such action as the Secretary considers appropriate to collect the information required under subsection (a).

“(c) EFFECT ON SERVICES FROM DEPARTMENT.—The Secretary may not deny any services under this chapter to an individual solely due to the fact that the individual fails to provide information required under subsection (a).

“(d) HEALTH-PLAN CONTRACT DEFINED.—In this section, the term ‘health-plan contract’ has the meaning given that term in section 1725(g) of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1705 the following new item:

“1705A. Management of health care: information regarding health-plan contracts.”.

SEC. 1097L. MODIFICATION OF HOURS OF EMPLOYMENT FOR PHYSICIANS AND PHYSICIAN ASSISTANTS EMPLOYED BY THE DEPARTMENT OF VETERANS AFFAIRS.

Section 7423(a) of title 38, United States Code, is amended—

(1) by striking “(a) The hours” and inserting “(a)(1) Except as provided in paragraph (2), the hours”; and

(2) by adding at the end the following new paragraph:

“(2) The Secretary may modify the hours of employment for a physician or physician assistant appointed in the Administration under any provision of this chapter on a full-time basis to be more than or less than 80 hours in a biweekly pay period if the total hours of employment for such employee in a calendar year are not less than 2,080 hours.”.

PART III—FAMILY CAREGIVERS

SEC. 1097M. EXPANSION OF FAMILY CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) FAMILY CAREGIVER PROGRAM.—

(1) EXPANSION OF ELIGIBILITY.—

(A) IN GENERAL.—Subsection (a)(2)(B) of section 1720G of title 38, United States Code, is amended to read as follows:

“(B) for assistance provided under this subsection—

“(i) before the date on which the Secretary submits to Congress a certification that the Department has fully implemented the information technology system required by section 1097N(a) of the National Defense Authorization Act for Fiscal Year 2017, has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service on or after September 11, 2001;

“(ii) during the two-year period beginning on the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service—

“(I) on or before May 7, 1975; or

“(II) on or after September 11, 2001; or

“(iii) after the date that is two years after the date specified in clause (i), has a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service; and”.

(B) PUBLICATION IN FEDERAL REGISTER.—Not later than 30 days after the date on which the Secretary of Veterans Affairs submits to Congress the certification described in subsection (a)(2)(B)(i) of section 1720G of such title, as amended by subparagraph (A) of this paragraph, the Secretary shall publish the date specified in such subsection in the Federal Register.

(2) EXPANSION OF NEEDED SERVICES IN ELIGIBILITY CRITERIA.—Subsection (a)(2)(C) of such section is amended—

(A) in clause (ii), by striking “; or” and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following new clause (iii):

“(iii) a need for regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired; or”.

(3) EXPANSION OF SERVICES PROVIDED.—Subsection (a)(3)(A)(ii) of such section is amended—

(A) in subclause (IV), by striking “; and” and inserting a semicolon;

(B) in subclause (V), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subclause:

“(VI) through the use of contracts with, or the provision of grants to, public or private entities—

“(aa) financial planning services relating to the needs of injured veterans and their caregivers; and

“(bb) legal services, including legal advice and consultation, relating to the needs of injured veterans and their caregivers.”.

(4) MODIFICATION OF STIPEND CALCULATION.—Subsection (a)(3)(C) of such section is amended—

(A) by redesignating clause (iii) as clause (iv); and

(B) by inserting after clause (ii) the following new clause (iii):

“(iii) In determining the amount and degree of personal care services provided under clause (i) with respect to an eligible veteran whose need for personal care services is based in whole or in part on a need for supervision or protection under paragraph (2)(C)(ii) or regular or extensive instruction or supervision under paragraph (2)(C)(iii), the Secretary shall take into account the following:

“(I) The assessment by the family caregiver of the needs and limitations of the veteran.

“(II) The extent to which the veteran can function safely and independently in the absence of such supervision, protection, or instruction.

“(III) The amount of time required for the family caregiver to provide such supervision, protection, or instruction to the veteran.”.

(5) PERIODIC EVALUATION OF NEED FOR CERTAIN SERVICES.—Subsection (a)(3) of such section is amended by adding at the end the following new subparagraph:

“(D) In providing instruction, preparation, and training under subparagraph (A)(i)(I) and technical support under subparagraph (A)(i)(II) to each family caregiver who is approved as a provider of personal care services for an eligible veteran under paragraph (6),

the Secretary shall periodically evaluate the needs of the eligible veteran and the skills of the family caregiver of such veteran to determine if additional instruction, preparation, training, or technical support under those subparagraphs is necessary.”.

(6) USE OF PRIMARY CARE TEAMS.—Subsection (a)(5) of such section is amended, in the matter preceding subparagraph (A), by inserting “(in collaboration with the primary care team for the eligible veteran to the maximum extent practicable)” after “evaluate”.

(7) ASSISTANCE FOR FAMILY CAREGIVERS.—Subsection (a) of such section is amended by adding at the end the following new paragraph:

“(11)(A) In providing assistance under this subsection to family caregivers of eligible veterans, the Secretary may enter into contracts, provider agreements, and memoranda of understanding with Federal agencies, States, and private, nonprofit, and other entities to provide such assistance to such family caregivers.

“(B) The Secretary may provide assistance under this paragraph only if such assistance is reasonably accessible to the family caregiver and is substantially equivalent or better in quality to similar services provided by the Department.

“(C) The Secretary may provide fair compensation to Federal agencies, States, and other entities that provide assistance under this paragraph.”.

(b) MODIFICATION OF DEFINITION OF PERSONAL CARE SERVICES.—Subsection (d)(4) of such section is amended—

(1) in subparagraph (A), by striking “independent”; and

(2) by redesignating subparagraph (B) as subparagraph (D); and

(3) by inserting after subparagraph (A) the following new subparagraphs:

“(B) Supervision or protection based on symptoms or residuals of neurological or other impairment or injury.

“(C) Regular or extensive instruction or supervision without which the ability of the veteran to function in daily life would be seriously impaired.”.

SEC. 1097N. IMPLEMENTATION OF INFORMATION TECHNOLOGY SYSTEM OF DEPARTMENT OF VETERANS AFFAIRS TO ASSESS AND IMPROVE THE FAMILY CAREGIVER PROGRAM.

(a) IMPLEMENTATION OF NEW SYSTEM.—

(1) IN GENERAL.—Not later than December 31, 2016, the Secretary of Veterans Affairs shall implement an information technology system that fully supports the Program and allows for data assessment and comprehensive monitoring of the Program.

(2) ELEMENTS OF SYSTEM.—The information technology system required to be implemented under paragraph (1) shall include the following:

(A) The ability to easily retrieve data that will allow all aspects of the Program (at the medical center and aggregate levels) and the workload trends for the Program to be assessed and comprehensively monitored.

(B) The ability to manage data with respect to a number of caregivers that is more than the number of caregivers that the Secretary expects to apply for the Program.

(C) The ability to integrate the system with other relevant information technology systems of the Veterans Health Administration.

(b) ASSESSMENT OF PROGRAM.—Not later than 180 days after implementing the system described in subsection (a), the Secretary shall, through the Under Secretary for Health, use data from the system and other

relevant data to conduct an assessment of how key aspects of the Program are structured and carried out.

(c) ONGOING MONITORING OF AND MODIFICATIONS TO PROGRAM.—

(1) MONITORING.—The Secretary shall use the system implemented under subsection (a) to monitor and assess the workload of the Program, including monitoring and assessment of data on—

(A) the status of applications, appeals, and home visits in connection with the Program; and

(B) the use by caregivers participating in the Program of other support services under the Program such as respite care.

(2) MODIFICATIONS.—Based on the monitoring and assessment conducted under paragraph (1), the Secretary shall identify and implement such modifications to the Program as the Secretary considers necessary to ensure the Program is functioning as intended and providing veterans and caregivers participating in the Program with services in a timely manner.

(d) REPORTS.—

(1) INITIAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General of the United States a report that includes—

(i) the status of the planning, development, and deployment of the system required to be implemented under subsection (a), including any changes in the timeline for the implementation of the system; and

(ii) an assessment of the needs of family caregivers of veterans described in subparagraph (B), the resources needed for the inclusion of such family caregivers in the Program, and such changes to the Program as the Secretary considers necessary to ensure the successful expansion of the Program to include such family caregivers.

(B) VETERANS DESCRIBED.—Veterans described in this subparagraph are veterans who are eligible for the Program under clause (ii) or (iii) of section 1720G(a)(2)(B) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act, solely due to a serious injury (including traumatic brain injury, psychological trauma, or other mental disorder) incurred or aggravated in the line of duty in the active military, naval, or air service before September 11, 2001.

(2) NOTIFICATION BY COMPTROLLER GENERAL.—The Comptroller General shall review the report submitted under paragraph (1) and notify the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives with respect to the progress of the Secretary in—

(A) fully implementing the system required under subsection (a); and

(B) implementing a process for using such system to monitor and assess the Program under subsection (c)(1) and modify the Program as considered necessary under subsection (c)(2).

(3) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 31, 2017, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Comptroller General a report on the implementation of subsections (a) through (c).

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) A certification by the Secretary with respect to whether the information tech-

nology system described in subsection (a) has been implemented.

(ii) A description of how the Secretary has implemented such system.

(iii) A description of the modifications to the Program, if any, that were identified and implemented under subsection (c)(2).

(iv) A description of how the Secretary is using such system to monitor the workload of the Program.

(e) DEFINITIONS.—In this section:

(1) ACTIVE MILITARY, NAVAL, OR AIR SERVICE.—The term “active military, naval, or air service” has the meaning given that term in section 101 of title 38, United States Code.

(2) PROGRAM.—The term “Program” means the program of comprehensive assistance for family caregivers under section 1720G(a) of title 38, United States Code, as amended by section 1097M of this Act.

SEC. 1097O. MODIFICATIONS TO ANNUAL EVALUATION REPORT ON CAREGIVER PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

(a) BARRIERS TO CARE AND SERVICES.—Subparagraph (A)(iv) of section 101(c)(2) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 38 U.S.C. 1720G note) is amended by inserting “, including a description of any barriers to accessing and receiving care and services under such programs” before the semicolon.

(b) SUFFICIENCY OF TRAINING FOR FAMILY CAREGIVER PROGRAM.—Subparagraph (B) of such section is amended—

(1) in clause (i), by striking “; and” and inserting a semicolon;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new clause:

“(iii) an evaluation of the sufficiency and consistency of the training provided to family caregivers under such program in preparing family caregivers to provide care to veterans under such program.”

SEC. 1097P. ADVISORY COMMITTEE ON CAREGIVER POLICY.

(a) ESTABLISHMENT.—There is established in the Department of Veterans Affairs an advisory committee on policies relating to caregivers of veterans (in this section referred to as the “Committee”).

(b) COMPOSITION.—The Committee shall be composed of the following:

(1) A Chair selected by the Secretary of Veterans Affairs.

(2) A representative from each of the following agencies or organizations selected by the head of such agency or organization:

(A) The Department of Veterans Affairs.

(B) The Department of Defense.

(C) The Department of Health and Human Services.

(D) The Department of Labor.

(E) The Centers for Medicare and Medicaid Services.

(3) Not fewer than seven individuals who are not employees of the Federal Government selected by the Secretary from among the following individuals:

(A) Academic experts in fields relating to caregivers.

(B) Clinicians.

(C) Caregivers.

(D) Individuals in receipt of caregiver services.

(E) Such other individuals with expertise that is relevant to the duties of the Committee as the Secretary considers appropriate.

(c) DUTIES.—The duties of the Committee are as follows:

(1) To regularly review and recommend policies of the Department of Veterans Affairs relating to caregivers of veterans.

(2) To examine and advise the implementation of such policies.

(3) To evaluate the effectiveness of such policies.

(4) To recommend standards of care for caregiver services and respite care services provided to a caregiver or veteran by a non-profit or private sector entity.

(5) To develop recommendations for legislative or administrative action to enhance the provision of services to caregivers and veterans, including eliminating gaps in such services and eliminating disparities in eligibility for such services.

(6) To make recommendations on coordination with State and local agencies and relevant nonprofit organizations on maximizing the use and effectiveness of resources for caregivers of veterans.

(d) REPORTS.—

(1) ANNUAL REPORT TO SECRETARY.—

(A) IN GENERAL.—Not later than September 1, 2017, and not less frequently than annually thereafter until the termination date specified in subsection (e), the Chair of the Committee shall submit to the Secretary a report on policies and services of the Department of Veterans Affairs relating to caregivers of veterans.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An assessment of the policies of the Department relating to caregivers of veterans and services provided pursuant to such policies as of the date of the submittal of the report.

(ii) A description of any recommendations made by the Committee to improve the coordination of services for caregivers of veterans between the Department and the entities specified in subparagraphs (B) through (E) of subsection (b)(2) and to eliminate barriers to the effective use of such services, including with respect to eligibility criteria.

(iii) An evaluation of the effectiveness of the Department in providing services for caregivers of veterans.

(iv) An evaluation of the quality and sufficiency of services for caregivers of veterans available from nongovernmental organizations.

(v) A description of any gaps identified by the Committee in care or services provided by caregivers to veterans and recommendations for legislative or administrative action to address such gaps.

(vi) Such other matters or recommendations as the Chair considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(e) TERMINATION.—The Committee shall terminate on December 31, 2022.

SEC. 1097Q. COMPREHENSIVE STUDY ON SERIOUSLY INJURED VETERANS AND THEIR CAREGIVERS.

(a) STUDY REQUIRED.—During the period specified in subsection (d), the Secretary of Veterans Affairs shall provide for the conduct by an independent entity of a comprehensive study on the following:

(1) Veterans who have incurred a serious injury or illness, including a mental health injury or illness.

(2) Individuals who are acting as caregivers for veterans.

(b) ELEMENTS.—The comprehensive study required by subsection (a) shall include the following with respect to each veteran included in such study:

(1) The health of the veteran and, if applicable, the impact of the caregiver of such veteran on the health of such veteran.

(2) The employment status of the veteran and, if applicable, the impact of the caregiver of such veteran on the employment status of such veteran.

(3) The financial status and needs of the veteran.

(4) The use by the veteran of benefits available to such veteran from the Department of Veterans Affairs.

(5) Such other information as the Secretary considers appropriate.

(c) CONTRACT.—The Secretary shall enter into a contract with an appropriate independent entity to conduct the study required by subsection (a).

(d) PERIOD SPECIFIED.—The period specified in this subsection is the one-year period beginning on the date that is four years after the date specified in section 1720G(a)(2)(B)(i) of title 38, United States Code, as amended by section 1097M(a)(1) of this Act.

(e) REPORT.—Not later than 30 days after the end of the period specified in subsection (d), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by subsection (a).

PART IV—FACILITY CONSTRUCTION AND LEASES

Subpart A—Medical Facility Construction and Leases

SEC. 1097R. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$317,300,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$370,800,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$317,300,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$240,200,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$415,600,000.

(6) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(7) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$161,700,000.

SEC. 1097S. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY LEASES OF THE DEPARTMENT OF VETERANS AFFAIRS.

The Secretary of Veterans Affairs may carry out the following major medical facility

leases at the locations specified and in an amount for each lease not to exceed the amount specified for such location (not including any estimated cancellation costs):

(1) For an outpatient clinic, Ann Arbor, Michigan, an amount not to exceed \$17,093,000.

(2) For an outpatient mental health clinic, Birmingham, Alabama, an amount not to exceed \$6,971,000.

(3) For an outpatient specialty clinic, Birmingham, Alabama, an amount not to exceed \$10,479,000.

(4) For research space, Boston, Massachusetts, an amount not to exceed \$5,497,000.

(5) For research space, Charleston, South Carolina, an amount not to exceed \$6,581,000.

(6) For an outpatient clinic, Daytona Beach, Florida, an amount not to exceed \$12,664,000.

(7) For Chief Business Office Purchased Care office space, Denver, Colorado, an amount not to exceed \$17,215,000.

(8) For an outpatient clinic, Gainesville, Florida, an amount not to exceed \$4,686,000.

(9) For an outpatient clinic, Hampton Roads, Virginia, an amount not to exceed \$18,124,000.

(10) For research space, Mission Bay, California, an amount not to exceed \$23,454,000.

(11) For an outpatient clinic, Missoula, Montana, an amount not to exceed \$7,130,000.

(12) For an outpatient clinic, Northern Colorado, Colorado, an amount not to exceed \$8,776,000.

(13) For an outpatient clinic, Ocala, Florida, an amount not to exceed \$5,279,000.

(14) For an outpatient clinic, Oxnard, California, an amount not to exceed \$6,297,000.

(15) For an outpatient clinic, Pike County, Georgia, an amount not to exceed \$5,757,000.

(16) For an outpatient clinic, Portland, Maine, an amount not to exceed \$6,846,000.

(17) For an outpatient clinic, Raleigh, North Carolina, an amount not to exceed \$21,607,000.

(18) For an outpatient clinic, Santa Rosa, California, an amount not to exceed \$6,498,000.

(19) For a replacement outpatient clinic, Corpus Christi, Texas, an amount not to exceed \$7,452,000.

(20) For a replacement outpatient clinic, Jacksonville, Florida, an amount not to exceed \$18,136,000.

(21) For a replacement outpatient clinic, Pontiac, Michigan, an amount not to exceed \$4,532,000.

(22) For a replacement outpatient clinic, phase II, Rochester, New York, an amount not to exceed \$6,901,000.

(23) For a replacement outpatient clinic, Tampa, Florida, an amount not to exceed \$10,568,000.

(24) For a replacement outpatient clinic, Terre Haute, Indiana, an amount not to exceed \$4,475,000.

SEC. 1097T. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account \$1,915,600,000 for the projects authorized in section 1097R.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Medical Facilities account \$190,954,000 for the leases authorized in section 1097S.

(c) LIMITATION.—The projects authorized in section 1097R may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

Subpart B—Leases at Department of Veterans Affairs West Los Angeles Campus

SEC. 1097U. AUTHORITY TO ENTER INTO CERTAIN LEASES AT THE DEPARTMENT OF VETERANS AFFAIRS WEST LOS ANGELES CAMPUS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out leases described in subsection (b) at the Department of Veterans Affairs West Los Angeles Campus in Los Angeles, California (hereinafter in this section referred to as the "Campus").

(b) LEASES DESCRIBED.—Leases described in this subsection are the following:

(1) Any enhanced-use lease of real property under subchapter V of chapter 81 of title 38, United States Code, for purposes of providing supportive housing, as that term is defined in section 8161(3) of such title, that principally benefit veterans and their families.

(2) Any lease of real property for a term not to exceed 50 years to a third party to provide services that principally benefit veterans and their families and that are limited to one or more of the following purposes:

(A) The promotion of health and wellness, including nutrition and spiritual wellness.

(B) Education.

(C) Vocational training, skills building, or other training related to employment.

(D) Peer activities, socialization, or physical recreation.

(E) Assistance with legal issues and Federal benefits.

(F) Volunteerism.

(G) Family support services, including child care.

(H) Transportation.

(I) Services in support of one or more of the purposes specified in subparagraphs (A) through (H).

(3) A lease of real property for a term not to exceed 10 years to The Regents of the University of California, a corporation organized under the laws of the State of California, on behalf of its University of California, Los Angeles (UCLA) campus (hereinafter in this section referred to as "The Regents"), if—

(A) the lease is consistent with the master plan described in subsection (g);

(B) the provision of services to veterans is the predominant focus of the activities of The Regents at the Campus during the term of the lease;

(C) The Regents expressly agrees to provide, during the term of the lease and to an extent and in a manner that the Secretary considers appropriate, additional services and support (for which The Regents is not compensated by the Secretary or through an existing medical affiliation agreement) that—

(i) principally benefit veterans and their families, including veterans who are severely disabled, women, aging, or homeless; and

(ii) may consist of activities relating to the medical, clinical, therapeutic, dietary, rehabilitative, legal, mental, spiritual, physical, recreational, research, and counseling needs of veterans and their families or any of the purposes specified in any of subparagraphs (A) through (I) of paragraph (2); and

(D) The Regents maintains records documenting the value of the additional services and support that The Regents provides pursuant to subparagraph (C) for the duration of the lease and makes such records available to the Secretary.

(c) **LIMITATION ON LAND-SHARING AGREEMENTS.**—The Secretary may not carry out any land-sharing agreement pursuant to section 8153 of title 38, United States Code, at the Campus unless such agreement—

(1) provides additional health-care resources to the Campus; and

(2) benefits veterans and their families other than from the generation of revenue for the Department of Veterans Affairs.

(d) **REVENUES FROM LEASES AT THE CAMPUS.**—Any funds received by the Secretary under a lease described in subsection (b) shall be credited to the applicable Department medical facilities account and shall be available, without fiscal year limitation and without further appropriation, exclusively for the renovation and maintenance of the land and facilities at the Campus.

(e) **EASEMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law (other than Federal laws relating to environmental and historic preservation), pursuant to section 8124 of title 38, United States Code, the Secretary may grant easements or rights-of-way on, above, or under lands at the Campus to—

(A) any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities, including, fixed guideway facilities and transportation centers; and

(B) the State of California, County of Los Angeles, City of Los Angeles, or any agency or political subdivision thereof, or any public utility company (including any company providing electricity, gas, water, sewage, or telecommunication services to the public) for the purpose of providing such public utilities.

(2) **IMPROVEMENTS.**—Any improvements proposed pursuant to an easement or right-of-way authorized under paragraph (1) shall be subject to such terms and conditions as the Secretary considers appropriate.

(3) **TERMINATION.**—Any easement or right-of-way authorized under paragraph (1) shall be terminated upon the abandonment or non-use of the easement or right-of-way and all right, title, and interest in the land covered by the easement or right-of-way shall revert to the United States.

(f) **PROHIBITION ON SALE OF PROPERTY.**—Notwithstanding section 8164 of title 38, United States Code, the Secretary may not sell or otherwise convey to a third party fee simple title to any real property or improvements to real property made at the Campus.

(g) **CONSISTENCY WITH MASTER PLAN.**—The Secretary shall ensure that each lease carried out under this section is consistent with the draft master plan approved by the Secretary on January 28, 2016, or successor master plans.

(h) **COMPLIANCE WITH CERTAIN LAWS.**—

(1) **LAWS RELATING TO LEASES AND LAND USE.**—If the Inspector General of the Depart-

ment of Veterans Affairs determines, as part of an audit report or evaluation conducted by the Inspector General, that the Department is not in compliance with all Federal laws relating to leases and land use at the Campus, or that significant mismanagement has occurred with respect to leases or land use at the Campus, the Secretary may not enter into any lease or land-sharing agreement at the Campus, or renew any such lease or land-sharing agreement that is not in compliance with such laws, until the Secretary certifies to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located that all recommendations included in the audit report or evaluation have been implemented.

(2) **COMPLIANCE OF PARTICULAR LEASES.**—Except as otherwise expressly provided by this section, no lease may be entered into or renewed under this section unless the lease complies with chapter 33 of title 41, United States Code, and all Federal laws relating to environmental and historic preservation.

(i) **COMMUNITY VETERANS ENGAGEMENT BOARD.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Community Veterans Engagement Board (in this subsection referred to as the "Board") for the Campus to coordinate locally with the Department of Veterans Affairs to—

(A) identify the goals of the community; and

(B) provide advice and recommendations to the Secretary to improve services and outcomes for veterans, members of the Armed Forces, and the families of such veterans and members.

(2) **MEMBERS.**—The Board shall be comprised of a number of members that the Secretary determines appropriate, of which not less than 50 percent shall be veterans. The nonveteran members shall be family members of veterans, veteran advocates, service providers, or stakeholders.

(3) **COMMUNITY INPUT.**—In carrying out subparagraphs (A) and (B) of paragraph (1), the Board shall—

(A) provide the community opportunities to collaborate and communicate with the Board, including by conducting public forums on the Campus; and

(B) focus on local issues regarding the Department that are identified by the community, including with respect to health care, benefits, and memorial services at the Campus.

(j) **NOTIFICATION AND REPORTS.**—

(1) **CONGRESSIONAL NOTIFICATION.**—With respect to each lease or land-sharing agreement intended to be entered into or renewed at the Campus, the Secretary shall notify the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located of the intent of the Secretary to enter into or renew the lease or land-sharing agreement not later than 45 days before entering into or renewing the lease or land-sharing agreement.

(2) **ANNUAL REPORT.**—Not later than one year after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of

the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located an annual report evaluating all leases and land-sharing agreements carried out at the Campus, including—

(A) an evaluation of the management of the revenue generated by the leases; and

(B) the records described in subsection (b)(3)(D).

(3) **INSPECTOR GENERAL REPORT.**—

(A) **IN GENERAL.**—Not later than each of two years and five years after the date of the enactment of this Act, and as determined necessary by the Inspector General of the Department of Veterans Affairs thereafter, the Inspector General shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and each Member of the Senate and the House of Representatives who represents the area in which the Campus is located a report on all leases carried out at the Campus and the management by the Department of the use of land at the Campus, including an assessment of the efforts of the Department to implement the master plan described in subsection (g) with respect to the Campus.

(B) **CONSIDERATION OF ANNUAL REPORT.**—In preparing each report required by subparagraph (A), the Inspector General shall take into account the most recent report submitted to Congress by the Secretary under paragraph (2).

(k) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as a limitation on the authority of the Secretary to enter into other agreements regarding the Campus that are authorized by law and not inconsistent with this section.

(l) **PRINCIPALLY BENEFIT VETERANS AND THEIR FAMILIES DEFINED.**—In this section the term "principally benefit veterans and their families", with respect to services provided by a person or entity under a lease of property or land-sharing agreement—

(1) means services—

(A) provided exclusively to veterans and their families; or

(B) that are designed for the particular needs of veterans and their families, as opposed to the general public, and any benefit of those services to the general public is distinct from the intended benefit to veterans and their families; and

(2) excludes services in which the only benefit to veterans and their families is the generation of revenue for the Department of Veterans Affairs.

(m) **CONFORMING AMENDMENTS.**—

(1) **PROHIBITION ON DISPOSAL OF PROPERTY.**—Section 224(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 2272) is amended by striking "The Secretary of Veterans Affairs" and inserting "Except as authorized under section 1097U of the National Defense Authorization Act for Fiscal Year 2017, the Secretary of Veterans Affairs".

(2) **ENHANCED-USE LEASES.**—Section 8162(c) of title 38, United States Code, is amended by inserting "other than an enhanced-use lease under section 1097U of the National Defense Authorization Act for Fiscal Year 2017," before "shall be considered".

PART V—OTHER VETERANS MATTERS

SEC. 1097V. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) **COMPENSATION.**—Subsections (a)(1) and (f) of section 1116 of title 38, United States

Code, are amended by inserting “(including its territorial seas)” after “served in the Republic of Vietnam” each place it appears.

(b) **HEALTH CARE.**—Section 1710(e)(4) of such title is amended by inserting “(including its territorial seas)” after “served on active duty in the Republic of Vietnam”.

(c) **EFFECTIVE DATE.**—The amendments made by subsections (a) and (b) shall take effect as if enacted on September 25, 1985.

PART VI—OTHER MATTERS

SEC. 1097W. TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE.

(a) **IN GENERAL.**—Section 411 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), as added by section 402(g) of the James Zadroga 9/11 Victim Compensation Fund Reauthorization Act (title IV of division O of Public Law 114-113), is amended—

(1) by amending to section heading to read as follows: “**TEMPORARY VISA FEE FOR EMPLOYERS WITH MORE THAN 50 PERCENT FOREIGN WORKFORCE**”; and

(2) by striking subsections (a) and (b) and inserting the following:

“(a) **TEMPORARY L VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition filed under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)), except for an amended petition without an extension of stay request, shall be increased by \$4,500 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act. This fee shall also apply to petitioners described in this subsection who file an individual petition on the basis of an approved blanket petition.

“(b) **TEMPORARY H-1B VISA FEE INCREASE.**—Notwithstanding section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) or any other provision of law, the filing fee required to be submitted with a petition under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)), except for an amended petition without an extension of stay request, shall be increased by \$4,000 for petitioners that employ 50 or more employees in the United States if more than 50 percent of the petitioner’s employees are nonimmigrants described in subparagraph (H)(1)(b) or (L) of section 101(a)(15) of such Act.”

(b) **EFFECTIVE DATES.**—The amendments made by subsection (a)—

(1) shall take effect on the date that is 30 days after the date of the enactment of this Act; and

(2) shall apply to any petition filed during the period beginning on such effective date and ending on September 30, 2025.

SA 4664. Ms. KLOBUCHAR (for herself and Mrs. ERNST) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. PILOT PROGRAM ESTABLISHING A PATIENT SELF-SCHEDULING APPOINTMENT SYSTEM FOR THE DEPARTMENT OF VETERANS AFFAIRS.

(a) **PILOT PROGRAM.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall commence a pilot program under which veterans use an Internet website to schedule and confirm appointments for health care at medical facilities of the Department of Veterans Affairs.

(b) **SELECTION OF LOCATIONS.**—The Secretary shall select not fewer than three Veterans Integrated Services Networks in which to carry out the pilot program under subsection (a).

(c) **CONTRACTS.**—

(1) **AUTHORITY.**—The Secretary shall seek to enter into a contract with one or more contractors that are able to meet the criteria under paragraph (3) to provide the scheduling and confirmation capability described in subsection (a).

(2) **NOTICE OF COMPETITION.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall issue a request for proposals for the contract described in paragraph (1).

(B) **OPEN REQUEST.**—The request for proposals issued under subparagraph (A) shall be full and open to any contractor that is able to meet the criteria under paragraph (3).

(3) **SELECTION OF VENDORS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary shall enter into a contract with one or more contractors that have an existing commercially available online patient self-scheduling capability that—

(A) allows patients to self-schedule, confirm, and modify outpatient and specialty care appointments in real time through an Internet website;

(B) makes available, in real time, any appointments that were previously filled but later canceled by other patients; and

(C) allows patients to use the online scheduling capability 24 hours per day, seven days per week.

(4) **INTEGRATION WITH EXISTING INFRASTRUCTURE.**—The Secretary shall ensure that a contractor awarded a contract under this section is able to integrate the online scheduling capability of the contractor with the Veterans Health Information Systems and Technology Architecture of the Department.

(d) **DURATION OF PILOT PROGRAM.**—

(1) **IN GENERAL.**—Except as provided by paragraph (2), the Secretary shall carry out the pilot program under subsection (a) during the 18-month period beginning on the commencement of the pilot program.

(2) **EXTENSION.**—The Secretary may extend the duration of the pilot program under subsection (a), and may expand the selection of Veterans Integrated Services Networks under subsection (b), if the Secretary determines that the pilot program is reducing the wait times of veterans seeking health care from the Department and ensuring that more available appointment times are filled.

(e) **REPORT.**—Not later than one year after commencing the pilot program under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the outcomes of the pilot program, including—

(1) whether the pilot program demonstrated—

(A) improvements to the ability of veterans to schedule appointments for the receipt of health care from the Department; and

(B) a reduction in wait times for such appointments; and

(2) such recommendations for expanding the pilot program to additional Veterans Integrated Services Networks as the Secretary considers appropriate.

(f) **USE OF AMOUNTS OTHERWISE APPROPRIATED.**—No additional amounts are authorized to be appropriated to carry out the pilot program under subsection (a) and such pilot program shall be carried out using amounts otherwise made available to the Secretary of Veterans Affairs for the medical support and compliance account of the Veterans Health Administration.

SA 4665. Mr. HELLER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Constitutional Concealed Carry Reciprocity Act of 2016”.

(b) **RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.**—

(1) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

“§ 926D. Reciprocity for the carrying of certain concealed firearms

“(a) **IN GENERAL.**—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

“(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

“(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

“(b) **CONDITIONS AND LIMITATIONS.**—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

“(c) **UNRESTRICTED LICENSE OR PERMIT.**—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.”.

(2) **CLERICAL AMENDMENT.**—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

(3) **SEVERABILITY.**—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

SA 4666. Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. BALDWIN, Mrs. BOXER, and Mr. REED) submitted an amendment intended to be proposed by her to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. ELIGIBILITY OF CERTAIN INDIVIDUALS FOR INTERMENT IN NATIONAL CEMETERIES.

(a) **IN GENERAL.**—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(10) Any individual—

“(A) who—

“(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106-207; 8 U.S.C. 1423 note); and

“(ii) at the time of the individual's death resided in the United States; or

“(B) who—

“(i) the Secretary determines served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

“(ii) at the time of the individual's death—

“(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

“(II) resided in the United States.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to an individual dying on or after the date of the enactment of this Act.

SA 4667. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4509 submitted by Mr. NELSON (for himself, Mr. GARDNER, Mr. BENNET, Mr. SHELBY, and Mr. DURBIN) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) **IN GENERAL.**—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) **SUBMISSION OF CERTIFICATION.**—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4668. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4647 submitted by Mr. SHELBY and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1037. RESTRICTIONS ON THE PROCUREMENT OF SERVICES OR PROPERTY IN CONNECTION WITH MILITARY SPACE LAUNCH FROM ENTITIES OWNED OR CONTROLLED BY PERSONS SANCTIONED IN CONNECTION WITH RUSSIA'S INVASION OF CRIMEA.

(a) **IN GENERAL.**—On and after the date of the enactment of this Act, the Secretary of Defense may not enter into or renew a contract for the procurement of services or property in connection with space launch activities associated with the evolved expendable launch vehicle program unless the Secretary, as a result of affirmative due diligence and in consultation with the Secretary of the Treasury, conclusively certifies in accordance with subsection (b), that—

(1) no funding provided under the contract will be used for a purchase from, or a payment to, any entity owned or controlled by a person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to Executive Order 13661 (79 Fed. Reg. 15535; relating to blocking property of additional persons contributing to the situation in Ukraine) or any other executive order or other provision of law imposing sanctions with respect to the Russian Federation in connection with the invasion of Crimea by the Russian Federation; and

(2) no individual who in any way supports the delivery of services or property for such space launch activities poses a counterintelligence risk to the United States or is subject to the influence of any foreign military or intelligence service.

(b) **SUBMISSION OF CERTIFICATION.**—Not later than 120 days before entering into or renewing a contract described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees in writing the certification described in that subsection and the reasons of the Secretary for making the certification.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the application of sanctions that are not related to national security space launch activities.

SA 4669. Mr. SASSE (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for

other purposes; which was ordered to lie on the table; as follows:

Strike section 591 and insert the following:
SEC. 591. MODIFICATION OF THE MILITARY SELECTIVE SERVICE ACT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that there are important legal, political, and social questions about who should be required to register for military selective service and how the Military Selective Service Act benefits the national security of the United States of America.

(b) SUNSET OF MILITARY SELECTIVE SERVICE ACT.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is amended by adding at the end the following new section:

“SEC. 23. This Act and the requirements of this Act shall cease to be in effect on the date that is three years after the date of the enactment of this National Defense Authorization Act for Fiscal Year 2017.”

(c) TRANSFERS IN CONNECTION WITH SUNSET.—

(1) PROHIBITION ON REESTABLISHMENT OF OSSR.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished after the sunset of the Military Selective Service Act pursuant to section 23 of that Act (as added by subsection (b)).

(2) TRANSFER OF ASSETS AND RESOURCES.—Not later than 180 days after the sunset of Military Selective Service Act as described in paragraph (1), the assets, contracts, property, and records held by the Selective Service System, and the expended balances of any appropriations available to the Selective Service System, shall be transferred to the Administration of General Services.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives, and make available to the public on an Internet website of the Department of Defense available to the public, a report on the current and future need for compulsory military selective service. The report shall recommend and justify one of the courses of action as follows:

(1) Maintain the current selective service system.

(2) Expand the pool of individuals subject to selective service.

(3) Repeal the Military Selective Service Act and move to an all volunteer force.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 9, 2016, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Implications of the Supreme Court Stay of the Clean Power Plan.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Sen-

ate on June 9, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SR-301 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. GARDNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 9, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Frederick L. Dressler, a national security fellow in the office of Senator AYOTTE be granted the privilege of the floor during consideration of S. 2943, the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Philip Hines, a detailee on my staff, be granted floor privileges through the end of the 114th Congress.

I also ask unanimous consent that Janet Temko-Blinder, another detailee on my staff, be granted floor privileges through the end of the 114th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that my military fellow, Dave Deptula, be granted floor privileges for the remainder of this session of Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMEMORATING THE 100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS PROGRAM OF THE ARMY

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 487, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 487) commemorating the 100th anniversary of the Reserve Officers' Training Corps program of the Army.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 487) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR FRIDAY, JUNE 10, 2016

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 8:15 a.m., Friday, June 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that the filing deadline for second-degree amendments to S. 2943 be at 8:45 a.m. tomorrow; finally, that notwithstanding the provisions of rule XXII, the cloture vote with respect to S. 2943 occur at 9 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 8:15 A.M. TOMORROW

Mr. GARDNER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:14 p.m., adjourned until Friday, June 10, 2016, at 8:15 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

BONNIE A. BARSAMIAN DUNN, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2017, VICE ORLAN JOHNSON, RESIGNED.

FEDERAL MARITIME COMMISSION

MICHAEL A. KHOURI, OF KENTUCKY, TO BE A FEDERAL MARITIME COMMISSIONER FOR A TERM EXPIRING JUNE 30, 2021. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. TERRENCE J. O'SHAUGHNESSY

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RON J. ARELLANO

DANE E. BERENSEN
STEPHEN W. BISHOP
GREGORY S. CARDWELL
GEOFFREY D. CHRISTMAS
THOMAS W. DOBKINS
ANTHONY J. EVERHART
MATTHEW T. GRIFFIN
CHARLES H. HALL
JOSEPH B. HARRISON II
SUZANNE T. HUBNER
STEPHEN M. KANTZ
TIMOTHY E. LOWERY
ALAN C. MENGWASSER
JOSIE L. MOORE
GARY M. OLIVI
RUSSELL G. SCHUHART II
BRIAN L. SCHULZ
KENNETH G. SMITH
ROBERT J. SPROAT
PATRICK A. STAUB
FREDERICK B. STEVES
YONNETTE D. THOMAS
PATRICK A. THOMPSON
JOSHUA J. VERGOW
WILLIAM M. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KATIE M. ABDALLAH
DANIEL W. BERGER
THOMAS E. CHILDERS, JR.
FREDERICK L. CRAWFORD
DARIN D. DEBOW
JAY F. ELSON
PAUL F. FARRELL, JR.
MATTHEW R. FOMBY
TRISHA N. FRANCIS
RANDAL E. FULLER
WILBUR L. HALL II
ANDREW R. LUCAS
JAMES D. MCCARTNEY
NANCY MOULIS
TONY R. NICHOLS
MATTHEW P. OHARA
JAMES A. PAPPAS
ALBERTO O. PEREZ
PHILLIP C. PETERSEN
MERZON J. QUIAZON
GARY L. RAYMOND
STEPHANIE A. SMITH
MICHAEL L. SOUTH II
THOMAS E. STEWART
RYAN C. TASHMA
VICTOR T. TAYLOR, JR.
YOLANDA M. TRIPP
NATHAN J. WINTERS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW J. ACANFORA
DAVID J. AMBROSE
DAVID J. BERGESEN
MICHAEL A. BETHER
JAMES F. BRENNAN
DONALD L. BRYANT, JR.
JASON K. CUMMINGS
DAVID B. DAMATO
ROBERT J. DIRGA
GARY R. DONLEY, JR.
BRIAN B. DURAND
DONALD C. FERGUSON
KATIE A. HAMILTON
COREY M. JACOBS
DAVID P. KAWESIMUKOOZA
ANDREW E. MAROCCO
EDWARD A. MCLELLAN III
ROMAN C. MILLS
KENNETH B. MYRICK
JASON S. NAKATA
CHRISTOPHER A. NIGON
DANIEL R. RAHN
CAROLINE E. ROCHFORD
ANDREW M. SCHIMENTI
MELINDA K. SCHRYVER
TEDDY G. TAN
ALEXANDER J. TERESHKO
MICHAEL S. TIEFEL
JASON C. TURSE
DENNIS A. WISCHMEIER
JOSEPH A. ZERBY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

KENNETH O. ALLISON, JR.
JAMES L. BELL
IVAN R. BORJA
CURTIS BROWN
TERRELL A. BURNETT
ZEVEERICK L. BUTTS
KYLE A. CALDWELL
BRIAN N. CARROLL
JAMES M. CATTEAU
FREDIRICK R. CONNER
ROBERT J. DAFEO

AARON C. ERICKSON
KEITH B. FOSTER
HENRY FUENTES
CLEMENTE V. GATTANO
DANA S. GIBSON
RUSSELL J. GOFF, JR.
KIRBY A. HALLAS
RICHARD C. HIRN
CHAD A. HOLLINGER
JAMES J. HORNEF
STEPHEN E. KASHUBA
TERRY L. KERR
RICHARD B. KILLIAN
RUSSELL A. LAWRENCE
THOMAS L. LOOP
WAYNE E. MARK
JACK E. MORRIS
TODD D. NELSON
TODD M. OAKES
ERIC C. OLSEN
CHRISTOPHER S. PALMERONE
JAMES S. PIRGER
BRIAN PONCE
MARK A. PUTTKAMMER
RANDY R. REID
STEVEN R. REYNOLDS
MATTHEW T. RIGGINS
PAUL V. ROCK
SHAWN T. RUMBLEY
MICHAEL K. SIMS
DONOVAN B. WORTHAM
FELIX O. WYATT
TIMOTHY L. YEICH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BENJAMIN P. ABBOTT
THOMAS P. ABBOTT
RAUL T. ACEVEDO
PATRICK T. ACKER
JEFFREY M. ADAMS
JOSEPH R. ADAMS
DOMINICK ALBANO
WILLIAM H. ALBERT
CAMERON M. ALJILANI
DAWN C. ALLEN
DOUGLAS W. ALLEY
REX T. AMAN
ERNEST L. ANDERSON, JR.
ERIC L. ASTLE
DAVID W. AYOTTE, JR.
JOHN P. BAGGETT
TRAVIS A. BAGWELL
KYLE J. BAKER
JOHN P. BALBI
JUSTIN D. BANZ
ROBERT I. BARKER
WESLEY A. BARNES
BRETT E. BATEMAN
BRIAN J. BAUMGAERTNER
ADAM T. BEAN
ANDREW N. BEHLKE
ERIC J. BELL
BRIAN D. BERNARDIN
RICHARD BETANCOURT
BRIAN A. BETHEA
JEFFREY D. BETZ
CHAD M. BIBLER
RAYMOND G. BIEZE III
ROBERT C. BIGGS
JAY D. BIJEAU
CHARLES G. BIRCHFIELD
DAVID A. BIZZARRI
JEREMIAH BLANCO
WILLIAM C. BLODGETT, JR.
JASON R. BOLES
BRIAN M. BOURGEOIS
DANIEL A. BOUTROS
DANIEL J. BOYER
KARL BRANDL
DAVID P. BRENNAN
BRIAN C. BROADWATER
AARON D. BROWN
DARRELL W. BROWN II
PATRICK S. BROWN
JEFFREY S. BRUNER
DWIGHT A. BRUNGARD
CHRISTOPHER L. BRYAN
WILLIAM A. BUELL
MICHAEL P. BUKOLT, JR.
DAVID L. BURKETT
JOSEPH L. CALDWELL
LENNARD D. CANNON
JEREMY L. CARLSON
GUILLERMO I. CARRILLO
CHRISTOPHER J. CARROLL
RYAN R. CARSTENS
KRISTOPHER A. CARTER
LARRION D. CASSIDY
PHILLIP J. CASTANEDA
LOUIS F. CATALINA IV
DUSTIN D. CHAPIN
SCOTT A. CHARNIK
DOUGLAS S. CHASE
STEPHEN D. CHIVERS
CHARLES A. CHMIELAK
BENNETT M. CHRISTMAN
JEFFREY J. CLARK
CHRISTOPHER J. CLAY
DONALD J. CLEMONS

PAUL K. COCKER
DAVID S. COHICK
JOHN C. COLEMAN
DANIEL M. COLON
JAMES P. CONKLIN
CRAIG H. CONNOR
SEAN R. COOK
KENNETH T. COOKE
DAVID J. CORDOVA
CLINTON A. CORNELL
JEFFREY B. CORNES
DONALD H. COSTELLO III
MATTHEW B. COX
CARL R. CRINGLE
TIKO S. CROFOOT
DEVERE J. CROOKS
RAYMOND B. CROSBY
NORMAN B. CRUZ
DIANE S. CUA
BRIAN A. CUMMINGS
CHRISTOPHER R. CUMMINS
THOMAS E. CUNNINGHAM III
MICHAEL J. CURCIO
DONALD J. CURRAN III
ADDISON G. DANIEL
SCOTT A. DARRAN
DAVID J. DARTEZ
THOMAS R. DAVIS
DANIEL J. DECICCO
ALLEN P. DECKERS
ROY D. DECOSTER
JAMIE L. DELCORE
CHARLES B. DENNISON
ANDREW J. DESANY
STEVEN L. DOBESH
JEREMY B. DOUGHTY
JAMES R. DOWNES
DAVID R. DRAKE II
STEPHEN C. DUBA, JR.
KEVIN C. DUCHARME
AUSTIN W. DUFF
WILLIAM M. DULL
RYAN T. EASTERDAY
CHRISTOPHER S. EDWARDS
THOMAS J. EISENSTATT
ROBERT K. ELIZONDO
MATTHEW T. ERDNER
JEREMY R. EWING
MICHAEL J. FABRIZIO
JEFFREY C. FASSBENDER
DAVID W. FASSEL
SCOTT P. FENTRESS
WILLIAM J. FIACK
CHRIS T. FISHER
JEFFREY W. FISHER
CHRISTINE L. FIX
MICHELLE R. FONTENOT
MICHAEL D. FORTENBERRY
WILLIAM P. FRANK
NICHOLAS J. FRAZIER
JOSEPH S. FREDERICK
TERRENCE E. FROST
JAMES L. FUEMMELER
NEIL R. GABRIEL
MARK P. GANDER
DAVID M. GARDNER
ROBERT J. GARIS
ANTHONY M. GARNER
PATRICK M. GEGG
WAYNE S. GEHMAN
DARREN D. GERHARDT
MICHAEL R. GERHART
DONANN M. GILMORE
ALAPAKI F. GOMES III
LUIS A. GONZALEZ
LETWA L. GOODEN
JOHN J. GORMAN
ROSE A. GOSCINSKI
ERIC R. GOULD
JAMES D. GRANT
MATTHEW F. GRAY
MATTHEW T. GRIFFIN
JARROD B. GROVES
JONATHAN J. HAASE
JAKE L. HAFF IV
ETHAN D. HAINES
ROBERT D. HALE
RICHARD D. HALEY
JUSTIN T. HALLIGAN
NICHOLAS S. HAMPTON
BRYAN M. HANEY
JAMES C. HANLON
RONALD V. HATT
JONATHAN T. HAYES
PETER W. HAYNES
TORY T. HEGRENES
ADAM N. HEIL
AARON L. HELGERSON
MICHAEL C. HELTZEL
JAMES M. HENRY
SAMUEL W. HERBST
THOMAS A. HERROLD
KEITH R. HEYEN
JOHN A. HILBURN
WADE B. HILDEBRAND
TIFFANY F. HILL
KENNETH B. HOCKYCKO
RODERICK L. HODGES
JAMES H. HOEY
JONATHAN A. HOPKINS
MATTHEW R. HOPKINS
BRYAN M. HOPPER

BRADLEY A. HOYT
 GREGORY J. HRACHO
 JAKE M. HUBER
 BARRY E. HUDSPETH
 AMBER L. HUNTER
 ERIC D. HUTTER
 BRENT S. JACKSON
 DONTE L. JACKSON
 LOREN M. JACOBI
 BRIAN A. JAMISON
 DALLAS R. JAMISON II
 BRENT H. JAQUITH
 KYLE B. JASON
 GARY E. JENKINS, JR.
 DEBORAH A. JIMENEZ
 JOHN D. JOHN
 HARLAN M. JOHNSON
 JED R. JOHNSON
 BOBBY R. JONES
 JOSHUA L. JONES
 KIMBERLY E. JONES
 STERLING S. JORDAN
 CHAD S. KAISER
 JOHN R. KAJMOWICZ
 COLIN J. KANE
 TERRI D. KANSY
 RYAN R. KENDALL
 JALAL F. KHAN
 SEAN S. KIDO
 DONALD B. KING
 NOLAN S. KING
 JUDDSON M. KIRK
 HAMISH P. KIRKLAND
 ERIC M. KIRLIN
 DANIEL E. KITTS
 KRISTOPHER D. KLAIBER
 JEDEDIAH A. KLOPPPEL
 GREGORY C. KNUTSON
 BRIAN R. KOLL
 MATTHEW R. KOOP
 ANDREW B. KOY
 MATTHEW B. KRAUZ
 ADAM J. KRUPPA
 MARK D. KURTZ
 KELLY J. LADD
 IAN P. LAMBERT
 MATTHEW J. LAMBERT
 KENNETH J. LANDRY
 DAVID F. LANE
 ROBERT D. LANE
 ZACHARY W. LAPOINTE
 HECTOR C. LAUS
 RICHARD I. LAWLOR
 STEVEN C. LAWRENCE
 BRETT C. LEFEVER
 THEODORE J. LEMERANDE
 JONATHAN E. LENTZ
 LEONARD M. LEOS
 JOSHUA R. LEWIS
 JOSEPH V. LIBASCI
 IAN J. LILYQUIST
 ROBERT R. LITTMAN
 CRAIG E. LITTY
 MICHAEL E. LOFGREN
 JARED F. LOLLER
 DUSTIN T. LONERO
 BRADLEY D. LONG
 BRIAN J. LOUSTAUNAU
 DAMON B. LOVELESS
 SCOTT M. LOWE
 KEITH A. LOWENSTEIN
 ERIC S. LOWRY
 BRIAN S. LUEBBERT
 MATTHEW P. LUFF
 THOMAS D. LUNA
 NATHAN D. LUTHER
 MATTHEW J. MAHER
 CASEY M. MAHON
 SUZANNE L. MAINOR
 WILLIAM F. MAJOR, JR.
 NICHOLAS C. MALOKOFSKY
 SCOTT P. MALONEY
 LEBO R. MANCUSO
 CHARLES G. MANN
 ROBIN N. MARLING
 KEVIN M. MARSH
 IRA E. MARSHALL
 JAMES L. MARTELLO
 WILLIAM F. MARTIN
 DANIEL M. MARTINS
 DAVID B. MATSUMOTO
 JAMES P. MAY
 KEVIN L. MCCARTY
 BARRY D. MCCULLOCH
 JESSE A. MCFADDEN
 TIMOTHY J. MCKAY
 MATTHEW A. MCKENNA
 MATHEW J. MCKERRING
 PAUL J. MCKERRY
 MICHAEL V. MCCLAIN
 PETER T. MCMORROW
 KEVIN R. MCNATT
 RUSSELL P. MEIER
 SEAN W. MERRITT
 CHRISTOPHER G. METZ
 RYAN E. MEWETT
 PAUL C. MEYER
 ERIC E. MEYERS
 ANTHONY J. MILITELLO
 ROBERT D. MIMS
 PETER C. MITALAS
 JOSEPH B. MITZEN

SCOTT A. MOAK
 MARK R. MONAHAN
 NATHAN K. MOORE
 PATRICK D. MORLEY
 SAMUEL P. MORRISON
 STEPHEN P. MORRISSEY
 MICHAEL K. MOSI
 JAMES J. MOTT
 MATTHEW T. MULCAHEY
 DANIEL M. MURPHY II
 NATHAN A. MURRAY
 MATTHEW D. MYERS
 JOHN C. NADDER
 THOMAS C. NEILL, JR.
 MICHAEL R. NEILSON
 JOHN W. NELSON
 PETER H. NELSON
 TERRY A. NEMEC
 GREGORY S. NERY
 CHRISTIAN R. NESSET
 SEAN M. NEWBY
 BENJAMIN P. NEWHART
 CHANDRA S. NEWMAN
 STEPHEN P. NIEMANN
 MATTHEW J. NIESWAND
 JASON M. NOYES
 BRYANT A. NUNN
 DANIEL B. OAKEY
 DANIEL K. OHARA
 DOUGLAS W. OLDHAM
 TRISTAN V. OLIVERIA
 MICHAEL T. OREILLY
 PATRICK K. OREILLY, JR.
 RYAN P. OVERHOLTZER
 WARREN R. OVERTON
 AUDRY T. OXLEY
 RICARDO V. PADILLA
 MICHELLE D. PAGE
 MICHAEL A. PAISANT
 ASHLEY L. PANKOP
 LARRY J. PARKER
 MICHAEL M. PATTERSON
 SAMUEL D. PELLEY
 CHRISTOPHER P. PENN
 TODD B. PENROD
 ANTHONY R. PEREZ
 JOHN D. PERKINS
 MATTHEW N. PERSIANI
 ANDREW L. PETERS
 JOHN C. PETERSON, JR.
 MATTHEW P. PETERSON
 DUSTIN W. PEVERILL
 MICHAEL E. PIANO
 MATTHEW L. PICINICH
 BRADLEY S. PIKULA
 MICHAEL R. POE
 JANICE A. POLLARD
 BENJAMIN C. POLLACK
 MICHAEL J. POPLAWSKI
 DANIEL R. POST
 DOUGLAS PRATT
 COLIN A. PRICE
 TREVOR J. PROUTY
 JONATHAN P. PUGLIA
 STEVEN C. PUSKAS
 TRAVIS A. PYLE
 PRESTON M. RACKAUSKAS
 ANDREA M. RAGUSA
 THOMAS G. RALSTON
 KYLE C. READ
 MICHAEL P. REDEL
 DANIEL A. REIHER
 PAUL B. RENWICK
 THOMAS D. RICHARDSON
 RYAN K. ROGERS
 CHRISTIAN R. RONDESTVEDT
 MICHAEL G. ROOT
 JERREMY T. RORICK
 JACOB M. ROSE
 MICHAEL B. ROSS
 PAUL L. ROULEAU
 CHRISTOPHER S. ROWAN
 ANDREW T. ROY
 JASON P. RUSSO
 SCOTT M. RYAN
 SCOTT W. SABAU
 NICHOLAS M. SACHON
 PATRICK A. SALMON
 BRIAN S. SAUERHAGE
 NICHOLAS P. SAUNDERS
 BRIAN J. SCHNEIDER
 MYCEL D. SCOTT
 DAVID T. SECHRIST
 JARED SEVERSON
 KEVIN L. SHACKELFORD
 WILLIAM A. SHAFFER
 MATTHEW R. SHELLOCK
 BRIAN P. SHERRIFF
 ALEXANDER L. SIMMONS
 BRANDON L. SIMPSON
 LADONNA M. SIMPSON
 JARED M. SIMSIC
 ERIC J. SKALSKI
 STEPHEN R. SKODA
 JASON D. SLABAUGH
 RICHARD A. SMITH
 WADE K. SMITH
 HORST D. SOLLFRANK, JR.
 JAMES J. SORDI, JR.
 JOSEPH M. SPINKS
 STEPHEN D. STEACY
 JAMES W. STEFFEN

SETH A. STEGMAIER
 DOUGLAS G. STEIL
 MICHAEL R. STEPHEN
 JEFFREY J. STGEORGE
 ANDREW D. STILES
 JON P. SUNDERLAND
 CHRISTOPHER D. SUTHERLAND
 LUKE J. SWAIN
 GREGG W. SWEENEY
 MATTHEW J. SWEENEY
 NICHOLAS J. SYLVESTER
 PHILLIP SYLVIA
 JARED A. THARP
 ADAM J. THOMAS
 COLIN J. THOMPSON
 SHANNON M. THOMPSON
 AHREN O. THORNTON
 DAVID M. TIGRETT
 SCOTT K. TIMMESTER
 JASON E. TIPPETT
 BRIAN W. TOLLEFSON
 MICHAEL P. TRUMBULL
 JAMES M. UDALL
 CHAD K. UPRIGHT
 ALLYN G. UTTECHT
 TODD W. VALASCO
 SANTICO J. VALENZUELA
 JONATHAN J. VANECKO
 WILLIAM D. VANN
 NATHANIEL R. VELCIO
 RYAN G. VEST
 STEVEN E. VITRELLA
 STEVEN J. WAGNER
 BENJAMIN D. WALBORN
 JOHN I. WALDEN III
 ADAM J. WALKER
 DANIEL E. WALKER
 JEFFERY A. WALKER
 BRADFORD D. WALLACE
 DONALD J. WALLACE
 DAVID M. WALSTON
 JUSTIN A. WARD
 JERROD E. WASHBURN
 BRIAN P. WATT
 MICHELLE D. WEISSINGER
 GORDEN S. WELLS
 JASON D. WELLS
 NATHAN S. WEMETT
 KRISTOFER J. WESTPHAL
 DANNY F. WESTPHALL, JR.
 STEPHEN J. WEYDERT
 BRADLEY R. WHITTINGTON
 JOHN C. WIEDMANN III
 STEPHEN A. WIEGEL
 ANDREW R. WIESE
 KATHRYN S. WINALDUM
 SCOTT T. WILBUR
 JOHN R. WILKINSON
 CHRISTOPHER S. WILLIAMS
 JACOB J. WILLIAMS
 JASON R. WILLIAMS
 JAMES P. WILLIAMSON
 RICHARD M. WINSTEAD
 CHRISTOPHER T. WINTERS
 NICHOLAS E. WISSEL
 JASON M. WITT
 MICHAEL K. WITT
 GABRIEL D. YANCEY
 STEPHEN V. YENIAS
 KATHLEEN J. YOUNGBERG
 RICHARD J. ZAMBERLAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PETER BISSONNETTE
 ROBERT P. CARR
 KRISTINA M. CHENERY
 SHANNON M. FITZPATRICK
 KIMBERETTA Y. GREEN
 MARK B. LESKOFF
 LAURA L. MCDONALD
 TERESA S. MITCHELL
 SHALETHA R. MORAN
 JEFFREY L. MORIN
 DAVID E. PAVLIK
 ERIC L. POND
 CINDY T. ROSE
 CHRISTOPHER J. SCHLOBOHM
 JOHN M. TIMOTHY
 ZAVEAN V. WARE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MYLENE R. ARVIZO
 BOBBY A. BASSHAM
 CARL K. BODIN
 MARK F. BOSEMAN
 JEREMY J. BRAUD
 DAVID T. BURGGRAFF
 SCOTT R. DELWICHE
 COLIN J. DUNLOP
 DURWARD B. DUNN
 JOSHUA M. FIELDS
 JOHN M. GALLEBISHOP
 JONATHAN W. GANDY
 RICHARD C. GARGANO
 JASON A. HICKLE

CHARLES Y. HIRSCH
 ANTHONY C. HOLMES
 JOHN D. JUDD
 BIRUTE I. JURJONAS
 JOSEPH E. KRAMER
 MATTHEW J. MALINOWSKI
 ARMANDO MARRONFERNANDEZ
 JEROME S. MCCONNON
 DAVID A. MCGLONE
 JOSEPH D. MEIER
 CHRISTOPHER MENDOZA
 MATTHEW R. ONEAL
 JONATHAN E. PAGE
 UPENDRA RAMDAT
 JOHN A. RAMSEY
 SARAH B. RICE
 BRIAN D. SNEED
 WILLIAM J. SUMSION
 JACK A. TAPPE
 CHAD N. TIDD
 ERROL A. WATSON, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DAVID R. DONOHUE
 MICHAEL B. EVANS
 PETER J. FIRENZE
 DUANE C. FRIST
 REGAN G. HANSON
 DOUGLAS D. HOOL
 MILO J. KACIAK
 STEPHEN E. KRUM
 MICHAEL G. NEWTON
 DANIEL J. RADOCAJ
 KIMBERLY J. RIGGLE
 ADAM SCHANTZ
 TIMOTHY F. TUSCHINSKI
 RICHARD M. ULLOA
 JASON D. WEAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RANDY J. BERTI
 STEVEN J. BRYANT
 REECO D. CERESOLA
 THOMAS M. CLEMENTSON
 STEPHEN C. KEHRT
 JEFFREY A. LAKE
 JOHN D. LESEMANN, JR.
 DONOVAN A. MAXWELL
 JOSE A. RIEFKOHL
 TIMOTHY S. RYAN
 JULIA M. TROBAUGH
 MICHAEL WINDOM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JODIE K. CORNELL
 JENNIFER L. CRAGG
 CHARLES J. DREY
 JOHN E. FAGE
 REANN S. MOMMSEN
 SEAN B. ROBERTSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PATRICIA H. AJOY
 JENNIFER N. BARNES
 LISA C. BERG
 DANIEL G. BETANCOURT
 JAIMILYN D. DAVIS
 PATRICK C. DRAIN
 ANGELA M. EDWARDS
 JAMES H. FURMAN
 JOSE R. GOMEZ
 NAM H. HAN
 MICHELE N. LOWE
 JOSEPH P. MANION
 ERIK RANGEL

ANNE D. RESTREPO
 KEVIN A. SELF
 WADE C. THAMES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIN M. CESCHINI
 SARAH L. FOLLETT
 KIMBERLY M. FREITAS
 PATRICK J. HAVEL
 RUSSELL G. INGERSOLL
 DAVID R. LEWIS
 DAVID R. MARINO
 SCOTT E. MILLER
 MATTHEW PAWLENKO
 HEATHER H. QUILENDERINO
 MATHIAS K. ROTH
 JONATHAN A. SAVAGE
 KEITH B. THOMPSON
 GIANCARLO WAGHELSTEIN

WITHDRAWALS

Executive Message transmitted by
 the President to the Senate on June 9,
 2016 withdrawing from further Senate
 consideration the following nomina-
 tions:

CASSANDRA Q. BUTTS, OF THE DISTRICT OF COLUMBIA,
 TO BE AMBASSADOR EXTRAORDINARY AND PLENI-
 POTENTIARY OF THE UNITED STATES OF AMERICA TO
 THE COMMONWEALTH OF THE BAHAMAS, WHICH WAS
 SENT TO THE SENATE ON FEBRUARY 5, 2015.

NAVY NOMINATION OF REAR ADM. (LH) DAVID F.
 STEINDL, TO BE REAR ADMIRAL, WHICH WAS SENT TO
 THE SENATE ON JULY 15, 2015.

HOUSE OF REPRESENTATIVES—Thursday, June 9, 2016

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

ZERO TOLERANCE FOR RAPE

The SPEAKER. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, two Stanford students were biking one night when they noticed a half naked woman lying motionless behind a dumpster with a male student on top of her. When they confronted the attacker, the man took off in the darkness of the night. The Good Samaritans were able to catch the coward and knock him to the ground. The woman, just 22 years of age at the time, was being raped, and the rapist was caught in the act.

When the victim regained consciousness, she was on a gurney, covered with pine needles, and was bleeding. Her assailant was Brock Turner, a scholarship swimmer at Stanford. Brock was found guilty of sexual assault on three counts. His sentence? A mere 6 months in prison and 3 years probation. Because the judge said “a prison sentence would have a severe impact on him.” Well, isn’t that the point?

Mr. Speaker, the punishment for rape should be longer than a semester in college. The defendant’s dad called it a “steep price to pay for 20 minutes of action.” Clearly, Brock is a chip off the old block and daddy will never be named father of the year.

For many victims, Mr. Speaker, rape is a fate worse than death. Here is why. Because rape victims say that after being raped, they die emotionally many times; and with homicide, one dies only once.

After the sentencing, the brave victim read, Mr. Speaker, a 7,200-word statement to her attacker, the rapist. She said in part:

“I tried to push it out of my mind, but it was so heavy I didn’t talk, I

didn’t eat, I didn’t sleep, I didn’t interact with anyone. I became isolated from the ones I loved the most. After I learned about the graphic details of my own sexual assault, the news article listed his swimming times, saying ‘by the way, he’s really good at swimming.’

“I was the wounded antelope of the herd, completely alone and vulnerable, physically unable to fend for myself, and he chose me. During the investigation, I was pummeled with narrowed, pointed questions that dissected my personal life, love life, past life, family life, inane questions, accumulating trivial details to try and find an excuse for this guy who had me half naked before even bothering to ask for my name.

“My damage was internal, unseen, I carry it with me. You took away my worth, my privacy, my energy, my time, my safety, my intimacy, my confidence, my own voice.

“While you worry about your shattered reputation, I can’t sleep alone at night without having a light on, like a 5-year-old, because I have nightmares of being touched where I cannot wake up. I did this thing where I waited until the sun came up and I felt safe enough to sleep.”

Mr. Speaker, I was a prosecutor and a criminal court judge in Texas for over 30 years. I met a lot of rape victims and learned how these attacks sometimes devastate their lives.

This judge got it wrong. There is an archaic philosophy in some courts “that sin ain’t sin as long as good folk do it.” In this case, the court and the defendant’s father wanted a pass for the rapist because he was a big-shot swimmer. The judge should be removed.

The rapist should do more time for the dastardly deed that he did that night. This arrogant defendant has appealed the sentence. I hope the appeals court does grant the appeal and make it right and overturn the pathetic sentence and give him the punishment he deserves.

As a country, Mr. Speaker, we must change our mentality and make sure that people recognize sexual assault and rape for the horrible crimes that they are. As a grandfather of 11, I want to know that my granddaughters are growing up in a society that has zero tolerance for this criminal conduct. No means no. A woman who is unconscious does not even have the ability to consent or fight back.

Victims, like this remarkable woman, must know that society and

the justice system are on their side. Too often the focus is on defending, protecting, and excusing sex offenders like Brock Turner. The entitlement mentality, being a good college athlete, and self-righteousness do not trump justice.

In 6 months, when Brock Turner is out of prison, he will return to his life, but the life of the victim may never be the same. The criminal has given her a life sentence of mental pain, anguish, and turmoil. Mr. Speaker, when rape occurs, the criminal is trying to steal the very soul of the victim.

Justice demands the judge be removed. The defendant should receive more time in prison. We, the people, the community, must support and assist the victim in all possible ways because, Mr. Speaker, rape is never the fault of the victim.

And that is just the way it is.

Mr. Speaker, I include in the RECORD the statement of the victim in this case.

THIS IS A PARTIAL EXCERPT OF A 7,200 WORD STATEMENT FROM THE STANFORD RAPE VICTIM

“Your Honor, if it is all right, for the majority of this statement I would like to address the defendant directly. You don’t know me, but you’ve been inside me, and that’s why we’re here today.

On January 17th, 2015, it was a quiet Saturday night at home. My dad made some dinner and I sat at the table with my younger sister who was visiting for the weekend. I was working full time and it was approaching my bed time. I planned to stay at home by myself, watch some TV and read, while she went to a party with her friends. Then, I decided it was my only night with her, I had nothing better to do, so why not, there’s a dumb party ten minutes from my house, I would go, dance like a fool, and embarrass my younger sister. On the way there, I joked that undergrad guys would have braces. My sister teased me for wearing a beige cardigan to a frat party like a librarian. I called myself ‘big mama’, because I knew I’d be the oldest one there. I made silly faces, let my guard down, and drank liquor too fast not factoring in that my tolerance had significantly lowered since college. The next thing I remember I was in a gurney in a hallway. I had dried blood and bandages on the backs of my hands and elbow. I thought maybe I had fallen and was in an admin office on campus. I was very calm and wondering where my sister was. A deputy explained I had been assaulted. I still remained calm, assured he was speaking to the wrong person. I knew no one at this party. When I was finally allowed to use the restroom, I pulled down the hospital pants they had given me, went to pull down my underwear, and felt nothing. I still remember the feeling of my hands touching my skin and grabbing nothing. I looked down and there was nothing. The thin piece of fabric, the only thing between my vagina and anything else, was

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

missing and everything inside me was silenced. I still don't have words for that feeling. In order to keep breathing, I thought maybe the policemen used scissors to cut them off for evidence. . . .

On that morning, all that I was told was that I had been found behind a dumpster, potentially penetrated by a stranger, and that I should get retested for HIV because results don't always show up immediately. But for now, I should go home and get back to my normal life. Imagine stepping back into the world with only that information. They gave me huge hugs and I walked out of the hospital into the parking lot wearing the new sweatshirt and sweatpants they provided me, as they had only allowed me to keep my necklace and shoes. . . . My sister picked me up, face wet from tears and contorted in anguish. Instinctively and immediately, I wanted to take away her pain. I smiled at her, I told her to look at me, I'm right here, I'm okay, everything's okay, I'm right here. My hair is washed and clean, they gave me the strangest shampoo, calm down, and look at me. Look at these funny new sweatpants and sweatshirt, I look like a P.E. teacher, let's go home, let's eat something. She did not know that beneath my sweatshirt, I had scratches and bandages on my skin, my vagina was sore and had become a strange, dark color from all the prodding, my underwear was missing, and I felt too empty to continue to speak. That I was also afraid, that I was also devastated. That day we drove home and for hours in silence my younger sister held me. My boyfriend did not know what happened, but called that day and said, 'I was really worried about you last night, you scared me, did you make it home okay?' I was horrified. That's when I learned I had called him that night in my blackout, left an incomprehensible voicemail, that we had also spoken on the phone, but I was slurring so heavily he was scared for me, that he repeatedly told me to go find [my sister]. Again, he asked me, 'What happened last night? Did you make it home okay?' I said yes, and hung up to cry.

You said, Being drunk I just couldn't make the best decisions and neither could she.

Alcohol is not an excuse. Is it a factor? Yes. But alcohol was not the one who stripped me, fingered me, had my head dragging against the ground, with me almost fully naked. Having too much to drink was an amateur mistake that I admit to, but it is not criminal. Everyone in this room has had a night where they have regretted drinking too much, or knows someone close to them who has had a night where they have regretted drinking too much. Regretting drinking is not the same as regretting sexual assault. We were both drunk, the difference is I did not take off your pants and underwear, touch you inappropriately, and run away. That's the difference.

You said, If I wanted to get to know her, I should have asked for her number, rather than asking her to go back to my room.

I'm not mad because you didn't ask for my number. Even if you did know me, I would not want to be in this situation. My own boyfriend knows me, but if he asked to finger me behind a dumpster, I would slap him. No girl wants to be in this situation. Nobody. I don't care if you know their phone number or not.

My independence, natural joy, gentleness, and steady lifestyle I had been enjoying became distorted beyond recognition. I became closed off, angry, self deprecating, tired, irritable, empty. The isolation at times was unbearable. You cannot give me back the life I

had before that night either. While you worry about your shattered reputation, I refrigerated spoons every night so when I woke up, and my eyes were puffy from crying, I would hold the spoons to my eyes to lessen the swelling so that I could see. I showed up an hour late to work every morning, excused myself to cry in the stairwells, I can tell you all the best places in that building to cry where no one can hear you. The pain became so bad that I had to explain the private details to my boss to let her know why I was leaving. I needed time because continuing day to day was not possible. I used my savings to go as far away as I could possibly be. I did not return to work full time as I knew I'd have to take weeks off in the future for the hearing and trial, that were constantly being rescheduled. My life was put on hold for over a year, my structure had collapsed.

I can't sleep alone at night without having a light on, like a five year old, because I have nightmares of being touched where I cannot wake up, I did this thing where I waited until the sun came up and I felt safe enough to sleep. For three months, I went to bed at six o'clock in the morning.

You cannot give me back my sleepless nights. The way I have broken down sobbing uncontrollably if I'm watching a movie and a woman is harmed, to say it lightly, this experience has expanded my empathy for other victims. I have lost weight from stress, when people would comment I told them I've been running a lot lately. There are times I did not want to be touched. I have to relearn that I am not fragile, I am capable, I am wholesome, not just livid and weak.

He is a lifetime sex registrant. That doesn't expire. Just like what he did to me doesn't expire, doesn't just go away after a set number of years. It stays with me, it's part of my identity, it has forever changed the way I carry myself, the way I live the rest of my life.

To conclude, I want to say thank you. To everyone from the intern who made me oatmeal when I woke up at the hospital that morning, to the deputy who waited beside me, to the nurses who calmed me, to the detective who listened to me and never judged me, to my advocates who stood unwaveringly beside me, to my therapist who taught me to find courage in vulnerability, to my boss for being kind and understanding, to my incredible parents who teach me how to turn pain into strength, to my grandma who snuck chocolate into the courtroom throughout this to give to me, my friends who remind me how to be happy, to my boyfriend who is patient and loving, to my unconquerable sister who is the other half of my heart, to Alaleh, my idol, who fought tirelessly and never doubted me. Thank you to everyone involved in the trial for their time and attention. Thank you to girls across the nation that wrote cards to my DA to give to me, so many strangers who cared for me.

Most importantly, thank you to the two men who saved me, who I have yet to meet. I sleep with two bicycles that I drew taped above my bed to remind myself there are heroes in this story. That we are looking out for one another. To have known all of these people, to have felt their protection and love, is something I will never forget.

And finally, to girls everywhere, I am with you. On nights when you feel alone, I am with you. When people doubt you or dismiss you, I am with you. I fought every day for you. So never stop fighting, I believe you. As the author Anne Lamott once wrote, 'Light-houses don't go running all over an island looking for boats to save; they just stand

there shining.' Although I can't save every boat, I hope that by speaking today, you absorbed a small amount of light, a small knowing that you can't be silenced, a small satisfaction that justice was served, a small assurance that we are getting somewhere, and a big, big knowing that you are important, unquestionably, you are untouchable, you are beautiful, you are to be valued, respected, undeniably, every minute of every day, you are powerful and nobody can take that away from you. To girls everywhere, I am with you. Thank you.'

CARBON TAX AND OIL TAX

The SPEAKER pro tempore (Mr. NEWHOUSE). The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the comments from my friend from Texas. They are important to consider.

I am going to shift gears for a moment. I have another issue to talk about today. To a certain extent, I have great sympathy for my Republican colleagues. They have been stuck with a standard-bearer for their party, who is a bigot, a bully, a liar, a misogynist, with no discernible qualifications for the high office that he seeks. But they are not helping themselves by trying to shift the subject of debate here on the floor of the House.

Tomorrow, we are going to be taking a stand against a couple of what they think are unpopular ideas. It is too bad that the proposals we will be debating on were never considered by our Ways and Means Committee. One, a sense of Congress that a carbon tax would be bad for the economy. And the other, opposition to the President's proposal for a \$10 a barrel fee on oil.

The carbon tax ironically is something that most of the economists who have studied it—whether they are conservative, liberal, Republican or Democrat—agree would be a good policy for this country. A carbon tax is the most efficient way to deal with the serious problems of carbon pollution that is already harming the economy.

Look at the disruption of the fishing industry and the widespread flooding we have seen that has been unprecedented. We are about to go into another egregious forest fire season with huge costs economically, as well as to forest health. We have wildly unpredictable weather—unprecedented heat. In Portland, Oregon, last weekend, it was 100 degrees for both days.

A carbon tax would harness market forces to be able to change that direction more effectively than other initiatives. A carbon tax actually can be designed to cushion impacts on low- to moderate-income people. In fact, it actually could be designed to help low- to moderate-income people. A blanket dismissal of what economists think is our best economic environmental protection is shortsighted. It is too bad that we didn't debate it in committee.

The other resolution, the opposition to the President's barrel tax, misses the point entirely. It suggests that that is somehow going to be detrimental. Wait a minute. The barrel fee would be used to rebuild and renew America. We have been in a desperate situation. We haven't raised the gas tax since 1993. It has made it almost impossible to move forward with a robust transportation bill to deal with the problem. America is falling apart while we are falling behind. That is why seven red Republican States last year raised the gas tax. We couldn't even talk about it here in Congress.

Using a barrel fee of \$10 per barrel will enable us to make significant investments in rebuilding and renewing America. The Standard & Poor 500 research report of a couple of years ago pointed out that investment in infrastructure has a significant impact on the economy. \$1.2 billion creates almost 30,000 jobs, creates \$2 billion worth of economic activity, reduces the Federal deficit \$200 million, and we get the benefit of improved infrastructure.

That is why every major interest group supported raising revenues for transportation. When I introduced the gas tax increase, it was supported by the American Chamber of Commerce, the AFL-CIO, by truckers, AAA, engineers, and contractors. Virtually everybody who builds, uses, maintains, or owns American infrastructure said, Raise this fee, help us rebuild and renew America.

I think the only thing wrong with the President's proposal is that it is several years too late. We should have been debating this from the outset, particularly when petroleum prices have fallen precipitously, and when America's infrastructure continues to deteriorate. It is sad that we didn't have a robust debate in committee. We will have a little bit of discussion tomorrow. But it is too little and too late.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

HONORING GENERAL GORDON SULLIVAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. GIBSON) for 5 minutes.

Mr. GIBSON. Mr. Speaker, I rise today to honor retired General Gordon Sullivan for his accomplishments in over 54 years of total service to the soldiers, veterans, family members, the civilians of the United States Army, and this great Nation.

General Sullivan, raised in Quincy, Massachusetts, was commissioned a second lieutenant of armor in 1959. After a distinguished career spanning

36 years in uniform and serving in command level throughout the Army, his career culminated as the 32nd chief of staff of the United States Army.

On the occasion of his retirement from the Army, former Senator Bob Dole spoke of General Sullivan's caring leadership, sage counsel, and common-sense approach as he navigated the Army through a challenging period of significant downsizing and restructuring.

Senator Dole stated, "Our Army will sorely miss General Sullivan, but it is stronger and better for his service. The legacy he leaves—a ready Army, a future force that will be unmatched, and the deep love and devotion of his soldiers—is fitting of this great man."

After serving in uniform for almost four decades, General Sullivan continued to advocate on behalf of the Army as president of the Association of the United States Army for the past 18 years. His tireless efforts, ensuring our soldiers and their families had the best training and resources and that our veterans returning from combat received the best care, have been unmatched and are a true testament to this great man of character and conviction.

Under General Sullivan's executive leadership, the Association of the United States Army broadly expanded support and outreach to the Army families, the Army National Guard and Army Reserve, and the Department of Army Civilians by the promotion, establishment, and support of countless programs and events at the national and local levels.

□ 1015

Additionally, the Association of the United States Army generously contributed millions of dollars to veteran and soldier support programs, such as the Fisher House Foundation, the Center for the Intrepid, and the Army Emergency Relief.

Mr. Speaker, I first met General Sullivan 18 years ago, which was the week he started as the president of AUSA, when I served as an escort officer for the Senior Conference at the United States Military Academy at West Point. I was serving on the faculty at that time. I was struck by General Sullivan's graciousness, his humility, and the way he lived his life by conviction and integrity. I remain a huge fan to this day.

Mr. Speaker, I rise on behalf of a grateful Nation to thank General Gordon Sullivan and his family for their over five decades of service to our Army. His leadership has directly enhanced the readiness of the United States Army. I ask my colleagues to join me in saluting him and in wishing him well in his retirement.

THE COURT OF PUBLIC OPINION

The SPEAKER pro tempore. The Chair recognizes the gentleman from

North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, it is utterly disappointing that Donald J. Trump chose to use the court of public opinion in his attempt to defend against a civil fraud claim involving Trump University.

Last week, Donald Trump made disparaging statements about the trial judge. He suggested that the trial judge is incapable of objectively judging the case because of his Mexican heritage. He went on to say that the judge was a hater of Donald Trump's. The footage is being played over and over on television, and many of my colleagues on both sides of the aisle, to their credit, have found these statements to be unacceptable.

In my humble opinion, Mr. Speaker, these statements rise to the level of contempt of court. They are racially based, and the litigant should be sanctioned. The Trump statements are perceived by millions of people to be race based and a discredit to the judiciary. It must be addressed.

Based on my years as a lawyer and as a judge, it is clear that, if a litigant feels that the judge cannot be fair and impartial in a case, the litigant has a duty to inform his counsel. Counsel then has an obligation to file motions of recusal that set out, with particularity, the grounds for the motion. This was not done, and I suspect it was not done because no evidence of bias even exists. If the attorneys chose to make such a reckless claim, the attorneys would be subject to discipline.

What would motivate a litigant in a class action civil fraud case to announce to millions of people that the judge is incapable of objectively judging his case because of his Mexican heritage?

It is bizarre. It is suspicious behavior.

One explanation is that the litigant, unable to convince his attorney to address these issues in court, wants to intimidate the judge and eventually force the judge off the case, which would slow the administration of justice and would postpone the trial for months, even years. The court system, Mr. Speaker, does not work that way.

These statements have put the attorneys in an ethical dilemma of whether they should repudiate the statement or not. Codes of Professional Conduct require an attorney to address client misconduct, to address it with the bar, to address it with the court, and to seek guidance on further representation.

Mr. Speaker, this is an egregious violation of litigant misconduct. The court and the attorneys bear responsibility for protecting the integrity of the judiciary and the judicial system. Donald Trump's lawyers must avow or disavow their client's misconduct. The integrity of an independent judiciary is

clearly impacted by these inappropriate statements.

RELEASE WILDIN ACOSTA FROM DETENTION

Mr. BUTTERFIELD. Mr. Speaker, yesterday, Riverside High School in Durham, North Carolina, held its graduation ceremony. Among the pomp and circumstance, one student who should have graduated with his class was, sadly, absent.

Wildin Acosta is a Honduran national who fled his country after the violence and threats to his life became so great that he risked everything to embark on a harrowing 17-day journey to the United States, all at the tender age of 17. He was classified as an Unaccompanied Minor and was eventually reunited with his parents in Durham, where he planted deep roots in the community and thrived at Riverside High School.

Instead of graduating yesterday with his classmates, he sits in an ICE detention facility in Georgia after being arrested by ICE agents while he was on his way to school. Led by his classmates, the Durham community has been unanimous in calling for the end of recent ICE raids that have spread fear throughout our community and schools.

Mr. Speaker, I, too, stand in support of Wildin, and I continue to fight for his release. I encourage my colleagues to fight with me and to implore the ICE Director and the Department of Homeland Security Secretary to use their discretion to release Wildin and others like him from detention.

REMEMBERING CAPTAIN JEFFREY KUSS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. KATKO) for 5 minutes.

Mr. KATKO. Mr. Speaker, I rise to pay tribute to the life of Marine Corps Captain Jeffrey Kuss, a pilot with the Navy's elite Blue Angels flying squadron, who tragically lost his life in a fatal crash just over 1 week ago.

This week is the first-ever Navy Week in Syracuse, New York, in my district, which is marked by a series of local outreach efforts that are focused on translating the mission of the U.S. Navy to our community.

The week was expected to culminate with a performance of the Blue Angels at the Syracuse Hancock International Airport Airshow. Tragically, Marine Corps Captain Jeff Kuss, a married father of two young children, was killed when his jet crashed 2 miles from a runway near Nashville, Tennessee.

Captain Kuss, a native of Durango, Colorado, devoted his life to serving our country as a U.S. marine—joining the Blue Angels in September of 2014. At 32 years old, he had accumulated more than 1,400 flight hours and 175 carrier-arrested landings. His decora-

tions include the Strike/Flight Air Medal, the Navy and Marine Corps Achievement Medal, and various personal and unit awards.

While the Syracuse Airshow will go on without the Blue Angels this weekend, our community is deeply saddened by the loss of this fallen pilot, and the show will celebrate and pay tribute to his life.

As Captain Kuss' family and the Blue Angels team grieve this tremendous loss, this weekend, central New York will remember and honor his life and service to our great Nation.

Semper Fi Marine.

MUHAMMAD ALI—THE GREATEST

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DANNY K. DAVIS) for 5 minutes.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Muhammad Ali was, indeed, the greatest, and he spent considerable time in Chicago. Therefore, I got the opportunity to meet and know him. On occasion, I would visit with my friends Frank Lipscomb, Wallace Davis, Jr., and Ralph Metcalf, Jr., and we would visit with him in his Kenwood home and at meetings. Although Muhammad Ali was born and raised in Louisville, Kentucky, those of us who lived in Chicago embraced Ali as a fellow Chicagoan because of his relationship to the Honorable Elijah Muhammad, who was with the Nation of Islam, and because of his involvement and engagement with the larger community. Muhammad Ali was not only the best boxer in the world, but during his heyday, he was a genuine hero to everyday people who felt that he was a part of them.

In 1966, 2 years after winning the heavyweight title, he refused to be conscripted into the military, citing his religious beliefs and opposition to the American involvement in the Vietnam war. He was eventually arrested, found guilty of draft evasion, and stripped of his boxing titles. He successfully appealed in the U.S. Supreme Court, which overturned his conviction in 1971. By that time, he had not fought for nearly 4 years and lost a period of peak performance as an athlete. Ali's actions as a conscientious objector to the war made him an icon for those who opposed the war.

With a record of 61 total fights, 56 wins—37 by knockouts—and just five losses, Muhammad Ali was, obviously, a superb athlete, but he was so much more. He was a humanitarian, a principled man. He was proud of his heritage, proud of his abilities, and proud of his accomplishments.

Muhammad Ali, a soldier in the people's army. I salute you.

IMPROVING HEALTH CARE FOR AMERICA'S SENIORS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise to discuss the importance of improving health care for America's seniors.

Living out one's golden years to the max can come with its share of challenges, especially as it relates to health care, which is why fighting for our seniors and improving their quality of care must always be a top priority. Whether at meetings in my Long Island office, my mobile office hours, or at various other events in my district in Suffolk County, New York, I have met with seniors who are struggling with balancing health challenges while being on fixed incomes.

Many cite a lack of healthcare options and a difficulty in gaining access to quality and affordable health care as a result of ObamaCare. There are also serious concerns over the solvency of Social Security and Medicare, which many seniors rely on for both financial and healthcare security.

As health challenges arise and seniors budgeting based on a fixed income, we should do everything we can to ensure that those who need medical care and attention are able to access quality care at an affordable price without having to jump through hoops. They also should be assured that the programs and benefits they rely on will always be there for them. ObamaCare has significantly impacted our seniors and their access to quality and affordable health care. I frequently hear concerns about lost doctors, canceled policies, and higher premiums and deductibles.

Earlier this year, Congress passed the Restoring Americans' Healthcare Freedom Reconciliation Act, which would repeal many of the flawed major provisions under ObamaCare over a period of 2 years—specifically, many of the harmful mandates and taxes—so that we can increase seniors' access without compromising quality of care or efficiency. It is important to improve the quality of health care in our country for our Nation's seniors.

Congress has also taken action to improve Medicare. Over the past year, the House has passed a number of bills, including the Protecting Seniors' Access to Medicare Act, the Medicare Beneficiary Preservation of Choice Act, and the Medicare Advantage enrollment bill—all proposals that would protect and preserve Medicare for our seniors who rely on it as well as to restore and expand the Medicare open enrollment period.

The House also took action and made significant reforms to Social Security and Medicare, saving millions of seniors from significantly increased healthcare costs. By working in a bipartisan fashion, Congress was able to stave off a massive premium hike for

seniors who utilize Medicare part B. Without this action, approximately 8 million seniors across our country would have been subjected to a 52 percent premium hike for Medicare part B. In this bipartisan effort, action was taken to prevent a 20 percent across-the-board cut to Social Security disability benefits.

Moreover, in working across the aisle with my colleagues in the House, we were able to repeal the sustainable growth rate formula, also known as the doc fix, to prevent there being a 20 percent cut to Medicare. This action alone has been seen as the most significant Medicare reform that has taken place in years. Without this legislation, which is now law, many doctors would have simply stopped accepting new Medicare patients or would have even ceased in accepting Medicare altogether.

Congress has also been committed to passing legislation and securing funding to expand seniors' access to the most innovative technologies and treatments so that we can diagnose and treat diseases as early as possible.

Last year, the House passed the 21st Century Cures Act, bipartisan legislation I cosponsored in Congress to improve and modernize our Nation's health care. This legislation would accelerate the process for scientific advancement while providing desperately needed research funding so that we can provide the next generation of cures. It is our duty as Americans to always protect and improve the quality of life and care for our Nation's seniors.

If anyone in the First Congressional District of New York ever needs assistance or has questions about Social Security and Medicare or a Federal issue in general, I encourage you to contact my Long Island office at area code (631) 289-1097.

□ 1030

STANFORD RAPE CASE AND SENTENCING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, these are the facts: Brock Turner was found on top of an unconscious woman whose clothing he had removed. He tried to run away. The woman later found pine needles and dirt in her genitalia.

This is also a fact: Brock Turner was sentenced to a mere 6 months in county jail for committing the violent crime of rape, of which Turner will probably serve 3 months. Why? Because the judge said a longer sentence would have a "severe impact" on Turner. A severe impact? What a travesty.

All I could think of was Proverbs, which says: "A righteous man falling down before the wicked is as a troubled fountain and a corrupt spring."

Our justice system must become better than this. Our educational system must become better than this. People must understand that rape is one of the most violent crimes a person can commit and not as Mr. TURNER's father said, "20 minutes of action."

I am working on several pieces of legislation to help survivors of sexual assault and harassment, including the HALT Act to strengthen prevention and enforcement efforts on campuses. But today I want to honor the courage of the woman who survived Brock Turner's violent assault. Her bravery inspires me, as I hope it will inspire you. I only have time to read an excerpt, but I encourage you to read the entire statement, all 7,000 words.

"You don't know me, but you've been inside me, and that's why we're here today."

"I was found unconscious, with my hair dishevelled, long necklace wrapped around my neck, bra pulled out of my dress, dress pulled off over my shoulders and pulled up above my waist, that I was butt naked all the way down to my boots, legs spread apart, and had been penetrated by a foreign object by someone I did not recognize."

"You are guilty. Twelve jurors convicted you guilty of three felony counts beyond reasonable doubt, that's twelve votes per count, thirty six yeses confirming guilt, that's one hundred percent, unanimous guilt."

"Alcohol is not an excuse . . . alcohol was not the one who stripped me, fingered me, had my head dragging against the ground, with me almost fully naked."

"Regretting drinking is not the same as regretting sexual assault. We were both drunk, the difference is I did not take off your pants and underwear, touch you inappropriately, and run away. That's the difference."

"How fast Brock swims does not lessen the severity of what happened to me, and should not lessen the severity of his punishment. If a first-time offender from an underprivileged background was accused of three felonies and displayed no accountability for his actions other than drinking, what would his sentence be?"

"The fact that Brock was an athlete at a private university should not be seen as an entitlement to leniency, but as an opportunity to send a message that sexual assault is against the law regardless of social class."

". . . to girls everywhere, I am with you. On nights when you feel alone, I am with you. When people doubt you or dismiss you, I am with you. I fought everyday for you. So never stop fighting, I believe you. As the author Anne Lamott once wrote, 'Lighthouses don't go running all over an island looking for boats to save; they just stand there shining.'

"Although I can't save every boat, I hope that by speaking today, you ab-

sorbed a small amount of light, a small knowing that . . . justice was served, a small assurance that we are getting somewhere, and a big, big knowing that you are important, unquestionably, you are untouchable, you are beautiful, you are to be valued, respected, undeniably, every minute of every day, you are powerful and no-body can take that away from you."

VOLUNTEERING THE MIDWEST WAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Mary Gangl of Coon Rapids, Minnesota. Mary was recently awarded the Office Volunteer of the Year Sylvie, which is given annually by the National Multiple Sclerosis Society Upper Midwest Chapter.

The Sylvie award was presented to Mary for her contributions to the society which works to improve the lives of those diagnosed with multiple sclerosis. Mary spends nearly 400 hours a year volunteering at the office front desk where she helps with many important tasks as well as welcoming visitors and staff.

Multiple sclerosis is a debilitating disease of the central nervous system, which affects more than 2 million people worldwide. Those affected by this disease have devastating symptoms; and, unfortunately, at this time, there is no cure.

I want to thank Mary for dedicating so much of her time volunteering to help others. Your hard work is appreciated, and you truly deserve this award.

MINNESOTA HOME TO MANUFACTURER OF THE YEAR

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Minnesota-based company Sign-Zone for receiving a Manufacturers Alliance Manufacturer of the Year award for midsize businesses. Sign-Zone is highly deserving of this award, as it is one of the fastest growing companies in the country as well as the Nation's leading provider in visual communication products and solutions.

Manufacturing is an incredibly important industry in the State of Minnesota. Our State is not only home to nearly 300,000 manufacturing jobs, but the industry brings billions of dollars to our economy every year, making it a key pillar of Minnesota's economy.

I commend Sign-Zone for bringing great business and excellent products to our community, but I also thank them for contributing to an industry that is so critically vital to our State.

Congratulations, Sign-Zone, and thank you for what you contribute to the great State of Minnesota.

MINNESOTA'S OWN PRESIDENTIAL SCHOLAR

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate one of Minnesota's best and brightest, Sartell High School senior Gopi Ramanathan, who was recently named a 2016 Presidential Scholar.

Every year, up to 161 students can be named Presidential Scholars, making it one of the highest awards a high school student can receive. It is safe to say this achievement has gone to an incredibly deserving scholar.

Gopi Ramanathan has had an exceptionally successful high school career, and his resume includes a very long list of accolades and achievements. He is a two-time champion of the Minnesota State Geography Bee, and he was captain of the United States team that took first place at the 2013 National Geographic World Geography Bee.

Additionally, he is a member of the National Honor Society, a Big Brother mentor, a member of the student council, the president of the Minnesota Association of Student Councils, and a member of the Sartell soccer team.

Perhaps most notably, Gopi earned a perfect score of 36 on his ACTs, an accomplishment that puts him in the top one-tenth of 1 percent of students across this country.

It is an honor to recognize a student of such distinction here today, and I can say with absolute certainty that we will see more great things to come from this young man in the future.

ANOKA EDUCATOR HONORED AT THE WHITE HOUSE

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate Anoka High School math teacher Paul Kelley for recently being honored at the White House in a ceremony for exceptional educators.

In addition to teaching math at Anoka High School for the past 29 years, Mr. Kelley serves on the board of directors for the National Council of Teachers of Mathematics. Along with four other teachers from around the country, Mr. Kelley was nominated for this recognition by the staff at the National Council of Teachers of Mathematics headquarters.

During the ceremony at the White House, Paul had the chance to meet hundreds of other extraordinary teachers as well as the Secretary of Education, John B. King, and Deputy Assistant to the President for Education, Roberto Rodriguez. Mr. Kelley also heard from President Obama, thanking the educators for their roles in educating today's youth.

A good teacher molds minds, sparks creativity, and gives students keys that can open all of life's doors. Congratulations, Mr. Kelley, on your recent achievement, and thank you for helping Minnesota students achieve their full potential.

THE STATE OF HOMELESSNESS IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MAXINE WATERS) for 5 minutes.

Ms. MAXINE WATERS of California. Mr. Speaker, today I rise once again to discuss the harsh realities of homelessness in America and to call attention to the Republicans' so-called poverty agenda that simply ignores the fact that men, women, and children are sleeping on the streets of America, eating out of garbage cans, and using our sidewalks and streets for restrooms.

Homelessness is one of the most tragic and disappointing reminders of the overwhelming poverty in this country. According to the latest estimates, almost 600,000 Americans are homeless. It is a problem in virtually every district, and it affects people from very different walks of life: 37 percent of the homeless population are represented in families, 15 percent are chronically homeless, 8 percent are veterans, and 6.5 percent are children.

While there is a claim that some progress has been made to decrease homelessness in some communities, a lot more needs to be done, especially in some of our largest cities where homelessness is, sadly, increasing exponentially: in my hometown of Los Angeles, homelessness increased 20 percent between 2014 and 2015; in New York City, homelessness increased 11 percent between 2014 and 2015; and in Chicago, there was an 8 percent increase in that timeframe.

As public policymakers and Members of Congress, we have a responsibility to deal with problems and circumstances that undermine and harm our way of life. We are a people who cherish religion. In every religion, there is a reference to feeding the hungry, housing the homeless, and clothing the naked.

Where are the Republican Members who regularly hold prayer meetings, who attend church on Sunday in their districts, but yet they are supporting this fake poverty agenda that does not even mention homelessness? Where are the Members who claim to honor our veterans, yet walk past them on the sidewalk in their tents and sleeping under our bridges?

We know that we can functionally end homelessness and alleviate poverty in this country. We know that Federal resources and the social safety nets are incredibly effective at lifting up struggling families. We know that if we properly support the Department of Housing and Urban Development and other Federal agencies that we could create the necessary housing units and provide the social services that our neighbors need to get off the streets.

What we need is, simply, the political will to get it done. Unfortunately, we do not have the support from Republicans whose sham of a poverty agenda

released this week would only exacerbate homelessness and punish the poor.

Take the Republican approach to housing assistance, for example. For years, they have cut funding for HUD programs, leaving more than 75 percent of eligible families without any housing help at all. And their latest poverty plan recycles some of the most harmful changes Republicans have sought for our housing programs. They refuse to acknowledge the realities of unaffordable rents that require families to earn almost triple the minimum wage to be able to afford a modest two-bedroom apartment.

And they want to impose these so-called work requirements that simply don't work if you ignore the already high unemployment rates in certain areas as well as the need to invest in job training, education, child care, and other social services to make it possible for individuals to obtain stable employment. What the Republicans have put forth is truly the wrong way forward.

Fortunately, Democrats know what it takes; and when we talk about issues of homelessness in particular, there is a very simple solution to this very real problem. That is why I have introduced H.R. 4888, the Ending Homelessness Act of 2016.

Now, a lot of people will say: Oh, my goodness, did you see how much money is in that bill? This bill would devote over \$13 billion over 5 years to housing assistance programs and create the housing units and services that we so desperately need to get people off the streets.

□ 1045

So while others will point to this bill and talk about the cost of it, the fact of the matter is, this is the richest country in the world, and we spend money on so many other things that are not as important as taking care of our most vulnerable population.

So, yes, this is a \$13 billion bill. We have to stop playing with this issue and thinking it is going to go away simply because we don't want to acknowledge it. We have to pay for the possibility of ending this homelessness. I cannot bear the thought of children sleeping in their cars every night and getting up and going to school the next day.

ADDRESSING THE NATIONAL DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss one of the most serious issues facing the United States: the staggering national debt of over \$19 trillion. This equates to \$59,409 for every person living in our country.

While the national debt has grown almost \$9 trillion since President Obama

was sworn in, here in Congress, we must work together to debate solutions that will address our country's debt and get our fiscal house back in order. Every day, families in south Florida sit around the dinner table and make tough decisions on how they will spend their money. They stick to their budgets, and their government should be no different.

Last October, I was proud to support a 2-year bipartisan budget agreement that implemented new caps on discretionary spending for both fiscal years 2016 and 2017. Too often, enormous sums are wasted due to unpredictable budget cycles and government shutdown threats. With the adoption of this 2-year budget, Congress was able to reduce wasteful government spending by providing certainty to agencies as they plan for the future.

The budget also contains reforms to entitlement programs. It is important that we protect Social Security, Medicare, and Medicaid—the invaluable safety net for those who need the help—while working to implement reforms to make these programs solvent for future generations.

Mr. Speaker, I will continue to work with my colleagues on both sides of the aisle to advance solutions that will rein in our national debt. It is our duty as elected officials to leave our children and grandchildren the same economic opportunities as previous generations had. That is my highest priority in Congress.

RECOGNIZING JOSEPH GEBARA

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Joseph Gebara as he retires from his post as president of the Miami-Dade County Council PTA/PTSA. Mr. Gebara has been integral to the organization's mission of unlocking the potential present in every child.

Mr. Gebara, who held his post since 2014, has always maintained an unwavering focus on his goals, and has used his position to effectively serve our community. For years he has been at the helm of a movement which seeks to engage with south Florida families and provide them with the tools necessary to empower their children and set them on a path towards success.

Mr. Gebara has been firmly rooted in the south Florida community, which is evident through his service as board member of The Children's Trust as well as chairman of the Miami-Dade Public Schools Title I District Advisory Council. In those roles, Mr. Gebara worked tirelessly to facilitate collaboration between educators and families as well as increasing inclusivity so that every voice was heard, respected, and taken into consideration.

I commend Mr. Joe Gebara for his service to the south Florida community, and congratulate him on a job well done. Mr. Speaker, I can personally attest to the fact that he is the

most passionate advocate for children and families in our schools that I know.

HOMESTEAD VETERANS CLINIC

Mr. CURBELO of Florida. Mr. Speaker, I rise today to offer my strong support for the U.S. Department of Veterans Affairs in allocating funds to create a new VA medical clinic in Homestead, Florida. As it currently stands, the Homestead Veterans Affairs Community Based Outpatient Clinic rents a medical office that does not meet the needs of military members and veterans in our south Florida community. With the establishment of a new clinic, Homestead would be able to serve more than 10,000 military personnel, veterans, and eligible family members in Miami-Dade and Monroe Counties, which would be a substantial improvement from its current capabilities.

Though this new clinic would be a step forward, there is still significant work that must be done to help our veterans and servicemembers living in the Florida Keys. They do not have a local clinic and must travel up to 4 hours to reach the nearest VA facility. These brave men and women deserve more easily accessible options, and I will continue fighting for them.

Supporting our troops and veterans is essential to paying our profound debt of gratitude to the very people who have put their lives in danger to defend our freedoms. It is because of brave people like our veterans that America continues to have the strongest military in the world, and we must always honor them.

CREATING A BETTER NATION FOR MY NEW GRANDCHILD AND FUTURE GENERATIONS

THE SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. CÁRDENAS) for 5 minutes.

Mr. CÁRDENAS. Mr. Speaker, 2 weeks ago, Norma and I became grandparents. Our daughter, Vanessa—with our son-in-law, Brian, present—delivered a healthy baby boy, full of life and full of possibilities. His name is Joaquin Cruz de la Rosa.

From the moment I first learned I would soon be a grandfather, I was excited to welcome our grandson into this great world. I am grateful that Joaquin was born in the greatest nation in the history of time, these United States of America, a country that strives to live the principles of hard work, persistence, and equality. He was born to a nation of native Americans and immigrants whose foundation and future relies on the grit and determination of millions of people who will persist so their family can achieve that American Dream.

We were elected to the House of Representatives to serve all of our constituents and put our country first.

Joaquin's arrival has encouraged me to reflect on what we do here. He has made me think about how Congress' words, actions, and obstructions are affecting the livelihood of all Americans.

I want Joaquin to live in a nation where his right to love whomever he chooses and to marry the person he falls in love with, regardless of gender, is respected. I am grateful that he was born healthy and in a safe, clean hospital full of skilled doctors, nurses, and technicians.

I am also grateful Vanessa and Joaquin Cruz received top notch health care, care that until recently was out of reach for many families. The Affordable Care Act has allowed countless pregnant women and newborn infants to see a doctor without risking bankruptcy. This sets them on the path of a healthy, productive life here in America. Now that 20 million more Americans have true access to health care, Congress must stop the efforts to repeal the healthcare law. Instead, we must come together to make sure we expand access, ensure the marketplace is working, and keep health care affordable for all Americans in this great country.

Every Member of Congress has a responsibility to the next generation and the one after that. We are responsible for their future. We face a short 12-week session in this 114th Congress.

What will we accomplish during this time? Will we vote on partisan bills that will go nowhere? Or will we face the challenges affecting our Nation and the world? Or will we, once and for all, think of the children and ensure future generations inherit a nation that remains the global leader, full of opportunities?

We hold the power to make things better for our kids and grandkids. For my grandson, and all grandchildren, I will fight for a future where a quality education doesn't put students and families into 6-figure debt. Every child deserves a world-class education that provides them with the knowledge and skills to achieve their dreams and uphold our place as a global leader in innovation.

For my grandson and grandchildren of his generation, I will continue to be a vocal advocate on the need to create a just and equal criminal and juvenile justice system that is worthy of our Nation. We spend \$12,000 to educate a child in America, but we are willing to spend more than \$150,000 to imprison that child for 1 year. And yet every year funding for education ends up on the chopping block.

How can we justify that?

My grandson was born into a great country, but sometimes, Mr. Speaker, this Congress does not live up to the potential that this Nation deserves. A child in the United States is less likely to die from a disease than from a gunshot. We are better than that, Mr.

Speaker. It is our responsibility to address this reality.

We must work together for my grandson and all the children of his generation to make sure our parks are greener, our air is cleaner, to cure the sickness that is taking our climate, to make sure that a father or mother, no matter what their economic circumstances, does not have to worry that their child's bathwater is poisoned. This is our job.

It is our job to be leaders, and I will work with my colleagues every day to live up to what our grandchildren deserve. Far too often I hear elected officials spew the same line: "We are mortgaging our children's future." Our parents and grandparents invested in our Nation, and we have reaped those benefits. It is time that we do the same for future generations.

That is what has made us the greatest economy in the world: investing in our roads and bridges, investing in schools and hospitals, in forward-thinking legislation that will serve others for generations to come. Now more than ever, I understand just how important it is that we work together and create solutions so that our children will live a better life.

YOUTH PROMISE ACT

The SPEAKER pro tempore (Mr. WEBSTER of Florida). The Chair recognizes the gentleman from Florida (Mr. YOHIO) for 5 minutes.

Mr. YOHIO. Mr. Speaker, I rise today to call attention to an incredibly important piece of legislation that will provide essential funding for programs which will go miles toward helping every young person in America who has maybe had a misstep reach their potential and achieve their American Dream.

As I travel my district, I am so impressed as I meet some of the most incredible young people in north central Florida. These young Americans have the capability of literally changing the world and the capability of bettering their communities and setting a positive example for the youth that will follow in their footsteps.

Unfortunately, too many will fall victim to the circumstances in which they were born. Too many will become familiar with the inside of a juvenile detention facility, as the image of the classroom fades from memory, and the all-too-often reality of life behind bars begins to materialize. I want to stress that if this happens to even just one child, that is one child too many.

We live in the greatest nation on Earth. We tell our children they can be whatever they want to be when they grow up, yet we know the reality for some is that as these very words are spoken, there is no truth to them. These are the youth who fall subject to the cradle-to-prison pipeline, and it is unacceptable.

These are the children in our communities, children who go to school with our own kids and, yes, in some cases even our own children. We have the ability to change their reality. H.R. 2197, the Youth PROMISE Act, will do just that. The Youth PROMISE Act establishes a PROMISE Advisory Panel of State representatives as well as local PROMISE Coordinating Councils, which will develop and implement evidence-based locally controlled—not Washington-controlled—youth violence prevention and intervention practices and mentorship opportunities.

These practices will occur on a community level, working with families, working with schools, nonprofits, juvenile justice advocates, and law enforcement officers to intervene early in a child's life to prevent them from starting down a path that can easily define the remainder of their lives.

Last Congress, the Youth PROMISE Act garnered the bipartisan support of over 130 Members of this body in Congress, yet it sat in committee for nearly 2 years. This Congress, the Youth PROMISE Act has sat in the House Committee on Education and the Workforce for over 400 days without action.

Our youth cannot continue to wait. There are many issues that Congress deals with which Republicans, Democrats, and Independents cannot agree upon, but this is not one of them. If they have not already, I urge my colleagues to cosponsor this vital piece of legislation. I urge leadership in the House and the Senate to bring up this bill for a vote, a vote for our challenged youth so that they may continue the great posterity of this Nation.

□ 1100

HONORING THE LIFE OF MARIA L. GUTIERREZ

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to honor the life of a good friend and community leader, Maria L. Gutierrez.

Maria led her life with purpose. She wanted to make a positive difference, and there is no doubt that she did that. She served as the general manager of Univision in Fresno, California, and led the television station to be one of the highest-ranking stations not only in the San Joaquin Valley, but in the Nation.

She was a strong advocate for immigration reform, equal rights for women, and worked hard to bring more water to the Valley. She cared, she had a big heart, and she was a role model for all who knew her.

We miss Maria dearly, especially that big smile that she always had on her face.

Mr. Speaker, I urge my colleagues to join me and Maria's family and friends in paying tribute to her life. May she rest in peace.

IMMIGRANT HERITAGE MONTH

Mr. COSTA. Mr. Speaker, I rise to recognize June as Immigrant Heritage Month.

We are a Nation of Native Americans and of immigrants past and immigrants present. That is America. For over 250 years, since the formation of the United States, immigrants have helped make our country what it is today. They add energy and value with each generation of Americans.

California's San Joaquin Valley, which I proudly represent, is home to people whose families come from all over the world. Their story is our story. It is one of achieving the American Dream, which is my family's story.

I am fortunate to represent and live in an area with some of the hardest working people you will ever meet in your life who have made lasting contributions to the San Joaquin Valley's agriculture economy, businesses, education, and healthcare systems. Their contributions have had positive impacts not only in California, but throughout the Nation.

Hispanic, Armenian, Italian, Portuguese, Sikh, and Hmong immigrants are among the many who have come from Asia, the Americas, Africa, and Europe to call America their home.

These immigrant families, for generations, have been and always will be a cornerstone of a place that we call the United States of America. They are living out the American Dream, and their children and grandchildren continue to add value and make a positive difference in our valley and the Nation.

Degrading immigrant communities is not an American value. Name-calling is not a virtue and never should be condoned. Insinuating that someone is not qualified based on their ethnicity and heritage is completely unacceptable, especially coming from someone who wants to be leader of the free world.

The sad reality is that some individuals are going to use hateful rhetoric to tear us apart. It is wrong. But we must always remember that the bonds we share as Americans are far, far stronger than whatever differences we may have.

Wrongly questioning a judge's objectivity because of his ethnic background is pure and simple racism. It is not the American way. We are better than that. And, Mr. Trump, you should apologize for your hurtful statements.

Instead of talking about a wall to keep people out, our next President must focus on efforts to pass comprehensive immigration reform so that we can fix our Nation's broken immigration system. As I said, we are a Nation of immigrants. And that is one of the reasons why the United States is

the greatest Nation in the world, period.

Mr. Speaker, I urge my colleagues and all Americans to join in celebrating immigrant communities throughout our great Nation by recognizing June as Immigrant Heritage Month.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President of the United States, a principle memorialized in section 370 of the House Rules and Manual.

SCHUYLKILL SCHOLASTIC DRINKING WATER AWARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to highlight the work of students from Perkiomen Valley High School and Phoenixville Area Middle School.

Recently, the Schuylkill Action Network recognized the Perkiomen Key Club and the Phoenixville Envirothon and Environmental Awareness Club for their exceptional efforts to protect our local watershed.

Perkiomen students designed and installed a rain garden in their township building, which I visited this past weekend, and which is expected to cleanse rainwater and remove pollution. Phoenixville students installed a "bioswale" to help absorb runoff and reduce pollution in Pickering Creek to keep their communities beautiful and healthy.

For their efforts, the Schuylkill Action Network presented the Schuylkill Scholastic Drinking Water Award to these hardworking club members from both schools.

Let me also recognize the Schuylkill Action Network and many watershed organizations across my district that do a great job protecting our watersheds.

I want to congratulate these students for their ingenuity to keep the water in our congressional district clean and safe for our community.

SARAH PENNINGTON/MENTAL HEALTH AWARENESS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to thank Sarah Pennington for her courageous leadership on mental health.

Sarah is a courageous, dynamic, hardworking high school student at Pottsgrove High School, and the reigning Miss Freedom Forge's Outstanding Teen. She visited my office yesterday to bring attention to mental health issues and to discuss relevant policy reforms.

Sarah has not graduated high school yet, of course, but she has already founded a nonprofit, Show Your Hero,

with the goal of raising mental health awareness.

I want to thank Sarah for her advocacy. I also have some exciting news. Sarah will be participating in Miss PA's Outstanding Teen pageant from June 22 to June 24 in Pittsburgh. I want to wish her the very best in that pursuit.

FIRST RESPONDERS IN PHOENIXVILLE, PENNSYLVANIA

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to acknowledge the work of Phoenixville first responders.

Recently, West End Ambulance and the Phoenixville Fire and Police Departments responded to a call for help. These devoted crews assisted an individual who went into cardiac arrest. Through their swift efforts to administer CPR, the responders were able to save a life.

The Chester County EMS Council recognized the responders for their expertise on May 28, coinciding with National Emergency Medical Services Week, which honors those serving on our communities' front lines every day.

Mr. Speaker, I commend and thank these and all firefighters, officers, EMTs, and paramedics for their service.

STATE OUTREACH FOR LOCAL VETERANS EMPLOYMENT

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to speak about a bill I introduced in the House called the SOLVE Act, short for the State Outreach for Local Veterans Employment Act.

The SOLVE Act will provide Pennsylvania, and all States, with critical flexibility to utilize existing grant funds in the way that best serves the needs of each State's unique veteran population.

The American Legion, Paralyzed Veterans of America and National Guard Association of the United States, have all endorsed this commonsense bill.

I encourage my colleagues to cosponsor this bill as well.

RECOGNIZING WILSON SOUTHERN MIDDLE SCHOOL

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise to recognize Wilson Southern Middle School as one of six exemplary middle schools in Pennsylvania recognized as a school to watch. I also thank the teachers, administrators, parents, faculty, and students for their hard work in making Wilson Southern Middle School such an exceptional middle school. We are very proud of you.

BRINGING POSTPARTUM DEPRESSION OUT OF THE SHADOWS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to speak in support of Bringing Postpartum Depression Out of the Shadows Act.

Every year, one in seven new mothers experiences perinatal depression, impacting babies and families for years to come.

This bipartisan legislation, which I have cosponsored with Congresswoman KATHERINE CLARK of Massachusetts, would help those suffering receive the treatment they need. States would receive Federal funding to establish, expand, or maintain programs for screening and treatment of maternal depression.

Thanks to the tireless efforts of mental health advocates, we have reached over 65 bipartisan cosponsors in the House. I am respectfully encouraging other Members and their staffs to look at this bill and join as cosponsors. It is the right thing to do as we seek to proactively address issues of postpartum depression in communities across this country.

THREE BRANCHES OF GOVERNMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I am a Member of the United States Congress and a very—I hate to use the term proud, but I am proud to have been a member of the Judiciary Committee for the number of years that I have served in this august place.

As I serve, I am well aware of the importance of the Constitution and the very sacred responsibility that we have in protecting it. So I thought that, as a lawyer who has practiced and one who has served as an associate municipal court judge in my hometown of Houston, Texas, it would be important to remind Members of the established three branches of government and the responsibilities that each hold, but focus in particular on the executive—the President of the United States.

In Article II, the Constitution, says: "The executive Power shall be vested in a President of the United States of America." It uses the term that "he should hold," and, in particular, it acknowledges that he or she should take care that the laws be faithfully executed.

Article III establishes our judicial power. In particular, with respect to Federal courts: "all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, under their Authority."

All of these cases have jurisdiction under our Federal court system. So, the Federal courts and jurists are of keen importance.

One would wonder how we establish the need for the rule of law and separation of powers. It came first from 1215, King John's Magna Carta, which indicated that no one should be imprisoned, dispossessed, outlawed, exiled, or in any way destroyed, except by lawful judgment of his peers and the law of the land.

I know that when I sat as a member of the bench, I would look at petitioners and I would hope that even

though my history was that of a former slave, being an African American—when I say a former slave, descendants of such; the history of African Americans is such—and I would hope that my background would not have countered the fairness that I would have rendered to anyone who came before me.

Judicial independence is something that we hold dear. The Founders understood that judges who are able to apply the law freely and fairly are essential to the rule of law.

The Constitution guarantees our rights on paper, but this would mean nothing without independent courts to protect them. That means our judges in the Federal system should not be intimidated or influenced or protected from the influence of the other branches, as well as shifting popular opinion.

This insulation is referred to as judicial independence. It allows our Federal judges to make decisions based on what is right under the law, without facing politics, such as not getting re-elected; or, personal, such as getting fired or having their salary lowered.

As a member of the Judiciary Committee, I have often joined with the late Henry Hyde, then the chairman, who wanted to raise the salaries of our Federal judges.

So I think it is imperative to come before this body, my colleagues, to raise great angst when someone's ethnicity is called out as a reason that they cannot be fair.

I am appalled that we have come to this in 2016, where, if I were to symbolically ascend to a Federal bench, or maybe the colleagues who many of us and the Senate have supported and the President has nominated—the diverse bench that represents Asians, Hispanics, African Americans, and women and men, Anglos, Caucasians—anyone would raise a question.

I have been before a court and not welcomed the decision. There have been many reasons why I was not pleased with that decision. But I could not not raise the question of race.

And so I think it is worth condemning that we would have this kind of public discourse where the race of a Federal judge is raised. Remember what I said: judicial independence warrants that we, in fact, cannot intimidate the bench and not, in fact, deny the freedom of the court to decide cases based on facts and the law, not based on public opinion, the views of special interests groups, or even a judge's own personal belief.

The right of every citizen to a fair trial is a cornerstone of our democracy. Why should anyone be diminished, and why should the petitioner independently attempt to intimidate based on race? It is appalling. It is absurd.

So I ask all of my colleagues, as protectors of the Constitution and people who are here making laws, to independ-

ently go out to the highways and byways of life and condemn those words. Need I say who it is? Condemn those words and condemn this kind of discourse.

I would offer to say that anyone who has said those words and who pretends to put themselves forward to uphold this Constitution is disqualified and unfit.

I would hope that we will have an independent executive under the Constitution, an independent legislative branch, and, of course, an independent judiciary—one of which I respect with the highest of authority.

I will close by simply saying I have won cases; I have saved a hospital. I have lost cases. I have been affected by cases in my redistricting and denied the rights of the Voting Rights Act. But I will never undermine and diminish the Constitution for right cases and wrong cases, ever.

I ask my colleagues to condemn those actions.

□ 1115

CONGRATULATING ARMANDO VALLADARES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to congratulate my dear friend and a true patriot, Ambassador Armando Valladares, for being awarded the Canterbury Medal, the highest honor bestowed by The Becket Fund for Religious Liberty.

Armando Valladares spent 22 years in Castro's gulags. He endured unconscionable torture while in prison. Why, Mr. Speaker? Because Armando refused to put a sign on his desk saying that he supported Fidel Castro.

No matter how much abuse he endured in prison, Armando fought his jailers every day. He protected his conscience from the constant and ongoing attacks of the brutal Communist dictatorship.

In 1988, President Ronald Reagan installed Armando Valladares as our U.S. Ambassador to the U.N. Human Rights Council.

Earlier this year, Ambassador Valladares wrote about President Obama's misguided and dangerous overtures to the Castro regime—one-sided negotiations. In a recent op-ed that Armando Valladares wrote, he said: "In agreeing to meet with Raul Castro, Obama rewards a regime that rules with brutal force and systematically violates human rights."

Ambassador Valladares, thank you for your courage. Thank you for your principled stand against the Castro regime. Godspeed, my friend.

COMMEMORATING DEERING ESTATE'S 100TH ANNIVERSARY

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to recognize the 100th anniversary

of one of south Florida's most notable cultural, historical, environmental, and archaeological treasures, the Charles Deering Estate, located in my beautiful congressional district.

Charles Deering, the first chairman of the board of International Harvester, bought the property in the year 1916. Now, as a jewel of the Miami-Dade County Parks, Recreation and Open Spaces system, the 444-acre Deering Estate serves as a center of community life in the very groovy village of Palmetto Bay.

It also conserves globally endangered native plant communities and is a focal point for the ongoing Biscayne Bay coastal wetlands restoration that aims to re-create more natural freshwater flows and to slow saltwater intrusion into our drinking water sources as sea levels rise. And the sea levels are, indeed, rising due to global climate change.

Mr. Speaker, the Deering Estate's future will be just as important as its past to all of south Florida. The Deering Estate is indeed a jewel in our already beautiful south Florida treasures.

BREAKING THE PROMISE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCCLINTOCK) for 5 minutes.

Mr. MCCLINTOCK. Mr. Speaker, the House is expected to take up the PROMESA bill today regarding the Puerto Rican debt crisis. This bill has serious implications to every taxpayer in the country.

PROMESA applies a form of chapter 9 bankruptcy to the general obligation bonds of Puerto Rico that are guaranteed by the Commonwealth's constitution.

Article VI, section 8 of Puerto Rico's constitution explicitly provides that "interest on the public debt and amortization thereof shall first be paid."

Well, this bill ignores the Puerto Rican constitution and breaks that promise, and here is why this is so important to the rest of the country:

Every State government has similar constitutional provisions that guarantee its general obligation bonds. This is what allows States to borrow at extremely low interest rates: because their debt is constitutionally guaranteed and, therefore, the risk of default is extremely low.

If Congress is willing to undermine a territory's constitutionally guaranteed bonds today, there is every reason to believe it would be willing to undermine a State's guarantee tomorrow. This, in turn, invites credit markets to question such guarantees as being no longer secured on constitutional bedrock but, rather, dependent upon the shifting whims of Congress. This, in turn, means the value of these bonds is

devalued, and interest rates paid by taxpayers on that debt will increase.

The Governors of six States have already raised this warning, and the U.S. Virgin Islands, whose credit is directly undermined by PROMESA, wants out of the bill for the same reason.

Now, PROMESA could have respected the \$18 billion of constitutionally guaranteed debt and focused instead on restructuring the \$54 billion of Puerto Rican municipal debt that is not constitutionally guaranteed. After all, there is no reason to treat San Juan's municipal debt any differently than San Jose's. But constitutionally issued debt is fundamentally different, and its reliability must be maintained. Tellingly, supporters of this bill voted down just such an amendment in committee.

Supporters have said they have addressed this concern by inserting instructions to the control board to "respect the relative lawful priorities in the constitution, other laws or agreements." But ironically, one of those "other laws" the control board is instructed to respect is the government's repudiation of that debt.

Furthermore, the same section instructs the control board to provide "adequate funding for public pension systems" and includes other contradictory instructions. The only possible interpretation of these provisions is that the sanctity of the sovereign debt is subject to balancing and, therefore, subordination to junior claims by the control board.

Just last week, Treasury Secretary Jack Lew and the White House admitted that this was both the intent and effect of the bill.

Meanwhile, another provision of PROMESA prevents lawful bondholders from enforcing their claims in court for a period of 6 months but doesn't prevent the government from paying out junior claims during this period. Indeed, in anticipation of this bill, the new budget for Puerto Rico increases general fund spending, while it radically reduces its debt service payments.

Honoring the rule of law and maintaining the Commonwealth's full faith and credit guarantee would be a powerful signal to bond markets that the United States stands by its promises, even when it is inconvenient.

Under current law, it is in the interest of both sides, debtor and creditor, to work out terms that both can live with to restructure and repay this debt. Indeed, until the prospect of a congressional rescue arose, Puerto Rico was negotiating terms of a debt restructuring with the mutual consent of its creditors.

It is also in the interest of the people of Puerto Rico to uphold the full faith and credit clause of their constitution, which will be vitally important for them to reenter the credit market once their affairs are put back in order.

Puerto Rico faces both crisis and opportunity: a crisis born of slavish devotion to failed leftist economic policies, and an opportunity to replace those policies with proven free market solutions that can create a fresh start for the people of Puerto Rico and shine as a beacon of hope for other similarly afflicted States.

I fear the net result of this legislation will be to spread the crisis to other States with heavy debts by increasing their debt service costs.

PAYING TRIBUTE TO J. RANDY JACKSON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND) for 5 minutes.

Mr. WESTMORELAND. Mr. Speaker, I rise today to pay tribute to my friend, a friend of Georgia's Third Congressional District, and a friend of all Georgia, J. Randy Jackson, chief administrative officer for Kia Motors Manufacturing Georgia, who tragically passed away on the afternoon of May 20, 2016.

Randy was the first American employee hired for Kia's plant in Georgia. He not only became the public face for Kia Motors in Georgia, but an advocate for the continued creation and development of employment opportunities for Georgians.

When he came to Kia, and when Kia came to West Point, Georgia, West Point was a struggling city affected by the textile plant closings. But under Randy's leadership ability to bring people together for the good of all, both Kia and West Point have thrived. Today, Kia is responsible for 15,000 jobs at the plant and in the surrounding community.

Mr. Jackson played a key role in hiring thousands of those employees. A passionate worker, his enthusiasm for Kia and creating jobs cultivated a workplace that both blended corporate business and human needs.

Randy had an almost unique way about him. Somehow, he was able to be comfortable and at ease while projecting that he had full control over every situation that might arise. Randy's way was a remarkable blend of personality, caring, and expertise.

Randy's presence was felt beyond the walls of Kia—and will be for many years to come. He was, for example, involved in the THINC Academy, which strives to support the education of future generations of good employees.

While Randy Jackson was a dedicated company man, he was also a devoted family man. He is survived by his wife of 35 years, Deborah Jackson. He was the proud father of two children, James Randall Jackson, Jr., of Kentucky, and Jennifer Caley Jackson of Milner, Georgia. His parents, James Edward and Pauline Greer Jackson of

Macon, Georgia, and a sister, Delbra Jackson Hayes, of Perry, Georgia, also survive him. Mr. Jackson was a very loving and doting grandparent to his granddaughter, Scarlett Anne. Mr. Jackson also had softness in his heart for his beloved Rat Terrier, Rambo Brodie.

Randy lived a life of hard work and love. He inspired those around him "to make every day better than yesterday." His loss will be long felt at Kia and in the entire community. He made both better from his presence.

At the plant, they talk about the Kia Way, emphasizing teamwork and problem solving to make progress. We all know that Randy's way was the Kia Way. The community and the plant will go on; the plant he helped to make sure that it would, but it won't be quite the same without him.

Thanks, Randy, and until we meet again.

HONORING PORT ALLEGANY, PENNSYLVANIA, ON ITS 200TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to observe the 200th anniversary of the community of Port Allegany, McKean County, in Pennsylvania's Fifth Congressional District.

Port Allegany was founded in 1816 as Canoe Place, located just 30 miles from the headwaters of the Allegheny River. True to its name—Port Allegany, which was bestowed in 1838—the settlement served as a port along the river for Native Americans and pioneers who would stop to build or repair canoes before traveling along the river.

Later in its history, Port Allegany became known for its glass manufacturing.

The first plant of the Pittsburgh Corning Corporation was constructed there in 1937, and glass block used in construction all over America are still built there.

Today you can still find people enjoying the outdoors in the settlement first known as Canoe Place. Tourism is a big part of the town's economy, with visitors enjoying canoeing, kayaking, and fishing.

The celebration of Port Allegany's anniversary will kick off Sunday and run through June 18 with plenty of activities, including an ice cream social, Pioneers Day picnic, a car cruise, and wagon rides.

HONORING FORMER OIL CITY POLICE OFFICER STANLEY FEDOREK

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in honor of Stanley Fedorek, a former police officer in Oil City, located in Venango County in Pennsylvania's Fifth Congressional District. Mr. Fedorek was

recognized just this week as the oldest member of the Fraternal Order of Police in Pennsylvania at the age of 98.

Fedorek has been a member of the Fraternal Order of Police for 68 years and received a certificate of appreciation and a commemorative letter from the organization.

Mr. Speaker, Stanley Fedorek is also a veteran, serving as a first sergeant in the United States Army in Italy during World War II. He joined the Oil City Police Department following his discharge and served as an officer up until 1968. He later worked security at Mellon Bank.

Mr. Fedorek has only missed two meetings in his time as a member of the Fraternal Order of Police, and he was still driving himself to those meetings at 95 years of age.

Mr. Speaker, I thank Mr. Fedorek for his service to the Oil City community and to our Nation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at noon.

PRAYER

Reverend Kent Clark, Grace Gospel Fellowship, Pontiac, Michigan, offered the following prayer:

Our God, our Father, we call upon Your name—a name at which every knee shall bow. Your name is Wonderful, Counselor, Mighty God, Everlasting Father. You are the Prince of Peace, the Rose of Sharon, the Lily of the Valley, and the bright Morning Star. You are the fairest of 10,000.

You are the great creator God, alpha and omega, beginning and end, first and last. Your name is Redeemer and the Lord, the Way, the Truth and Life, Bread of Life, and Author and Finisher of our faith.

We know no greater judgment could befall a nation than for it to be deserted by God, left to be the play thing of malignant forces.

Speak to us, O great Jehovah.

We know a sparrow does not fall without Your notice, and we know that a nation cannot rise without Your aid.

In the name of Joshua, Jesus saves, Immanuel—God with us.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. WALBERG) come forward and lead the House in the Pledge of Allegiance.

Mr. WALBERG led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND KENT CLARK

The SPEAKER pro tempore. Without objection, the gentleman from Michigan (Mr. BISHOP) is recognized for 1 minute.

There was no objection.

Mr. BISHOP of Michigan. Mr. Speaker, I rise—very proudly so—to pay tribute to an inspiring man, and I am proud to call him a mentor and a friend, Pastor Kent Clark.

Pastor Clark is the senior pastor of Grace Gospel Fellowship Church in Pontiac, Michigan, and he is the chief executive officer of Grace Centers of Hope. Grace Centers of Hope is one of Michigan's leading faith-based organizations that provides care for the homeless and for individuals who are fighting addiction.

Grace Centers of Hope provides comprehensive programs for men, women, and children, including group and individual counseling, GED classes and testing, financial education, addiction and abuse classes, and child care. It also has a self-funded homeownership program and offers graduates of its program the opportunity to own their own homes. It does all of this without accepting government funding.

Pastor Clark, truly, has a servant's heart, and he and his wife, Dr. Pam Clark, and their family have dedicated

their lives to helping those in need—with unparalleled commitment and devotion.

Pastor Clark is a husband, a father, a grandfather, and a renowned author. He was also named "Michiganian of the Year" by the Detroit News in 2012.

Mr. Speaker, I am honored to welcome my friend, Pastor Kent Clark, to the United States House of Representatives as our guest chaplain today. I would like to personally recognize and thank him for his tireless efforts and unwavering dedication to our community.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

ALLEN AMERICANS HOCKEY TEAM IN THE PLAYOFFS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure to rise in support of the Third District's Allen Americans hockey team. Tonight, our stellar team defends its championship title in game six of the Kelly Cup Playoffs.

I want to congratulate the whole team on an outstanding season.

You all have accomplished so much to get where you are today, and you are just one victory away from your fourth straight championship.

To all of our fine Allen American athletes, I want you to know that your hometown is proud of you and that we believe in you. I will probably be "rocking the red" to cheer you on.

Go beat the Wheeling Nailers.

VICTIMS OF GUN VIOLENCE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. Mr. Speaker, Norfolk, Virginia, January 1, 2014:

Melvin Alston, 32 years old;

Marcus Deering, 22.

Saylorsburg, Pennsylvania, August 6, 2013:

James "Vinny" LaGuardia, 64 years old;

David Fleetwood, 62;

Gerard Kozić, 53.

Beaumont, Texas, March 16, 2014:

Darrell Hawkins, 34 years old;

Anthony Ray Hawkins, 33;

Reshawna Hawkins, 30.

Savannah, Georgia, December 2, 2015:

Brandy Council, 34 years old.

Oceanside, California, March 13, 2013:

Edgar Sanchez Rios, 16 years old;

Melanie Virgen, 13.
 Myrtle Beach, South Carolina, May 24, 2014:
 Jamie Williams, 28 years old;
 Sandy Gaddis Barnwell, 22;
 Devonte Dantzler, 21.
 Killeen, Texas, February 22, 2015:
 Larry Guzman, 40 years old;
 Lydia Farina, 31;
 Dawn Giffa, 28.
 Auburn, Washington, March 31, 2013:
 Nicholas Lindsay, 26 years old.

FOREST TREE DAMAGE TOLL AND FIRE DANGER

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, years of drought have left a terrible toll on the forests of the Sierra Nevada in California. The Forest Service estimates that there are at least 40 million trees that have died in California alone. The scope of this challenge is almost unbelievable, and the danger it presents is nearly unavoidable. However, there are steps that we can take to address it.

While it is refreshing that the Forest Service is finally using the categorical exclusions that have been authorized under the recent farm bill to speed forest management projects, it won't be enough to prevent forest fires of devastating sizes and scopes. The Forest Service should rapidly increase the numbers of public-private partnerships it engages in and allow the private sector to remove the dead trees that are just waiting for a spark.

The Senate should act immediately to pass H.R. 2647 and allow forest fires to be funded like earthquakes, hurricanes, and other natural disasters so as to end the diversion of forest management funding that limits preemptive fuel reduction work.

We also need to incentivize technologies like the usage of biomass, which can make productive use of damaged trees and brush, et cetera, and can generate long-term renewable power—base-load, reliable power.

Congress should act to extend the same tax incentives that wind and solar power receive to biomass plants, which don't just create power but do so more reliably and which have the additional benefit of consuming wood and slash that would otherwise burn in our forests, causing pollution. This would also bring jobs back, which are much needed in the rural part of America.

MUHAMMAD ALI

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, last week, the world lost a champion. Muhammad Ali was a gold medalist boxer and a three-time heavyweight champ, but

what truly made him "The Greatest" was what he did outside of the ring.

He had quick reflexes but a quicker wit. He was introduced to the world as a fighter, but he chose to hang up his gloves to stand up against the war. At a time when racism pushed so many people down, Muhammad Ali had the audacity to speak up—and people listened.

I was lucky to have met Muhammad Ali several times. He spent much of his time in Los Angeles, and he became close with my dad, L.A. County Supervisor Kenneth Hahn. They were allies in the fight for civil rights and for struggling families.

I have a Muhammad Ali story.

In 1987, my dad suffered a debilitating stroke that left him partially paralyzed shortly before he was up for reelection to his 10th term. Muhammad Ali actually showed up at my parents' home in South Los Angeles one day, and he told my father that he would personally push him door-to-door in his wheelchair if that is what it took to get him reelected.

You can imagine what that meant to my dad, to me, and to all of the neighborhood kids who actually saw Muhammad Ali do that with my dad. I will never forget that moment, and the world will never forget Muhammad Ali.

HONORING CAPTAIN BRADLEY LONG

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Mr. Speaker, I rise with a heavy heart to pay tribute to Captain Bradley Long, a fallen firefighter from my district.

Captain Long was a dedicated public servant and was born to be a firefighter. In fact, he started volunteering as a junior firefighter when he was just 14 years old at the Sherrills Ford-Terrell Fire and Rescue. He followed in his father's footsteps, who had fought fires for 25 years. Though he was a full-time firefighter with the Newton Fire Department, he also continued to serve as a volunteer at Sherrills Ford-Terrell Fire and Rescue, which is where he was serving when he died in a diving accident while attempting to rescue a missing swimmer.

Following his death, Captain Long's father described how Bradley loved what he did and how he loved helping people, and that is what he was doing when he gave his life. Captain Long is the epitome of a public servant, and he will be deeply missed.

CONGRESS MUST PASS THE EQUALITY ACT

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, somewhere in America today there is a young person who, all of a sudden, realizes that he or she is gay. They are afraid that, if their parents find out, they may be tossed out of the house, that their classmates will taunt them, and there are still politicians who say that they are not equal.

For years, these young people didn't believe they had any options, but, today, because of the work of the LGBT community and because of leaders like Harvey Milk, they have hope. They can run for public office; they can serve in our military; they can marry whom they love. They have hope for a better future, but there is still work to be done.

Across the country, including in Florida, LGBT Americans can still be discriminated against. That is why Congress must pass the Equality Act. We must pass it because it is the right thing to do. We must pass it for the young person who is still scared and struggling. We must pass it to give them hope.

COMMEMORATING SOUTH CAROLINA STATE GUARD WEEK

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this week, South Carolina honors and pays tribute to the dedicated men and women of the South Carolina State Guard.

The unpaid volunteers of the State Guard are always prepared for challenging events in the community. They respond quickly to work to help families recover after natural disasters. The South Carolina State Guard was crucial during the flooding last October. This 1,000-year flood devastated many neighborhoods. Members from all three brigades of the State Guard worked around the clock in filling sandbags and in assisting engineers and law enforcement.

I was grateful to visit disaster relief centers firsthand, which was coordinated with the State Guard, and I was accompanied by Representatives Kirkman Finlay and Chip Huggins.

Our citizens really appreciate the command staff of the South Carolina State Guard for leading and inspiring these members: Major General Thomas Mullikin, Brigadier General Richard Leonard, Brigadier General Leon Lott, and Command Sergeant Major Mark Freeman.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Our sympathy to the people of Tel Aviv as the latest victims of Islamic terrorists.

□ 1215

HONORING OFFICER VERDELL SMITH

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I express and join with the people of the City of Memphis who are mourning the loss of another law enforcement officer.

Officer Verdell Smith, Jr., served 18 years as a Memphis policeman. He also served his country in the United States Navy.

Last weekend, a man went wild in Memphis and shot three different people and then had his car hurtling at a high speed in the wrong direction on a one-way street toward a busy intersection of Beale and B.B. King. Officer Smith tried to clear the intersection of civilians to save them from tragedy. Unfortunately, Officer Smith was struck by the car and died.

Officer Verdell Smith's funeral will be tomorrow. He leaves behind a family, particularly two children, Chelsea and Verdell, Jr.; his stepchildren; his grandmother; his father, O'Dell Smith, Sr.; and siblings.

Law enforcement put themselves in danger all the time to protect us. We appreciate their service. We mourn the loss of Officer Smith, a life of service.

150TH ANNIVERSARY OF THE CROSWELL OPERA HOUSE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise today in recognition of the 150th anniversary of Michigan's oldest theater, the Croswell Opera House.

The Croswell, located in the heart of Adrian, Michigan, is one of the oldest continuously operated theaters in the United States. Named for Charles M. Croswell, an Adrian resident and Michigan's 17th governor, the auditorium first opened its doors in 1866 and has played host to many distinguished figures throughout the years, including Susan B. Anthony, Frederick Douglass, and Edwin Booth.

Today, the 650-seat auditorium is an official Michigan historic site and has been restored to its original 19th century splendor.

The Croswell is a gem within our community that continues to maintain its reputation as the epicenter for the arts in southeastern Michigan.

Please join with me today in honoring all of those involved in the theater's fine tradition of excellence as we celebrate their 150th year anniversary.

REJECTING RACISM

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, this week, we have seen a very clear difference between our two parties. I would remind my colleagues that this is the year 2016. It is not 1916. It is not 1816.

We, as a Nation, have come so far. But there was a time when I, as a woman, would not have been allowed to vote, let alone speak on the floor of this Chamber.

There was a time when our friends on the Congressional Black Caucus or our friends in the Congressional Hispanic Caucus, also, would not have been welcomed right here. You know what, we are better than that.

We know that the diversity of our Nation makes us greater. So whenever racism rears its ugly head, all of us, Democrats and Republicans, have an obligation to reject it.

Mr. Speaker, I have been very disturbed to see so many of my Republican colleagues trying to tiptoe around the offensive behavior of the new leader of their party, Donald Trump.

I urge all of my colleagues to do the right thing and reject racist policies without any ifs, ands, or buts.

RECOGNIZING ILLINOIS' 18TH CONGRESSIONAL DISTRICT SERVICE ACADEMY APPOINTEES

(Mr. LAHOOD asked and was given permission to address the House for 1 minute.)

Mr. LAHOOD. Mr. Speaker, I rise today to applaud the impressive individuals who will be representing Illinois' 18th Congressional District at three of the most prestigious academic institutions in our Nation, our U.S. service academies.

Earlier this year, I nominated 22 individuals from my district, and seven of them have been accepted and will begin their service at the Air Force Academy, West Point, and the Naval Academy this summer.

I was privileged to meet with these young men and women in my district last Friday, and the talent among these seven is indeed inspiring and diverse. These cadets and midshipmen are not only at the top of their class in academic achievements, but they also excel in extracurricular activities. We have a State wrestling champion, a hockey player who will be playing for the Air Force Academy, and a competitive golfer who will be playing at the Naval Academy.

Most importantly, I was struck by their earnest commitment to serving our country. Many of these students come from families with a legacy of military service. We even have an aspiring Navy Seal and a JAG attorney in this group.

I want to congratulate Randy Menyweather, II, Matthew Helmich, Faith Kim, Trevor Stone, Eric Betts, August Will, and Morgan Riley.

Thank you to these students for their commitment to our country, and to their families for raising them, and to those in our Illinois communities who have helped them reach this accomplishment. I wish them much success.

CELEBRATING DR. ALLAN WOLFSON

(Mr. RUIZ asked and was given permission to address the House for 1 minute.)

Mr. RUIZ. Mr. Speaker, I rise to congratulate a dear friend and mentor of mine, Dr. Allan Wolfson, program director of the emergency medicine residency at the University of Pittsburgh, for his retirement.

Abby trained me in emergency medicine, which has benefited thousands of patients I have cared for. He is the longest active serving residency program director in emergency medicine. Among his over 360 trainees are several deans of medical schools and chairs of departments of emergency medicine.

He is so good and well-respected by his peers that he has been recognized and honored by many prestigious organizations. He received the National Emergency Medicine Residents Association Residency Director of the Year award in 2012. He even wrote the premier textbook of emergency medicine.

He loves to teach, loves to mentor, loves emergency medicine, loves his residents, and loves to have a good time. Abby, you know what I mean.

You trained me to be an advocate for my patients. I carry that can-do, problem-solving, patients-first advocacy with me now in Congress. First and foremost and always an emergency physician.

Abby, congratulations and thank you.

HURRICANE PREPAREDNESS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, we are in the midst of hurricane season. My constituents and all Americans in coastal regions are susceptible to these devastating storms.

Disasters can strike at any time, often with little warning. Just days ago, my district was hit by Tropical Storm Colin. The winds and heavy rains were intense, causing dangerous flooding. It is important that we have a plan in place.

We must all be prepared with supply kits filled with potential lifesaving items, like flashlights, radios, and batteries. It is also crucial to follow local weather forecasts and heed any emergency warnings.

The best way to guarantee safety is thorough preparation. My Web site at Bilirakis.house.gov as well as

FEMA.gov both have important resources available to you.

This year, be sure you are ready and safe.

I am proud to support this bill and commend my colleagues in the House for passing it this week.

The last 110 years have been great. I ask my colleagues to support me and join me in ensuring that the next 110 years are even better.

POVERTY

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, nearly 47 million people are living in poverty in the United States. That is about 10 times the total population of Los Angeles. And, Mr. Speaker, no matter how hard these families work and no matter how much these families save, they are still not able to get ahead.

These families struggle to feed themselves and their children. They struggle to save for a home. They struggle to live the American Dream that we all yearn for, and that is unacceptable.

That is why I support expanding programs, which I believe help and provide a social safety net. Essential programs like the Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families, and the Free and Reduced Lunch Program serve specific community needs.

Mr. Speaker, we need to bring legislation to the floor that will help families, help families to help themselves get ahead, proven programs. Let's not condense or cut them. Let's work on legislation to help these families.

OZONE STANDARDS IMPLEMENTATION

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, today I rise in support of H.R. 4775, the Ozone Standards Implementation Act. Under the Clean Air Act, the EPA has used the National Ambient Air Quality Standards to impose costly and burdensome regulations on American manufacturers and the American people.

By the EPA choosing to lower the NAAQ Standards further, many businesses will suffer while still struggling to meet the original standard. American businesses have already spent billions of dollars and years of planning to meet the 75 parts per billion original standard and will now find themselves unable to meet the new requirements. We can't and shouldn't change the rules in the middle of the game.

Businesses across America and in Georgia 12, like many paper mills and manufacturing plants that are economic drivers in our area, have already spent billions to make our air cleaner.

H.R. 4775 ensures that States and counties have the needed flexibility and time to comply with these standards while keeping our air clean and safe.

HATEFUL RHETORIC

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, if I were to stand here today and read an agenda on attacks on immigrants, Muslims, women, and families living in poverty and even the judicial system, you might think it was the campaign platform for the Republican candidate for President. But every one of those hasn't just come from "Con Man Don."

They have been embraced, affirmed, and in many cases even inspired by this Republican Congress. So you could be forgiven for being confused because the truth is they are all one and the same.

We are used to this hateful rhetoric coming from the other side of the aisle. Sometimes it is masked in legislation; sometimes not so much.

But when the leader of their party, their standard-bearer, "Con Man Don" makes racist and discriminatory remarks as easily as if he were reciting the alphabet, it begs the question: "What do Republicans stand for?"

You only have to look at all they have in common with "Con Man Don," a candidate they have even admitted has made racist statements. It is clear they stand with "Con Man Don," but it is also clear who they don't stand with and, that is, the American people.

The SPEAKER pro tempore. The Chair would remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

CASTNER RANGE NATIONAL MONUMENT

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to acknowledge the 110th anniversary of the Antiquities Act.

From the first national monument, Devils Tower in Wyoming that was designated in 1906, to the Statue of Liberty in New York, and Glacier Bay in Alaska, over 148 designations have been made by 16 Presidents, most of them Republicans. While the last 110 years have arguably been successful for this country, we can do better.

Today's national monuments and the people who visit them do not reflect the great diversity of this country. That is why I ask my colleagues to join me in supporting the Castner Range National Monument Act.

The Castner Range is in El Paso, Texas. It is 7,000 acres of pristine Chihuahuan desert, Rocky Mountain wilderness surrounded by a community that is 85 percent Mexican American.

DENOUNCE THE HATEFUL RHETORIC

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I am calling on House Republicans to denounce the hateful rhetoric coming from the leader of their party.

Week after week, House Republicans, my colleagues, publicly announce their endorsement of Donald Trump. They aren't just endorsing the candidate, but also the hateful and discriminatory agenda set by their party's Presidential nominee.

House Republicans cannot continue to support him and denounce his inflammatory rhetoric, including the demonization of our friends that are Hispanic and Muslim, at the same time.

Mr. Speaker, it is time for Republicans to step up. It is time for them to step up to the plate and do the right thing and denounce this bigotry. You can't pretend that the things that your party's leader is saying aren't hurtful and divisive to the American public.

Mr. Speaker, it is time to do the right thing, step up, come up with an agenda that is good for all Americans, and stop pretending as if the things that the leader of your party is saying isn't hurtful.

The SPEAKER pro tempore. The Chair would, again, remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

□ 1230

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 9, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 9, 2016 at 9:09 a.m.:

That the Senate disagree to the House amendment to the Senate amendment to the bill; Senate agree to House request for Conference; Senate appoint conferees H.R. 2577.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 770 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 770

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-57. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. Upon passage of H.R. 5278 the House shall be considered to have: (1) stricken all after the enacting clause of S. 2328 and inserted in lieu thereof the provisions of H.R. 5278, as passed by the House; and (2) passed the Senate bill as so amended.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 770 provides for consideration of H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA. The resolution provides for a structured rule and makes in order eight amendments.

This bill addresses a very serious issue as it relates to the financial situation in Puerto Rico. The Government of Puerto Rico has racked up over \$118 billion in debt. They have already defaulted on portions of their debt in May, and they face another deadline on July 1. The territory has reached a point where they can no longer meet the basic demands of their citizens.

The Constitution makes clear that Congress has the authority over territories. Article IV, section 3, clause 2 of the Constitution states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

After hearing calls for greater autonomy, in 1950 Congress recognized Puerto Rico's authority over internal matters through passage of the Federal Relations Act. Congress also approved Puerto Rico's constitution in 1952.

So we gave them the control they demanded, and with that, they attempted to become a liberal paradise by raising taxes, expanding government programs, and spending at unsustainable rates. To help pay for these policies, Puerto Rico issued billions of dollars in bonded debt that they can no longer pay back. Now they are demanding help, which puts Congress in a very difficult position.

The fact that we have reached this point is a direct result of the President and the Treasury Department being asleep at the switch. They either were not paying attention to the financial situation in Puerto Rico or they were paying attention and chose to do nothing.

I want to highlight a few important things about this bill. First, this bill is not a bailout. The American taxpayers did not create this problem, and we shouldn't send their money to something they did not cause.

What really worries me is that if Congress doesn't act on this legislation, then we will find ourselves in a

position at some point facing serious pressure to vote on a true actual bailout of Puerto Rico. That would be a grave mistake.

As the president of Americans for Tax Reform noted in an op-ed for the National Review, "Congress needs to step in now; otherwise, a huge taxpayer bailout is the likely outcome. PROMESA is the best, most fiscally responsible way to prevent a bailout from occurring."

This bill does not include a single penny in taxpayer money. In fact, the Congressional Budget Office found that this bill would have "no significant net effect on the Federal deficit." So let's try and get this problem resolved in a fiscally responsible way that does not use taxpayer dollars.

Second, the policies in Puerto Rico have led to this problem, so it is important that the legislation address some of these policies and require greater accountability. The bill does this through the creation of a seven-person financial oversight board which is responsible for the development of budgets and fiscal plans for Puerto Rico.

The bill also includes some common-sense policy changes that will hopefully ease the burdens on the Puerto Rican Government by prohibiting the costly new overtime rule from taking effect and giving them flexibility with minimum wage requirements for young workers.

Through better oversight and regulatory reforms, it is my belief the Puerto Rican economy can grow and the country can get back on a more stable financial footing.

I want to make one thing very clear. I and every Member of this House have great empathy and appreciation for the Puerto Rican people because they did not cause this problem. I have had the honor of traveling to Puerto Rico and visiting this beautiful place. I enjoyed meeting the people and really appreciated their hospitality. I believe it is important we do what we can in a responsible manner to support the Puerto Rican people.

Ultimately, I wish this legislation wasn't necessary, but the reality of the situation demands action. So I call on my colleagues to support this rule, support the underlying bill, and let's address this problem in a responsible way without a bailout.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend, the gentleman from Alabama, for yielding me the customary 30 minutes for debate.

The people of the Commonwealth of Puerto Rico face an urgent fiscal crisis, and this institution's delay in addressing this crisis has left the United States citizens on that island in dire straits.

In June of 2015, Puerto Rico's Governor stated that the Commonwealth would not be able to pay its debts. Now Puerto Rico faces a \$2 billion interest and principal payment on July 1. It is unlikely the Commonwealth will be able to make this payment. So I am pleased that, finally, after a full year, this body has decided that the citizens in the Commonwealth deserve relief from this growing humanitarian disaster.

However, now that legislation has been brought forward to deal with this issue, I fear that the solution to this problem presented here will hobble the workers of Puerto Rico for some time to come. While the bill accomplishes much by way of addressing the debt crisis in Puerto Rico, it also hamstring workers by expanding the subminimum wage on the island.

This legislation expands the application of the Federal subminimum wage to those under 25 years old and extends the application of this subminimum wage to those workers from 90 days to up to 4 years. Just for reference, the subminimum wage that will now be subjected to workers 25 years old and younger and for up to 4 years is \$4.25 an hour—\$4.25 an hour—a full \$3 per hour less than the workers in the States make when, indeed, the workers in the United States ought be making \$15 an hour.

The bill would also delay implementation of the Department of Labor's rule on overtime pay until the GAO completes a study, which could take up to 2 years. This means that under the provisions of this bill, the young people of Puerto Rico will be paid a subminimum wage, and the rest of the workers on the island will not be eligible for the new overtime rules, losing out on hard-earned money for working long hours.

While some legislative solution is necessary in order to responsibly address Puerto Rico's debt crisis, these provisions are unconscionable. It is long past time that we start treating our fellow citizens in the Commonwealth of Puerto Rico—as well as the District of Columbia and the Virgin Islands and American Samoa and Guam and the Marianas—with dignity and respect, not with provisions to limit their ability to earn the same amount of money for their hard work as any other American. It is all right for them to go to war and die—and they do in sometimes disproportionate numbers—but we don't want to see to it that they receive an appropriate wage.

Also disconcerting to me is what is not found in the bill, which is any money to address the Zika virus on the island. Make no mistake, the fiscal situation and the response to this virus are linked. I know that there will be some that will argue that the House passed \$633 million, the Senate passed \$1.2 billion, and they will go to con-

ference, but I am talking specifically about this financial crisis and Puerto Rico's problem.

Given the financial situation on the island, there are grave concerns about the Commonwealth's ability to handle an outbreak of the virus. Already there are over 1,000 local cases of Zika in Puerto Rico. To put that in perspective, there are today just over 600 cases in the continental United States, and nearly all of those are travel-related.

As we move further into the summer and into the mosquito season, I fear that what is already a fiscal crisis could turn into a growing health crisis as the economically stressed island will be left with little resources to deal with the virus and a Congress that is unwilling to adequately fund a response.

These wage and overtime provisions will do nothing but increase poverty and force more Puerto Ricans to leave the island. This bill may take steps to right the Puerto Rican economy, which is currently in shambles, but at what cost? Treating the young and the workers of Puerto Rico as second and third class citizens?

Mr. Speaker, I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Florida (Mr. HASTINGS), my colleague on the Committee on Rules, brings up two very important issues. Indeed, nothing in this bill would require people to pay the subminimum wage. It simply allows it. It provides it as an alternative.

□ 1245

I think this is a situation where Puerto Rico is going to need all the alternatives it can possibly have at its disposal to deal with what is truly a devastating fiscal problem and a devastating economic problem, which gets to a second point he brought up.

When you have a breakdown in the economy, as you have got, and a breakdown in the government's financing, as we have got in Puerto Rico, it has dramatic effects in other parts of society. We are already seeing a breakdown in their hospitals and their ability to deliver health care. And education, for that matter.

So the best way we can address healthcare problems, whether it is Zika or something else or the other myriad of problems that result from this, is to get this bill passed and get Puerto Rico quickly on the road to recovery, both fiscally and economically.

I heard my friend's comments. I understand them. But the best way to get where we are trying to go is to give Puerto Rican people the most options we can to deal with this problem and also get them on the road as quickly as we can. And that is what the bill is designed to do.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 5 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI) who really knows Puerto Rico, in light of the fact that he is the Congressman representing Puerto Rico.

Mr. PIERLUISI. Mr. Speaker, in the last year and a half, this Congress has held nine hearings on Puerto Rico, a U.S. territory, home to 3.4 million American citizens. These hearings confirmed that Puerto Rico is in jeopardy right now. Not next year. Now.

Island residents are relocating to the States in unprecedented numbers. The Puerto Rican Government is on the brink of collapse, a victim of decades of inequality at the Federal level and mismanagement at the local level.

The government and its instrumentalities have \$70 billion in bonded debt, three public entities on the island have already defaulted on payments to creditors, and larger defaults appear imminent. Puerto Rico's three main pension systems are severely underfunded, placing at risk the retirement security of over 330,000 individuals. The government of Puerto Rico has lost access to the credit markets, so it cannot borrow money to meet current obligations.

All objective observers, including virtually every major editorial board in the Nation, understand that the government of Puerto Rico must restructure its debts—ideally, through voluntary agreements with creditors, but through a court-supervised process, if necessary. It is regrettable that we have reached this point, but it is reality. We must confront this challenge with courage and candor.

PROMESA gives Puerto Rico the critical tool it lacks; namely, a legal mechanism to restructure its debts in an orderly way, ensuring the sacrifice will be shared in a fair and equitable manner.

Without PROMESA, the Puerto Rican Government is likely to collapse, participants in pension plans will be terribly damaged, and most bondholders could lose their investments. Absent this bill, almost nobody wins and nearly everybody loses.

Now, PROMESA pairs debt restructuring authority with the creation of an independent oversight board to help the Puerto Rican Government better manage its public finances, balance its budgets, become more efficient and transparent, and regain access to the credit markets.

There are some Puerto Rican politicians who seek broad debt restructuring authority from Congress, but oppose an oversight board. This is not a realistic option, and would result in Puerto Rico receiving nothing.

I fully understand the importance of democracy and dignity. As a lifelong advocate for statehood for Puerto Rico, I want full democratic rights for the island on both the national and local level, not fewer democratic rights.

My test from day one has been that the board should have the authority to oversee, but not to command and control, the Government of Puerto Rico. PROMESA meets this test.

After intensive negotiations, the bill establishes a reasonable board with powers far less potent than the powers that Congress gave the board it established for the District of Columbia in 1995. If the Puerto Rican Government does its job well, the board will have a limited role and will cease to operate within a few years.

PROMESA, like any product of bipartisan compromise, is not perfect. For instance, the minimum wage provision is deeply misguided, and I support Mrs. Torres' amendment to remove it from the bill.

I will explain it in plain language. It makes no sense to apply a different Federal minimum wage to Puerto Rico, because it simply encourages Puerto Ricans to migrate to the States or otherwise not to seek a job and rely on government assistance.

Nevertheless, I should say that there is almost zero chance this provision will affect a single worker in Puerto Rico, since the government will retain the ability to prevent its use.

This bill is the best chance we have to solve the immediate fiscal crisis in Puerto Rico and to place the island on the path to a brighter future. I urge my colleagues to vote "yes" on the bill.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the remarks of the gentleman from Puerto Rico. I hope he was in the Chamber and he heard words that I said. Everybody in this House stands with the people of Puerto Rico. Our hearts go out for them. This is a very difficult situation.

He used a very strong phrase. He said that they are on the brink of collapse. And I agree with my friend from Florida: no one would know better than the gentleman from Puerto Rico. We want to keep them from collapsing.

There are many of us on this side that would rather do nothing, but we understand that there has to be some responsibility here. And so this is an effort to exercise responsibility in a fiscally sound way, and I believe that is what this does.

So I appreciate the gentleman's remarks. This is an urgent time for him and his people, and it is time for us to act.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, when I came to Congress in 1993, among the first people that I met and got to know and have been fast friends with since, is the gentleman from Illinois (Mr. GUTIÉRREZ), my good friend who also has not only great wisdom on the subject of immigration and social policies in this country, but certainly his understanding of Puerto Rico.

I yield 5 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Speaker, I rise in opposition to the rule and to the underlying bill.

I submitted 10 amendments for consideration, and not one of them was ruled in order to be debated today by my colleagues.

But I don't oppose the bill because I didn't get an amendment in here. The fact that my amendments were deemed unsuitable for debate by the Congress of the United States is an indication of the underlying problems with the bill.

If you can't debate the future of Puerto Rico here in the Congress of the United States, imagine when you give it to seven people unelected by anyone in Puerto Rico or in the United States that can meet in secret. They can meet in secret without informing us of any one of their decisions. If we can't have a debate about Puerto Rico, if it is so important, why not take time to have a debate about the amendments that are offered by people here.

We are engaged today in a wholly undemocratic activity in the world's greatest democracy. We are debating how we will take power from people who are virtually powerless already.

As I have said throughout this debate, Puerto Rico, by virtue of court cases and the Territorial Clause of the Constitution, "belongs to, but is not a part of the United States."

I say to all of my colleagues: treat them with dignity, with respect. Do not put blinders on as though they do not exist.

Yes, the Territorial Clause of the Constitution of the United States says that they are a territory and that, therefore, they are property of the United States of America. But I submit to each and every one of you that they are live human beings with hearts, with souls, and they should demand and receive the respect of any other human. Don't treat them like a piece of trash. Don't treat them like an inanimate object that has no right to dignity and to respect, which is what we are doing here today. I cannot vote for this.

President Obama referred to the special place that Kenya owns in his heart because, he says: It will always be a special place because that is the place of the birth of my father.

Let me submit to you that Puerto Rico is the place of the birth of my father. And I cannot come here and turn my back on the place of the birth of my father with this outrageously undemocratic and this outrageously unfair proposal to the people of Puerto Rico.

Think about it. You are imposing a junta, because that is what they are calling it. There will be no difference between this junta and the junta of Pinochet in Chile, as far as the international community is concerned. And

why? Because yesterday—and the Speaker of the House of Puerto Rico is in the gallery—they approved a resolution rejecting this junta. Elected by the people of Puerto Rico. And what does the Congress of the United States, the democracy of the world, say? We don't care.

Today, as we speak, the Senate in Puerto Rico has a resolution rejecting it. And just this past Sunday, every candidate for Governor in Puerto Rico, every last candidate for Governor of Puerto Rico that was successful had in their platform a rejection of PROMESA.

How many times do the people of Puerto Rico have to reject this proposal so that the Congress of the United States treats them with some respect and some dignity?

And I just want to say: Control board? Where was the last control board we know so much about? Flint, Michigan. And what did the control board do? They poisoned the people—American citizens—in Flint.

Let me suggest to you that if you give power to a control board unelected and unsupervised by anyone here, be careful. Be careful. Remember Flint. Remember the poisoning of the people and what the control board did there. That is exactly what we should suspect will happen.

People say: LUIS, what is your alternative? Our alternative is quite simple: have a conversation. Not a conversation that begins: we will not spend a penny on the people of Puerto Rico. That is the way our conversation went. We will not. You have to show me a solution in which we do not spend a penny.

Well, let me tell you, we spend money. The Jones Act imposed on the people of Puerto Rico the most expensive merchant marine in the world. It costs \$500 million a year. Why don't we lift that from them? We believe in democracy, we believe they should be free. Why don't we lift that from them?

Medicaid and Medicare. Have you seen the reimbursement schedules to Puerto Rico? They pay the same in FICA taxes, but don't receive the same in terms of reimbursements.

In 2006, the wisdom of this Congress was to say to the people of Puerto Rico: we don't care that you are going to lose hundreds of thousands of jobs. We are eliminating section 936 of the Internal Revenue Code that created jobs.

The people of Puerto Rico want jobs. They want jobs and they want the dignity and the respect of being American citizens of this Nation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. GUTIÉRREZ. And they demand the dignity and the respect that comes. They don't come here on their knees.

They are a proud people. They are a people who want to use their creativity and their energy.

This Congress of the United States has said they are a colony. I didn't say that. The Committee on Natural Resources says: we have plenary powers over the people of Puerto Rico. I didn't say that. You said that. If you have plenary powers over the people of Puerto Rico, then assume your responsibility that comes with those plenary powers over the people of Puerto Rico.

Please don't tell me you are going to put Puerto Ricans on the board. I lived in Puerto Rico. I remember when the sugarcane cutters would cut the sugarcane. Let me assure you there were Puerto Ricans in charge of exploiting those workers in the sugarcane field. There have been many times in history when the very same people who have been put in charge exploit their own.

Give us dignity. Give us transparency. Do it at least in the Spanish language so the people can know what is going on. At least King George, when he would come with his decrees—before he burned this building down—would write his decrees in English so that we would understand what he was doing.

The SPEAKER pro tempore. Members are reminded and requested not to refer to occupants of the gallery.

□ 1300

Mr. BYRNE. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Speaker, I visited Puerto Rico, and believe me when I say the fiscal crisis the island is facing is, in every way, a crisis. Hospitals can't pay their bills. They have closed wings of the hospital. One hospital is \$4 million in debt because they haven't paid an electric bill.

Some people will point out that this is largely a crisis of Puerto Rico's own making. They are right; the gentleman from Illinois is wrong.

Puerto Rico has had internal self-government for over 50 years. It wasn't the Congress that forced Puerto Rico to pile up debt after debt after debt after debt; and it wasn't the Congress that tapped Puerto Rico on the shoulder until now and said: You can't sustain this debt.

There already have been two defaults. There is a \$2 billion default coming on the 1st of July because they don't have the money to even do their debt service; and despite this dire situation, the Puerto Rican Government has increased its spending on everything except, ironically, debt service.

I see what is happening in Puerto Rico as a cautionary tale for us here in Washington and here in the Congress of the United States.

Now, PROMESA is not rewarding bad behavior. If we wanted to reward bad behavior, we would pay billions of dollars in a taxpayer-financed bailout to

finance all of this irresponsible borrowing that has been going on in Puerto Rico.

Significantly, this bill does not commit one penny of taxpayer funds to bail out Puerto Rico. The fiscal oversight board is designed to help Puerto Ricans set their finances in order when they have failed to do so by themselves.

Now, let me say something. I heard the gentleman from Illinois talk about us treating Puerto Rico as a colony. That has not been the case since Mr. Munoz Marin, the legendary Governor of Puerto Rico, persuaded this Congress to give Puerto Rico internal self-government. What has happened here is internal self-government has failed, and that is why we are talking about this today.

I don't think many of my constituents in Wisconsin or Mr. DUFFY's constituents or Chairman BISHOP's constituents really were concerned about Puerto Rico, but we were; and we stepped up to the plate and offered a solution that has attracted bipartisan support and the support of the administration.

What do we hear from the opponents of this piece of legislation, one of whom just spoke very eloquently? It is wrong. It is bad. We shouldn't do that. We are ignoring the people of Puerto Rico.

Well, we are not doing that. We are making sure in this bill that the pain is shared. If this bill doesn't pass, there is no plan B, and Puerto Rico is going to collapse into an economic morass. There is no plan B.

I haven't heard anything from those who are opposed to this bill on what their alternative is. They have had a year to come up with their alternative, and all they do is make fiery speeches against what has been a very long and patient negotiated process. They are not a part of the solution. They are trying to engender more opposition, and they are a part of the problem.

Pass this rule. Pass this bill. Let's get Puerto Rico back on track, and this is a way to do it with some help from the oversight board.

Puerto Ricans are going to have to do this themselves. They haven't been able to do it without a tap on the shoulder. Too bad there is an oversight board, but that is the only game in town.

Mr. HASTINGS. Mr. Speaker, through you, I will advise my friend from Alabama that I have no further speakers, and I am prepared to close whenever he is.

I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield 5 minutes to another gentleman from Wisconsin (Mr. DUFFY), the sponsor of this bill.

Mr. DUFFY. Mr. Speaker, I appreciate the gentleman from Alabama for yielding.

It is a fascinating debate, where two sides of the political aisle have come

together, at the start, from very different vantage points on how to help Puerto Rico but have consistently worked together to find a compromise that all of us think is going to leave Puerto Rico better off than it is today.

I heard the gentleman from Illinois, in his fiery remarks, talking about dignity and respect for the people of Puerto Rico. He was saying that people in Puerto Rico are being treated like trash.

The economic stats are staggering of what is happening in Puerto Rico: the unemployment rate, it is double that of the mainland; the labor participation rate is 20 points lower than the national average; and thousands of people every month are leaving the island because there is not enough economic opportunity.

If you want to talk about dignity and respect, look at the poverty on the island. Look at the despair on the island. I mean, you have families that are being separated because they have no jobs. They can't live in their neighborhoods, in their communities with their families because they can't find an opportunity, so they have to go somewhere else. That is not dignity. That is not respect.

So this Congress has come together with a unified voice to come up with a package that can actually get Puerto Rico on an economic path to prosperity.

Listen, I would love if we can say to the Puerto Rican Government: You guys have to do a better job of managing your debt.

Guess what. It has been a failure, with \$73 billion in debt. They can't get their hands around it. The people have lost trust in the government, and so they are saying: If you look at the polls, we want Congress to act. We want Congress to do something. We can't get saved at home. Would the U.S. Congress please step in? Would you please help us out?

They aren't opposed to an oversight board to help manage the finances of the island. They are not opposed to a system to restructure Puerto Rican debt, a system that, by the way, makes sure that the bondholders of Puerto Rican debt will bear the loss, not the American taxpayer, because I think this institution believes that we should have the bondholders bear that loss instead of the American taxpayer.

We don't believe in capitalism on the way up, where you get all the rewards of your investment and bonds, but socialism on the way down, so, if you lose in an investment, the taxpayer will bail you out. That is not what we believe in.

So I guess when I hear opponents who talk about their fathers being born in Puerto Rico and them wanting to die in Puerto Rico, I love the passion, I love the fire, but you have to have a heart and look at what is happening on

the island and look at a commonsense, bipartisan solution where you have the President of the United States, the Treasury, the gentleman from Puerto Rico (Mr. PIERLUISI), who has been masterful in helping make sure that we stay on target, we understand what is going on on the island, that we understand what will work and what won't work, that we have come together, two different parties, actually, the Speaker of the Puerto Rican House engaging with us on how we are going to fix the island.

One quick last point. This is about debt restructuring. This is about getting the finances in order. But this also has to be about economic growth. You won't have a recovery until you have economic growth. We incent investment on the island.

Though we haven't done enough—there is still more to do—both sides have committed to making sure we come up with a strategy and a plan to make sure we have investment in Puerto Rico, so there is more opportunity, more jobs, more tax revenue, and more prosperity for the Puerto Rican people.

I am proud of the work that this House has done on this bill, the different sides, different views, different opinions that have come together to make this bill happen. I would encourage everyone to support the rule and, later today, support this bill.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

There is no doubt that the people of Puerto Rico find themselves in a dire situation, and there is no doubt that this situation has been made worse by the snail's pace with which the majority has seen fit to address the problems facing the people of Puerto Rico.

Though the restructuring of Puerto Rico's debt is certainly needed, I worry that the burdens placed upon the residents of the island, through this bill, really only amount to punting on important issues that we will, nonetheless, have to address somewhere down the road while making these important issues all the more complicated when we do get to the business of actually helping the people of Puerto Rico.

I urge a "no" vote on the rule, Mr. Speaker.

I yield back the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself the balance of my time.

I appreciate the remarks of my friend from Florida. This is a tough issue, there is no question about it. There are many of us that don't really understand how we got to this point. I have been trying to do some digging about that.

The truth of the matter is that the people in the Federal Government who were supposed to be looking over this and watching Puerto Rico and making sure that, if things needed to be done, they were done appropriately, under the law, were the President of the

United States and the Treasury Department, and they failed.

Now, they failed in watching the situation and raising the alarm for the rest of us. Let's make no mistake about it. The people of Puerto Rico elected governments, and those governments that have home rule authority made decisions that have put this island, as we just heard, on the brink of collapse because they spent money they didn't have, and they racked up debt they can't pay back.

Now, let's just stop and think for a minute. Where are we going in the United States of America? We are spending money we don't have, and we are racking up debt that there may come a day, for our country, as it is for Puerto Rico, that we won't be able to pay back; and then we, as the United States of America, will be on the brink of collapse. So perhaps we should learn a lesson here, that the decisions we make in this House about the future of the United States of America, those decisions could lead to the very same result for our country that we see for Puerto Rico.

My heart goes out to the people of Puerto Rico. They are suffering, and the suffering will get worse if we do not act.

The sponsor of the bill used two phrases with regard to this legislation that really struck me. He said it is "common sense" and "bipartisan." Isn't it a good thing that we have commonsense legislation that is bipartisan? Isn't that what the people of the United States of America send us here to do?

Let's come together, as one House, with one voice, help the people of Puerto Rico, and then, together, sit down and learn the lesson of what has happened here so that we don't repeat those mistakes for our country and end up with the United States of America on the brink of collapse.

Ms. JACKSON LEE. Mr. Speaker, I stand before you today to discuss H. Res. 770, the Rule providing for consideration of H.R. 5278—Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).

Our consideration of PROMESA must be a very thoughtful analysis of an outcome where the people of Puerto Rico will be empowered and be on a path towards progress where working families, their children and pensioners can be on a pathway towards a better future. PROMESA is a bipartisan measure and effort to assist the Commonwealth of Puerto Rico in restructuring \$70 billion in currently unpayable debt, an amount that exceeds the size of its entire economy.

There are a total of 3.548 million people living on the island of Puerto Rico.

Since 2006, Puerto Rico's economy has shrunk by more than 10 percent and shed more than 250,000 jobs.

More than 45 percent of the Commonwealth's residents live in poverty—the highest poverty rate of any state or territory.

Furthermore, its 11.6 percent unemployment rate is more than twice the national level.

The challenges facing the people of Puerto Rico have ignited the largest wave of out-migration since the 1950's, and the pace continues to accelerate.

More than 300,000 people have left Puerto Rico in the past decade with a record of 84,000 people leaving in 2014.

Puerto Ricans suffer from high rates of forced migration due to the better opportunities offered in the United States compared to in the commonwealth.

The gap between emigrants and immigrants has been continuously widening.

Indeed, this increase in emigrants caused a population decline, the first in its history, and the stateside Puerto Rican population grew quickly.

The median age of male Puerto Ricans is of working age from the ages of 25–49 and similarly for women from the ages of 25–59.

Most of the homes are family-led.

There are about 1,133,600 people in the civilian labor force but only 43 percent of them are employed.

In addition, most of those working work in minimum wage jobs.

Over 27 percent of the people in the Commonwealth are on welfare.

The median income in Puerto Rico is only half that of the poorest U.S. state, Mississippi, but welfare benefits are about the same in Puerto Rico as in Mississippi.

Swift action is needed in order to alleviate the pain and suffering of the people of Puerto Rico.

There is no time to waste.

H.R. 5278 appears to be an emergency default for Puerto Rico, an American territory where 3.5 million American citizens reside and continue to live in fear for their finances, their families and their future.

On July 1, Puerto Rico will face nearly \$2 billion worth of bond payments.

Already, businesses have closed, public worker benefits are in jeopardy, hospital care is restricted and basic governmental functions are at risk.

Should the Puerto Rican government default in early July, it faces certain litigation by its creditors, further erosion of its economy, and an inability to provide basic services to its people.

This measure creates a process for the Commonwealth to restructure their bond debts, avoiding a default that could lead to a humanitarian catastrophe and instead allowing Puerto Rico to return to economic growth and fiscal balance.

It would allow for the creation of a seven-member Financial Oversight and Management board which will approve annual budgets and fiscal plans.

This fiscal plan must be designed in a way that provides adequate funding for pension obligations.

Also, I have serious concerns about the minimum wage provision of the measure.

Specifically, regarding minimum wage and overtime, H.R. 5278 would extend the application of the existing federal subminimum wage of \$4.25 an hour to those under the age of 25 in Puerto Rico for as long as four years, while all other federal jurisdictions pay the subminimum wage to those under the age of 20 for only up to the first ninety days of employment.

We need to continue to work on ways to improve this measure to ascertain that American citizens in Puerto Rico are not languishing in poverty.

Indeed, the measure contains a provision that provides for a delay on the new Department of Labor overtime pay regulation until a Government Accountability Office (GAO) study is completed and the Department of Labor determines whether the rule could negatively impact the economy of Puerto Rico.

Additionally, the measure would create a "Revitalization Coordinator" that works closely with the Oversight Board to determine which energy and other infrastructure projects will be able to bypass local environmental, public health, and consumer protection laws.

Let me underscore again that I have serious concerns about the provisions in this measure, not the least of which is the expansion of the subminimum wage, the exemption from the new overtime Rule, and the exclusion of protections for pension benefits.

I commend my Democratic colleagues in their efforts of protecting the environment and wildlife refuge in the Commonwealth.

I look forward to working with my Democratic colleagues and our Republican colleagues across the aisle in continuing to improve the provisions of the measure for the betterment of fellow American citizens in Puerto Rico.

Let me conclude by highlighting that H.R. 5278 is not perfect but so long as we continue to work on a bipartisan basis in good faith, we can work towards our efforts of ensuring that Puerto Rico does not become a humanitarian crisis.

We must continue to work together to be our brother's and sister's keepers.

It is essential that we stand with the people of Puerto Rico and take action.

It is essential that we continue to work towards an orderly process that promotes the livelihood of U.S. citizens in Puerto Rico and alleviates the crisis.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BYRNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 771 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 771

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration of H.R. 5325 pursuant to this resolution, section 3304 of Senate Concurrent Resolution 11 shall not apply.

□ 1315

POINT OF ORDER

Mr. CASTRO of Texas. Mr. Speaker, I raise a point of order against House Resolution 771 because the resolution violates section 426(a) of the Congressional Budget Act.

The resolution, in waiving all points of order against consideration of the bill, waives section 425 of the Congressional Budget Act, thereby causing a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Texas makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Texas and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Texas.

Mr. CASTRO of Texas. Mr. Speaker, this year's appropriations process has

been rocky to say the least. That trend is poised to continue this evening and tomorrow as the House considers the fiscal year '17 Legislative appropriations bill.

Buried in this bill's committee report is controversial language that forces the Library of Congress to continue using the derogatory term "illegal alien" in its subject headings. Mr. Speaker, I will explain the background on this issue.

Last month, the Library of Congress announced proposed changes to its subject headings that would replace the term "aliens" with "noncitizens" and replace the term "illegal aliens" with "noncitizens" and "unauthorized immigration."

It is not unusual for the Library of Congress to make changes to its subject headings. In fact, each year it makes thousands of such changes. In 2015 alone, there were 4,934 new subject headings that were added. An example of one such change that the Library has made in the past was to replace the word "Negro" with a less offensive word.

This sort of evolution of the Library's subject headings is not unprecedented by any stretch of the imagination. However, what is unprecedented is Congress' weighing in on these changes. In fact, the Library has confirmed that this is the first time that Congress will have legislated on any of its subject headings in the history of the Library of Congress. So never before in history has Congress so much as communicated with the Library of Congress about its subject headings, let alone introduced legislation concerning them.

With this bill, that is all about to change. House Republicans are poised to make history by—for the first time ever—interfering in the Library of Congress' subject headings process to preserve a prejudicial term.

Now, I am not going to lump everybody on the other side of the aisle together on this issue. When this bill was marked up in the Appropriations Committee, Ranking Member WASSERMAN SCHULTZ introduced an amendment that would remove the "alien"-related language from the legislation's committee report. In fact, four Republicans in the committee joined Democrats to vote in favor of that measure, and the amendment only failed by one vote.

So there is bipartisan consensus on this matter, and it deserves debate and a vote in the full House of Representatives so that all of us can take a vote where, for the first time—again, this is the first time in its history—where the Congress is legislating on a subject heading of the Library of Congress, and it is to force the Library of Congress to continue using the word "illegal alien" rather than allowing them to do their job and, as they were considering doing, retiring that term.

Yesterday, three amendments were presented to the Rules Committee that would allow this to occur. Astoundingly, the Rules Committee rejected all three of those amendments. In other words, they would have allowed us to debate this and take a vote on it, but the Rules Committee rejected all three of these amendments, preventing a vote on this issue on the House floor.

As I mentioned before, Mr. Speaker, the language in the committee report that has sparked this debate refers to a portion of U.S. Code that contains the term "alien." I have introduced legislation that would remove "alien" from U.S. Code in instances where it refers to immigrants to this Nation. My bill, which is H.R. 3785, the CHANGE Act, would replace the terms "alien" and "illegal alien" in Federal law with the terms "foreign national" and "undocumented foreign national."

Let me be clear about why I am doing that. First, these folks may not be American citizens, but they are human beings. They are not people from outer space. When we think of the term "alien," we don't think of human beings; we think of people that are from somewhere else.

The word "illegal alien" has also been used oftentimes—although not by everyone—in a pejorative way, in a way that is meant to be pejorative and offensive. It stigmatizes immigrants in this Nation and diminishes the quality of discussion around immigration issues in the United States. When ugly, belittling names are used to describe groups of people, those terms can make discrimination seem okay.

There is precedent for changing language in our laws as words' meanings evolve over time. For example, our Federal code previously used the terms "lunatic" and "mentally retarded." Those words have since been taken out.

Just last month, President Obama signed into law a bill that I believe we can all be proud of, which was introduced by my colleague, Congresswoman GRACE MENG of New York, that removes the terms "Oriental" and "Negro" from Federal code. It is also time for "alien" to be added to the list of words we remove from Federal code.

So I urge my colleagues, both Republican and Democrat, to stand up for the dignity of all people who call America home and vote in favor of the CHANGE Act.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I rise in opposition to the point of order.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 10 minutes.

Mr. WOODALL. Mr. Speaker, I understand that my friend has great passion on this issue. What I love about this Chamber is that it allows people to come and express their passions.

But I serve on the Rules Committee. The Rules Committee has original ju-

risdiction of the unfunded mandate point of order, and it is designed to prevent Congress from imposing unfunded mandates—rules that we are not going to pay for—on outside institutions: State governments, local governments, and tribal governments.

By definition, this is the legislative branch appropriations bill. It funds the Library of Congress. We are absolutely funding what this bill is asked to do. To debate the merits of the underlying language is absolutely legitimate debate. But to use this point of order, which is almost a textbook definition of what this point of order does not apply to, is a dilatory tactic, Mr. Speaker.

I would ask that we vote to dispense with that, oppose this point of order, and get on to the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CASTRO of Texas. Mr. Speaker, can I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 4½ minutes remaining.

Mr. CASTRO of Texas. Mr. Speaker, I would make two points. The first is that this is an unfunded mandate because the Library of Congress was already well on its way to changing this term. Now, Congress is instructing it that it cannot do that. There is no way that money is not spent in following the instruction of Congress. So I disagree with the gentleman. This is an unfunded mandate.

To the issue itself, there was no argument from the other side that these words are pejorative, that this word is an anachronism. And, by the way, Mr. Speaker, this word is used in Federal code and applies to people who are here who are undocumented and also people who are here legally who are residents. So this is not only an issue of the undocumented. This is an issue of immigrants generally.

I know that, over the years, ours has been a very devout nation, a nation of faith, and that includes many of the people in this body. I, for example, have had an opportunity to visit with the faith study group that meets once a week that talks about the issues of their own personal faith, their own journeys, and the work that they do for their constituents.

As I think about my own district, which is 64 percent Hispanic in San Antonio, it is a town whose creativity, entrepreneurship, and spirit has been infused by the immigrant spirit. These are hardworking, often humble people who don't ask for much from their government, who work hard to provide for their families and who hardly ever will be heard to complain. Most of them, obviously, are documented; some are not.

But those people who are not and those who are considered resident

aliens are human beings, and I believe that our faith would tell us that God considers those folks human beings, not illegals. I don't imagine that God thinks of those people as illegal. They are fundamentally human beings, and they should be respected.

They are not American citizens. We understand that, and there has been much debate over the last few years about passing comprehensive immigration reform or at least considering it here on the House floor. That hasn't happened yet. But I do think that each of us can at least extend some modicum of respect to these people.

Mr. Speaker, I call on my colleagues to join me in voting for the CHANGE Act.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, I applaud my friend for coming down here and speaking on the underlying bill. I think it is very important that we have the conversations that we will have on the underlying bill. But it is also important, in the name of good government, to use these points of order for the purpose these points of order were intended to be used.

The Library of Congress cannot spend one penny except for those dollars provided in the underlying legislation. Yes, the underlying legislation has mandates for the Library of Congress, but those mandates are funded because that is the only way the Library of Congress can be funded.

This is an incredibly important point of order, Mr. Speaker. The power that we have in this body to dictate to State, local, and tribal governments what they must do and then refuse to pay the bill is a dangerous practice that this institution recognized when it created this point of order to avoid.

I hope my friends on both side of the aisle will continue to bring up unfunded mandates points of order when they are applicable. But I implore my colleagues: Do not take a vote to suggest that a point of order designed to prevent us from putting unfunded costs on local governments should apply when we are funding the responsibilities of the Federal Government. That perverts the intent, and it undermines our ability to use this point of order effectively in the future.

Mr. Speaker, I urge us to allow the House to continue our business for the day. Vote "yes" on the question of consideration of the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the point of order has expired.

The question is, Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CASTRO of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 170, not voting 32, as follows:

[Roll No. 283]

YEAS—231

Abraham	Grothman	Perry
Aderholt	Guinta	Pittenger
Allen	Guthrie	Pitts
Amash	Hanna	Poe (TX)
Amodel	Harper	Poliquin
Babin	Harris	Pompeo
Barr	Hartzler	Posey
Barton	Heck (NV)	Ratcliffe
Benishek	Hensarling	Reed
Bilirakis	Hill	Reichert
Bishop (MI)	Holding	Renacci
Bishop (UT)	Hudson	Ribble
Blackburn	Huelskamp	Rigell
Blum	Huizenga (MI)	Roby
Bost	Hunter	Roe (TN)
Boustany	Hurd (TX)	Rogers (AL)
Brady (TX)	Hurt (VA)	Rogers (KY)
Brat	Issa	Rohrabacher
Bridenstine	Jenkins (KS)	Rokita
Brooks (AL)	Jenkins (WV)	Ros-Lehtinen
Brooks (IN)	Johnson (OH)	Roskam
Buchanan	Johnson, Sam	Ross
Buck	Jolly	Rothfus
Bucshon	Jordan	Rouzer
Burgess	Joyce	Royce
Byrne	Katko	Russell
Calvert	Kelly (MS)	Salmon
Carter (GA)	Kelly (PA)	Sanford
Carter (TX)	King (IA)	Scalise
Chabot	King (NY)	Schweikert
Chaffetz	Kinzinger (IL)	Scott, Austin
Clawson (FL)	Kline	Sensenbrenner
Coffman	Knight	Sessions
Cole	Labrador	Shimkus
Collins (GA)	LaHood	Shuster
Collins (NY)	LaMalfa	Simpson
Comstock	Lamborn	Smith (MO)
Conaway	Lance	Smith (NE)
Cook	Latta	Smith (NJ)
Costello (PA)	LoBiondo	Smith (TX)
Cramer	Long	Stefanik
Crawford	Loudermilk	Stewart
Crenshaw	Love	Stivers
Culberson	Lucas	Stutzman
Curbelo (FL)	Lummis	Thompson (PA)
Davis, Rodney	MacArthur	Thornberry
Denham	Marchant	Tiberi
Dent	Marino	Tipton
DeSantis	Massie	Trotter
DesJarlais	McCarthy	Turner
Diaz-Balart	McCaul	Upton
Dold	McClintock	Valadao
Donovan	McHenry	Wagner
Duncan (SC)	McKinley	Walberg
Duncan (TN)	McMorris	Walden
Emmer (MN)	Rodgers	Walker
Farenthold	McSally	Walorski
Fitzpatrick	Meadows	Walters, Mimi
Fleischmann	Meehan	Weber (TX)
Fleming	Messer	Webster (FL)
Flores	Mica	Wenstrup
Forbes	Miller (FL)	Westerman
Fortenberry	Miller (MI)	Whitfield
Fox	Moolenaar	Williams
Franks (AZ)	Mooney (WV)	Wilson (SC)
Frelinghuysen	Mullin	Wittman
Garrett	Mulvaney	Womack
Gibbs	Murphy (PA)	Woodall
Gibson	Neugebauer	Yoder
Gohmert	Newhouse	Yoho
Goodlatte	Noem	Young (AK)
Gosar	Nugent	Young (IA)
Gowdy	Nunes	Young (IN)
Granger	Olson	Zeldin
Graves (GA)	Palazzo	Zinke
Graves (LA)	Palmer	
Graves (MO)	Paulsen	
Griffith	Pearce	

NAYS—170

Adams	Beyer	Bustos
Aguiar	Bishop (GA)	Butterfield
Ashford	Bonamici	Capps
Bass	Boyle, Brendan	Cárdenas
Beatty	F.	Carney
Becerra	Brady (PA)	Carson (IN)
Bera	Brown (FL)	Cartwright

Castro (FL)	Huffman	Perlmutter
Castro (TX)	Israel	Peters
Chu, Judy	Jackson Lee	Pingree
Cicilline	Jeffries	Pocan
Clark (MA)	Johnson (GA)	Polis
Clarke (NY)	Johnson, E. B.	Price (NC)
Clay	Jones	Quigley
Cleaver	Kaptur	Rangel
Clyburn	Keating	Rice (NY)
Cohen	Kelly (IL)	Richmond
Connolly	Kennedy	Roybal-Allard
Conyers	Kildee	Ruiz
Cooper	Kilmer	Ruppersberger
Courtney	Kind	Rush
Crowley	Kirkpatrick	Ryan (OH)
Cuellar	Kuster	Sánchez, Linda
Davis (CA)	Langevin	T.
Davis, Danny	Larsen (WA)	Sanchez, Loretta
DeFazio	Larson (CT)	Sarbanes
DeGette	Lawrence	Schakowsky
Delaney	Levin	Schiff
DeLauro	Lewis	Schrader
DeBene	Loebbeck	Scott (VA)
DeSaulnier	Lofgren	Scott, David
Deutch	Lowenthal	Serrano
Dingell	Lowe	Sewell (AL)
Doggett	Lujan Grisham	Sherman
Doyle, Michael	(NM)	Sinema
F.	Lujan, Ben Ray	Slaughter
Duckworth	(NM)	Smith (WA)
Edwards	Maloney,	Speier
Engel	Carolyn	Swalwell (CA)
Eshoo	Maloney, Sean	Takano
Esty	Matsui	Thompson (CA)
Fattah	McCollum	Thompson (MS)
Foster	McDermott	Titus
Frankel (FL)	McGovern	Tonko
Fudge	McNerney	Torres
Gallego	Meeks	Tsongas
Garamendi	Meng	Van Hollen
Graham	Moore	Vargas
Grayson	Moulton	Veasey
Green, Al	Murphy (FL)	Vela
Green, Gene	Nadler	Velázquez
Grijalva	Napolitano	Visclosky
Hahn	Neal	Walz
Hastings	Nolan	Wasserman
Heck (WA)	Norcross	Schultz
Higgins	O'Rourke	Waters, Maxine
Himes	Pallone	Watson Coleman
Honda	Pascrell	Wilson (FL)
Hoyer	Pelosi	Yarmuth

NOT VOTING—32

Barletta	Fincher	Luetkemeyer
Black	Gabbard	Lynch
Blumenauer	Gutiérrez	Payne
Brownley (CA)	Hardy	Peterson
Capuano	Herrera Beutler	Price, Tom
Costa	Hice, Jody B.	Rice (SC)
Cummings	Hinojosa	Rooney (FL)
Duffy	Hultgren	Sires
Ellison	Lee	Takai
Ellmers (NC)	Lieu, Ted	Welch
Farr	Lipinski	

□ 1350

Mses. EDWARDS and WASSERMAN SCHULTZ changed their vote from “yea” to “nay.”

Mr. SHUSTER changed his vote from “nay” to “yea.”

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, the buzz you hear around this Chamber, I suspect, is enthusiasm for the underlying bill. This is the legislative branch appropriations bill for FY 2017, and it is the single piece of legislation that enables all of the constituent services that go on from this institution. I want to say that again. Not one act of constituent service would go on anywhere in this country but for this underlying text. It is the Legislative Branch Subcommittee, led by my friend and colleague from Georgia, cardinal TOM GRAVES.

They do great work on the Legislative Branch Subcommittee, Mr. Speaker. It is no surprise to my colleagues in this Chamber that the House Appropriations Committee has been hard at work in producing those 12 appropriations bills that we are required to pass every year. Our success record in getting that done as a body has been spotty, but the success record of our committee in getting that done has been historic.

Even more, unlike many bills that come to this floor, the Appropriations Committee has said: Do you know what? We did the very best that we could do, but we welcome the input and counsel from our colleagues because we all have different experiences; we all come from different parts of the country; and we all have something to add.

So this bill, Mr. Speaker, makes in order 13 different amendments—seven offered by Republicans, six offered by Democrats—so that we can improve this bill and discuss this bill even more.

Among the top line items in the bill is the funding for our Capitol Police. No more so than this year have folks had the Capitol Police on their minds. The service that those men and women provide is indispensable in this Chamber, and I would argue, more than it is valuable to us and more than it is valuable to our constituents who visit this Chamber every day throughout the year, it is valuable to the families of those who send their loved ones to work here each and every day.

This bill funds the Architect of the Capitol. We talk so much about spending reductions and trying to be responsible. I am so proud of the spending record in terms of those reductions on inefficient programs that this Chamber has generated, but we have priceless American treasures right here in this building. I recall when you could see the water running down from the Capitol dome as it destroyed those precious American, historical treasures.

So this bill funds the Architect of the Capitol so that we are not a penny-wise and pound-foolish in terms of our obligation to tend to America's treasures.

This bill funds the Government Accountability Office. I dare say there is not a Member of Congress in this institution who hasn't had a constituent ask about a GAO report, who hasn't had occasion on his own to ask our auditing agency—our accounting office—to do a study of the best ways to use our resources, to make use of the limited resources that we have. They provide an incredibly valuable, non-partisan service so that we can do the very best for our constituents back home.

Mr. Speaker, this bill is funded at a level that is lower than the level was when I arrived in this Chamber. It is lower than the level was in 2009 and in 2010. I think that is important, because I think thrift really does begin at home. Throughout every year that I have been in this institution—I am now in year 5—we have absolutely gone after inefficient programs elsewhere in the government. We have absolutely tried to make a difference in curbing that tidal wave of debt that threatens the next generation, but we have started here in each and every bill.

Mr. Speaker, folks don't know it. The newspapers always carry the stories of excess on Capitol Hill. I don't know where they find those excess stories. I will tell you that the allotment for the spending of my office—for all of the constituent service that we do—is less than was allotted 10 years ago. Inflation corrodes it, and the job market erodes it. Time and time again, every dollar buys less, as every American family knows. We have committed ourselves as an institution to do more with less—thrift beginning at home.

There is a modest increase in this bill from the last cycle to deal with those issues, like our Capitol Police, like the Library of Congress, like the preservation of the Capitol. I support all of those underlying measures, and I support the rule by which we are bringing this measure here again. Thirteen amendments are made available by this rule. If we pass the rule, we will then move to the underlying bill, vote on those 13 amendments, and move to final passage.

I urge all of my colleagues to support both the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

□ 1400

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend, the gentleman from Georgia (Mr. WOODALL), for yielding me the customary 30 minutes for debate.

This legislation, as he indicated, provides \$3.48 billion for the House of Representatives and joint operations of

Congress. That is a \$73 million increase over the current year's levels, but more than \$150 million below the President's request.

This legislation funds the salaries and expenses for the House of Representatives, the Capitol Police, the Congressional Budget Office, the Architect of the Capitol, Government Accountability Office, and the Library of Congress.

Today is June 9. Nearly 2 months have passed since my friends in the majority sailed past the statutory deadline for passing a budget without even looking back. Nearly 1 month has passed since House Republicans began considering appropriations bills without first agreeing to top-line spending levels.

Republicans made passing a budget a top priority this year. They insisted that we would return to regular order. I really wish the American public understood the "regular order" concept. Yet here we are working without a roadmap and, instead, passing new rules to stifle debate on the House floor on controversial issues like equal rights.

But I will get to that in a bit, Mr. Speaker. For now, I will just say it is disappointing because, instead of considering appropriations bills funding critical investments for American families and communities, the House majority has again chosen to take care of itself. The partisan mishmash we are discussing today is no different.

Here is an example: This legislation forces the Library of Congress to continue to use the pejorative term "illegal alien" in its subject headings. Mr. Speaker, in another life, as a member of the judiciary, I refused to use that term when discussing persons that were before me. I can't help but laugh at the absurdity of this.

We—and I mean Congress—can't have a conversation about comprehensive immigration reform, yet we are forcing the Library of Congress to readopt politically charged rhetoric. For what? How is this a priority? The Legislative Branch Appropriations bill is certainly not the appropriate place for a political debate on immigration.

This legislation continues to fund the Energy and Commerce select panel to target Planned Parenthood, which, thus far, has conducted a completely partisan, political witch hunt and come up empty.

This legislation continues to fund the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi, which has already spent \$7 million on just four hearings over the past 2 years in order to smear Secretary Clinton. And what has it produced? Nothing.

I will note that the Select Committee on the Events Surrounding the 2012 Terrorist Attack in Benghazi has overlapped a number of previous investiga-

tions that also found nothing. You want to cut wasteful spending, Mr. Speaker? Look no further. Defund the Benghazi hearings.

I am happy to say that the bill provides \$563 million for Members' representational allowances for the coming fiscal year. This is 1.5 percent increase over the current level. But when we consider the fact that the MRAs have been cut by nearly 17 percent since 2011—that adds up to \$312,000—a mere 1.5 percent increase is clearly inadequate. I can make the argument that, because of that, we are unable to pay young people that come here and keep them with their institutional memory, and in addition we are unable to provide efficient services for our constituents; yet we cut that \$312,000 out of the budget, and now we are going to add back a little bit and claim that we are being efficient.

I won't even go into the salary and the cost-of-living adjustment but to say that people find it surprising that we are entering this legislation in 2017, year 9, without a cost-of-living increase for Members of Congress. I wonder if that is causing some of them to live in their offices. I wonder if it is causing them to breach tax considerations when they do that and, perhaps, even ethical considerations. But I won't go into that.

Furthermore, an amendment has been offered that will require a 1 percent cut across the board to the bill's spending levels. Such a cut would essentially wipe out this already diminutive increase. Members should vote this amendment down.

With salaries frozen where they are, I just got through saying we can't retain the best talent. We continue to lose staff. I have three staffers that were perfect for their jobs that had to leave because they couldn't afford to live on the salary that we were paying them.

Side note here, Mr. Speaker: the median rent for a one-bedroom apartment in Washington, D.C., was \$2,160 per month last December; and I will remind the Members of this body that many staffers start here at \$30,000 or less, annually. Do the math. We need to take better care of our people.

Mr. Speaker, before I yield back, I feel compelled to mention Speaker RYAN's new rules governing the appropriations process on the House floor. Three weeks ago, something particularly shameful took place in this room as we debated the Military Construction and Veterans Affairs and Related Agencies Appropriations Act.

An amendment by our colleague and friend, SEAN PATRICK MALONEY, reached the vote threshold needed to pass. Republican leadership, apparently caught off guard, held open the vote for nearly 8 minutes in order to make Republican Members change their vote. They allowed this to happen in the back of the room, and the amendment failed.

And what contentious subject was the amendment focused on? I will tell you. Prohibiting Federal contractors from discriminating against LGBTQ employees. This episode demonstrated just how little courage some Members of the Republican Party have.

A week later, Representative SEAN PATRICK MALONEY offered his amendment again, this time to the Energy and Water Development and Related Agencies Appropriations Act, and it caused such a hubbub that the legislation collapsed on the floor. I will say that again. A provision ensuring that LGBTQ contractors can't be fired solely because they are LGBTQ proved so contentious to Republicans that they defeated their own appropriations bill—I might add, a good bill—to prevent it from taking effect.

As a result, beginning this month, House Republican leadership is closing down the process and requiring all Members to submit amendments for appropriations measures to the Rules Committee in advance and has announced regular order is being suspended in order to make sure Republicans aren't caught off guard by "embarrassing" amendments, for instance, ensuring basic civil rights to American citizens.

Remember Speaker RYAN's pledge to return to regular order? Where is that commitment now? Perhaps my friends should consider that the reason these amendments are embarrassing to them is because their position is, in and of itself, embarrassing.

I will note that Representative SEAN PATRICK MALONEY offered his amendment again for the current legislation, but this time Republicans won't even allow it on the floor for a vote.

So, Mr. MALONEY, offer it again and again so we can continue to point out how ridiculous this is.

This entire process is quickly turning into a joke. Enough already. Why don't we fold the tent, wait until after the conventions and the November election, and start all over again, because we are doing nothing here.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is not widely known, but I have believed, in the 5 years that I have been in this institution, that if you were to lock the gentleman from Florida (Mr. HASTINGS) and myself in a room together, we could solve most of the issues that ail this Nation, that there really is more common ground in this institution than folks are willing to let on. But I find myself in the very uncomfortable position today of disagreeing with almost every conclusion that he reached, while I agree with so many of the fundamental issues that he believes brought us to this point; for example, regular order is bringing these appropriations bills to the floor.

The 1974 Budget Act lays out this process clearly. It lays out the process

for passing a budget, and it lays out the process, if the disagreements over that budget become too great, how we can proceed with the appropriations bills. It is exactly what is happening here today and exactly the way we envisioned it in 1974 when they passed the first Congressional Budget Act. It continues to roll on that way today. This is a success; it is not a failure.

My friend is absolutely right; it has been 9 years since Congress last received a pay raise. I will say to my friend that I go down to townhall meetings and I say: One day, I am going to come down here and tell you that I have so satisfied you and your needs that I think I deserve a pay raise, too.

I listened to my friend, and my friend talks about how the process is broken and we can't pass budgets. My friend talks about particularly shameful episodes that go on here on the floor of the House. My friend talks about failure to do the right thing and shenanigans that go on from leadership.

I will tell you, I failed to find anything in those few minutes that I thought my constituents would find worthy of a pay raise, and I regret that, Mr. Speaker. Because these men and women that I have the great pleasure of surrounding myself with here, these Representatives that come from 343 other very different districts across the country, they work hard, and they are honorable men and women fighting the hardest for their constituents who often disagree with me and mine.

We did have a very important vote 2 weeks ago, Mr. Speaker. You remember it well. I heard my colleagues trumpeting victories for equality, trumpeting historic votes in favor of equal opportunity when they passed an amendment, and not 20 minutes later, they voted against sending that bill to the Senate so that that amendment could become law.

Hear me again. We have big debates in this Chamber about serious issues that matter; and at some point, it has to be incumbent upon each and every one of us, if we get what we want in the amendment process, we need to support the final bill and get it moving to the President. I don't need to be right about policy; I need to make a difference on policy.

Like it or not, there are only two ways to change the law of this land from this Chamber. One is sending a bill to the President's desk and winning his signature; and the second is sending a bill to the President's desk, receiving his veto, and overriding it right back here in this Chamber. Neither of those processes for change, Mr. Speaker, even begin if we don't send the legislation from this floor.

I say to the gentleman from Florida, I am not scared of tough votes. To our colleagues who want to be protected from tough votes, I say you need to get another job than running for Congress.

I am sure there are other folks who will have you. If you don't want to take votes, don't become a United States Congressman. The toughest votes are the best votes we take in this institution. They tell us who we are as a people.

But the issues on which we are voting are too important to reduce to a bumper sticker tagline that goes on a campaign commercial that is going to be useful for 6 months or less. Let's have the big debates; let's do the big things; and then let's send those bills to the President's desk so that it becomes the law of the land.

We can talk and we can talk and we can talk, and so much of that talk centers around bringing change to America. Whether it is restoring a value of old or bringing a new value, it relates to bringing change to America. But that change cannot start until we change a little bit about ourselves.

Vote for the amendments; vote for your conscience; send those bills to the White House so we can get this process going.

I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

I would like to address very briefly my friend—and he is my friend—that I agree with much of what he said. He said fundamentally much of what I said he did not agree with, but he pointed to the fact that the Maloney amendment passed and then we turned around and voted against the bill.

There were other measures in that bill that some of us didn't care for that caused us to vote against it as well, and among them was one that was particularly offensive to me since I represent one of our national parks, and that was carrying guns in national parks.

□ 1415

I could go on. There were at least seven other riders that were put on by the majority that caused me angst. I am not sure about everybody else.

Additionally, I agree with my good friend that he and I could solve many of these problems, but one thing that I know that he favors, and I know that he agrees with me, and that is that as often as possible that we have open rules in this body; where we are headed is, in many respects, not in that direction.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. LOFGREN), my good friend.

Ms. LOFGREN. Mr. Speaker, this bill picks a fight with the librarians. In the bill, we seek to compel the Library of Congress to use an outdated and dehumanizing term to reference people who aren't citizens of the country.

Although the term "alien" is used in our statutes, it is outdated and deeply insulting to people born abroad who have worked hard to contribute to our

economy and communities. In fact, this fall, the Republican Party in California itself decided not to use the term “illegal alien” in its platform. In this bill, the Republicans in the House look like they are doubling down on vilifying immigrant communities.

Now, as part of a longstanding, often-used process for reviewing and updating subject headings, the Library of Congress apolitically decided to use the term “noncitizens” and “unauthorized immigration” instead of the pejorative term “illegal aliens.” The Library makes these types of changes all the time. It is one of 90 such modifications proposed en masse by the Library this last March.

When a subject heading is changed, references to previous headings are retained so researchers can use them, but mandating the term “illegal alien,” which is what Republicans are doing in this appropriations bill, is entirely political.

The rider countermands the Library’s professional judgment. Now, it is noteworthy that the Library didn’t choose the term “undocumented immigrant” favored by many because they didn’t want to be political. They just wanted to be fair.

Applying these standards in the past, the Library of Congress changed the subject classification “Negroes” to “African Americans,” the way we discuss African Americans today. The catalog used to say “cripples.” That makes me cringe. That was changed over time, first to “handicapped” and later to “people with disabilities.” But in this political season, it seems there is no limit to the racial invective that is being hurled around, and this bill plays into that.

Now, to my knowledge, Congress has never before told the Library of Congress what the heading in their card catalog has to be, and that we would do it in this case to promote a term that is so offensive to people is a darn shame.

Now, in the past, we have used the appropriations process to shut down the government. Republicans have done that repeatedly. I would hope that the Republicans in the House would not want to go down that path with this. It is true, this term is used in the statute. Our colleague, Representative CASTRO, has a bill to correct it. I would urge that bill be taken up and this unwarranted measure be rejected.

I include in the RECORD a letter from the American Library Association.

AMERICAN LIBRARY ASSOCIATION
AND ASSOCIATION FOR LIBRARY
COLLECTIONS & TECHNICAL SERVICES,

April 28, 2016.

Re: Request to Remove “Library of Congress Classification” Amendment from Legislative Branch Appropriations Legislation.

COMMITTEE ON APPROPRIATIONS,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN ROGERS, RANKING MEMBER LOWEY AND MEMBERS OF THE COMMITTEE: We write today on behalf of the more than 58,000 members of the American Library Association and of the Association for Library Collections & Technical Services (ALCTS): the division of ALA members expert in cataloging and classification. We do so to respectfully urge the House Appropriations Committee to strike language in legislation just adopted by its Legislative Branch Subcommittee that would bar the Library of Congress (Library) from implementing an appropriate and thoroughly researched change in its subject heading classifications announced in late March of this year.

Specifically, the Library proposes to replace the terms “Aliens” with “Noncitizens,” and “Illegal aliens” with two headings: “Noncitizens” and/or “Unauthorized immigration.” While some see politics in this decision, Mr. Chairman, as library professionals viewing the work of our colleagues we see only attention to historical detail, intellectual honesty, procedural transparency, and faithfulness to long-standing precepts and practices of librarianship. These have been the hallmarks of cataloging for all of ALCTS’ nearly 60 years and of almost 130 years of library science. Stripped of polemic and sensationalism, these are the facts underpinning the Library of Congress’ frankly routine and professional determination:

The Library of Congress has a long-established, often used process for reviewing and updating outdated subject headings and establishing new ones as needed that preserves all prior versions of updated headings. Such updates may be proposed from outside or within the Library of Congress, but the Library makes the final decision on all changes to subject headings. The Library reviews each change proposal individually and typically adopts over a thousand each year.

Indeed, the heading change now before the Committee was one of 90 such modifications proposed en masse by the Library in March. When a subject heading is changed, references to previous headings are effectively retained indefinitely so that researchers who perform a search for a former heading are certain to be directed to all relevant materials. No document in the Library of Congress’ (or any library’s) collection itself is ever substantively edited, modified, annotated or “corrected” in any way as the result of a subject heading update like the one interdicted by the Subcommittee’s recent action. Only its catalog “label” is altered.

The Library’s process in this case was rigorous, transparent, and consistent with the highest standards of professional cataloging practice. The Library was first asked 18 months ago, quite publicly, to review its use of the cataloging term “illegal aliens” by one of the nation’s preeminent colleges. That request, with modifications, subsequently was echoed by the American Library Association upon debate and approval of a formal Resolution by its more than 180-member Council in January of 2016. A “stakeholders” meeting with all appropriate expert sections

from within the Library then was convened just over two months ago at which both outside requests, and the broader issues they raised, were reviewed in detail. It is a measure of the Library’s professionalism and independence that, in fact, neither external proposal as submitted actually was accepted. Rather, upon review of the totality of the facts and consistent with venerable cataloging practice, the Library apolitically crafted the proposed policy described above and now before the Committee.

Decisions to update a subject heading are based on many considerations, including “literary warrant”: the frequency with which a term is or is not used in print and other dynamic resources that, by their nature, change with and reflect current social structures and norms. For subject headings that refer to groups of people, special attention is paid to: popular usage; terms used by members of the group to self-identify; and avoiding terms that are widely considered pejorative toward the group being described. Applying these same standards in the past, for example, the Library of Congress uneventfully changed the subject classification “Negroes” to “Afro-Americans” and again to “African Americans” over a period of years. The catalog term “Cripples” similarly morphed over time, first to “Handicapped” and later to “People with disabilities.” Congress made no move to countermand those expert cataloging determinations.

The Library reasonably and properly concluded in this instance that, when used in reference to people, the long-used terms “illegal” and “alien” have in recent decades acquired derogatory connotations, become pejorative, and been associated with nativist and racist sentiments. As the Library has noted: the heading “Aliens” has been in use by the Library since 1910; “Aliens, illegal” came into official use more than 35 years ago; and “Illegal aliens” has been in service for almost a quarter-century. Over that long span of time, and particularly in recent years, referring to undocumented persons (as opposed to forms of conduct) as “illegal” increasingly has been widely acknowledged as dehumanizing, offensive, inflammatory, and even a racial slur.

This shift has been plain and pronounced, as the Library observed, in precisely the kind of dynamic materials that cataloging standards require any Library to assess in evaluating the suitability of a subject heading in use and its prospective modification. Indeed, in recent years many national news organizations (including the Associated Press, USA Today, ABC, Chicago Tribune, and Los Angeles Times) categorically have stopped using the word “illegal” to describe human beings as a matter of editorial policy.

Moreover, the Pew Research Center has documented that their actions were not merely anecdotal or aberrant in any way. To the contrary, Pew compared use of the term “illegal aliens” in U.S. newspapers during the same two-week period in 1996, 2002, 2007 and 2013 (all times when immigration matters were much in the news). It found that use of that phrase declined precipitously over the most recent 6-year period surveyed, appearing in 21% of news reports in 2007 but just 5% in 2013: a 76% reduction in use and all-time low.

We understand, Mr. Chairman, why some have chosen to politicize the Library’s proposed subject heading changes discussed above. In light of the foregoing, however, it is the view of our Associations that, at minimum, the Library of Congress’ recent proposed reclassifications discussed above are

fully consistent with accepted professional cataloging standards and practices. Indeed, we believe that a compelling case can be made that the proposed changes are required by them. We hope that the foregoing description of the standards and practices of our profession, rigorously adhered to and unimpeachably applied by the Library of Congress in this case, will assist the Committee to accept the Library's independent professional cataloging determinations.

Specifically, we urge you and all Members of the Committee to strike all language from any piece of appropriations legislation that would countermand or modify the Library's recent determinations pertaining to the terms "Aliens" and/or "Illegal aliens," and to oppose any other legislation that would have similar effect.

Thank you for this opportunity to provide the Committee with a factual context in which to consider its upcoming actions. Please contact us should you or your staff have any questions, or require any additional information.

Respectfully submitted,

SARI FELDMAN,

President, American Library Association.

NORM MEDEIROS,

President, Association for Library Collections & Technical Services.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

My friend from Florida made reference to regular order earlier and, again, he and I see very much eye-to-eye on that issue. The gentlewoman who just spoke is one of my great friends on the Committee on the Judiciary.

I would like to read the offending language that folks are referring to. It says this in its entirety:

To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title VIII United States Code. To the extent practicable, the Congress directs the Library of Congress to use the laws passed by Congress.

That is the offending language.

My friend serves on the Committee on the Judiciary. If the Committee on the Judiciary did as she is suggesting and changed the law tomorrow, this language would reflect those changes passed by the Committee on the Judiciary tomorrow. This isn't the Committee on Appropriations' jurisdiction. We can, as an open appropriations process allows, make every political point that we want to make on every topic under the Sun, but longstanding policy is not changed in an annual appropriations bill. It is changed by authorizers like my friends on the Committee on the Judiciary, and I urge them to get to work on it.

There is no question, all of the examples the gentlewoman cited, I am with her 100 percent. We have made those changes, and we are the better for it, but let's not suggest—again, to my friend from Florida's point, why don't folks think Congress is deserving of a pay raise? I listened to my friend de-

scribe the motivations that folks had for including this language. They were not described as motivations in friendly or admiring terms. The language that says from Congress to the Library of Congress, use the laws passed by Congress.

Ms. LOFGREN. Will the gentleman yield?

Mr. WOODALL. I yield to the gentlewoman from California.

Ms. LOFGREN. I would just like to note and put into the RECORD the fact sheet from the American Library Association indicating that it is the Library of Congress' belief that it will need to change its policy already underway on this, so if the gentleman is saying that the language in the bill doesn't require a change on the Library's part, I think that would be news to the Library.

Mr. WOODALL. Reclaiming my time, I am not suggesting anything of the kind. I am suggesting that the language that folks are describing as offensive says from the Congress to the Library of Congress, use the laws passed by Congress.

If we don't like the laws of the land, we have a process to change them, and for better or for worse, that process begins in the committee on which the gentlewoman serves.

Mr. Speaker, I reserve the balance of my time so that I can continue my discussion with my friend from Florida.

Mr. HASTINGS. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN) for a unanimous consent request.

Ms. LOFGREN. Mr. Speaker, I include in the RECORD the missive from the American Library Association entitled "Support Library of Congress Autonomy in Subject Heading Determinations."

SUPPORT LIBRARY OF CONGRESS AUTONOMY IN SUBJECT HEADING DETERMINATIONS

[From the American Library Association and Association for Library Collections & Technical Services]

In late March of this year, after an extensive process consistent with long-standing library principles and practice, the Library of Congress proposed to replace the subject heading classification "Aliens" with "Non-citizens," and "Illegal aliens" with two headings: "Noncitizens" and/or "Unauthorized immigration." Similar, but not identical, changes previously had been requested by Dartmouth College and endorsed by the American Library Association.

In mid-April, the Legislative Branch Subcommittee of the House Appropriations Committee adopted language that would, in effect, countermand the Library's professional judgments and reverse the proposed reclassifications noted above. (The Report adopted by the Subcommittee states: "To the extent practicable, the Committee instructs the Library to maintain certain subject headings that reflect terminology used in title 8, United States Code.") The full House Appropriations Committee will meet in mid-May and has the power to undo the Subcommittee's action.

On April 28, the Presidents of ALA and ALCTS (ALA's division of members expert in

cataloging and classification) wrote the attached letter to the Committee's leaders and members on April 28 asking that they do so. Its principal points and specific requests follow on the reverse.

KEY POINTS: "LIBRARY LETTER" TO HOUSE APPROPRIATORS BACKING PROPOSED LIBRARY OF CONGRESS RECLASSIFICATIONS

The Library of Congress has a long-established, often used process for reviewing and updating outdated subject headings and establishing new ones as needed that preserves all prior versions of updated headings.

The Library's process in this case was rigorous, transparent, and consistent with the highest standards of professional cataloging practice.

Decisions to update a subject heading are based on many considerations, including "literary warrant;" the frequency with which a term is or is not used in print and other dynamic resources that, by their nature, change with and reflect current social structures and norms. For headings that refer to groups of people, special attention is paid to: popular usage; terms used by members of the group to self-identify; and avoiding terms widely considered to be pejorative toward the group being described.

The Library reasonably and properly concluded in this instance that, when used in reference to people, the long-used terms "illegal" and "alien" have in recent decades acquired derogatory connotations, become pejorative, and been associated with nativist and racist sentiments. Particularly in recent years, referring to undocumented persons (as opposed to forms of conduct) as "illegal" increasingly has been widely acknowledged as dehumanizing, offensive, inflammatory, and even a racial slur. This shift has been plain and pronounced:

in recent years many national news organizations (including the Associated Press, USA Today, ABC, Chicago Tribune, and Los Angeles Times) categorically have stopped using the word "illegal" to describe human beings as a matter of editorial policy; and

the Pew Research Center compared use of the term "illegal aliens" in U.S. newspapers during the same two-week period in 1996, 2002, 2007 and 2013 (all times when immigration matters were much in the news). It found that use of that phrase declined precipitously over the most recent 6-year period surveyed, appearing in 21% of news reports in 2007 but just 5% in 2013: a 76% reduction in use and all-time low.

The Library of Congress' recent proposed reclassifications discussed above are fully consistent with accepted professional cataloging standards and practices. Indeed, a compelling case can be made that the proposed changes are required by them.

ALA and ALCTS, its division of experts in cataloging, urge the Committee to accept the Library's apolitical subject heading judgment and, thus, to strike language from any piece of appropriations legislation that would modify or countermand the Library's recent determinations pertaining to the terms "Aliens" and/or "Illegal aliens," and to oppose any other legislation that would have similar effect.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ of California), my friend and the ranking member of the Committee on Ethics in this body.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in opposition to the consideration of H.R. 5325, a deceitful effort by House Republicans to

yet again dehumanize an entire group of people. It pains me to even say the phrase “illegal alien” out loud because it is pejorative, it is offensive, and has no place in our modern discourse. The Library of Congress is correct to leave this phrase in the pages of history and never to have it uttered again.

The importance of the Library of Congress’ decision to discontinue and remove the outdated phrase cannot be emphasized enough. Libraries nationwide and around the world look to the Library of Congress’ subject headings and other standards to publish information. As lawmakers representing a country of immigrants, Congress should not assist in the dissemination of information that perpetuates racism and promotes hate.

Of course, I am not at all surprised that congressional Republicans would resort to inserting themselves into bibliographic decisions that are normally reserved for librarians, not appropriators or politicians. Republicans hypocritically claim to want to keep government out of people’s lives, but want government to intrude and dictate standards only when it benefits their bigoted views.

Sadly, today’s effort and other past maneuvers to block President Obama’s executive actions on immigration falls in line with the concerted effort to move our country backward. We are better than that. Instead of promoting antiquated and deplorable language, we should be tackling any number of important issues—affordable education, tax reform, and promoting job growth—not telling librarians and educators how to do their jobs.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

Going back to my friend from Florida’s case that we have hardworking men and women here who haven’t had a pay raise in 9 years, if we are a part of a body that perpetuates racism and hate, I don’t want a single one of us to get a penny. I don’t want a single one of us to get a penny. My experience is that is not at all who we are. That is not who we are at all.

My quick text search of the U.S. Code—and I am a lawyer, but I haven’t read the Code cover to cover—tells me that “illegal alien” is referenced 32 times, even in a single title. Let’s go change it. If you want to get rid of it, let’s go in and get rid of it. Don’t act like this is beyond our control and if only we can fix the Library of Congress, suddenly we can solve all that ails us.

This is the United States Code. If you don’t like the Code, change the Code. Tell me that we are ineffective and we can’t get that done? We are talking about a title change here, one that we have already done, already this Congress. We eliminated the last reference to “Oriental” in the United States Code. We do these things together, but

we don’t do them by accusing one another of promoting racism and hate. We do those things by talking to one another.

Mr. HASTINGS. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. HASTINGS. The Library of Congress has made 90 subject head changes. Why this one? Why does it have to stick and can’t be changed? I thank the gentleman for yielding.

Mr. WOODALL. Reclaiming my time, I confess that I had no idea the Library of Congress was even in the subject change heading business. It wasn’t until I read a press release from somebody talking about this issue that I even knew this issue existed. But now that I know it exists, I know that it doesn’t exist in subject titles at the Library of Congress. It exists in the United States Code that is the law of the land for the greatest free nation this world has ever known.

You want to talk about shame on us? Shame on us for letting the librarians decide when the debate begins and when the debate ends. It is the United States Code and the responsibility falls to one body and one body only, and that body is here.

I want to go back home, Mr. Speaker. I want to tell my constituents they are getting every dollar’s worth out of this institution and, candidly, I believe they are getting more value today than they were yesterday and they got more value yesterday than they did a week ago or a month ago or a year ago. I think we are getting better.

I will give you a small example. We talk about legislative branch funding as if it is some sort of self-serving institution. That is just nonsense. We came here with one job and one job only, and that is to serve our constituents back home. This cycle we have passed the FAST Act, the first long-term transportation funding bill in 20 years. We did it together. We couldn’t do it alone. We did it together.

Mr. Speaker, after 17 years of kicking the can down the road on the sustainable growth rate, that Medicare tag line that threatened care for every single senior citizen on Medicare, 17 years of kicking it down the road, we came together and abolished it forever. Forever. We did it together because that is the only way we could get it done. The Visa Waiver Program improvement.

Mr. Speaker, S. 139, the bill that made it easier for people with rare diseases to get involved in clinical trials. Can you imagine? Can you imagine a government that in the name of helping people said: Oh, no, you can’t try that new cure. It might hurt you. When your response is, Mr. Government, I am dying, it is my only chance of survival. We fixed that. One of many things about what is best about this institution, Mr. Speaker, Time and time

again, we come together to solve real problems that real people have asked of us. That is what this funding bill is about.

I hope we are going to move past this bill today. I hope we are going to get back to regular order. It pains me that in an election year, it threatens the free and open debate that this institution prides itself on. But I think that is just fear. I think we are better than that. I think we are going to get past it. But that is not the debate today.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, would you be kind enough to tell both sides how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 14 minutes remaining. The gentleman from Georgia has 11 minutes remaining.

Mr. HASTINGS. Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to bring up legislation that would disband the select investigative panel of the Committee on Energy and Commerce. Mr. Speaker, this panel is just another waste of taxpayer money. Three House committees, 12 States, and one grand jury have already investigated the charges against Planned Parenthood, and none found evidence of wrongdoing.

□ 1430

Mr. Speaker, this panel is conducting a purely partisan political witch hunt, and it should be disbanded.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. CURBELO of Florida). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the distinguished ranking member of the select investigative panel, to discuss the proposal.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, I rise to urge my colleagues to defeat the previous question so that Mr. HASTINGS can offer H.R. 769, a resolution to shut down the select panel that we call the select panel to attack women’s health.

House Republicans created this panel based on a lie and fraudulent videotapes that have been discredited by three House committees, 12 States, and a Texas grand jury that actually indicted the video maker. They have used this fraud as a pretext to conduct a lethally dangerous witch hunt aimed at women’s health clinics and scientists conducting promising research on diseases like Alzheimer’s, MS, and the Zika virus.

Panel Republicans are bullying witnesses and abusing congressional authority in a manner not seen since the days of Senator Joe McCarthy. But this time, people's lives, not just their livelihoods, are at stake.

Republicans have issued dozens of unilateral subpoenas without first seeking voluntary cooperation. They are demanding the names of researchers, students, clinical personnel, doctors, and medical students, amassing a database that could be released publicly at any time.

Republicans refuse to put rules in place to protect these names and have reneged on public promises to do so. Instead, they have publicly released names and confidential documents.

They issued a press release naming a doctor who has already faced decades of harassment and violence; disclosed the time, place, and location of his appearance before the panel; and fueled the flames by comparing him to a convicted murderer.

They have repeatedly used inflammatory rhetoric, comparing researchers to Nazi war criminals and echoing words of antiabortion activists that were also used by the gunman who shot 12 people, killing 3, at a Planned Parenthood clinic in Colorado Springs.

Republicans have demanded and obtained information that they have no right or need to know, including records of victims of rape and personal financial information.

The Republicans are abusing power and putting people's lives in danger in pursuit of their agenda to limit legal abortion and a woman's right to choose and to shut down fetal tissue research.

Fetal tissue research has historically had broad bipartisan support. It is the basis for key vaccines that have saved millions of lives, including the polio vaccine.

The so-called investigative panel has already had a chilling effect on research, drying up the supply of needed tissue for research on multiple sclerosis and threatening other diseases, including Alzheimer's and diabetes.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. SCHAKOWSKY. All I really need is the time to say this:

We should now be ending this dangerous and unjustifiable witch hunt. It is time to say "no" to this panel, and it is time to say "no" to the previous question so that we can finally have a really strong debate on this House floor and finally defund this panel.

Mr. WOODALL. Mr. Speaker, I would advise my friend from Florida that I do not have any speakers remaining and am prepared to close when he is.

I reserve the balance of my time.

Mr. HASTINGS. I thank the gentleman.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE), my good friend.

Ms. JACKSON LEE. Mr. Speaker, I want to thank the distinguished gentleman from Florida for his management of what is a difficult and trying legislative process and my distinguished friend from Georgia, as well, for his service. Both of them are on the Rules Committee.

It pains me to come to the floor on an appropriations bill when I know that there is so much opportunity for us to be able to work together. I know my good friend from Georgia will understand the pain of which I speak and will also attest to the fact that, in many instances in the appropriations process, we have an open rule and we allow our Members to express themselves on behalf of the people of their congressional districts but, more importantly, the higher goal, and that is, the people of the United States of America.

Let me first express my pain that this bill is the first bill that has come to the floor, when I know that there was vigorous debate and possibilities for the energy and water bill—certainly, in my congressional district, which has seen itself under inches and inches of rain, seeing people die, and losing individuals through these enormous rains and flooding—because we need the kind of infrastructure that comes under energy and water. That bill is not being able to pass. Seeing the funding for access to health care, community centers, community health clinics not yet come to the floor; seeing the funding for infrastructure and transit that is so needed in our urban centers, like Houston, Texas, not coming to the floor. And then, of course, the Department of Justice, which is in the middle of dealing with commutation of sentencings, dealing with youth justice programs, dealing with a number of issues that are paining Americans; and they need our relief.

Yet the bill that comes to the floor, I must again painfully say, is an appropriations bill that I will not be able to support. It is a bill that really keeps the wheels going in this place. It is not a more important bill, but it keeps the wheels going so that we can do the people's work.

Here is what is happening that I think is a dastardly reflection on what we have come to. Let me be very clear. As a senior member of the Judiciary Committee dealing with the mechanics of lawmaking, dealing with laws that ultimately provide people civil or criminal justice relief or constitutional relief, I want to tell my colleagues who wrote this language that the issue dealing with the Library of Congress is an administrative one.

The idea that noncitizens and unauthorized immigration have any impact on creating a comprehensive immigra-

tion system, which I have introduced legislation along with my colleagues, joining with them over the years, has no import and impact of law. It is truly an administrative task that the Library of Congress is attempting to comport with national experts of librarians.

Everybody loves a librarian. They give our children knowledge. They give our students knowledge. They give all of us knowledge.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. They give us their best expertise.

Why we would intrude in an administrative process when it goes into nothing that impacts the scheme of the administrative or the legal structure here in the United States: it is to denigrate; it is to insult.

We understand that the word "illegal" does connote that you have violated a criminal act in certain instances. And there are those who are undocumented, noncitizens, et cetera, unauthorized, that have not violated any criminal laws.

Let me also say to you that defunding of the foolish Planned Parenthood investigation is warranted. Why? In my own home State of Texas, in Houston, the indictment did not go to Planned Parenthood, which was the attempt; but it went to the perpetrators of fraud on Planned Parenthood. There is nothing to investigate.

If you want to investigate, then investigate the lack of access of millions of women in the State of Texas who were using those clinics that Planned Parenthood had.

So my point is this is a bill we must vote against. Vote against the underlying rule and the bill, because it is nothing but fraud and foolishness, and that is not what we should do in this House.

Mr. WOODALL. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Florida has 5½ minutes remaining.

Mr. HASTINGS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rarely speak from the well of the House. I come down here today because, like my good friend from Georgia and many of us in this institution, those of us that have studied the institution genuinely love it and recognize that it is, fundamentally, what makes our Nation great.

When we speak of Congress, we are talking about the House of Representatives and the United States Senate. For a substantial period of time, both in the control of Democrats and Republicans, we have carried ourselves in a

way that has caused us to appear dysfunctional. And, in many instances—validly—those that look at us feel that we are unable to get things done.

My younger friend from Georgia pointed out a significant number of things that we did do, and he is correct about that. But he also knows there are a significant number of things that we have not been able to do, largely for the reason that we are not acting in a bipartisan manner—in an openly transparent manner, in many instances—in order to provide for all of the Members of this body to have input.

I came to the well because, as I near my 80th birthday, I am in a different category than many of the younger Members in this institution. Many of the younger Members of this institution have young families.

We, the 434 of us that are seated—and we will swear in the 435th a little later today—and the delegates from the territories and the District of Columbia, are in a variety of categories, as Americans. Some substantial number of Members in this body are multimillionaires; a significant number of Members of this body easily qualify to be in the middle class or the upper class; and there are some Members here who are in the lower class in our society.

Fortunately for us, in the 22 years that I have been here, I have seen this body grow in its diversity. More women on both sides, African Americans, Latino Americans, Asian Americans, Native Americans are part of this body from different walks of life. Some of us own our own homes here in the metropolitan Virginia-Maryland area. Some rent apartments. Some are in basements. Some are in one room. Some are gathered together because of the expenses here.

Now, my friend is right. I would like to go home and be able to show to my constituents and to his that we did everything that we could here to make for more efficiency. But I can cite the glut all over our agencies and, at the very same time, I make no apologies to anybody for how hard I work or how hard he works and the fact that we are entering our 9th year without a pay raise.

Now, I think it is wrong for Members of the House of Representatives to live in their offices. I think that there is an ethics provision that needs to be addressed, and I think there is a tax consideration that needs to be addressed.

□ 1445

And the public does not understand that nearly 100 Members, including the Speaker of the House of Representatives, live in their offices. Something is drastically wrong with that. Most of them are there for the reason that they can't afford to live in this town; and somehow or another, we are deserving, as are our staffs, deserving of being paid appropriately.

Mr. Speaker, in closing, I would like to remind my friends of the importance of the legislation we are debating today. This legislation allows us to run our operations here in Congress. Unfortunately, with this legislation, my friends in the majority are continuing their trend of putting politics above policy.

For this reason, I urge my colleagues to vote “no” on the rule and oppose the underlying measure.

And I want to make it very, very clear that the remarks that I made are my remarks. They are not the remarks of the Democrats in this institution. But I know this: I have had a lot of Members on both sides of the aisle say to me that they know that I am correct.

Courage, friends, courage, that is what it takes.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume.

I love watching my friend from Florida speak. The only thing I love more than watching him speak is talking to him one-on-one when the cameras are turned off.

It is not as easy as it ought to be in 2016 to come to the floor of the House and speak one's mind. Folks are worried about what the newspapers are going to say. Folks are worried about what the news is going to broadcast. Folks are worried about what the Twitterverse is going to do.

A lot of folks will tell you one thing when the cameras are on and another thing when the cameras are turned off. Mr. Speaker, but ALCEE HASTINGS is not one of those folks. It is the same message no matter who he is talking to and no matter where he is saying it because he comes from a place of conviction, and I love serving with people like that.

Truthfully, Mr. Speaker, if folks knew that it wasn't just their Member of Congress that was like that, but it was the one next door, and the one down the road, and the one across the river, and the one upstate, I think we would have a very different discussion about whether Congress is working or whether Congress is failing.

But, Mr. Speaker, when I try to sort those issues out, I don't really have to go back home to figure out why folks are disappointed. I don't even have to go back to the public record. I don't have to go any further than this one debate on this one legislative day.

Just in our hour together, Mr. Speaker, I have heard Members suggest that this House is using tactics not seen since Joe McCarthy. I wouldn't pay for that. I have heard Members suggest that this House is perpetuating racism and hate. I wouldn't pay for that. I have heard that there are dastardly things happening in the work of this institution. I am not going to pay for that. I have heard that we have been

involved in activities particularly shameful.

Mr. Speaker, I think we have all got a great relationship with the men and women who send us here to serve them. We have a special relationship, and a relationship that, I think, the men and women in this Chamber work exceptionally hard to make good on; but when we use the credibility that we develop in that relationship to tell folks that we are broken, to tell folks that we are worthless, to tell folks that the greatest experiment in self-governance that the world has ever known is failing, they believe us. They believe us.

Mr. Speaker, the discussions that we have, the differences that are brought to life on this floor, those are not failures. Those are successes. The back and the forth, the fights that we have, the headlines that get made when folks just can't agree, those are not failures: those are successes.

When the Framers put together this Constitution, Mr. Speaker, they made it hard—they made it hard to change the law of the land. It was supposed to be the rare thing that happened when we all came together and found agreement, and when we did, it was going to be in the best interest of a young Nation.

Mr. Speaker, I have heard my colleagues challenge us to defeat this bill today, as if funding the United States Congress is a self-serving action. I don't know who the self-serving Members of this institution are, Mr. Speaker, because I have not met them.

My friend from Texas came to the floor, and she said: If we don't get our work done, NIH will not be funded. And she is right. She said: If we do not get our work done, justice reform will not happen. And she is right. She said: If we do not get our work done, families that are struggling to respond to floods in her home part of the country will not get the dollars. And she is right. She is right.

Mr. Speaker, we are talking about changing the appropriations process to allow a little less openness, and I regret that. We are talking about it because, in the name of doing that energy and water bill that she spoke of, in the name of passing those bills that are essential to the functioning of the country, in the name of doing that responsibility that the Constitution places squarely on our shoulders, we have folks who pass amendments to bills only to let those bills fail.

I would tell you, as someone who believes in an open process, who believes in an open process, that if we can have that festival of democracy that is an open rule on an appropriations bill, let's have it. Let's let the votes fall where they may, and then send that bill to the Senate and on to the White House and make it the law of the land.

But if in the name of making a point, we prevent this institution from doing

its constitutionally mandated business, if in the process of making a political point, we prevent this institution from providing the money for that fundamental research, from providing the money for that flood relief, from providing the money for essential justice reform, I tell you, we have not honored this Nation with an open process; we have failed it.

And the question then falls to us: Are we going to have an open process that allows every Member to speak out on behalf of their constituency to fight for what may be best for this Nation that we all love? Or are we going to have election-year politics, decide that being able to produce that press release is more important than getting our work done?

I happen to know the answer, Mr. Speaker. I happen to know the answer because I happen to know each one of these Members on a personal level. There is not one of them who wouldn't turn in their voting card tomorrow if they could take a vote on the biggest issue that matters to them today. There is not one of them that wouldn't turn in their voting card tomorrow if they could make a difference for this generation and the next generation today, and I love that about them. I love it about each and every one of them.

Passing this bill lets those folks come to work and get this job done. Passing this bill allows us to get to work doing those things that I believe will honor the men and women who sent us here. Passing this rule allows us to get to the underlying bill that will keep the lights on not just for constituent service back in every district in this land, but the lights on in what I would argue is the greatest deliberative body, the greatest embodiment of self-governance that this world has ever known.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 771 OFFERED BY
MR. HASTINGS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 769) Terminating a Select Investigative Panel of the Committee on Energy and Commerce. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Rules.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 769.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not

merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Adopting House Resolution 770;

Ordering the previous question on House Resolution 771; and

Adopting House Resolution 771, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 770) providing for consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 178, not voting 14, as follows:

[Roll No. 284]

YEAS—241

Abraham	Calvert	Diaz-Balart
Aderholt	Carter (GA)	Dold
Allen	Carter (TX)	Donovan
Amodei	Chabot	Duffy
Babin	Chaffetz	Duncan (SC)
Barr	Clawson (FL)	Duncan (TN)
Barton	Coffman	Ellmers (NC)
Benishke	Cole	Emmer (MN)
Bilirakis	Collins (GA)	Farenthold
Bishop (MI)	Collins (NY)	Fitzpatrick
Bishop (UT)	Comstock	Fleischmann
Black	Conaway	Fleming
Blackburn	Cook	Flores
Blum	Cooper	Forbes
Bost	Costa	Fortenberry
Boustany	Costello (PA)	Fox
Brady (TX)	Cramer	Franks (AZ)
Brat	Crawford	Frelinghuysen
Bridenstine	Crenshaw	Garrett
Brooks (AL)	Culberson	Gibbs
Brooks (IN)	Curbelo (FL)	Gibson
Buchanan	Davis, Rodney	Gohmert
Buck	Denham	Goodlatte
Bucshon	Dent	Gosar
Burgess	DeSantis	Gowdy
Byrne	DesJarlais	Granger

Graves (GA) Massie
Graves (LA) McCarthy
Graves (MO) McCaul
Griffith McClintock
Grothman McHenry
Guinta McKinley
Guthrie McMorris
Hanna Rodgers
Harper McSally
Harris Meadows
Hartzler Meehan
Heck (NV) Messer
Hensarling Mica
Hice, Jody B. Miller (FL)
Hill Miller (MI)
Holding Moolenaar
Hudson Mooney (WV)
Huelskamp Mullin
Hulzenga (MI) Mulvaney
Hultgren Murphy (PA)
Hunter Neugebauer
Hurd (TX) Newhouse
Hurt (VA) Noem
Issa Nugent
Jenkins (KS) Nunes
Jenkins (WV) Olson
Johnson (OH) Palazzo
Johnson, Sam Palmer
Jolly Paulsen
Jones Pearce
Jordan Perry
Joyce Pittenger
Katko Pitts
Kelly (MS) Poe (TX)
Kelly (PA) Poliquin
King (IA) Pompeo
King (NY) Price, Tom
Kinzinger (IL) Ratcliffe
Kline Reed
Knight Reichert
Labrador Renacci
LaHood Ribble
LaMalfa Rice (SC)
Lamborn Rigell
Lance Roby
Latta Roe (TN)
LoBiondo Rogers (AL)
Long Rogers (KY)
Loudermilk Rohrabacher
Love Rokita
Lucas Rooney (FL)
Lummis Ros-Lehtinen
MacArthur Roskam
Marchant Ross
Marino

NAYS—178

Adams Cuellar
Aguilar Cummings
Amash Davis (CA)
Ashford Davis, Danny
Bass DeFazio
Beatty DeGette
Becerra Delaney
Bera DeLauro
Beyer DelBene
Bishop (GA) DeSaulnier
Blumenauer Deutch
Bonamici Dingell
Boyle, Brendan Doggett
F. Doyle, Michael
Brady (PA) F.
Brown (FL) Duckworth
Brownley (CA) Edwards
Bustos Ellison
Capps Engel
Capuano Eshoo
Cárdenas Esty
Carney Fattah
Carson (IN) Foster
Cartwright Frankel (FL)
Castor (FL) Fudge
Castro (TX) Gabbard
Chu, Judy Gallego
Cicilline Garamendi
Clark (MA) Graham
Clarke (NY) Grayson
Clay Green, Al
Clever Green, Gene
Clyburn Grijalva
Cohen Gutiérrez
Connolly Hahn
Conyers Hastings
Courtney Heck (WA)
Crowley Higgins

Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Posey
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin
Zinke

Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmuter
Peters
Peterson
Pingree
Pocan

NOT VOTING—14

Barletta
Butterfield
Farr
Fincher
Hardy
Herrera Beutler
Hinojosa
Lieu, Ted
Luetkemeyer
Payne

□ 1515

Mr. SHERMAN and Ms. SPEIER changed their vote from "yea" to "nay."

Mr. SHUSTER changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. YOUNG of Indiana. Mr. Speaker, on rollcall No. 284, had I been present, I would have voted "yea."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Patricia Wolfe, Elections Administrator, State of Ohio, indicating that, according to the preliminary results of the Special Election held June 7, 2016, the Honorable Warren Davidson was elected Representative to Congress for the Eighth Congressional District, State of Ohio. With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk.

OHIO SECRETARY OF STATE,
Columbus, Ohio, June 8, 2016.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 7, 2016, for Representative in Congress from the Eighth Congressional District of Ohio, show that Warren Davidson received 21,537 or 76.79% of the total number of votes cast for that office.

It would appear from these unofficial results that Warren Davidson was elected as Representative in Congress from the Eighth Congressional District of Ohio.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all Eighth Congressional District of Ohio boards of elections involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

PATRICIA WOLFE,
Elections Administrator.

SWEARING IN OF THE HONORABLE WARREN DAVIDSON, OF OHIO, AS A MEMBER OF THE HOUSE

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio, the Honorable WARREN DAVIDSON, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The SPEAKER. Will Representative-elect DAVIDSON and the members of the Ohio delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. DAVIDSON appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 114th Congress.

WELCOMING THE HONORABLE WARREN DAVIDSON TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 1 minute.

There was no objection.

Ms. KAPTUR. Mr. Speaker and Members, it is my privilege to welcome Congressman WARREN DAVIDSON, his wife, Lisa; and their two beautiful children, Rachel and Zach, to Washington, D.C.

To the Davidsons, their extended family, and their friends who are here to support them, we all wish you hearty congratulations. To Congressman DAVIDSON, on behalf of a grateful Nation, I want to extend our gratitude

for your many years of service in the United States Army. Thank you for your dedication to duty, honor, and country.

Though I am dean of Ohio's delegation, it seems just like yesterday when I was in your shoes. This moment you will never forget. You have worked hard to put together a winning coalition to win a hard-fought campaign, and that takes a dedicated person and a very giving family to make the necessary sacrifices.

To accomplish worthy objectives during your time in Congress, you will want to find issues that you can build coalitions around and then enlist others on both sides of the center aisle in that cause. Perhaps the best advice I can give you is to stay close to the people where you came from in Troy, Ohio; in Clark, Miami, Darke, Preble, and Butler Counties; and as DANIEL WEBSTER's words inspire us through the ages, dedicate our efforts to a higher cause, developing the resources of our land, calling forth its powers, building up its institutions, promoting all its great interests, and seeing whether we also, in our day and generation, may not perform something worthy to be remembered.

Welcome to the United States House of Representatives to WARREN, Lisa, and your family.

Mr. Speaker, I yield to the gentleman from Cincinnati, Ohio (Mr. CHABOT) my dear colleague. He is the dean, the longest serving member, on the Republican side.

Mr. CHABOT. Mr. Speaker, I thank the gentlewoman for yielding, and I want to thank her for her kind words to our now-colleague, WARREN DAVIDSON. As the two longest serving Members from Ohio, she and I have worked together for many years, particularly on matters important to our great State of Ohio. I look forward to continuing to work with her in the future.

Mr. Speaker, WARREN DAVIDSON is an American success story. Born and raised in the great State of Ohio, WARREN enlisted in the Army right after high school. While serving in Germany, he witnessed the fall of the Berlin Wall. He impressed his superior officers with his dedication and leadership qualities and thus earned an appointment to West Point where he continued to excel, in fact, finishing in the top 10 percent of his graduating class.

Upon his return to Active Duty, WARREN's reputation as an outstanding officer earned him positions in some of the Army's most distinguished units: The Old Guard, the 75th Ranger Regiment, and the 101st Airborne Division.

For many people, that would be a successful career. But WARREN had more to accomplish. In 2000, he returned to Ohio to help out with the family manufacturing business. To prepare himself to run the business, he earned an MBA from the University of

Notre Dame, where, not surprisingly, he graduated with honors.

WARREN brought the same work ethic and leadership abilities that he employed as an Army officer to grow and expand the family business. Since taking over the business, he has transformed it from a small shop with 20 employees to an enterprise now employing more than 200 people.

Now WARREN brings the lessons that he learned and the wisdom that he gained, both in the military and as a small-business owner, to the people's House, to Congress. Personally, I think that the House will benefit tremendously from his experiences, and I look forward—and I know you also will look forward—to working with him.

With that, Mr. Speaker, I would like to welcome WARREN DAVIDSON, his lovely wife, Lisa, and their children, Zach and Rachel, to the United States House of Representatives.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. DAVIDSON. Mr. Speaker, distinguished colleagues, and honored guests, it is a pretty good welcome. I thank you all.

My new colleagues, surely you know how surreal this moment is. Not all of you had the same experience of a special election. It is a little different. But you have all been here and have been given the trust of your districts to come represent them and serve here, so I am sure you understand how surreal it is having already been here.

I am really honored today to have a lot of folks with me. We all know that politics is a team sport. I have no greater teammate than my wife, Lisa. Our family was able to join us. Our daughter, Rachel, and my son, Zach, have been able to come on the floor. They took a fast route to the floor here. My sister, Robin, her husband, Larry, and close to 100 other friends and family were able to come here. So having run campaigns, you all know that it takes maybe a battalion-sized element to put a whole campaign together. So in some way, they are representative of all the hard work that goes on to win a campaign. I could not have been here without them. So I thank you all.

To really have come from the background, just enlisting in the Army, going to West Point, serving in some great units, and growing small manufacturing companies, doing all these things that we heard about, it is pretty, pretty nice. I have been focused on raising a family and growing kids. Frankly, in October, I was not planning to run for Congress. To come from filing 10 minutes before the deadline, jumping into a very competitive race, I understand that not a ton of you guys wanted the Speaker's job, and you got drafted. But about 15 other Republicans wanted the district Representative job, so it was very competitive. I

am really thankful to have won the race and been able to come here.

It is really an honor to be able to stand here and talk with you, my new colleagues. I look forward to getting to know every one of you on both sides of the aisle. I hope you will take the chance to get to know me. You can probably appreciate drinking from a firehose. I think I had about 2 or 3 hours now, maybe 4 hours, from my first meetings, whereas I think a lot of you had a couple of months, from November to January. I really hope to get to know you all.

The Founders intended us to have a strong Congress, and especially with the Presidential race the way it is, Congress truly has an opportunity to show real leadership and to be able to have the chance to be here and do the incredibly consequential work, face the challenge, and perhaps be part of solving some great things is an incredible honor. So let's get around to it.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Ohio, the whole number of the House is 435.

PROVIDING FOR CONSIDERATION OF H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 771) providing for consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 181, not voting 12, as follows:

[Roll No. 285]

YEAS—241

Abraham	Bost	Chabot
Aderholt	Boustany	Chaffetz
Allen	Brady (TX)	Clawson (FL)
Amash	Brat	Coffman
Amodei	Bridenstine	Cole
Babin	Brooks (AL)	Collins (GA)
Barr	Brooks (IN)	Collins (NY)
Barton	Buchanan	Comstock
Benishek	Buck	Conaway
Bilirakis	Bucshon	Cook
Bishop (MI)	Burgess	Costello (PA)
Bishop (UT)	Byrne	Cramer
Black	Calvert	Crawford
Blackburn	Carter (GA)	Crenshaw
Blum	Carter (TX)	Culberson

Curbelo (FL)	Kelly (MS)	Rice (SC)	Hoyer	Matsui	Sanchez, Loretta	Ellmers (NC)	Lamborn	Rokita
Davidson	Kelly (PA)	Rigell	Huffman	McCollum	Sarbanes	Emmer (MN)	Lance	Rooney (FL)
Davis, Rodney	King (IA)	Roby	Israel	McDermott	Schakowsky	Farenthold	Latta	Ros-Lehtinen
Denham	King (NY)	Roe (TN)	Jackson Lee	McGovern	Schiff	Fitzpatrick	LoBiondo	Roskam
Dent	Kinzinger (IL)	Rogers (AL)	Jeffries	McNerney	Schrader	Fleischmann	Long	Ross
DeSantis	Kline	Rogers (KY)	Johnson (GA)	Meeks	Scott (VA)	Fleming	Loudermilk	Rothfus
DesJarlais	Knight	Rohrabacher	Johnson, E. B.	Meng	Scott, David	Flores	Love	Rouzer
Diaz-Balart	Labrador	Rokita	Kaptur	Moore	Serrano	Forbes	Lucas	Royce
Dold	LaHood	Rooney (FL)	Keating	Moulton	Sewell (AL)	Fortenberry	Lummis	Rush
Donovan	LaMalfa	Ros-Lehtinen	Kelly (IL)	Murphy (FL)	Sherman	Foxx	MacArthur	Russell
Duffy	Lamborn	Roskam	Kennedy	Nadler	Sinema	Franks (AZ)	Marchant	Salmon
Duncan (SC)	Lance	Ross	Kildee	Napolitano	Slaughter	Frelinghuysen	Marino	Sanford
Duncan (TN)	Latta	Rothfus	Kilmer	Neal	Smith (WA)	Garrett	McCarthy	Scalise
Ellmers (NC)	LoBiondo	Rouzer	Kind	Nolan	Speier	Gibbs	McCaul	Schweikert
Emmer (MN)	Long	Royce	Kirkpatrick	Norcross	Swalwell (CA)	Gibson	McClintock	Scott, Austin
Farenthold	Loudermilk	Russell	Kuster	O'Rourke	Takano	Gohmert	McHenry	Sensenbrenner
Fitzpatrick	Love	Salmon	Langevin	Pallone	Thompson (CA)	Goodlatte	McKinley	Sessions
Fleischmann	Lucas	Sanford	Larsen (WA)	Pascrell	Thompson (MS)	Gosar	McMorris	Shimkus
Fleming	Lummis	Scalise	Larson (CT)	Pelosi	Titus	Gowdy	Rodgers	Shuster
Flores	MacArthur	Schweikert	Lawrence	Perlmutter	Tonko	Granger	McSally	Simpson
Forbes	Marchant	Scott, Austin	Lee	Peters	Torres	Graves (GA)	Meadows	Smith (MO)
Fortenberry	Marino	Sensenbrenner	Levin	Pingree	Tsongas	Graves (LA)	Meehan	Smith (NE)
Foxx	Massie	Sessions	Lewis	Pocan	Van Hollen	Graves (MO)	Messer	Smith (NJ)
Franks (AZ)	McCarthy	Shimkus	Lipinski	Polis	Vargas	Griffith	Mica	Smith (TX)
Frelinghuysen	McCaul	Shuster	Loeb sack	Price (NC)	Veasey	Grothman	Miller (FL)	Stefanik
Garrett	McClintock	Simpson	Lofgren	Quigley	Vela	Guinta	Miller (MI)	Stewart
Gibbs	McHenry	Smith (MO)	Rangel	Rice (NY)	Velázquez	Guthrie	Moolenaar	Stivers
Gibson	McKinley	Smith (NJ)	Lowey	Richmond	Viscosky	Harper	Mooney (WV)	Stutzman
Gohmert	McMorris	Smith (TX)	Lujan Grisham	(NM)	Walz	Harris	Mullin	Thompson (PA)
Goodlatte	Rodgers	Stefanik	Luján, Ben Ray	(NM)	Wasserman	Hartzler	Mulvaney	Thornberry
Gosar	McSally	Stewart	(NM)	Ruiz	Schultz	Heck (NV)	Murphy (PA)	Tiberi
Gowdy	Meadows	Stivers	Lynch	Ruppersberger	Waters, Maxine	Hensarling	Neugebauer	Tipton
Granger	Meehan	Stutzman	Maloney,	Rush	Watson Coleman	Hice, Jody B.	Newhouse	Trott
Graves (GA)	Messer	Thompson (PA)	Carolyn	Ryan (OH)	Welch	Hill	Noem	Turner
Graves (LA)	Mica	Thornberry	Maloney, Sean	Sánchez, Linda	Wilson (FL)	Holding	Nugent	Upton
Graves (MO)	Miller (FL)	Tiberi		T.	Yarmuth	Hudson	Nunes	Valadao
Griffith	Miller (MI)	Tipton				Huelskamp	Olson	Waladao
Grothman	Moolenaar	Trott	Barletta	Herrera Beutler	Payne	Huizenga (MI)	Palazzo	Wagner
Guinta	Mooney (WV)	Turner	Farr	Hinojosa	Sires	Hultgren	Palmer	Walberg
Guthrie	Mullin	Upton	Fincher	Lieu, Ted	Smith (NE)	Hunter	Paulsen	Walden
Hanna	Mulvaney	Valadao	Hardy	Luetkemeyer	Takai	Hurd (TX)	Pearce	Walorski
Harper	Murphy (PA)	Wagner				Hurt (VA)	Perry	Walters, Mimi
Harris	Neugebauer	Walberg				Issa	Pittenger	Weber (TX)
Hartzler	Newhouse	Walden				Jenkins (KS)	Pitts	Webster (FL)
Heck (NV)	Noem	Walker				Jenkins (WV)	Poe (TX)	Wenstrup
Hensarling	Nugent	Walorski				Johnson (OH)	Poliquin	Westerman
Hice, Jody B.	Nunes	Walters, Mimi				Johnson, Sam	Pompeo	Westmoreland
Hill	Olson	Weber (TX)				Jolly	Posey	Whitfield
Holding	Palazzo	Webster (FL)				Jordan	Price, Tom	Williams
Hudson	Palmer	Wenstrup				Joyce	Ratcliffe	Wilson (SC)
Huelskamp	Paulsen	Westerman				Katko	Reed	Wittman
Huizenga (MI)	Pearce	Westmoreland				Kelly (MS)	Reichert	Womack
Hultgren	Perry	Whitfield				Kelly (PA)	Renacci	Woodall
Hunter	Peterson	Williams				King (IA)	Ribble	Yoder
Hurd (TX)	Pittenger	Wilson (SC)				King (NY)	Rice (SC)	Yoho
Hurt (VA)	Pitts	Wittman				Kinzinger (IL)	Rigell	Young (AK)
Issa	Poe (TX)	Womack				Kline	Roby	Young (IA)
Jenkins (KS)	Poliquin	Woodall				Knight	Roe (TN)	Young (IN)
Jenkins (WV)	Pompeo	Yoder				Labrador	Rogers (AL)	Zeldin
Johnson (OH)	Posey	Yoho				LaHood	Rogers (KY)	Zinke
Johnson, Sam	Price, Tom	Young (AK)				LaMalfa	Rohrabacher	
Jolly	Ratcliffe	Young (IA)						
Jones	Reed	Young (IN)						
Jordan	Reichert	Zeldin						
Joyce	Renacci	Zinke						
Katko	Ribble							

NAYS—181

Adams	Cicilline	Doyle, Michael
Aguilar	Clark (MA)	F.
Ashford	Clarke (NY)	Duckworth
Bass	Clay	Edwards
Beatty	Cleaver	Ellison
Becerra	Clyburn	Engel
Bera	Cohen	Eshoo
Beyer	Connolly	Esty
Bishop (GA)	Conyers	Fattah
Blumenauer	Cooper	Foster
Bonamici	Costa	Frankel (FL)
Boyle, Brendan	Courtney	Fudge
F.	Crowley	Gabbard
Brady (PA)	Cuellar	Galleo
Brown (FL)	Cummings	Garamendi
Brownley (CA)	Davis (CA)	Graham
Bustos	Davis, Danny	Grayson
Butterfield	DeFazio	Green, Al
Capps	DeGette	Green, Gene
Capuano	Delaney	Grijalva
Cárdenas	DeLauro	Gutiérrez
Carney	DelBene	Hahn
Carson (IN)	DeSaulnier	Hastings
Cartwright	Higgins	Heck (WA)
Castor (FL)	Dingell	Heck (WA)
Castro (TX)	Doggett	Himes
Chu, Judy		Honda

NOT VOTING—12

Barletta
Farr
Fincher
Hardy
Herrera Beutler
Hinojosa
Lieue, Ted
Luetkemeyer
Payne
Sires
Smith (NE)
Takai

□ 1533

So the previous question was ordered.
The result of the vote was announced
as above recorded.

Stated for:
Mr. SMITH of Nebraska. Mr. Speaker, on
rollcall No. 285, I was unavoidably detained.
Had I been present, I would have voted “yes.”

The SPEAKER pro tempore (Mr.
SIMPSON). The question is on the reso-
lution.

The question was taken; and the
Speaker pro tempore announced that
the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I de-
mand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This
will be a 5-minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 237, noes 182,
not voting 15, as follows:

[Roll No. 286]

AYES—237

Abraham	Bridenstine	Cook
Aderholt	Brooks (IN)	Costello (PA)
Allen	Buchanan	Cramer
Amash	Buck	Crawford
Amodei	Bucshon	Crenshaw
Babin	Burgess	Culberson
Barr	Byrne	Curbelo (FL)
Barton	Calvert	Davidson
Benishak	Carter (GA)	Davis, Rodney
Bilirakis	Carter (TX)	Denham
Bishop (MI)	Chabot	Dent
Bishop (UT)	Chaffetz	DeSantis
Black	Clawson (FL)	DesJarlais
Blackburn	Coffman	Diaz-Balart
Blum	Cole	Dold
Bost	Collins (GA)	Donovan
Boustany	Collins (NY)	Duffy
Brady (TX)	Comstock	Duncan (SC)
Brat	Conaway	Duncan (TN)

NOES—182

Adams	Cleaver	Frankel (FL)
Aguilar	Clyburn	Fudge
Ashford	Cohen	Gabbard
Bass	Connolly	Galleo
Beatty	Conyers	Garamendi
Becerra	Cooper	Graham
Bera	Costa	Grayson
Beyer	Courtney	Green, Al
Bishop (GA)	Crowley	Green, Gene
Blumenauer	Cuellar	Grijalva
Bonamici	Cummings	Gutiérrez
Boyle, Brendan	Davis (CA)	Hahn
F.	Davis, Danny	Hastings
Brady (PA)	DeFazio	Heck (WA)
Brooks (AL)	DeGette	Higgins
Brown (FL)	Delaney	Himes
Brownley (CA)	DeLauro	Honda
Bustos	DelBene	Hoyer
Butterfield	DeSaulnier	Huffman
Capps	Deuch	Israel
Capuano	Dingell	Jeffries
Cárdenas	Doggett	Johnson (GA)
Carney	Doyle, Michael	Johnson, E. B.
Carson (IN)	F.	Jones
Cartwright	Duckworth	Kaptur
Castor (FL)	Edwards	Keating
Castro (TX)	Ellison	Kelly (IL)
Chu, Judy	Engel	Kennedy
Cicilline	Eshoo	Kildee
Clark (MA)	Esty	Kilmer
Clarke (NY)	Fattah	Kind
Clay	Foster	Kirkpatrick

Kuster	Murphy (FL)	Schrader
Langevin	Nadler	Scott (VA)
Larsen (WA)	Napolitano	Scott, David
Larson (CT)	Neal	Serrano
Lawrence	Nolan	Sewell (AL)
Lee	Norcross	Sherman
Levin	O'Rourke	Sinema
Lewis	Pallone	Slaughter
Lipinski	Pascrell	Smith (WA)
Loeb sack	Pelosi	Speier
Lofgren	Perlmutter	Swalwell (CA)
Lowenthal	Peters	Takano
Lowey	Peterson	Thompson (CA)
Lujan Grisham	Pingree	Thompson (MS)
(NM)	Pocan	Titus
Lujan, Ben Ray	Polis	Tonko
(NM)	Price (NC)	Torres
Lynch	Quigley	Tsongas
Maloney,	Rangel	Van Hollen
Carolyn	Rice (NY)	Vargas
Maloney, Sean	Richmond	Veasey
Massie	Roybal-Allard	Vela
Matsui	Ruiz	Velázquez
McCollum	Ruppersberger	Visclosky
McDermott	Ryan (OH)	Walz
McGovern	Sánchez, Linda	Wasserman
McNerney	T.	Schultz
Meeks	Sanchez, Loretta	Waters, Maxine
Meng	Sarbanes	Watson Coleman
Moore	Schakowsky	Welch
Moulton	Schiff	Yarmuth

NOT VOTING—15

Barletta	Herrera Beutler	Payne
Farr	Hinojosa	Sires
Fincher	Jackson Lee	Takai
Hanna	Lieu, Ted	Walker
Hardy	Luetkemeyer	Wilson (FL)

□ 1540

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

MS. JACKSON LEE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 286.

PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 5278.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Utah?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 770 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5278.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1543

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5278) to establish an Oversight Board to assist the Government of Puerto Rico, includ-

ing instrumentalities, in managing its public finances, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 30 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chair, I yield myself such time as I may consume to say that to date, this is one of the most significant bills that has come to the floor in a long time, and it is going to be an excellent solution to a very, very difficult problem.

I yield 5 minutes to the gentleman from Wisconsin (Mr. DUFFY), the sponsor of the bill, for its introduction.

□ 1545

Mr. DUFFY. Mr. Chair, I thank Congressman BISHOP and the whole Natural Resources Committee for all of the hard work they put into this bill.

This has been a months-long process of working with Democrats and Republicans, the administration, Treasury, Puerto Rican elected officials, all coming together to negotiate, to discuss, to philosophize and then eventually come up with what I think is an excellent resolution to the burning crisis in Puerto Rico. I want to take a moment to talk about what is actually happening on the island.

Puerto Rico is \$73 billion in debt. That is over 100 percent of GNP. They have almost \$2 billion of unpaid bills to their vendors. So what does that mean? That means schools are closing down because we don't have fuel for energy in the schools or for school buses. Hospital wings are closing. Emergency vehicles aren't being run because the island doesn't have money to pay its bills. This is a true economic crisis. It is a true humanitarian crisis that is taking place in Puerto Rico.

So the question becomes: Does this institution act to help Puerto Rico, or do we continue to negotiate and refine and tweak a bill that will never come to the floor, that will never make it to the Senate, that will never gain the President's signature? Do we let perfect be the enemy of the good?

I think this is a great bill that is going to actually get Puerto Rico on a path to prosperity, opportunity, and economic growth; that is going to help the people in Puerto Rico who have a dream of living in Puerto Rico stay in Puerto Rico with their families in their communities on the island that they love.

Right now, there is despair. We have thousands of people leaving Puerto Rico every month to come to the mainland because there is no opportunity. This is what debt does to economies. It absolutely crushes them, and it crushes people.

So what do we do? Well, we have a two-pronged approach. Number one, the elected officials in Puerto Rico have known that this issue has been coming for years, and they haven't been able to get their hands around it, haven't had the political will to fix the burning problem. So we are going to put into effect an oversight board to actually work with the island government to get its finances and its budgets under control.

That oversight board is going to have an opportunity to work on debt restructuring, which is the second prong of this bill. \$73 billion in debt, they can't pay it. People might want to wish that all the bondholders could be paid. They might dream about all the bondholders being paid, but the bottom line is Puerto Rico doesn't have enough income to pay its bondholders. They can't pay their vendors, let alone their bondholders.

So we set up a system where the island and the bondholders have a forum in which to negotiate a settlement, a resolution to this massive debt. And if they can't come up with a resolution or a solution to the debt, they can access the court system, and the courts can help them resolve the disputes in regard to this massive debt. It is that system that is going to allow for debt restructuring and an oversight board that is going to bring Puerto Rico to a place of economic health. When you can get to a place of economic health, you can start to have a conversation about economic growth; and when you have economic growth, you actually help people, you help families, and you help communities.

Now, there are some who have said that this bill is a bailout. Let me tell you what. I have the definition of a bailout, and a bailout happens when this institution sends taxpayer monies to somewhere else or to somebody else. The bottom line is this bill doesn't spend any taxpayer money bailing anybody out. There is no taxpayer money that is involved.

What we do here is say: Hey, listen. If you invested in Puerto Rican bonds and you might have gotten a great upside, a great return on your bonds that you maybe bought at 50 or 60 cents on the dollar, you took that risk; and if there is a loss, you, the bondholder, are going to bear the loss on that bond, but the taxpayers aren't going to bear that loss for you.

So I think this is a great compromise, a great package that is going to bring economic health and growth back to Puerto Rico.

I want to thank Mr. PIERLUISI for all of the insight that he has given to both sides of the aisle on what needs to be done to make this work, and the elected politicians, the Speaker of the Puerto Rican House, who has been so gracious with his insight into how we structure a package that is going to grow Puerto Rico.

Mr. GRIJALVA. Mr. Chair, I yield myself 5 minutes.

The United States flag has flown over Puerto Rico for more than a century. Those born on the island are American citizens, and more than 200,000 have served in the United States military, including roughly 10,000 serving today. Millions more live on the U.S. mainland but consider Puerto Rico their home.

Mr. Chairman, we are here today because our fellow Americans are suffering, and it is our constitutional responsibility to help them. They are suffering from the effects of a debt crisis more than a decade in the making.

A devastating combination of mismanagement, unfair Federal policies, opportunistic hedge funds, and desperate budget cuts have destroyed the economy on the island. The monstrous burden of Puerto Rico's \$70 billion debt is swallowing the funds needed to provide health care, education, transportation, and public safety for the Commonwealth's families.

Almost 100,000 people have left the Commonwealth last year to look for better economic opportunities, which only makes the situation on the island worse. About 80 percent of children in Puerto Rico live in high-poverty areas, compared to about 11 percent of children on the mainland. The island's poverty rate is about 44 percent, and unemployment is 13 percent.

If Congress fails to act, the island and its people face another decade of further economic and social collapse. Our fellow citizens of Puerto Rico should not have to endure this coming humanitarian crisis. Our colleague, NYDIA VELÁZQUEZ, has described the status quo as a "recipe to lose an entire generation to forced migration to the mainland."

After 6 months of difficult bipartisan negotiations, four hearings, and a series of draft bills, we are here today to consider H.R. 5278. H.R. 5278 will provide the tools necessary to get the economy of Puerto Rico on a more stable footing and allow the Commonwealth to regain access to credit markets.

The bill would allow restructuring of all outstanding debt without favoring any particular creditor; require transparent audits, combined with annual fiscal plans and budgets; and temporarily pause the ongoing flurry of litigation to allow the oversight board to begin its work and create a space for voluntary negotiations.

As I have said throughout this process, this is not a bill that I or Democrats would have written. The oversight board is too powerful and is yet another infringement of the sovereignty of the people of Puerto Rico, and they have a right to find it offensive. The provisions undermining minimum wage and overtime rules don't belong in the bill. What is worse, they

threaten the effectiveness of the overall legislation.

Provisions that should be included—like full pension protections, an earned income tax credit, equal funding for Medicaid, and a Zika response—are missing. But the reality is that this is the only bill that would attract enough support from my colleagues across the aisle to pass in a Congress which they control. There is no other avenue available to address the crisis. This compromise is the bill we can and should pass.

When measured against a perfect bill, this legislation is inadequate. When measured against the worsening crisis in Puerto Rico, this legislation is vitally necessary.

I urge my colleagues to support H.R. 5278.

I would like to take a moment to clarify for the record a number of inaccurate and misleading statements in the Committee Report on H.R. 5278. It appears that the Committee Report on H.R. 5278 was prepared based on earlier non-public drafts of the bill—not the version considered by the Committee. Several references plainly do not reflect the current language in H.R. 5278 as introduced or as voted on by the House Committee on Natural Resources during its markup hearing.

The following statement on page 40 of the Committee Report oversimplifies a complex problem facing Puerto Rico and, in my view, mischaracterizes the nature of the territory government's action: It says, "Puerto Rico's local politicians have accelerated the crisis on the island through the passage of harmful legislation, including the imposition of a moratorium on the payment of debt." Puerto Rico's passage of a moratorium law was a local response to attempt to address its fiscal and debt emergency in the absence of necessary Congressional action. It is misleading and unreasonable to characterize the passage of a local moratorium law as accelerating the crisis.

The Committee Report's summary of section 101 provides that: "[a]dditionally, this section provides for the appointment of seven individuals to the Oversight Board through a process that ensures that a majority of its members are effectively chosen by Republican congressional leaders on an expedited timeframe, while upholding the President's constitutional role in making appointments." Let's be very clear: The President appoints all seven members of this Puerto Rico Board. To be sure, members of Congress may make suggestions to the President, but the power to appoint members of this territorial entity remains with the President.

The Committee Report's summary of section 201 is inaccurate in a number of respects. The report states, on page 45, that "[i]mportantly, Fiscal Plans ensure the protection of the lawful priorities and liens as guaranteed by the territorial constitution and applicable laws, and prevent unlawful inter-debtor transfers of funds." This interpretation is misleading and does not reflect the language of the bill or the evolution of the language throughout the legislative process. Section 201(b)(1)(N) provides that a Fiscal Plan certified by the Oversight Board must "respect"

the relative lawful priorities or lawful liens under territory laws, not "ensure the protection" of such priorities or liens. The verb "respect" was specifically chosen by the drafters of the bill and carefully considered by the Committee. For instance, at the Committee markup, Representative FLEMING twice offered amendments that would have changed the "respect" language in section 201(b)(1)(N) to "comply with." The Committee twice rejected those amendments—the first time on a voice vote and the second time on a roll call vote, 16 yeas to 23 nays. The Committee recognized that the verb "comply with" was unduly restrictive and that the Oversight Board needed the flexibility afforded by the verb "respect," which is more open-ended. For that reason, it is inaccurate for the Committee Report to state—contrary to the current legislative text and the Committee's intent—that Fiscal Plans ensure the protection of lawful priorities and liens.

In addition, the summary of section 201 explains that "[w]hile this language seeks to provide an adequate level of funding for pension systems, it does not allow for pensions to be unduly favored over other indebtedness in a restructuring." But Section 201(b)(1)(C) has nothing to do with relative priorities among various creditors; the provision requires the Board to provide for adequate funding of pensions, which relates to the Fiscal Plan and the manner by which annual budgets comply with the Fiscal Plan. Of course, any restructuring under Title III must be consistent with the Fiscal Plan under Section 314 of the bill, but the Committee Report is inaccurate in suggesting that this provision relates to relative priorities.

The following statement on page 48 summarizing section 303 is missing a critical adjective: "nor may an executive order divert funds from one instrumentality to another or to the territory." Certain executive orders that divert funds from one territorial instrumentality to another or to the territory may be lawful under applicable territory laws. The only types of executive orders that are preempted by section 303(3) of this Act are "unlawful" executive orders, as the text of section 303(3) makes abundantly clear. For instance, if an executive order is permitted by the territory's constitution or its laws, it is not an unlawful executive order and is not preempted by section 303. The drafters intended section 303(3) to make clear that PROMESA preempts and renders void any executive orders issued beyond the scope of what would have been authorized by its local laws; lawful exercises of executive authority are unaffected.

In summarizing section 314 on page 50, the report states: "[b]y incorporating consistency with the Fiscal Plan into the requirements of confirmation of a plan of adjustment, the Committee has ensured lawful priorities and liens, as provided for by the territory's constitution, laws, and agreements, will be respected in any debt restructuring that occurs." This summary suffers from the same problem that the summary of the provisions of section 201 suffered: It refers to language that has never existed in a public version of the bill; rather, it reflects staff-level draft text that was ultimately rejected. Section 201 clarifies that Fiscal Plans must "respect" lawful priorities and lawful liens. The Committee carefully considered this

language and twice rejected amendments proposed to change it to “comply with” such priorities and liens.

The summary of section 407 on page 52 explains that: “[t]his section grants creditors the right to sue upon the conclusion of the stay, if the government of Puerto Rico transfers property between instrumentalities during the tenure of the Oversight Board in violation of any agreement, or applicable law that a creditor has or would have a pledge of, security interest in, or lien on such property.” Section 407, as drafted and passed through Committee establishes a federal remedy for Puerto Rico’s creditors in certain circumstances. But the addition of the language “or would have” in the Committee Report, again, reflects staff-level text that was not ultimately included in the version approved by the Committee. The current text provides a cause of action for creditors that—at the time of the alleged unlawful transfer—in fact have “a pledge of, security interest in, or lien on” the transferred property. Contrary to the suggestion of the Committee Report, the provision does not permit such a cause of action if the plaintiff only “would have” in some future circumstance such an interest.

Indeed, the fact that the addition of words like “or would have” were discussed but not ultimately included in the text is strong evidence that Congress did not intend for such prospective, contingent rights to be within the scope of this provision. It would have been extraordinary to provide certain creditors an argument that federal law establishes for them a property interest where no such property interest existed under the terms of the agreements they negotiated. The Committee rightly declined to do so.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to one of the senior members of our committee, a senior member of his delegation, and someone who happens to be celebrating today not only his anniversary, but also his birthday; and what better way of giving a birthday present to the Representative from Alaska than to allow him to speak on the floor on the subject of Puerto Rico.

I yield 2 minutes to the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Chair, I rise today in support of H.R. 5278.

May I commend Chairman BISHOP for his kindness in recognizing my birthday and my anniversary. I am quite proud of that. I am 83 years old. I want a lot of you to remember the fact I still can kick tails and take names, so just keep that in mind.

This is a bill that I do support. It has been worked together with the Puerto Ricans. It has been worked together with Representatives GRIJALVA and PIERLUISI. I would say most all of the people involved in this recognize this is not everything we would want, but it is the bill, I think, that can help Puerto Rico today and now.

It is not a bailout. That is for some people who keep saying it is a bailout. It does not allow taxpayer dollars to be

used for paying down the Puerto Rican debt.

I held a hearing in February on the oversight board concept, and it was clear that it was needed and it was testified in favor of. I understand some reluctance in Puerto Rico, but let’s get this ship righted. Once we get it righted, restaffed, and the sails full of wind, then Puerto Rico will have a chance.

I do support the multiple-step process. The bill combats the immediate crisis. It will help out Puerto Rico’s ability to take and get credit. We need more long-term solutions, though, about the economic zones in Puerto Rico and how we improve the economy there so they can continue to grow.

I want to compliment Mr. DUFFY’s amendment, and I will support Mr. DUFFY and his work on this legislation. I do believe a HUBZone is very necessary in the contracting program.

As I mentioned, I have been worked passionately on Puerto Rican issues on the floor of the House. Fifteen years ago, we had a vote about statehood. I passed it by one vote. I am a big supporter of statehood and always have been. It didn’t occur. We didn’t allow it.

Right now, this problem has to be addressed.

I again do compliment Mr. BISHOP, Mr. DUFFY, and members on that side of the aisle. Let’s take our American people and Puerto Rico and give them the recognition that is necessary. Let’s take and help them now so we can go forth.

Mr. GRIJALVA. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Chairman, I want to take this opportunity to really thank Ranking Member GRIJALVA for the important role that he has played throughout this process.

Mr. Chairman, I rise in support of the bill. When I was elected to Congress, I understood there would be tough votes. For me, PROMESA is one of those votes. For those of us with ties to Puerto Rico, this a profoundly personal issue.

There is plenty of blame to go around for this situation. San Juan has played a role, but Washington and Wall Street have equally contributed to this crisis. It is a crisis that is already harming working families that call the island home and, if left unaddressed, it will grow immeasurably worse.

So today we stand at a fork in the road: one path—the bill before us—empowers Puerto Rico to restructure 100 percent of its debt; the only other route sends Puerto Rico to the courthouse, where it will be at the mercy of creditors that will inflict further suffering on the island.

Now, some would suggest that if we oppose this bill, somehow a third option will magically appear before us.

That is nonsense. The stark reality we now face is that, other than PROMESA, there are simply no other politically feasible options left.

That does not mean that this is a perfect bill. It is not even close. It makes no sense that this bill includes an attempt to pay Puerto Rican workers less than those on the mainland. It is offensive that Puerto Rico must foot a \$370 million price tag for an oversight board its residents do not want. And the bill does not address economic growth incentives and healthcare parity, issues at the core of Puerto Rico’s crisis.

Despite these shortcomings, I see no alternative. If we do not act, Puerto Rico will unravel further. Basic services are being cut, and these cuts will deepen. More schools will close. More police and firefighters will be terminated. And those who will pay the price are Puerto Rico’s most vulnerable: its children, its seniors, and its working families.

We have a profound responsibility to prevent this catastrophe from worsening. Those suffering on the island are my brothers and sisters, my fellow Puerto Ricans.

□ 1600

But, my friends, they are also your fellow citizens. 200,000 Puerto Ricans have fought—and shed blood—in every military conflict since World War I. Now these citizens need our help. This is a responsibility we cannot ignore. You see, when the United States took Puerto Rico—and remember we seized it by force—we did not just obtain a pretty island. We also took on a responsibility to care for the people who live there.

Now, let me say this: Living up to that responsibility does not end with this vote on this bill today. Decisions made by Washington over decades have corroded Puerto Rico’s economy. Addressing those problems will require more work by Congress. Until we end the colonial conditions that have subjugated and exploited the island, there will be no long-term recovery.

So this bill alone is not enough. We must pass additional legislation, in the next 6 months, addressing Puerto Rico’s deep-seated economic challenges and ongoing healthcare crisis. If we do not, then, Washington, we have failed the people of Puerto Rico once more.

Mr. Chairman, this is not the legislation I would have written, but it is the only way we can extend a lifeline to Puerto Rico right now. In many ways, the easy path for me would be to vote “no.” Certainly, I have heard the case made by some in the Puerto Rican community.

The CHAIR. The time of the gentlewoman has expired.

Mr. GRIJALVA. Mr. Chair, I yield an additional 1 minute to the gentlewoman.

Ms. VELÁZQUEZ. I thank the gentleman.

Mr. Chair, at the end of the day, I know that if this bill does not pass, people I care about and love on the island I grew up on will suffer greatly. At least with this legislation, Puerto Rico can begin restructuring its debts and start down a new path toward a brighter future. I urge my colleagues to vote "yes" on the bill. Then please join me in working to address the other long-term challenges confronting Puerto Rico.

In closing, let me thank all those who worked on this legislation, especially Leader PELOSI, Speaker RYAN, and Whip HOYER. Let me also thank Ranking Member GRIJALVA and Chairman BISHOP for their efforts as well as my fellow Puerto Rican Members of Congress. And, of course, our thanks to the staff who dedicated countless hours crafting this compromise.

Mr. BISHOP of Utah. Mr. Chair, I yield 2 minutes to the gentleman from Florida (Mr. CURBELO). He is from the southern tip of Florida, as close to Puerto Rico as you can get on the mainland.

Mr. CURBELO of Florida. Mr. Chairman, today I rise in support of H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act, or PROMESA. I want to thank Chairman BISHOP and Representative DUFFY, who have shown steadfast leadership in finding practical solutions to address the fiscal crisis in Puerto Rico.

The situation in Puerto Rico is urgent and so is the need for a responsible reform agenda. Hundreds of thousands of citizens have left the island—many have come to Florida—to find better opportunities as a result of the deteriorating economic conditions.

Our friends in Puerto Rico, our fellow American citizens deserve a better future, one that gives them the chance to achieve prosperity on the island. This legislation is an important step forward in helping the island mitigate the existing humanitarian and economic emergency in a responsible way.

The bill also allows the congressional task force to look at impediments to economic growth and poverty reduction, including equitable access to Federal healthcare programs for the island's residents. Serious challenges remain in the healthcare sector—like the impending Medicaid cliff—that could have a detrimental impact on the future of the island.

I also urge my colleagues to vote in favor of my amendment with Mr. JOLLY which will guarantee that addressing the nearly 60 percent of children living in poverty on the island is a top priority. As we work to achieve economic stability on the island, we must also ensure that the mechanisms in this bill benefit the extremely vulnerable child population.

Congress has an important interest in ensuring that Puerto Rico not only

survives the current crisis, Mr. Chairman, but that it is able to build a better and more sustainable future. Again, I am very supportive of the bipartisan solutions in H.R. 5278, and I urge my colleagues to vote in favor of the bill and of my amendment which addresses child poverty on the island.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), our whip.

Mr. HOYER. Mr. Chairman, at the outset, rarely do we see the political courage and intellectual integrity that we have seen in the gentlewoman from New York (Ms. VELÁZQUEZ). I have worked with her for months now trying to get to a solution fair to Puerto Rico and fair to the 3.5 million American citizens who live in Puerto Rico.

I also want to thank my friend José SERRANO, also from New York, also Puerto Rican, also having thought about this extraordinarily thoughtfully, and it has been difficult. I want to congratulate both of them for coming to the decision that is a terribly difficult one for them that this is, at this juncture, the only alternative to the pain and the suffering of which Ms. VELÁZQUEZ spoke.

I am sure the citizens of Puerto Rico are watching this debate, and they understand this is not a perfect bill. It is not the bill I or Mr. PIERLUISI—who lost an election, in my view, because of his fidelity to what he believes is in the island's best interest—would have written.

It forces Puerto Rico to take some bitter medicine, accept an oversight board with broad powers that is unacceptable to many living on the island, and it does not provide additional assistance to the island that is critically needed and ought to be done. Hopefully we can address that.

It is a compromise, and it will enable the Commonwealth of Puerto Rico to restructure its debt and prevent economic catastrophe. I can assure both sides of the aisle in this Chamber and in the Senate that it is a compromise forged out of a serious consideration of all possible alternatives that could result in bipartisan agreement.

We must not risk the cost of further inaction by this Congress, which should have acted months ago; but it is not too late to do the right thing. Congress must act before Puerto Rico's next interest payment is due on July 1.

According to The New York Times Editorial Board: This bill "has flaws . . .".

I think both sides would agree to that.

The New York Times went on: ". . . but at this late hour, it offers the island its best chance of survival."

It is, therefore, Mr. Chairman, my advice and urging to our Members that we vote for this bill. We need to come together and pass this bill without any controversial riders.

Again, I want to thank Representatives VELÁZQUEZ and SERRANO and Resident Commissioner PIERLUISI for their leadership, their courage, and their integrity.

Mr. Chairman, we need to pass this bill for the American citizens living on Puerto Rico and to meet the responsibility of which Ms. VELÁZQUEZ spoke so eloquently.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. WESTERMAN), one of the premier members of our committee.

Mr. WESTERMAN. Mr. Chairman, I rise today in support of H.R. 5278. I thank the gentleman from Wisconsin, Congressman DUFFY, and Chairman BISHOP for their work in crafting this bipartisan legislation.

H.R. 5278 is a compromise bill designed to save Puerto Rico from economic calamity and prevent a taxpayer bailout. Mr. Chairman, I suggest that the admission from both sides of the aisle that this bill isn't perfect is a testament that this bill is the best solution.

Puerto Rico is in a crisis. The territory has already missed payments on its debt, and more and larger missed payments are on the near horizon. The fiscal and economic conditions of Puerto Rico are unsustainable. Based on the constitutionally delegated power of Congress "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States," we have a responsibility to take action on this matter.

This unsustainable debt burden brought on by poor decisions, unfulfilled promises, and bad investments has crippled their economy. Their unemployment rate is 12.2 percent, and since Puerto Ricans are American citizens, thousands of young people come to the mainland each year to find work. Puerto Rico is spiraling out of control, and it is our constitutional responsibility to put our territory on a different path and change the economic trajectory.

H.R. 5278 establishes a 7-member oversight board that will have the authority to establish budgets for the territory, require the scoring of legislation so the people of Puerto Rico know the true costs of government programs, and the power to veto contracts and executive orders.

Once again, I would like to thank Congressman DUFFY and Chairman BISHOP for their hard work in crafting a bill to get Puerto Rico on the right track without a taxpayer bailout. I urge my colleagues to support H.R. 5278 to stop Puerto Rico's economic death spiral and to lay a foundation for a brighter future in Puerto Rico without spending taxpayer dollars.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chairman, when we started these negotiations, with both sides wanting to do something, with both leaderships in the House wanting to do something, I knew that at the end of the day I would be voting for a bill. I knew I had to do that for a very simple reason. Inactivity, inaction was not an option. The only option was to do a bill.

What that bill would look like was my question. What that bill would look like was my challenge and my dilemma. The bill changed. The original bill had some provisions that no one could really defend on either side. We have made a bill now that does have some hard pills to swallow, but then over \$70 billion in debt with no signs of being able to pay is even more of a bitter pill to swallow. The territory is hurting. The people are hurting.

In fact, if anything comes out of this that is positive, it is the fact that the U.S. Congress is paying attention to Puerto Rico in a way that it hasn't in a long, long time, if at all. We are paying attention, and we want to do something about the situation at hand.

We are not supposed to direct our comments to the gallery or to the TV cameras, so I won't do that. But there are people watching this, and they need to have faith in the fact that both parties have come together to come together with a plan that will help us, a plan that will bring Puerto Rico back out of this debt situation. And, most importantly, I believe there is a commitment on both sides to work on economic development projects for the future to help Puerto Rico and its economy.

But I couldn't get off this podium today without addressing my most important issue, and that is that the problem with Puerto Rico continues to be the status. As long as Puerto Rico is a colony, a territory of the United States, these issues will come back and other issues will come back.

I once, some months ago, either sarcastically or very profoundly, said that all we were doing if we didn't deal with the status was putting a Band-Aid on a bigger problem. Well, there is a bigger problem, and I think it is time Congress came together with the people of Puerto Rico and decided to end the colonial status. But ending the colonial status does not mean tweaking the colony to make it a little better or washing the face of the colony to make it a little more presentable. It means getting rid of the colony and either becoming the 51st State or an independent nation. There is no other solution.

□ 1615

And for us, as the people who promote—and rightfully so—democracy throughout the world, to have a colony for 118 years is wrong. And remember, Puerto Rico didn't do this by itself.

The indifference and inequality created this problem, as much as everything else.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho (Mr. LABRADOR), my good friend, who has done a whole lot of work on this particular bill.

Mr. LABRADOR. I thank the chairman and Mr. DUFFY for the work they and their staffs have done on this critical piece of legislation. I especially want to thank my staffer, Aaron Calkins, for his work to make this a better bill. We have worked countless hours to improve this bill, and I am proud of the work that we have done.

Mr. Chairman, I rise today as a member of the Natural Resources Committee and as a Representative of Idaho's First Congressional District to support H.R. 5278.

The debt crisis in Puerto Rico is a result of years of liberal policies where the government carelessly borrowed and overspent, while simultaneously encouraging mismanagement and inefficiency. We cannot view Puerto Rico's situation in a vacuum. If left unresolved, the financial crisis in Puerto Rico will impact the rest of our Nation.

The bill imposes fiscal reforms without spending a single dollar of U.S. taxpayer money to relieve Puerto Rico's debt. The bill protects taxpayers from bailing out a government that spent recklessly and avoids setting a horrible precedent that could tempt free-spending States to walk away from their obligations.

Specifically, H.R. 5278 establishes a strong oversight board to require Puerto Rico to balance its budget and achieve fiscal responsibility. The bill includes language that ensures that the fiscal plans and any potential restructuring must honor lawful priorities and liens as guaranteed by Puerto Rico's constitution and laws.

Every State and municipality in this country relies on bond markets to provide funding for government operations. H.R. 5278 creates the balance that will effectively address the needs of Puerto Rico, while ensuring access to these markets for States and municipalities nationwide.

In conclusion, as a person who was born and raised in Puerto Rico and somebody who is very proud of his Puerto Rican heritage, I love the people, I love the island, and I hope that this bill sets them on the path to fiscal responsibility and a brighter future.

The House must pass this bill to establish the necessary framework to help Puerto Rico put its fiscal house in order, while also protecting the interests of every American.

Mr. GRIJALVA. Mr. Chairman, I yield 5 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI), who, at great risk politically, continued to push for this compromised bill we have before us; and for that, we are grateful.

Mr. PIERLUISI. Mr. Chairman, I represent Puerto Rico in Congress, and I rise in support of PROMESA.

Puerto Rico is at a crossroads. Since 1898, it has been a territory of the United States, subject to the broad powers of Congress under the Territory Clause.

In 1917, Congress conferred U.S. citizenship on individuals born in Puerto Rico. In the 1950s, Congress authorized and approved a constitution for Puerto Rico, which provides the island with a republican form of government consisting of three branches.

Because Puerto Rico is a territory, my constituents have never been treated equally relative to their fellow U.S. citizens in the States in terms of either democratic rights or economic opportunities. In large part, to compensate for the lack of fair treatment at the Federal level, the Puerto Rican Government has spent beyond its means at the local level, leading to excessive deficits and debt.

This lack of discipline is regrettable but understandable, since the Puerto Rican Government is seeking to provide a quality of life to island residents comparable to the quality of life in the States. Bear in mind that my constituents can hop on a plane any time, any day, and move to Florida or Texas.

The bill we consider today, PROMESA, is a bipartisan compromise intended to deal with the territory's unprecedented fiscal crisis, which is severe and immediate. The bill will enable Puerto Rico to restructure its public debt in a fair and orderly manner, while establishing an independent and temporary oversight board to ensure that Puerto Rico has a viable, long-term fiscal plan and balanced budgets and that it sticks to both.

In an emergency, the first step is to stabilize the situation, and I believe PROMESA can accomplish this objective. Without this legislation, the Puerto Rican Government is likely to collapse, participants in public pension plans will be terribly harmed, and many bondholders could lose their investments.

PROMESA is in the interest of all stakeholders, and the most likely alternative is chaos, litigation, a rapidly deteriorating quality of life in Puerto Rico, and even greater migration to the States. However, let me be plain. This bill is an essential first step, but it is not an enduring solution.

The Federal Government and, indeed, the Puerto Rican Government must come to terms with a fundamental fact: so long as my constituents are treated like second-class citizens, Puerto Rico will never have a first-class economy.

Puerto Rico must become a full and equal member of the American family as a State, which is the just and logical next step, or Puerto Rico must join the community of nations as a sovereign country.

Puerto Rico deserves true democracy and true dignity—nothing less—yet first things come first. We have to deal with this immediate crisis. We have to save the house in Puerto Rico. Vote “yes” on H.R. 5278.

Mr. BISHOP of Utah. Mr. Chairman, I, too, would like to express my appreciation and sincere gratitude to the Resident Commissioner of Puerto Rico for his hard work.

I may be known as the historian of this body, but the gentleman from Oklahoma will give a historical perspective.

Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. Chairman, I rise today to note that there are only a handful of my colleagues on the floor or in the body who were here when the precedent for this process was set in 1995.

Some of my colleagues on this side of the room argue that we are setting a new precedent. We are not. Some of you remember 1994, when I came as a new Member in a special election. Some of you remember the economic chaos, the near collapse of the District of Columbia and the city of Washington. Some of you remember how we were told in those days that you can't go into certain parts of town because it is not safe. Some remember the stories about how a high percentage—if not almost half—the police cars wouldn't run at any one time.

I remember waking up one July night and looking out the fifth-floor window of the apartment building I was in as the firemen were hosing down a spot not many paces from the corner of First and D Streets where someone had been killed, literally within hundreds of feet of the Federal campus. Washington, D.C., the District of Columbia, was about to collapse into chaos—1994.

So what did we do in 1995? We passed a bill very similar to this. We set up a supervisory board that took control of the finances to help right the ship.

For 2 years, there were tremendously painful decisions made here in Washington, D.C., at the municipal level; but after those 2 years, we had 4 years of balanced budgets, and the Control Act, as it was called, was suspended. It was successful. And the renaissance this town, this community has gone through all started with that bill in 1995.

Now, I am voting for this piece of legislation because I believe my fellow American citizens who live in Puerto Rico deserve the right to have a renaissance, deserve the right to move forward. But we are all Members of elected bodies and we know how tough these decisions and situations are.

Pass this bill; create the supervisory board; give the good citizens of Puerto Rico, the Commonwealth, our fellow Americans, a chance to benefit, just as

Washington, D.C., did. They deserve the chance.

Mr. GRIJALVA. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ).

Mr. GUTIÉRREZ. Mr. Chairman, I rise in opposition to this legislation. The people of the enchanted island deserve better. It is my duty to my heritage and to the land where I intend to return some day and where someday—hopefully, not soon—I intend to be buried.

As President Obama said so profoundly when he visited the land of his father's birth, Kenya, a nation with one of the richest histories of the struggle for freedom against the colonial power, I, too, LUIS GUTIÉRREZ, am deeply and profoundly connected to my father's birthplace.

I cannot add my vote to this bill and go back to Puerto Rico or to the Puerto Rican people in my congressional district in Illinois with my head held high. I cannot and will not, not when I know that the majority of votes that will pass this legislation if it passes today will come from the Democratic Party, a party that, for all its flaws, is a party I expect a lot more from in times like this.

At a moment in American history when Latinos are quite literally being dragged through the mud by the other party and maligned for being Latinos and distrusted and disrespected because of where their parents or grandparents were born, I expect my fellow Democrats to stand up tall when the lives and destinies of so many citizens—the entire island and its people—are held in the hands of the U.S. Congress.

By law, they do not have a vote here. By law, they need others to vote on their behalf. By law, Puerto Rico belongs to, is property of but not part of, the United States. By law, this Congress owns Puerto Rico and must treat that ownership as stewardship, as a caring and respectful seat of power over the powerless.

And because it is the Democratic Party that will supply so many folks to enact this bill, I expect my colleagues to demand more. I expect us not to support a sub-minimum wage. I expect us not to waive overtime rules that pay people for the work they do.

I expect my fellow Democrats to stand up for equity and equality for Puerto Ricans in our Tax Code, in Medicare and health care, so that they don't have to flee Puerto Rico to go to Orlando, Newark, or Chicago.

I expect Democrats to join me in opposing the same type of unelected control board that has no accountability to the people that it is controlling—the type of control board focused on austerity without consequences of action for the people; the kind of control board that made decisions in Flint, Michigan, and that poisoned the people

that did not elect them, that acted slowly to remedy the situation until other governments and other elected leaders accountable to the people they govern have to step up and begin addressing.

Let me say, I am going to offer a translation in Spanish.

(English translation of the statement made in Spanish is as follows:)

This is not my promise. My promise is that the people of Puerto Rico be respected, that we don't treat them as if they were colonized slaves. I reject this bill. Let me tell you that my promise is clear: to continue my work to defend Puerto Rico. As it is said by the Puerto Rican people: precious, it does not matter what tyrant treats you with bad intentions, precious you'll be.

Esta no es mi promesa; mi promesa es que el pueblo de Puerto Rico se respete y que no se trate como si fueran colonizados esclavos. Yo rechazo esta propuesta, y les digo que mi promesa es clara; de trabajar para defender. Porque como se dice pueblo de Puerto Rico preciosa, no importa el tirano te trate con negra maldad.

The Acting CHAIR (Mr. COLLINS of Georgia). The gentleman from Illinois will provide the Clerk a translation of his remarks.

Mr. BISHOP of Utah. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), one of the cosponsors of this bill.

Mr. SENSENBRENNER. Mr. Chairman, I went to Puerto Rico in March. I have been involved in negotiating this, at the request of the Speaker, literally since the first of this year.

This is difficult. This is something that nobody is happy with. This is something where everybody is going to take a haircut because the depth of the problem is so bad.

What we heard right after this Congress began its session this year was: Why don't we just give them a super chapter 9 bankruptcy? That would have been bad for the future of Puerto Rico, because super chapter 9 would have dumped the \$72 billion of debt and had it wiped out. And there is no way that Puerto Rico, having stiffed \$72 billion worth of bondholders, would ever have been able to access the bond market again.

□ 1630

Bond market access is essential to any type of State or municipal financing.

So what do we have? A choice of doing nothing, and we have heard about the severe consequences if we do nothing, or going with something that worked in the District of Columbia, which is the oversight board.

Now, sure, they are unelected. One of them has to be from Puerto Rico. But the Puerto Rican Government, which has been elected, is the one that caused this problem to begin with. They have

increased just about every function of spending on the Island except debt service, and they have borrowed more and more and more and more, and they don't have the money, or wouldn't appropriate the money to service the debt.

That is why we are here today, and that is what has got to be fixed. It should be fixed with an oversight board working in conjunction with the Puerto Rican Government, not by a court, or simply by not doing anything. It can be fixed, and Puerto Rico can have a renaissance because this is about the only practical way out of the mess.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Chairman, I rise in strong support of H.R. 5278. This bill is not a perfect bill, but it is a true bipartisan compromise, and it is the only option on the table to address the crisis in Puerto Rico, which is the home to 3.5 million American citizens.

The solution that this bill adopts is simple: It will allow Puerto Rico to restructure its debt in an orderly, court-supervised process and, in exchange, a temporary, temporary Federal oversight board will help Puerto Rico make the structural reforms necessary to get its finances in order and set it on the path of economic growth.

I would like to truly thank all parties for their hard work on this bill, especially Mr. PIERLUISI; my good friends from New York, my colleagues Representatives VELÁZQUEZ and SERRANO; Ranking Member GRIJALVA; Chairman BISHOP; Leader PELOSI; and Antonio Weiss, at the Treasury Department.

New York City, which I represent, has some experience with control boards. When we faced a fiscal crisis back in the 1970s, the State established two control boards. And while that was a tough pill to swallow, in the long run, it made our city better and stronger.

I would like to emphasize that the solution to New York City's fiscal crisis involved a control board, a debt restructuring, and a \$2.3 billion loan from the Federal Government. Puerto Rico isn't getting any Federal money at all, so a debt restructuring law is really the least we can do to help them.

Finally, while some opponents of this bill claim on this floor that debt restructuring is unnecessary because Congress solved D.C.'s fiscal crisis in the nineties with just a control board, this is fundamentally untrue.

The only reason the D.C. Control Board was able to balance D.C.'s budget so quickly was because Treasury assumed the District's \$4 billion in pension obligations the year after the Control Board was created.

So a control board by itself is not enough. We need to do more. But I urge my colleagues to support this bill.

Mr. BISHOP of Utah. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MACARTHUR), who is another Member who has worked hard on this particular bill.

Mr. MACARTHUR. Mr. Chairman, we all know about the crisis in Puerto Rico involving 3½ million U.S. citizens, and we know the causes, fiscal mismanagement over decades, resulting in nearly \$120 billion of bonds and unfunded pension liabilities. Unemployment is two times what it is here on the mainland, and people are fleeing Puerto Rico in droves, especially young people. It is not sustainable.

Mr. Chairman, we decided, as a society, hundreds of years ago, that we were not going to throw debtors into prison, but we were going to allow for the orderly reorganization of debts. And yet, Puerto Rico does not have the basic laws that allow that to take place in this situation. This bill fixes that.

This bill puts equal pressure on bondholders, on the island of Puerto Rico. The bill will require them to work together or there will be consequences. And the bill brings an oversight board to help that happen, to even require that to happen. We have to do this.

But, Mr. Chairman, fixing the debt crisis alone is not going to fix Puerto Rico's future. We need growth initiatives. This island will not enjoy an enduring prosperity until this Congress also thinks about how to help Puerto Rico grow.

That is why I introduced a title to this bill; it is just a sense of Congress, but it puts a flag in the ground saying that we have more work to do on growth, and I am really pleased to see a Growth Commission included in the bill.

Mr. Chairman, I have spent a lifetime in business. I have had the privilege of creating thousands of jobs. That doesn't happen when you have uncertain conditions.

In 1996, we changed the Tax Code in Puerto Rico that treats the return of earnings from that island to the mainland like it is coming from a foreign country, and you can watch the growth rate of Puerto Rico plummet ever since. Ever since 2006—my date was wrong—2006, you can see the growth rate plummet over 10 years.

Manufacturing is still half of the island's economy and yet, it is reduced by half over the last 20 years. We have to do things that make Puerto Rico an attractive business environment.

We all are worried about offshoring. This is an opportunity for near-shoring in a U.S. territory. It is an opportunity to demonstrate pro-growth principles in action; to allow Puerto Rico, an island paradise, to become an economic miracle.

This is the opportunity that I see. I am proud of the bill. Like any bill, it is not perfect. But let's not let the per-

fect become the enemy of the good. It is a good bill that deserves our support. I urge my colleagues to vote "yes."

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI). Her time and commitment to the people of Puerto Rico and to working on a compromise in a bipartisan bill have been the primary drivers to this point on the bill that we have before us.

Ms. PELOSI. Mr. Chairman, I rise and commend the leadership of Chairman BISHOP. I thank the gentleman for bringing us here today, as well as our ranking member, Mr. GRIJALVA, for bringing this compromise legislation to the floor.

It is with the deepest of pride that I join my colleagues, Congresswoman NYDIA VELÁZQUEZ and Congressman JOSÉ SERRANO, in support of this legislation. Although we have concerns about some elements of it, we support it on balance.

I can't help but mention to my colleagues here that in April, many of you were there when Congress bestowed the Congressional Gold Medal on the legendary 65th Infantry Regiment, a largely Puerto Rican regiment that served with valor since World War I.

Honor et Fidelitas, honor and fidelity, so rings the motto of this courageous regiment of Americans. With honor and fidelity, the 65th Regiment overcame prejudice and bigotry and wrote a new chapter of heroism in our shared American story.

In the Panama Canal Zone in World War I, on the doorsteps of Nazi Germany, in the defining crucible of the Korean War, and beyond, the Borinqueneers protected freedom abroad and advanced dignity at home.

Their daring on the battlefield helped break down the discrimination facing Puerto Rican and Latino Americans across our country. They enriched our Nation with the strength of their service, through the excellence of their example, and the power of their bravery. Their valor under fire is nothing short of legendary. The heroic service of the Borinqueneers is one of the true great American stories.

I bring this to mind because on that day in Emancipation Hall, which was crowded with people, and the presentations were led by the bipartisan, bicameral House and Senate, Democrat and Republican leadership who had representatives of our military to salute the bravery of these people of Puerto Rico in defense of our country.

Now we have nearly 100,000 veterans in Puerto Rico who will be affected, harmed, unless we act today. Today, more than 3 million of our fellow American citizens in Puerto Rico are facing a fiscal and public debt emergency that threatens their economy, their communities, and their families. Only Congress can provide Puerto Rico with the tools it needs to emerge from this crisis.

After long bipartisan negotiations, we achieved a restructuring process that meets the test of workability. Does it work? Will it happen?

This is not a bailout. Some people are trying to describe it as such for some other purposes. I know that my colleague from Puerto Rico, PEDRO PIERLUISI, has explained to us the urgency of this. I know that we would have, perhaps, had a bill that didn't have some of the provisions in it that are in it, and we would have preferred to add some better things to the bill, but that is not the choice before us.

As legislators, we have to make a choice: will the bill alleviate the challenge that the people of Puerto Rico are facing? Our Resident Commissioner, PEDRO PIERLUISI, thinks that this bill does achieve that, and I thank him for his courageous leadership on all of this.

Again, this can be a very passionate discussion. It is an emotional one because it involves the lives of people that some of us know and are part of the families of our Members, as JOSÉ SERRANO and NYDIA VELÁZQUEZ mentioned. But we have to be dispassionate in how we make a judgment about how we can solve the problem, and we have that opportunity today.

The oversight board that President Obama will appoint is one that will have the opportunity to implement the restructuring as described in this legislation. On a bipartisan basis, we will be submitting names to the President promptly so that he can appoint the oversight board.

It would be my commitment to make sure that the commitment from the House Democrats is for there to be one from Puerto Rico representing the people of Puerto Rico on that board.

In addition to the oversight board, this legislation also contains a task force, a Members' task force whose task it is to look at impediments in Federal law to Puerto Rico's economic growth. I would hope that that task force would afford us the opportunity to see other ways that we can help the economic growth of Puerto Rico, for the citizens, our fellow citizens in Puerto Rico.

We can talk about parity in relationship to Medicare, Medicaid, and the rest. We can talk about the earned income tax credit, which we enjoy in the United States, and having that be more available in Puerto Rico. We can talk about ways to use the Tax Code to give more opportunity there.

So I urge my colleagues to support the legislation. Even though it is not the bill that either one side would have written, it is a compromise. But it will provide the people of Puerto Rico the tools to overcome the crisis and move forward, hundreds of millions of dollars, maybe \$1 billion a year. It will alleviate Puerto Rico from having to commit, because of the restructuring,

and will enable it to meet the needs of the people of Puerto Rico as it gets back on its feet.

Puerto Rico's economic success is important to the United States. Our economic growth and job creation plans must include our fellow citizens in Puerto Rico. I would hope, with the task force; I would hope with future legislation, as we go forward, we will recognize how close our connection is, how important it is for Puerto Rico to survive, and express our gratitude to the people of Puerto Rico for the vitality they bring to the United States of America, and for the security that so many Puerto Ricans risk their lives to protect our country.

With that, I urge our colleagues to pray over it and conclude, as our three colleagues, Congresswoman VELÁZQUEZ, Congressman SERRANO, Congressman PIERLUISI have concluded, that, on balance, we must move forward for the benefit of the veterans, for the people, for their children, for the citizens of Puerto Rico.

I urge an "aye" vote.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself 4 minutes.

I appreciate the comments that have been made so far on a bill that I want to think actually has a lot of good in it.

□ 1645

Article 4, section 3 of the Constitution provides Congress not only the power, but also the responsibility to do what is needful dealing with the territories.

As a matter of fact, Mr. Chairman, just this morning, the Supreme Court ruled on a case concerning the territory and a question of double jeopardy. By a 6-2 decision, the Court held that Puerto Rico is not a separate sovereignty because the ultimate source of its power and its constitution is the United States Congress. So, indeed, this reminds us all here today of our duty to assist in the territorial issues.

Now, there are seven titles to this particular piece of legislation. The first two deal with the oversight board that will bring fiscal plans and a budget to the island. Titles III and VI deal with restructuring of the debt if certain criteria are met in the oversight board's discretion that it include good-faith debt negotiations with its creditors.

Title V is something I think we sometimes overlook because it gives fast-track authority for vital infrastructure projects to be moved by the government of Puerto Rico, especially in the area of energy generation and distribution systems. One of the problems of Puerto Rico is the high energy costs that have caused them to lose jobs. What we are attempting to do is trying to find a way of changing that problem and reducing Puerto Rico's reliance on diesel fuel to generate their

electricity. That is one of the parts of this bill that is extremely important and I think is overlooked sometimes. The final title I am happy about because that has pro-growth portions and reforms in it.

But let it be very clear: this is a conservative bill that is rooted in the Constitution that does not cost the American taxpayers a dime. It is not a bailout. It does not expand the size or scope of the Federal Government, and it does not encroach on State authority.

In fact, I think we have done a pretty good job in trying to solve some problems in a way that can move everyone forward.

At this point, I also want to thank the chairmen of the Committee on Education and the Workforce and the Committee on the Judiciary and Small Business Committee for their help with this particular bill, so especially Chairman KLINE, Chairman GOODLATTE, and Chairman CHABOT. I do appreciate their help on this particular bill.

Mr. Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 25, 2016.

Hon. STEVE CHABOT,
Chairman, Committee on Small Business,
Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Small Business, among other committees.

I ask that you allow the Committee on Small Business to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Small Business represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SMALL BUSINESS,
Washington, DC, May 25, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing regarding H.R. 5278, the Puerto Rico Oversight, Management and Economic Stability Act. The bill contains a provision that is within the jurisdiction of the Committee on Small Business.

I recognize and appreciate your desire to bring this bill before the House of Representatives in an expeditious manner. Accordingly, I will agree that the Committee on Small Business be discharged from further consideration of the bill. I do so with the understanding that this action does not affect the jurisdiction of the Committee on Small Business, and that the Committee expressly reserves the right to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this or any similar legislation. I would ask that you support any such request.

I also ask that a copy of this letter be included in the Congressional Record during the consideration of H.R. 5278 on the House floor.

Thank you for your consideration and for your work on this legislation.

Sincerely,

STEVE CHABOT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 31, 2016.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Education and the Workforce, among others.

I ask that you allow the Committee on Education and the Workforce to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Education and the Workforce represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

COMMITTEE ON EDUCATION
AND THE WORKFORCE,
Washington, DC, May 31, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 5278 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 5278, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to pre-

judice my Committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Additionally, I appreciate your committee's assistance with any additional improvements to the bill within the jurisdiction of the Education and the Workforce Committee.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Committee Report on H.R. 5278 and in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, May 31, 2016.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: On May 25, 2016, the Committee on Natural Resources ordered favorably reported as amended H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on the Judiciary, among others.

I ask that you allow the Committee on the Judiciary to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on the Judiciary represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding, as well as in the Congressional Record.

Thank you for your consideration of my request, and I look forward to further opportunities to work with you this Congress.

Sincerely,

ROB BISHOP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 2, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR CHAIRMAN BISHOP: I am writing with respect to H.R. 5278, the "Puerto Rico Oversight, Management, and Economic Stability Act," which was referred to the Committee on Natural Resources and in addition to the Committee on the Judiciary among other committees. As a result of your having consulted with us on provisions in H.R. 5278 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by fore-

going consideration of H.R. 5278 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I appreciate your May 31, 2016, letter confirming this understanding with respect to H.R. 5278 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during Floor consideration of H.R. 5278.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. GRIJALVA. I yield myself the balance of my time, and thank Leader PELOSI and my colleague, Chairman BISHOP, his staff, and certainly staff on our side of the aisle for their hard work.

It is a bill that is indeed a compromise, and we shouldn't be ashamed of that. It is a compromise that I wish was more tilted on our side and the things that we wanted. But, Mr. Chairman, those are not the dynamics or the numbers in this House.

The reality is that the urgency of Puerto Rico, the humanitarian demands and needs of the island make us look at this bill not with an eye towards perfection, but with an eye toward what is doable and what can provide some immediate relief and begin the process of stability for the island and for its people, and begin the process of an economic renewal for the island itself.

I want to also acknowledge my colleagues, Mr. PIERLUISI, Ms. VELÁZQUEZ, and Mr. SERRANO. I know how difficult this vote was and how difficult it is to vote on a compromise that does not fully empower and fully acknowledge the self-governance of the Puerto Rican people. I know that. But your endorsement of this bill is very meaningful in that it ties us to a heritage of representation by the Puerto Rican people in this body and to insisting and demanding that the needs of the people of Puerto Rico be recognized fully by this Congress. We recognize them today, as Mr. SERRANO said, but there is much, much more to do.

This vote, by the way, as I close, is not about heritage. More importantly, it is not about selling out one's heritage. It is about future generations and the opportunities they will have on the island. It is about stability for children, families, and the elderly with a fiscally stable economy and an accountable fiscal system within the island.

While I can understand the political expediency of voting "no," I think the demands and the urgency to deal with

this question compel me—and I hope all my colleagues in this body—to vote “yes.”

Mr. Chairman, I yield back the balance of my time.

Mr. BISHOP of Utah. I yield 4½ minutes to the gentleman from Louisiana (Mr. GRAVES), another member of our committee.

Mr. GRAVES of Louisiana. Mr. Chairman, I first want to thank Chairman BISHOP, Ranking Member GRIJALVA, Congressmen LABRADOR, DUFFY, and PIERLUISI, and many others who worked tirelessly on this legislation.

Mr. Chairman, the island of Puerto Rico with a population of under 4 million people has a debt of, by some measure, \$100 billion. That is a population less than the State of Louisiana, but a debt of nearly \$100 billion.

We have three options: We can do nothing and continue to allow this island territory to continue spiraling downward in a financial and humanitarian crisis. We can provide financial oversight. We can relieve regulation, help to reignite the economy, and allow for a negotiation between the creditors and the debtor. Or we can pay off their debt and add to the already \$19 trillion irresponsible debt of the American Government today. Those are the options that are out there.

I will tell you, I also struggled with what the right conservative solution was in this case.

Ultimately, there is just one right answer. Doing nothing will simply worsen the financial condition, will probably put more burden on us to actually bail out the Nation on Congress and on the White House to do that. I oppose a bailout, and I oppose putting taxpayer dollars on the hook to pay off nearly a dozen years of irresponsible spending of the Puerto Rican Government.

So establishing a financial oversight board similar to what was done in Washington, D.C. and providing conditions to negotiate a solution is the right answer. It is the conservative solution.

During committee consideration of the bill, I included an amendment to ensure that Federal taxpayers are not put on the hook for this liability.

Section 210 says: “No Federal funds shall be authorized by this act for the payment of any liability of the territory or territorial instrumentality.”

The Acting CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. GRAVES of Louisiana. Mr. Chairman, this amendment makes it clear: as affirmed by the Supreme Court today and mentioned by the committee chairman, Puerto Rico is different from a State, and the Supreme Court affirmed that today. It is not a State. It is a territory of the

U.S., and we have a constitutional obligation to prevent a worsening disaster.

This bill does not set a precedent for States and municipalities. It respects the priority of debt by general obligation bondholders and others. It prevents higher cost of borrowing by States and municipalities by controlling the situation. Most importantly, Mr. Chairman, it doesn't bail out Puerto Rico. It creates a path for financial stability.

Mr. Chairman, I urge support for H.R. 5278.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. Mr. Chairman, I come before the House today to support an important piece of legislation that will allow the people of Puerto Rico a path towards economic stability, growth, and prosperity.

Beholden to out-of-control tax-and-spend policies, the Puerto Rican people are experiencing the harsh realities of fiscal irresponsibility and unaccountable government. That is why I strongly support this bill.

We have a moral and constitutional responsibility to address this fiscal crisis which will only get worse if we don't act. That is why I support this bill and what we must learn from this experience.

Congress and Presidents of both parties have let our national debt reach an unsustainable \$19 trillion. That is only because the U.S. Government has something that Puerto Rico doesn't have: the ability to print money and borrow endlessly. So that is why I support the fiscal reforms in this bill which do not spend a single dollar in U.S. taxpayer money to relieve Puerto Rico of its debt.

I have long opposed taxpayer bailouts. Fortunately, this bill prevents the taxpayers from bailing out a government that spent recklessly and provides a conservative solution to force Puerto Rico to spend now responsibly. The bill also avoids setting a horrible precedent that could tempt free-spending States to walk away from their obligations by behaving irresponsibly.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BISHOP of Utah. Mr. Chairman, I yield the gentleman an additional 30 seconds.

Mr. GARRETT. Most importantly, the bill creates a seven-member oversight board to oversee their debt restructuring and to conduct financial audits. What would this board do? It would require commonsense actions like sustainable government programs to establish fiscal plans to achieve needed reform and so on. This bipartisan bill is the first step to return Puerto Rico to solvency and stability.

Americans, each and every day, balance their own checkbooks and live within their own means. Politicians

and government bureaucrats should behave no differently. I therefore support the underlying legislation.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wyoming (Mrs. LUMMIS). She is the vice-chair of the committee.

Mrs. LUMMIS. Mr. Chairman, we saw a bunch of ads on TV about this bill and about what it would do to the bondholders. So I did some research.

I rise in support of this bill as one of the more conservative members of the Republican wing of this House. The reason I support it is the research I did showed me that it wasn't this widow that bought these bonds, it was large institutional investors. It was investors who knew what they were buying because they read the disclosure documents. It was investors who buy billions of dollars worth of bonds, and they are trying to diversify those portfolios, so they have some high-risk, high-return investments and some low-risk, low-return investments. They have different maturity dates. They come from different jurisdictions. They are trying to have a balanced portfolio. Those portfolios were purchased recognizing that some of these bonds might have a higher risk and a higher return. That higher return comes at a discounted price. So they paid a discount in hopes that they would get the higher return and that these bonds would hold up.

Quite frankly, those bondholders knew what they were getting because it was even disclosed in the bond documents that Congress might be here today debating this very problem of the island's inability to repay everything.

Not all general obligation bonds are created equal. The bond purchasers knew what they were getting. This bill is going to allow for the relative-to-each-other agreement among the bondholders about how to treat the bonds.

Mr. Chairman, I fully support the bill.

Mr. BISHOP of Utah. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. RYAN). He also has the title of Speaker of the House.

Mr. RYAN of Wisconsin. Mr. Chairman, it is vital that we pass this bill. Let me tell you why. Puerto Rico is in trouble, and we need to act now before that trouble threatens taxpayers.

Let me explain why. Puerto Rico's government owes \$118 billion in bonds and in unfunded pension liabilities. It has already defaulted on much of it. Things are only going to get worse.

Now the island is shutting down. You can see it in the news—closed schools, and hospitals are beginning to close. That is today. Tomorrow it could be policemen without cars. It could be blackouts at hospitals. This is a humanitarian disaster in the making. What is worse, if we do nothing, it could be a manmade humanitarian disaster.

I know this goes without saying, but it is worth repeating: the Puerto Rican people are our fellow Americans. They pay our taxes. They fight in our wars. We cannot allow this to happen.

I should also say that if we do nothing, the contagion will simply spread. About 15 percent of Puerto Rico's debt is already held by middle class Americans, and if the government can't meet its obligations, these families will pay the price—or even worse, taxpayers could be asked to bail it out.

□ 1700

That is simply unacceptable. That is why we are taking action now, to prevent a bailout and to help the Puerto Rican people.

What this bill will do is allow Puerto Rico to restructure its debts and set up an oversight board that will oversee this process. Congress and the President will appoint the members of this board. It will audit Puerto Rico's books and make sure the restructuring is open and fair. It will also make sure the restructuring honors the agreements. It will make sure the government changes its ways so we don't have to do this again.

Let me set a few things straight. Some people say this will set a bad precedent. Some people say this will encourage reckless spending by the States. No, absolutely not. The bill applies only to territories and not to States.

I also want to point one other thing out. The Puerto Rican Government is not getting off scot-free here. Not at all. It has not served the Puerto Rican people well. It has spent money recklessly for decades.

This legislation will make sure that the government balances its budget. It will make sure that they pass reforms that will grow the Puerto Rican economy. It gives flexibility on the youth minimum wage so businesses will hire more young people.

I also hear people say that this is a bailout. That is absolutely, categorically, undeniably false. This bill won't add a single dollar to the deficit. All you have to do is look at the Congressional Budget Office. Not a single taxpayer dollar added to the deficit.

This bill prevents a bailout. That is the entire point. Let me tell you this: if we do not pass this bill, then there is much more likely going to be a bailout because there will be no other choice. But if we pass this bill, Puerto Rico will get a handle on its debt. Its economy will begin to grow. The people in Puerto Rico will see that help is on the way and there is a reason to stay because they are finally getting their act together. Taxpayers will be safe.

I am telling all Members right now, the best chance to get this right is to pass this bill. The best chance for creditors to get what they are owed is this bill. This is our responsibility. The

Constitution is really clear. The Constitution gives Congress the duty to oversee legislation for all U.S. territories. Now it is time that we do our constitutional duty.

A lot of people have spent so much time on this legislation. Here is what we are doing. If we see a problem among our fellow citizens and it is in a territory where we have a constitutional responsibility, we have to address this problem, and we have to address this problem in a smart way so that we prevent the taxpayer from getting involved, we have to address this problem in a smart way so that Puerto Rico can get back on its feet again, so that the future for the people in Puerto Rico is a brighter future.

There are so many people who have poured their hearts into this. I want to thank ROB BISHOP from Utah, the chairman of the committee; I want to thank SEAN DUFFY from Wisconsin; I want to thank RAÚL LABRADOR from Idaho; I want to thank JIM SENSENBRENNER from Wisconsin; I want to thank PEDRO PIERLUISI from Puerto Rico; and I want to thank the Members from the other side of the aisle who put so much time into this.

This is a bipartisan bill. This is the best solution in a deepening crisis. This bill has my full support. I urge all of my colleagues in the House to give it their full support as well.

Mr. BISHOP of Utah. Mr. Chairman, I yield myself the balance of my time.

Six months ago, our committee began the effort to try to solve this problem. We had four hearings, countless stakeholder meetings, and got input from expert testimony. Interested parties from all over the place were able to get their input in various drafts of this bill. It was an exhaustive effort, but what happened is at the end of this time we had a good bill. That is the way this process is supposed to work.

It is a bill that is rooted in the Constitution, it doesn't cost the taxpayers, it provides Puerto Rico with the tools to impose discipline over its finances, and led towards an element of prosperity.

In Spanish, I am told that the phrase *promesa* means promise. This bill is a promise for Puerto Rico for a better life. It is the way we go forward.

I urge everyone's adoption of a great piece of legislation.

I yield back the balance of my time.

Mr. HINOJOSA. Mr. Chair, today I rise in support of H.R. 5278, the "Puerto Rico Oversight, Management, and Economic Stability Act" (PROMESA)—a bipartisan bill providing short-term relief to respond to the humanitarian crisis facing the people of Puerto Rico.

Mr. Chair, Puerto Rico's faltering economy and the well-being of its more than 3.4 million

people are of great concern to my colleagues and me. The island's \$70 billion debt has made it extremely difficult for the Commonwealth to provide adequate health care, education and public safety for the people of Puerto Rico.

As a result, its people are struggling to access basic public services—as schools and hospitals face daily electricity and water shortages. I am deeply concerned that the island's health care systems have been adversely affected by Puerto Rico's debt crisis, making it increasingly difficult to handle a Zika outbreak or other health crises.

As a senior member of the Financial Services Committee, I support giving Puerto Rico all the tools necessary to restore its access to credit markets and restructuring its outstanding debt. These critically important measures will help restore its financial footing.

I do not support certain provisions in the bill, including sections undermining a minimum wage and protections for pension benefits. However, it is my hope that this bill on balance will help Puerto Rico stave off catastrophe by restoring basic services, with the hope of putting Puerto Rico back on the path toward improving the quality of life of its people.

In closing, Mr. Chair, I urge my colleagues on both sides of the aisle to support H.R. 5278. This bill is not perfect, but it takes a step in the right direction.

Ms. BORDALLO. Mr. Chair, I am disappointed that two amendments I offered yesterday at the Rules Committee were not made in order for debate on H.R. 5278, the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA). These amendments, along with amendments offered by Rep. KILI LI SABLAN of the Northern Mariana Islands on the Earned Income Tax Credit and Rep. AMATA RADEWAGEN of American Samoa on the Child Tax Credit, would have addressed underlying issues that are experienced in all the territories and that contributed to Puerto Rico's debt crisis. We had a chance to address legacy policy issues that unduly put a significant financial strain on our local treasuries, yet we were denied an opportunity to more fully debate these issues and be afforded an up or down vote.

My first amendment would have granted the government of Guam flexibility to extend Social Security to all new government hires. The Government of Guam's (GovGuam) current retirement plan will leave many without sufficient means when they retire. As you know, the pension shortfall in Puerto Rico was a key contributor to its current fiscal crisis and local leaders in Guam are working proactively to enact legislation to prevent a similar situation in Guam. Part of their efforts is contingent on enrolling employees in Social Security, and my amendment would give GovGuam flexibility to enroll new hires in Social Security as it works to address retirement shortfalls for its current workforce. The Social Security Actuaries and the CBO have indicated that the amendment would have a net positive increase on federal revenues. I offered a practical, common sense solution that is supported by many on Guam. It was a proactive attempt to provide GovGuam with the tools it needs to address this systemic issue.

My second amendment would have granted equitable treatment to the U.S. territories in carrying out the Medicaid program. The amendment would have eliminated the Medicaid caps on the territories and provide parity with the federal medical assistance percentage in force in the territories. The inequitable treatment of the territories in Medicaid has caused significant financial strain on our local governments and has forced us to contribute a disproportionate share of local dollars when compared to the 50 states and DC. This was a bipartisan amendment supported by all representatives of the territories, and it would have put our constituents, who are all Americans, on equal footing with those who reside in the States. The cost of providing health care in our jurisdictions, particularly on Guam, inhibits our economies from truly developing. Further, this amendment was modeled off a request contained in President Obama's Fiscal Year 2017 budget request which would have eliminated the caps and put the territories on a path to improving their FMAP. This budget proposal is a critical component of solving the crisis we see in Puerto Rico yet we have been denied a chance to address this matter on the floor. We have an opportunity to address this inequity, and I feel it is critical that we act with purpose on this matter.

I also want to underscore my disappointment that amendments submitted by my colleagues, Mr. SABLON and Ms. RADEWAGEN were also not made in order. We firmly believe that Puerto Rico's debt crisis cannot be resolved through debt restructuring alone. This debt crisis was caused by underlying issues which have been impacted by the unequal treatment of the territories in certain federal programs. Again, like with Medicaid, addressing these issues for Puerto Rico and the other territories would help lift a burden and allow our local governments to focus more on economic development and improving infrastructure to support those new economies.

Together our amendments addressed disparities in Medicaid and the application of the Earned Income Tax Credit and the Child Tax Credit, and would have fixed critical issues that contributed to Puerto Rico's debt crisis. We offered these amendments because while Guam's and the other territories' fiscal situations are nowhere near the crisis in Puerto Rico, we had an opportunity to be proactive and eliminate federal policies and programs that are not treating the territories with equity. Put more simply, we could have been proactive in addressing federal law to ensure our other territories are put in a better shape financially.

We simply do not believe that extending the authorities proposed in PROMESA without addressing continued systemic challenges will resolve Puerto Rico's problems, nor will it provide a more secure financial footing in all the territories. I recognize the political challenges that have been undertaken to get this bill to the point that we are at right now. However, we need to find the political will to address the systemic challenges now, before they become crises later. We are doing all we can to be proactive so that what is happening to Puerto Rico does not happen to the rest of us. I hope this Congress will address these issues so that we can bring parity to the millions of

Americans living in the territories and enable the territories' local governments to focus on programs that will enhance their economies.

Mr. SMITH of Texas. Mr. Chair, House Resolution 5278 creates a board of managers to address the fiscal condition of Puerto Rico.

However, Puerto Rican officials still have not been held accountable or accepted responsibility for their policies that caused the financial crisis. In fact, just the opposite: the Puerto Rican government ignored its fiscal obligations when it recently voted to approve a moratorium on repaying any of its debt.

But it is Puerto Rico and not Congress who should take the first steps to adopt reform measures.

There is no certainty that a financial oversight board would implement any economic growth measures to improve the Island's fiscal condition.

The board has no mandate from Congress to address the bloated government workforce, high taxes, an insolvent pension system, limitations on trade under the Jones Act, and excessive welfare benefits, all of which helped cause the fiscal crisis.

This legislation rewards bad behavior and represents a missed opportunity for Congress to insist on fiscally responsible reforms.

Mr. CONYERS. Mr. Chair, I rise today because Puerto Rico is confronting a catastrophe. The spiral of recession, emigration, debt, and austerity has left the island in dire straits. Puerto Rico faces immediate default on a large portion of its debt and the island might have to halt emergency services if it cannot obtain further credit.

This crisis has been developing for a long time, but the problem has grown increasingly unworkable over the past year while this Congress has done nothing. The potential humanitarian consequences of continuing to do nothing have convinced me that despite my grave concerns about what I consider a mere half-measure, I must support PROMESA, the Puerto Rico Oversight, Management, and Economic Stability Act (H.R. 5278).

Puerto Rico's problems go beyond short-term debt service. Federal changes to their unique tax structure have helped push the territory into recession for a decade, which in turn has driven massive emigration elsewhere, which harms their ability to attract investment and fair financing, which has only further imperiled the Island's fiscal situation. It is the very definition of an austerity driven destructive cycle.

Correcting its course is no easy task, but Puerto Rico can succeed if they receive two necessary things: time and support.

First, an immediate stay on debt collection and payments that would allow time to develop a negotiated resolution, or absent that a bankruptcy process that treats creditors equitably. All creditors should expect to shoulder some of the pain, but nobody should take unfair losses—least of all the pensioners who can least afford an unequal burden.

Second, an economic development plan that reflects Puerto Rico's unique challenges, like emigration to the mainland, which hinder the island's ability to rebuild its tax base and attract new investment. Alternative energy programs and tax incentives should be supported to encourage a more self-sufficient economy.

Public health efforts should be directed to the island in order to evaluate growing problems that disproportionately affect Puerto Rico, such as Zika.

PROMESA, while well intentioned, simply may not fully address the magnitude of Puerto Rico's problems. Without an adequate commitment to improving economic stability on the island, talented residents will continue emigrating elsewhere, industry will further wither because of substandard public services, and local fiscal problems will likely escalate. Further, the ridiculous riders that potentially undercut wage and overtime protections—as well as environmental regulations—represent a cynical effort to take advantage of the Island's desperate situation. It is a shameful reminder that many in this body see Puerto Rico as a colony unworthy of the privileges we enjoy on the mainland.

I am voting for PROMESA despite my serious concerns because I hope against hope that it will be improved in the Senate. A real recovery strategy—one that gives residents, workers, and pensioners a viable future—is what Puerto Rico needs and deserves.

Ms. JACKSON LEE. Mr. Chair, I stand before you today to discuss H.R. 5278—Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).

Our consideration of PROMESA must be a very thoughtful analysis of an outcome where the people of Puerto Rico will be empowered and be on a path towards progress where working families, their children and pensioners can be on a pathway towards a better future.

PROMESA is a bipartisan measure and effort to assist the Commonwealth of Puerto Rico in restructuring \$70 billion in currently unpayable debt, an amount that exceeds the size of its entire economy.

There are a total of 3.548 million people living on the island of Puerto Rico.

Since 2006, Puerto Rico's economy has shrunk by more than 10 percent and shed more than 250,000 jobs.

More than 45 percent of the Commonwealth's residents live in poverty—the highest poverty rate of any state or territory.

Furthermore, its 11.6 percent unemployment rate is more than twice the national level.

The challenges facing the people of Puerto Rico have ignited the largest wave of out-migration since the 1950's, and the pace continues to accelerate.

More than 300,000 people have left Puerto Rico in the past decade with a record of 84,000 people leaving in 2014.

Puerto Ricans suffer from high rates of forced migration due to the better opportunities offered in the United States compared to in the commonwealth.

The gap between emigrants and immigrants has been continuously widening.

Indeed, this increase in emigrants caused a population decline, the first in its history, and the stateside Puerto Rican population grew quickly.

The median age of male Puerto Ricans is of working age from the ages of 25–49 and similarly for women from the ages of 25–59.

Most of the homes are family-led.

There are about 1,133,600 people in the civilian labor force but only 43 percent of them are employed.

In addition, most of those working work in minimum wage jobs.

Over 27 percent of the people in the Commonwealth are on welfare.

The median income in Puerto Rico is only half that of the poorest U.S. state, Mississippi, but welfare benefits are about the same in Puerto Rico as in Mississippi.

Swift action is needed in order to alleviate the pain and suffering of the people of Puerto Rico.

There is no time to waste.

H.R. 5278 appears to be an emergency default for Puerto Rico, an American territory where 3.5 million American citizens reside and continue to live in fear for their finances, their families and their future.

On July 1, Puerto Rico will face nearly \$2 billion worth of bond payments.

Already, businesses have closed, public worker benefits are in jeopardy, hospital care is restricted and basic governmental functions are at risk.

Should the Puerto Rican government default in early July, it faces certain litigation by its creditors, further erosion of its economy, and an inability to provide basic services to its people.

This measure creates a process for the Commonwealth to restructure their bond debts, avoiding a default that could lead to a humanitarian catastrophe and instead allowing Puerto Rico to return to economic growth and fiscal balance.

It would allow for the creation of a seven-member Financial Oversight and Management board which will approve annual budgets and fiscal plans.

This fiscal plan must be designed in a way that provides adequate funding for pension obligations.

Also, I have serious concerns about the minimum wage provision of the measure.

Specifically, regarding minimum wage and overtime, H.R. 5278 would extend the application of the existing federal subminimum wage of \$4.25 an hour to those under the age of 25 in Puerto Rico for as long as four years, while all other federal jurisdictions pay the subminimum wage to those under the age of 20 for only up to the first ninety days of employment.

We need to continue to work on ways to improve this measure to ascertain that American citizens in Puerto Rico are not languishing in poverty.

Indeed, the measure contains a provision that provides for a delay on the new Department of Labor overtime pay regulation until a Government Accountability Office (GAO) study is completed and the Department of Labor determines whether the rule could negatively impact the economy of Puerto Rico.

Additionally, the measure would create a "Revitalization Coordinator" that works closely with the Oversight Board to determine which energy and other infrastructure projects will be able to bypass local environmental, public health, and consumer protection laws.

Let me underscore again that I have serious concerns about the provisions in this measure, not the least of which is the expansion of the subminimum wage, the exemption from the new overtime rule, and the exclusion of protections for pension benefits.

I commend my Democratic colleagues in their efforts of protecting the environment and wildlife refuge in the Commonwealth.

I look forward to working with my Democratic colleagues and our Republican colleagues across the aisle in continuing to improve the provisions of the measure for the betterment of fellow American citizens in Puerto Rico.

Let me conclude by highlighting that H.R. 5278 is not perfect but so long as we continue to work on a bipartisan basis in good faith, we can work towards our efforts of ensuring that Puerto Rico does not become a humanitarian crisis.

We must continue to work together to be our brother's and sister's keepers.

It is essential that we stand with the people of Puerto Rico and take action.

It is essential that we continue to work towards an orderly process that promotes the livelihood of U.S. citizens in Puerto Rico and alleviates the crisis.

Mr. SALMON. Mr. Chair, I rise today to speak to an action taken by the Puerto Rican Secretary of Health who issued Administrative Order No. 346 on February 9, 2016. This Order is noteworthy in that it was issued without the benefit of review by Puerto Rico's legislature, and without any prior notice or comment period afforded to impacted parties that typically accompanies the publication of such Orders.

Order No. 346 imposes an unprecedented set of regulatory requirements and fees on the nutritional dietary supplement industry that will invariably increase the cost to consumers who rely upon nutritional supplements as an adjunct to their normal diet.

This Order creates significant economic barriers to acquiring nutritional supplements that have been widely accepted by consumers as a way of maintaining healthy lifestyles and preventing adverse health events in their lives.

The Congress has recognized the importance of encouraging American adults to maintain minimum average daily intake of a variety of nutrients that are essential to maintaining health and well-being. The U.S. government has encouraged and funded a broad range of consumer education initiatives across the spectrum of public health agencies in the federal government with the goal of providing consumers with valuable information about the importance of the minimum daily nutritional intake standards required to maintain good health.

Nutrition experts at the Harvard School of Public Health have emphasized the importance of a food pyramid that recommends a "daily multivitamin plus extra vitamin D (for most people)."

Researchers at Tufts University have designed a specific food guide for the elderly that features the benefits of daily supplements of calcium, vitamin D, and vitamin B-12 that are needed for optimal health.

The American Academy of Nutrition and Dietetics has issued a policy statement that emphasizes the importance of good food choices, and it also recognizes that nutritional supplements can help some people meet their daily nutritional needs.

Supplements should be seen as one component of the search for a healthier lifestyle, including improvements in overall food habits and engaging in physical exercise. Much of the current research on nutrition and health fo-

cuses on prevention of chronic disease, but the primary reason most people use multivitamins and other nutritional supplements is to support overall wellness.

I was astounding to me to find out about Order No. 346 issued by the Puerto Rican Secretary of Health that imposes a set of onerous market access fees in Puerto Rico for nutritional supplements, including a \$25 fee on retailers and distributors for every variation of the supplement by size, flavor, and stock keeping unit ("SKU").

But the "money grab" did not stop there.

Manufacturers must file an application and pay an additional \$500 fee every 2 years for products that they intend to sell in Puerto Rico.

Wholesale and Retail distributors must also register and pay an additional \$100 fee every 2 years.

Facilities are subject to inspection, and must pay a \$50 fee every 2 years.

In addition, Order No. 346 also imposes an additional significant administrative burden by requiring quality control data, Certificates of Analysis, the process used to obtain the product, label samples, promotional materials, Advertisements, Laboratory Certificates, and any and all warning statements which the FDA does not require of retailers of any regulated goods, which includes foods, drugs, and devices.

These requirements are transparently only justifications for the imposition of this new regimen of fees.

This onerous new fee structure may have the unintended consequence of usurping the role of the FDA in regulating the introduction of nutritional supplements into commerce as this Congress has determined by statute to be sufficient.

There has not been any significant incident in Puerto Rico where a nutritional supplement manufacturer has introduced a tainted product to consumers. Nor is there any record of any significant number of adverse events attributable to the sale of nutritional supplements to Puerto Rican consumers. Furthermore, there are no reports of abusive commercial activities by nutritional supplement retailers in Puerto Rico.

Finally, there are no unique public health concerns or issues attributable to nutritional supplement manufacturing or sales to consumers in Puerto Rico that have not been fully and adequately addressed by the FDA.

Federal public health agencies, research organizations, and non-government organizations widely encourage the use of nutritional supplements to maintain minimum dietary intake, particularly for at-risk populations like the elderly and low-income families.

Intuitively, one would think that the Public Health Agency responsible for the promotion of health and well-being of the people of Puerto Rico would be tearing down any barrier that exists for its people to access nutritional foods and supplements that promote the health and well-being of families.

But the reality is, and it is a conundrum that is well known to this body, is that Puerto Rico is in the midst of a serious financial crisis for which it is seeking relief.

As I understand it, Order No. 346 is a transparent and perverse way for the Puerto Rican

government to generate revenue. I cannot help but remember the lyrics of a favorite song of mine sung by country music star Waylon Jennings, "Looking for Love in All the Wrong Places."

Is it not wrong to be looking for new revenue by increasing the costs to Puerto Rican families for nutritional supplements that assist them in maintaining a healthy lifestyle and thereby help them avoid adverse and costly health events that would incur potentially avoidable costs both to patients and government health care programs?

Is it not wrong for the Secretary of Health to impose a back-door tax on nutritional supplements without the benefit of a statute authorizing these fees enacted by the Puerto Rican legislature?

Is it not wrong to single out one industry, particularly an industry whose products support a public policy to promote the health and well-being of its citizens—particularly the elderly and children?

How can the Puerto Rican government come to this Congress and expect to be taken seriously in their request for fiscal relief from their current debt burden when they are continuing to enact policies like Order No. 346 that are so grossly counterintuitive to good government policy?

My colleague, Mr. ZINKE, has authored a legislative remedy that will nullify Puerto Rico Administrative Order No. 346.

I fully support this legislative effort that will protect the people of Puerto Rico from arbitrary and onerous restrictions on their access to nutritional supplement products, and threatens to damage the economic growth of the economy in Puerto Rico.

If Administrative Order No. 346 is allowed to stand, the cumulative effect of a new layer of bureaucratic "red tape" and the unjustified imposition of regulatory fees will make Puerto Rico the costliest place to do business by natural products retailers anywhere in the United States or its territories.

Low income consumers will likely be forced away from legitimate retailers on the Island and seek access to reasonably priced products on the Internet. The problem with that strategy is that the Internet is well known as a haven for counterfeit products and fly-by-night suppliers who regularly avoid the scrutiny of the FDA and failed to maintain good manufacturing practices for the production of its products.

The perverse outcome of Administrative Order No. 346 is that it will actually increase the threat to public health among the citizens of Puerto Rico.

An equally perverse outcome of Administrative Order No. 346 is that many Puerto Rican families will be unable to afford the increase in prices on nutritional supplements that they rely upon, and they will likely forgo those expenditures. Low income families will be hit the hardest as they are less likely to get nutrition they need from food alone, and nutritional supplements our key part of their maintaining the health and well-being.

And I would ask my colleagues to consider this: Administrative Order No. 346, if it is allowed to stand, sets a dangerous precedent for every legitimate business operating in Puerto Rico today. If the Congress fails to nul-

lify this order, nothing will stand in the way of the Government of Puerto Rico from imposing similar regulatory regimens on every other industry on the Island, without any notice or debate, and it will become the incubator for this terrible policy to migrate to other states and territories who are looking to enhance revenues.

Much of what we do here in the Congress is to establish public policies to protect consumers from exploitive and predatory actions of unscrupulous manufacturers of products that economically harm our citizens.

We are confronted today by a desperate Puerto Rican Government who appears to have set aside its duty to responsibly enact public policies that are consistent with the regular order of commerce, particularly as it relates to nutritional supplements, and has embarked on a clearly exploitive and predatory path to fleece nutritional supplement manufacturers and penalize its own consumers in the process.

The Congress is now required to act to defend its own authority and regulatory framework for nutritional supplement products as administered by the FDA, the Federal Trade Commission, and the Department of Justice. We must act in order to prevent this exploitive and predatory action by the Puerto Rican Government that will have the inevitable consequence of harming its own citizens.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-57. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Puerto Rico Oversight, Management, and Economic Stability Act" or "PROMESA".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Effective date.

Sec. 3. Severability.

Sec. 4. Supremacy.

Sec. 5. Definitions.

Sec. 6. Placement.

Sec. 7. Compliance with Federal laws.

TITLE I—ESTABLISHMENT AND ORGANIZATION OF OVERSIGHT BOARD

Sec. 101. Financial Oversight and Management Board.

Sec. 102. Location of Oversight Board.

Sec. 103. Executive Director and staff of Oversight Board.

Sec. 104. Powers of Oversight Board.

Sec. 105. Exemption from liability for claims.

Sec. 106. Treatment of actions arising from Act.

Sec. 107. Budget and funding for operation of Oversight Board.

Sec. 108. Autonomy of Oversight Board.

Sec. 109. Ethics.

TITLE II—RESPONSIBILITIES OF OVERSIGHT BOARD

Sec. 201. Approval of fiscal plans.

Sec. 202. Approval of budgets.

Sec. 203. Effect of finding of noncompliance with budget.

Sec. 204. Review of activities to ensure compliance with fiscal plan.

Sec. 205. Recommendations on financial stability and management responsibility.

Sec. 206. Oversight Board duties related to restructuring.

Sec. 207. Oversight Board authority related to debt issuance.

Sec. 208. Required reports.

Sec. 209. Termination of Oversight Board.

Sec. 210. No full faith and credit of the United States.

Sec. 211. Analysis of pensions.

Sec. 212. Intervention in litigation.

TITLE III—ADJUSTMENTS OF DEBTS

Sec. 301. Applicability of other laws; definitions.

Sec. 302. Who may be a debtor.

Sec. 303. Reservation of territorial power to control territory and territorial instrumentalities.

Sec. 304. Petition and proceedings relating to petition.

Sec. 305. Limitation on jurisdiction and powers of court.

Sec. 306. Jurisdiction.

Sec. 307. Venue.

Sec. 308. Selection of presiding judge.

Sec. 309. Abstention.

Sec. 310. Applicable rules of procedure.

Sec. 311. Leases.

Sec. 312. Filing of plan of adjustment.

Sec. 313. Modification of plan.

Sec. 314. Confirmation.

Sec. 315. Role and capacity of Oversight Board.

Sec. 316. Compensation of professionals.

Sec. 317. Interim compensation.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Rules of construction.

Sec. 402. Right of Puerto Rico to determine its future political status.

Sec. 403. First minimum wage in Puerto Rico.

Sec. 404. Application of regulation to Puerto Rico.

Sec. 405. Automatic stay upon enactment.

Sec. 406. Purchases by territory governments.

Sec. 407. Protection from inter-debtor transfers.

Sec. 408. GAO report on Small Business Administration programs in Puerto Rico.

Sec. 409. Congressional Task Force on Economic Growth in Puerto Rico.

Sec. 410. Report.

TITLE V—PUERTO RICO INFRASTRUCTURE REVITALIZATION

Sec. 501. Definitions.

Sec. 502. Position of Revitalization Coordinator.

Sec. 503. Critical projects.

Sec. 504. Miscellaneous provisions.

Sec. 505. Federal agency requirements.

Sec. 506. Judicial review.

Sec. 507. Savings clause.

TITLE VI—CREDITOR COLLECTIVE ACTION

Sec. 601. Creditor Collective action.

Sec. 602. Applicable law.

TITLE VII—SENSE OF CONGRESS REGARDING PERMANENT, PRO-GROWTH FISCAL REFORMS

Sec. 701. Sense of Congress regarding permanent, pro-growth fiscal reforms.

SEC. 2. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided in subsection (b), this Act shall take effect on the date of the enactment of this Act.

(b) TITLE III AND TITLE VI.—

(1) Title III shall apply with respect to cases commenced under title III on or after the date of the enactment of this Act.

(2) Titles III and VI shall apply with respect to debts, claims, and liens (as such terms are defined in section 101 of title 11, United States Code) created before, on, or after such date.

SEC. 3. SEVERABILITY.

If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, or the application of that provision to persons or circumstances other than those as to which it is held invalid, is not affected thereby, provided that title III is not severable from titles I and II, and titles I and II are not severable from title III.

SEC. 4. SUPREMACY.

The provisions of this Act shall prevail over any general or specific provisions of territory law, State law, or regulation that is inconsistent with this Act.

SEC. 5. DEFINITIONS.

In this Act—

(1) **AGREED ACCOUNTING STANDARDS.**—The term “agreed accounting standards” means modified accrual accounting standards or, for any period during which the Oversight Board determines in its sole discretion that a territorial government is not reasonably capable of comprehensive reporting that complies with modified accrual accounting standards, such other accounting standards as proposed by the Oversight Board.

(2) **BOND.**—The term “Bond” means a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness for borrowed money, including rights, entitlements, or obligations whether such rights, entitlements, or obligations arise from contract, statute, or any other source of law, in any case, related to such a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness in physical or dematerialized form of which the issuer, obligor, or guarantor is the territorial government.

(3) **BOND CLAIM.**—The term “Bond Claim” means, as it relates to a Bond—

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

(4) **BUDGET.**—The term “Budget” means the Territory Budget or an Instrumentality Budget, as applicable.

(5) **PUERTO RICO.**—The term “Puerto Rico” means the Commonwealth of Puerto Rico.

(6) **COMPLIANT BUDGET.**—The term “compliant budget” means a budget that is prepared in accordance with—

(A) agreed accounting standards; and

(B) the applicable Fiscal Plan.

(7) **COVERED TERRITORIAL INSTRUMENTALITY.**—The term “covered territorial instrumentality” means a territorial instrumentality designated by the Oversight Board pursuant to section 101 to be subject to the requirements of this Act.

(8) **COVERED TERRITORY.**—The term “covered territory” means a territory for which an Oversight Board has been established under section 101.

(9) **EXECUTIVE DIRECTOR.**—The term “Executive Director” means an Executive Director appointed under section 103(a).

(10) **FISCAL PLAN.**—The term “Fiscal Plan” means a Territory Fiscal Plan or an Instrumentality Fiscal Plan, as applicable.

(11) **GOVERNMENT OF PUERTO RICO.**—The term “Government of Puerto Rico” means the Commonwealth of Puerto Rico, including all its territorial instrumentalities.

(12) **GOVERNOR.**—The term “Governor” means the chief executive of a covered territory.

(13) **INSTRUMENTALITY BUDGET.**—The term “Instrumentality Budget” means a budget for a covered territorial instrumentality, designated by the Oversight Board in accordance with section 101, submitted, approved, and certified in accordance with section 202.

(14) **INSTRUMENTALITY FISCAL PLAN.**—The term “Instrumentality Fiscal Plan” means a fiscal plan for a covered territorial instrumentality, designated by the Oversight Board in accordance with section 101, submitted, approved, and certified in accordance with section 201.

(15) **LEGISLATURE.**—The term “Legislature” means the legislative body responsible for enacting the laws of a covered territory.

(16) **MODIFIED ACCRUAL ACCOUNTING STANDARDS.**—The term “modified accrual accounting standards” means recognizing revenues as they become available and measurable and recognizing expenditures when liabilities are incurred, in each case as defined by the Governmental Accounting Standards Board, in accordance with generally accepted accounting principles.

(17) **OVERSIGHT BOARD.**—The term “Oversight Board” means a Financial Oversight and Management Board established in accordance with section 101.

(18) **TERRITORIAL GOVERNMENT.**—The term “territorial government” means the government of a covered territory, including all covered territorial instrumentalities.

(19) **TERRITORIAL INSTRUMENTALITY.**—

(A) **IN GENERAL.**—The term “territorial instrumentality” means any political subdivision, public agency, instrumentality—including any instrumentality that is also a bank—or public corporation of a territory, and this term should be broadly construed to effectuate the purposes of this Act.

(B) **EXCLUSION.**—The term “territorial instrumentality” does not include an Oversight Board.

(20) **TERRITORY.**—The term “territory” means—

(A) Puerto Rico;

(B) Guam;

(C) American Samoa;

(D) the Commonwealth of the Northern Mariana Islands; or

(E) the United States Virgin Islands.

(21) **TERRITORY BUDGET.**—The term “Territory Budget” means a budget for a territorial government submitted, approved, and certified in accordance with section 202.

(22) **TERRITORY FISCAL PLAN.**—The term “Territory Fiscal Plan” means a fiscal plan for a territorial government submitted, approved, and certified in accordance with section 201.

SEC. 6. PLACEMENT.

The Law Revision Counsel is directed to place this Act as chapter 20 of title 48, United States Code.

SEC. 7. COMPLIANCE WITH FEDERAL LAWS.

Except as otherwise provided in this Act, nothing in this Act shall be construed as impairing or in any manner relieving a territorial government, or any territorial instrumentality thereof, from compliance with Federal laws or requirements or territorial laws and requirements implementing a federally authorized or federally delegated program protecting the health, safety, and environment of persons in such territory.

TITLE I—ESTABLISHMENT AND ORGANIZATION OF OVERSIGHT BOARD

SEC. 101. FINANCIAL OVERSIGHT AND MANAGEMENT BOARD.

(a) **PURPOSE.**—The purpose of the Oversight Board is to provide a method for a covered terri-

tory to achieve fiscal responsibility and access to the capital markets.

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), a Financial Oversight and Management Board for a territory is established in accordance with this section only if the Legislature of the territory adopts a resolution signed by the Governor requesting the establishment.

(2) **PUERTO RICO.**—Notwithstanding paragraph (1), a Financial Oversight and Management Board is hereby established for Puerto Rico.

(3) **CONSTITUTIONAL BASIS.**—The Congress enacts this Act pursuant to article IV, section 3 of the Constitution of the United States, which provides Congress the power to dispose of and make all needful rules and regulations for territories.

(c) **TREATMENT.**—An Oversight Board established under this section—

(1) shall be created as an entity within the territorial government for which it is established in accordance with this title; and

(2) shall not be considered to be a department, agency, establishment, or instrumentality of the Federal Government.

(d) **OVERSIGHT OF TERRITORIAL INSTRUMENTALITIES.**—

(1) **DESIGNATION.**—

(A) **IN GENERAL.**—An Oversight Board, in its sole discretion at such time as the Oversight Board determines to be appropriate, may designate any territorial instrumentality as a covered territorial instrumentality that is subject to the requirements of this Act.

(B) **BUDGETS AND REPORTS.**—The Oversight Board may require, in its sole discretion, the Governor to submit to the Oversight Board such budgets and monthly or quarterly reports regarding a covered territorial instrumentality as the Oversight Board determines to be necessary and may designate any covered territorial instrumentality to be included in the Territory Budget; except that the Oversight Board may not designate a covered territorial instrumentality to be included in the Territory Budget if applicable territory law does not require legislative approval of such covered territorial instrumentality's budget.

(C) **SEPARATE INSTRUMENTALITY BUDGETS AND REPORTS.**—The Oversight Board in its sole discretion may or, if it requires a budget from a covered territorial instrumentality whose budget does not require legislative approval under applicable territory law, shall designate a covered territorial instrumentality to be the subject of an Instrumentality Budget separate from the applicable Territory Budget and require that the Governor develop such an Instrumentality Budget.

(D) **INCLUSION IN TERRITORY FISCAL PLAN.**—The Oversight Board may require, in its sole discretion, the Governor to include a covered territorial instrumentality in the applicable Territory Fiscal Plan. Any covered territorial instrumentality submitting a separate Instrumentality Fiscal Plan must also submit a separate Instrumentality Budget.

(E) **SEPARATE INSTRUMENTALITY FISCAL PLANS.**—The Oversight Board may designate, in its sole discretion, a covered territorial instrumentality to be the subject of an Instrumentality Fiscal Plan separate from the applicable Territory Fiscal Plan and require that the Governor develop such an Instrumentality Fiscal Plan. Any covered territorial instrumentality submitting a separate Instrumentality Fiscal Plan must also submit a separate Instrumentality Budget.

(2) **EXCLUSION.**—

(A) **IN GENERAL.**—An Oversight Board, in its sole discretion, at such time as the Oversight Board determines to be appropriate, may exclude any territorial instrumentality from the requirements of this Act.

(B) **TREATMENT.**—A territorial instrumentality excluded pursuant to this paragraph shall not be considered to be a covered territorial instrumentality.

(e) **MEMBERSHIP.**—

(1) **IN GENERAL.**—

(A) The Oversight Board shall consist of seven members appointed by the President who meet the qualifications described in subsection (f) and section 109(a).

(B) The Board shall be comprised of one Category A member, one Category B member, two Category C members, one Category D member, one Category E member, and one Category F member.

(2) **APPOINTED MEMBERS.**—

(A) The President shall appoint the individual members of the Oversight Board, of which—

(i) the Category A member should be selected from a list of individuals submitted by the Speaker of the House of Representatives;

(ii) the Category B member should be selected from a separate list of individuals submitted by the Speaker of the House of Representatives;

(iii) the Category C members should be selected from a list submitted by the Majority Leader of the Senate;

(iv) the Category D member should be selected from a list submitted by the Minority Leader of the House of Representatives;

(v) the Category E member should be selected from a list submitted by the Minority Leader of the Senate; and

(vi) the Category F member may be selected in the President's sole discretion.

(B) After the President's selection of the Category F Board member, for purposes of subparagraph (A) and within a timely manner—

(i) the Speaker of the House of Representatives shall submit two non-overlapping lists of at least three individuals to the President; one list shall include three individuals who maintain a primary residence in the territory or have a primary place of business in the territory;

(ii) the Senate Majority Leader shall submit a list of at least four individuals to the President;

(iii) the Minority Leader of the House of Representatives shall submit a list of at least three individuals to the President; and

(iv) the Minority Leader of the Senate shall submit a list of at least three individuals to the President.

(C) If the President does not select any of the names submitted under subparagraphs (A) and (B), then whoever submitted such list may supplement the lists provided in this subsection with additional names.

(D) The Category A member shall maintain a primary residence in the territory or have a primary place of business in the territory.

(E) With respect to the appointment of a Board member in Category A, B, C, D, or E, such an appointment shall be by and with the advice and consent of the Senate, unless the President appoints an individual from a list, as provided in this subsection, in which case no Senate confirmation is required.

(F) In the event of a vacancy of a Category A, B, C, D, or E Board seat, the corresponding congressional leader referenced in subparagraph (A) shall submit a list pursuant to this subsection within a timely manner of the Board member's resignation or removal becoming effective.

(G) With respect to an Oversight Board for Puerto Rico, in the event any of the 7 members have not been appointed by September 30, 2016, then the President shall appoint an individual from the list for the current vacant category by December 1, 2016, provided that such list includes at least 2 individuals per vacancy who meet the requirements set forth in subsection (f) and section 109, and are willing to serve.

(3) **EX OFFICIO MEMBER.**—The Governor, or the Governor's designee, shall be an ex officio

member of the Oversight Board without voting rights.

(4) **CHAIR.**—The voting members of the Oversight Board shall designate one of the voting members of the Oversight Board as the Chair of the Oversight Board (referred to hereafter in this Act as the "Chair") within 30 days of the full appointment of the Oversight Board.

(5) **TERM OF SERVICE.**—

(A) **IN GENERAL.**—Each appointed member of the Oversight Board shall be appointed for a term of 3 years.

(B) **REMOVAL.**—The President may remove any member of the Oversight Board only for cause.

(C) **CONTINUATION OF SERVICE UNTIL SUCCESSOR APPOINTED.**—Upon the expiration of a term of office, a member of the Oversight Board may continue to serve until a successor has been appointed.

(D) **REAPPOINTMENT.**—An individual may serve consecutive terms as an appointed member, provided that such reappointment occurs in compliance with paragraph (6).

(6) **VACANCIES.**—A vacancy on the Oversight Board shall be filled in the same manner in which the original member was appointed.

(f) **ELIGIBILITY FOR APPOINTMENTS.**—An individual is eligible for appointment as a member of the Oversight Board only if the individual—

(1) has knowledge and expertise in finance, municipal bond markets, management, law, or the organization or operation of business or government; and

(2) prior to appointment, an individual is not an officer, elected official, or employee of the territorial government, a candidate for elected office of the territorial government, or a former elected official of the territorial government.

(g) **NO COMPENSATION FOR SERVICE.**—Members of the Oversight Board shall serve without pay, but may receive reimbursement from the Oversight Board for any reasonable and necessary expenses incurred by reason of service on the Oversight Board.

(h) **ADOPTION OF BYLAWS FOR CONDUCTING BUSINESS OF OVERSIGHT BOARD.**—

(1) **IN GENERAL.**—As soon as practicable after the appointment of all members and appointment of the Chair, the Oversight Board shall adopt bylaws, rules, and procedures governing its activities under this Act, including procedures for hiring experts and consultants. Such bylaws, rules, and procedures shall be public documents, and shall be submitted by the Oversight Board upon adoption to the Governor, the Legislature, the President, and Congress. The Oversight Board may hire professionals as it determines to be necessary to carry out this subsection.

(2) **ACTIVITIES REQUIRING APPROVAL OF MAJORITY OF MEMBERS.**—Under the bylaws adopted pursuant to paragraph (1), the Oversight Board may conduct its operations under such procedures as it considers appropriate, except that an affirmative vote of a majority of the members of the Oversight Board's full appointed membership shall be required in order for the Oversight Board to approve a Fiscal Plan under section 201, to approve a Budget under section 202, to cause a legislative act not to be enforced under section 204, or to approve or disapprove an infrastructure project as a Critical Project under section 503.

(3) **ADOPTION OF RULES AND REGULATIONS OF TERRITORIAL GOVERNMENT.**—The Oversight Board may incorporate in its bylaws, rules, and procedures under this subsection such rules and regulations of the territorial government as it considers appropriate to enable it to carry out its activities under this Act with the greatest degree of independence practicable.

(4) **EXECUTIVE SESSION.**—Upon a majority vote of the Oversight Board's full voting membership,

the Oversight Board may conduct its business in an executive session that consists solely of the Oversight Board's voting members and is closed to the public, but only for the business items set forth as part of the vote to convene an executive session.

SEC. 102. LOCATION OF OVERSIGHT BOARD.

The Oversight Board shall have an office in the covered territory and additional offices as it deems necessary. At any time, any department or agency of the United States may provide the Oversight Board use of Federal facilities and equipment on a reimbursable or non-reimbursable basis and subject to such terms and conditions as the head of that department or agency may establish.

SEC. 103. EXECUTIVE DIRECTOR AND STAFF OF OVERSIGHT BOARD.

(a) **EXECUTIVE DIRECTOR.**—The Oversight Board shall have an Executive Director who shall be appointed by the Chair with the consent of the Oversight Board. The Executive Director shall be paid at a rate determined by the Oversight Board.

(b) **STAFF.**—With the approval of the Chair, the Executive Director may appoint and fix the pay of additional personnel as the Executive Director considers appropriate, except that no individual appointed by the Executive Director may be paid at a rate greater than the rate of pay for the Executive Director unless the Oversight Board provides for otherwise. The staff shall include a Revitalization Coordinator appointed pursuant to Title V of this Act. Any such personnel may include private citizens, employees of the Federal Government, or employees of the territorial government, provided, however, that the Executive Director may not fix the pay of employees of the Federal Government or the territorial government.

(c) **INAPPLICABILITY OF CERTAIN EMPLOYMENT AND PROCUREMENT LAWS.**—The Executive Director and staff of the Oversight Board may be appointed and paid without regard to any provision of the laws of the covered territory or the Federal Government governing appointments and salaries. Any provision of the laws of the covered territory governing procurement shall not apply to the Oversight Board.

(d) **STAFF OF FEDERAL AGENCIES.**—Upon request of the Chair, the head of any Federal department or agency may detail, on a reimbursable or nonreimbursable basis, and in accordance with the Intergovernmental Personnel Act of 1970 (5 U.S.C. 3371–3375), any of the personnel of that department or agency to the Oversight Board to assist it in carrying out its duties under this Act.

(e) **STAFF OF TERRITORIAL GOVERNMENT.**—Upon request of the Chair, the head of any Federal department or agency of the covered territory may detail, on a reimbursable or nonreimbursable basis, any of the personnel of that department or agency to the Oversight Board to assist it in carrying out its duties under this Act.

SEC. 104. POWERS OF OVERSIGHT BOARD.

(a) **HEARINGS AND SESSIONS.**—The Oversight Board may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Oversight Board considers appropriate. The Oversight Board may administer oaths or affirmations to witnesses appearing before it.

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Oversight Board may, if authorized by the Oversight Board, take any action that the Oversight Board is authorized to take by this section.

(c) **OBTAINING OFFICIAL DATA.**—

(1) **FROM FEDERAL GOVERNMENT.**—Notwithstanding sections 552 (commonly known as the Freedom of Information Act), 552a (commonly known as the Privacy Act of 1974), and 552b (commonly known as the Government in the

Sunshine Act) of title 5, United States Code, the Oversight Board may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act, with the approval of the head of that department or agency.

(2) **FROM TERRITORIAL GOVERNMENT.**—Notwithstanding any other provision of law, the Oversight Board shall have the right to secure copies, whether written or electronic, of such records, documents, information, data, or metadata from the territorial government necessary to enable the Oversight Board to carry out its responsibilities under this Act. At the request of the Oversight Board, the Oversight Board shall be granted direct access to such information systems, records, documents, information, or data as will enable the Oversight Board to carry out its responsibilities under this Act. The head of the entity of the territorial government responsible shall provide the Oversight Board with such information and assistance (including granting the Oversight Board direct access to automated or other information systems) as the Oversight Board requires under this paragraph.

(d) **OBTAINING CREDITOR INFORMATION.**—

(1) Upon request of the Oversight Board, each creditor or organized group of creditors of a covered territory or covered territorial instrumentality seeking to participate in voluntary negotiations shall provide to the Oversight Board, and the Oversight Board shall make publicly available to any other participant, a statement setting forth—

(A) the name and address of the creditor or of each member of an organized group of creditors; and

(B) the nature and aggregate amount of claims or other economic interests held in relation to the issuer as of the later of—

(i) the date the creditor acquired the claims or other economic interests or, in the case of an organized group of creditors, the date the group was formed; or

(ii) the date the Oversight Board was formed.

(2) For purposes of this subsection, an organized group shall mean multiple creditors that are—

(A) acting in concert to advance their common interests, including, but not limited to, retaining legal counsel to represent such multiple entities; and

(B) not composed entirely of affiliates or insiders of one another.

(3) The Oversight Board may request supplemental statements to be filed by each creditor or organized group of creditors quarterly, or if any fact in the most recently filed statement has changed materially.

(e) **GIFTS, BEQUESTS, AND DEVISES.**—The Oversight Board may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Oversight Board. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in such account as the Oversight Board may establish and shall be available for disbursement upon order of the Chair, consistent with the Oversight Board's bylaws, or rules and procedures. All gifts, bequests or devises and the identities of the donors shall be publicly disclosed by the Oversight Board within 30 days of receipt.

(f) **SUBPOENA POWER.**—

(1) **IN GENERAL.**—The Oversight Board may issue subpoenas requiring the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, papers, documents, electronic files, metadata, tapes, and materials of any nature relating to any matter under investigation by the Oversight

Board. Jurisdiction to compel the attendance of witnesses and the production of such materials shall be governed by the statute setting forth the scope of personal jurisdiction exercised by the covered territory, or in the case of Puerto Rico, 32 L.P.R.A. App. III. R. 4. 7., as amended.

(2) **FAILURE TO OBEY A SUBPOENA.**—If a person refuses to obey a subpoena issued under paragraph (1), the Oversight Board may apply to the court of first instance of the covered territory. Any failure to obey the order of the court may be punished by the court in accordance with civil contempt laws of the covered territory.

(3) **SERVICE OF SUBPOENAS.**—The subpoena of the Oversight Board shall be served in the manner provided by the rules of procedure for the courts of the covered territory, or in the case of Puerto Rico, the Rules of Civil Procedure of Puerto Rico, for subpoenas issued by the court of first instance of the covered territory.

(g) **AUTHORITY TO ENTER INTO CONTRACTS.**—The Executive Director may enter into such contracts as the Executive Director considers appropriate (subject to the approval of the Chair) consistent with the Oversight Board's bylaws, rules, and regulations to carry out the Oversight Board's responsibilities under this Act.

(h) **AUTHORITY TO ENFORCE CERTAIN LAWS OF THE COVERED TERRITORY.**—The Oversight Board shall ensure the purposes of this Act are met, including by ensuring the prompt enforcement of any applicable laws of the covered territory prohibiting public sector employees from participating in a strike or lockout. In the application of this subsection, with respect to Puerto Rico, the term "applicable laws" refers to 3 L.P.R.A. 1451q and 3 L.P.R.A. 1451r, as amended.

(i) **VOLUNTARY AGREEMENT CERTIFICATION.**—

(1) **IN GENERAL.**—The Oversight Board shall issue a certification to a covered territory or covered territorial instrumentality if the Oversight Board determines, in its sole discretion, that such covered territory or covered territorial instrumentality, as applicable, has successfully reached a voluntary agreement with holders of its Bond Claims to restructure such Bond Claims—

(A) except as provided in subparagraph (C), if an applicable Fiscal Plan has been certified, in a manner that provides for a sustainable level of debt for such covered territory or covered territorial instrumentality, as applicable, and is in conformance with the applicable certified Fiscal Plan;

(B) except as provided in subparagraph (C), if an applicable Fiscal Plan has not yet been certified, in a manner that provides, in the Oversight Board's sole discretion, for a sustainable level of debt for such covered territory or covered territorial instrumentality; or

(C) notwithstanding subparagraphs (A) and (B), if an applicable Fiscal Plan has not yet been certified and the voluntary agreement is limited solely to an extension of applicable principal maturities and interest on Bonds issued by such covered territory or covered territorial instrumentality, as applicable, for a period of up to one year during which time no interest will be paid on the Bond Claims affected by the voluntary agreement.

(2) **EFFECTIVENESS.**—The effectiveness of any voluntary agreement referred to in paragraph (1) shall be conditioned on—

(A) the Oversight Board delivering the certification described in paragraph (1); and

(B) the agreement of a majority in amount of the Bond Claims of a covered territory or a covered territorial instrumentality that are to be affected by such agreement, provided, however, that such agreement is solely for purposes of serving as a Qualifying Modification pursuant to subsection 601(g) of this Act and shall not alter existing legal rights of holders of Bond

Claims against such covered territory or covered territorial instrumentality that have not assented to such agreement.

(3) **PREEXISTING VOLUNTARY AGREEMENTS.**—Any voluntary agreements that the territorial government or any covered territorial instrumentality has executed with holders of its debts to restructure such debts prior to the date of enactment of the Act shall be deemed to be in conformance with the requirements of this subsection, to the extent the requirements of paragraph (2)(B)(i) have been satisfied.

(j) **RESTRUCTURING FILINGS.**—

(1) **IN GENERAL.**—Subject to paragraph (3), before taking an action described in paragraph (2) on behalf of a debtor or potential debtor in a case under title III, the Oversight Board must certify the action.

(2) **ACTIONS DESCRIBED.**—The actions referred to in paragraph (1) are—

(A) the filing of a petition; or

(B) the submission or modification of a plan of adjustment.

(3) **CONDITION FOR PLANS OF ADJUSTMENT.**—The Oversight Board may certify a plan of adjustment only if it determines, in its sole discretion, that it is consistent with the applicable certified Fiscal Plan.

(k) **CIVIL ACTIONS TO ENFORCE POWERS.**—The Oversight Board may seek judicial enforcement of its authority to carry out its responsibilities under this Act.

(l) **PENALTIES.**—

(1) **ACTS PROHIBITED.**—Any officer or employee of the territorial government who prepares, presents, or certifies any information or report for the Oversight Board or any of its agents that is intentionally false or misleading, or, upon learning that any such information is false or misleading, fails to immediately advise the Oversight Board or its agents thereof in writing, shall be subject to prosecution and penalties under any laws of the territory prohibiting the provision of false information to government officials, which in the case of Puerto Rico shall include 33 L.P.R.A. 4889, as amended.

(2) **ADMINISTRATIVE DISCIPLINE.**—In addition to any other applicable penalty, any officer or employee of the territorial government who knowingly and willfully violates paragraph (1) or takes any such action in violation of any valid order of the Oversight Board or fails or refuses to take any action required by any such order, shall be subject to appropriate administrative discipline, including (when appropriate) suspension from duty without pay or removal from office, by order of the Governor.

(3) **REPORT BY GOVERNOR ON DISCIPLINARY ACTIONS TAKEN.**—In the case of a violation of paragraph (2) by an officer or employee of the territorial government, the Governor shall immediately report to the Oversight Board all pertinent facts together with a statement of the action taken thereon.

(m) **ELECTRONIC REPORTING.**—The Oversight Board may, in consultation with the Governor, ensure the prompt and efficient payment and administration of taxes through the adoption of electronic reporting, payment and auditing technologies.

(n) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Oversight Board, the Administrator of General Services or other appropriate Federal agencies shall promptly provide to the Oversight Board, on a reimbursable or non-reimbursable basis, the administrative support services necessary for the Oversight Board to carry out its responsibilities under this Act.

(o) **INVESTIGATION OF DISCLOSURE AND SELLING PRACTICES.**—The Oversight Board may investigate the disclosure and selling practices in connection with the purchase of bonds issued by the Government of Puerto Rico for or on behalf

of any retail investors including any underrepresentation of risk for such investors and any relationships or conflicts of interest maintained by such broker, dealer, or investment adviser as provided in applicable laws and regulations.

(p) **FINDINGS OF ANY INVESTIGATION.**—The Oversight Board shall make public the findings of any investigation referenced in subsection (o).

SEC. 105. EXEMPTION FROM LIABILITY FOR CLAIMS.

The Oversight Board, its members, and its employees shall not be liable for any obligation of or claim against the Oversight Board or its members or employees or the territorial government resulting from actions taken to carry out this Act.

SEC. 106. TREATMENT OF ACTIONS ARISING FROM ACT.

(a) **JURISDICTION.**—Except as provided in section 104(f)(2) (relating to the issuance of an order enforcing a subpoena), and title III (relating to adjustments of debts), any action against the Oversight Board, and any action otherwise arising out of this Act, in whole or in part, shall be brought in a United States district court for the covered territory or, for any covered territory that does not have a district court, in the United States District Court for the District of Hawaii.

(b) **APPEAL.**—Notwithstanding any other provision of law, any order of a United States district court that is issued pursuant to an action brought under subsection (a) shall be subject to review only pursuant to a notice of appeal to the applicable United States Court of Appeals.

(c) **TIMING OF RELIEF.**—Except with respect to any orders entered to remedy constitutional violations, no order of any court granting declaratory or injunctive relief against the Oversight Board, including relief permitting or requiring the obligation, borrowing, or expenditure of funds, shall take effect during the pendency of the action before such court, during the time appeal may be taken, or (if appeal is taken) during the period before the court has entered its final order disposing of such action.

(d) **EXPEDITED CONSIDERATION.**—It shall be the duty of the applicable United States District Court, the applicable United States Court of Appeals, and, as applicable, the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this Act.

(e) **REVIEW OF OVERSIGHT BOARD CERTIFICATIONS.**—There shall be no jurisdiction in any United States district court to review challenges to the Oversight Board's certification determinations under this Act.

SEC. 107. BUDGET AND FUNDING FOR OPERATION OF OVERSIGHT BOARD.

(a) **SUBMISSION OF BUDGET.**—The Oversight Board shall submit a budget for each fiscal year during which the Oversight Board is in operation, to the President, the House of Representatives Committee on Natural Resources and the Senate Committee on Energy and Natural Resources, the Governor, and the Legislature.

(b) **FUNDING.**—The Oversight Board shall use its powers with respect to the Territory Budget of the covered territory to ensure that sufficient funds are available to cover all expenses of the Oversight Board. Within 30 days after the date of enactment of this Act, the territorial government shall designate a dedicated funding source, not subject to subsequent legislative appropriations, sufficient to support the annual expenses of the Oversight Board as determined in the Oversight Board's sole and exclusive discretion.

SEC. 108. AUTONOMY OF OVERSIGHT BOARD.

(a) **IN GENERAL.**—Neither the Governor nor the Legislature may—

(1) exercise any control, supervision, oversight, or review over the Oversight Board or its activities; or

(2) enact, implement, or enforce any statute, resolution, policy, or rule that would impair or defeat the purposes of this Act, as determined by the Oversight Board.

(b) **OVERSIGHT BOARD LEGAL REPRESENTATION.**—In any action brought by or on behalf of the Oversight Board, the Oversight Board shall be represented by such counsel as it may hire or retain so long as no conflict of interest exists.

SEC. 109. ETHICS.

(a) **CONFLICT OF INTEREST.**—Notwithstanding any ethics provision governing employees of the covered territory, all members and staff of the Oversight Board shall be subject to the Federal conflict of interest requirements described in section 208 of title 18, United States Code.

(b) **FINANCIAL DISCLOSURE.**—Notwithstanding any ethics provision governing employees of the covered territory, all members of the Oversight Board and staff designated by the Oversight Board shall be subject to disclosure of their financial interests, the contents of which shall conform to the same requirements set forth in section 102 of the Ethics in Government Act of 1978 (5 U.S.C. app.).

TITLE II—RESPONSIBILITIES OF OVERSIGHT BOARD

SEC. 201. APPROVAL OF FISCAL PLANS.

(a) **IN GENERAL.**—As soon as practicable after all of the members and the Chair have been appointed to the Oversight Board in accordance with section 101(e) in the fiscal year in which the Oversight Board is established, and in each fiscal year thereafter during which the Oversight Board is in operation, the Oversight Board shall deliver a notice to the Governor providing a schedule for the process of development, submission, approval, and certification of Fiscal Plans. The notice may also set forth a schedule for revisions to any Fiscal Plan that has already been certified, which revisions must be subject to subsequent approval and certification by the Oversight Board. The Oversight Board shall consult with the Governor in establishing a schedule, but the Oversight Board shall retain sole discretion to set or, by delivery of a subsequent notice to the Governor, change the dates of such schedule as it deems appropriate and reasonably feasible.

(b) **REQUIREMENTS.**—

(1) **IN GENERAL.**—A Fiscal Plan developed under this section shall, with respect to the territorial government or covered territorial instrumentality, provide a method to achieve fiscal responsibility and access to the capital markets, and—

(A) provide for estimates of revenues and expenditures in conformance with agreed accounting standards and be based on—

(i) applicable laws; or

(ii) specific bills that require enactment in order to reasonably achieve the projections of the Fiscal Plan;

(B) ensure the funding of essential public services;

(C) provide adequate funding for public pension systems;

(D) provide for the elimination of structural deficits;

(E) for fiscal years covered by a Fiscal Plan in which a stay under titles III or IV is not effective, provide for a debt burden that is sustainable;

(F) improve fiscal governance, accountability, and internal controls;

(G) enable the achievement of fiscal targets;

(H) create independent forecasts of revenue for the period covered by the Fiscal Plan;

(I) include a debt sustainability analysis;

(J) provide for capital expenditures and investments necessary to promote economic growth;

(K) adopt appropriate recommendations submitted by the Oversight Board under section 205(a);

(L) include such additional information as the Oversight Board deems necessary;

(M) ensure that assets, funds, or resources of a territorial instrumentality are not loaned to, transferred to, or otherwise used for the benefit of a covered territory or another covered territorial instrumentality of a covered territory, unless permitted by the constitution of the territory, an approved plan of adjustment under title III, or a Qualifying Modification approved under title VI; and

(N) respect the relative lawful priorities or lawful liens, as may be applicable, in the constitution, other laws, or agreements of a covered territory or covered territorial instrumentality in effect prior to the date of enactment of this Act.

(2) **TERM.**—A Fiscal Plan developed under this section shall cover a period of fiscal years as determined by the Oversight Board in its sole discretion but in any case a period of not less than 5 fiscal years from the fiscal year in which it is certified by the Oversight Board.

(c) **DEVELOPMENT, REVIEW, APPROVAL, AND CERTIFICATION OF FISCAL PLANS.**—

(1) **TIMING REQUIREMENT.**—The Governor may not submit to the Legislature a Territory Budget under section 202 for a fiscal year unless the Oversight Board has certified the Territory Fiscal Plan for that fiscal year in accordance with this subsection, unless the Oversight Board in its sole discretion waives this requirement.

(2) **FISCAL PLAN DEVELOPED BY GOVERNOR.**—The Governor shall submit to the Oversight Board any proposed Fiscal Plan required by the Oversight Board by the time specified in the notice delivered under subsection (a).

(3) **REVIEW BY THE OVERSIGHT BOARD.**—The Oversight Board shall review any proposed Fiscal Plan to determine whether it satisfies the requirements set forth in subsection (b) and, if the Oversight Board determines in its sole discretion that the proposed Fiscal Plan—

(A) satisfies such requirements, the Oversight Board shall approve the proposed Fiscal Plan; or

(B) does not satisfy such requirements, the Oversight Board shall provide to the Governor—

(i) a notice of violation that includes recommendations for revisions to the applicable Fiscal Plan; and

(ii) an opportunity to correct the violation in accordance with subsection (d)(1).

(d) **REVISED FISCAL PLAN.**—

(1) **IN GENERAL.**—If the Governor receives a notice of violation under subsection (c)(3), the Governor shall submit to the Oversight Board a revised proposed Fiscal Plan in accordance with subsection (b) by the time specified in the notice delivered under subsection (a). The Governor may submit as many revised Fiscal Plans to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits.

(2) **DEVELOPMENT BY OVERSIGHT BOARD.**—If the Governor fails to submit to the Oversight Board a Fiscal Plan that the Oversight Board determines in its sole discretion satisfies the requirements set forth in subsection (b) by the time specified in the notice delivered under subsection (a), the Oversight Board shall develop and submit to the Governor and the Legislature a Fiscal Plan that satisfies the requirements set forth in subsection (b).

(e) **APPROVAL AND CERTIFICATION.**—

(1) **APPROVAL OF FISCAL PLAN DEVELOPED BY GOVERNOR.**—If the Oversight Board approves a Fiscal Plan under subsection (c)(3), it shall deliver a compliance certification for such Fiscal Plan to the Governor and the Legislature.

(2) **DEEMED APPROVAL OF FISCAL PLAN DEVELOPED BY OVERSIGHT BOARD.**—If the Oversight

Board develops a Fiscal Plan under subsection (d)(2), such Fiscal Plan shall be deemed approved by the Governor, and the Oversight Board shall issue a compliance certification for such Fiscal Plan to the Governor and the Legislature.

(f) **JOINT DEVELOPMENT OF FISCAL PLAN.**—Notwithstanding any other provision of this section, if the Governor and the Oversight Board jointly develop a Fiscal Plan for the fiscal year that meets the requirements under this section, and that the Governor and the Oversight Board certify that the fiscal plan reflects a consensus between the Governor and the Oversight Board, then such Fiscal Plan shall serve as the Fiscal Plan for the territory or territorial instrumentality for that fiscal year.

SEC. 202. APPROVAL OF BUDGETS.

(a) **REASONABLE SCHEDULE FOR DEVELOPMENT OF BUDGETS.**—As soon as practicable after all of the members and the Chair have been appointed to the Oversight Board in the fiscal year in which the Oversight Board is established, and in each fiscal year thereafter during which the Oversight Board is in operation, the Oversight Board shall deliver a notice to the Governor and the Legislature providing a schedule for developing, submitting, approving, and certifying Budgets for a period of fiscal years as determined by the Oversight Board in its sole discretion but in any case a period of not less than one fiscal year following the fiscal year in which the notice is delivered. The notice may also set forth a schedule for revisions to Budgets that have already been certified, which revisions must be subject to subsequent approval and certification by the Oversight Board. The Oversight Board shall consult with the Governor and the Legislature in establishing a schedule, but the Oversight Board shall retain sole discretion to set or, by delivery of a subsequent notice to the Governor and the Legislature, change the dates of such schedule as it deems appropriate and reasonably feasible.

(b) **REVENUE FORECAST.**—The Oversight Board shall submit to the Governor and Legislature a forecast of revenues for the period covered by the Budgets by the time specified in the notice delivered under subsection (a), for use by the Governor in developing the Budget under subsection (c).

(c) **BUDGETS DEVELOPED BY GOVERNOR.**—

(1) **GOVERNOR'S PROPOSED BUDGETS.**—The Governor shall submit to the Oversight Board proposed Budgets by the time specified in the notice delivered under subsection (a). In consultation with the Governor in accordance with the process specified in the notice delivered under subsection (a), the Oversight Board shall determine in its sole discretion whether each proposed Budget is compliant with the applicable Fiscal Plan and—

(A) if a proposed Budget is a compliant budget, the Oversight Board shall—

(i) approve the Budget; and

(ii) if the Budget is a Territory Budget, submit the Territory Budget to the Legislature; or

(B) if the Oversight Board determines that the Budget is not a compliant budget, the Oversight Board shall provide to the Governor—

(i) a notice of violation that includes a description of any necessary corrective action; and

(ii) an opportunity to correct the violation in accordance with paragraph (2).

(2) **GOVERNOR'S REVISIONS.**—The Governor may correct any violations identified by the Oversight Board and submit a revised proposed Budget to the Oversight Board in accordance with paragraph (1). The Governor may submit as many revised Budgets to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits. If the Governor fails to develop a Budget that the Oversight Board determines is a compliant budget by

the time specified in the notice delivered under subsection (a), the Oversight Board shall develop and submit to the Governor, in the case of an Instrumentality Budget, and to the Governor and the Legislature, in the case of a Territory Budget, a revised compliant budget.

(d) **BUDGET APPROVAL BY LEGISLATURE.**—

(1) **LEGISLATURE ADOPTED BUDGET.**—The Legislature shall submit to the Oversight Board the Territory Budget adopted by the Legislature by the time specified in the notice delivered under subsection (a). The Oversight Board shall determine whether the adopted Territory Budget is a compliant budget and—

(A) if the adopted Territory Budget is a compliant budget, the Oversight Board shall issue a compliance certification for such compliant budget pursuant to subsection (e); and

(B) if the adopted Territory Budget is not a compliant budget, the Oversight Board shall provide to the Legislature—

(i) a notice of violation that includes a description of any necessary corrective action; and

(ii) an opportunity to correct the violation in accordance with paragraph (2).

(2) **LEGISLATURE'S REVISIONS.**—The Legislature may correct any violations identified by the Oversight Board and submit a revised Territory Budget to the Oversight Board in accordance with the process established under paragraph (1) and by the time specified in the notice delivered under subsection (a). The Legislature may submit as many revised adopted Territory Budgets to the Oversight Board as the schedule established in the notice delivered under subsection (a) permits. If the Legislature fails to adopt a Territory Budget that the Oversight Board determines is a compliant budget by the time specified in the notice delivered under subsection (a), the Oversight Board shall develop a revised Territory Budget that is a compliant budget and submit it to the Governor and the Legislature.

(e) **CERTIFICATION OF BUDGETS.**—

(1) **CERTIFICATION OF DEVELOPED AND APPROVED TERRITORY BUDGETS.**—If the Governor and the Legislature develop and approve a Territory Budget that is a compliant budget by the day before the first day of the fiscal year for which the Territory Budget is being developed and in accordance with the process established under subsections (c) and (d), the Oversight Board shall issue a compliance certification to the Governor and the Legislature for such Territory Budget.

(2) **CERTIFICATION OF DEVELOPED INSTRUMENTALITY BUDGETS.**—If the Governor develops an Instrumentality Budget that is a compliant budget by the day before the first day of the fiscal year for which the Instrumentality Budget is being developed and in accordance with the process established under subsection (c), the Oversight Board shall issue a compliance certification to the Governor for such Instrumentality Budget.

(3) **DEEMED CERTIFICATION OF TERRITORY BUDGETS.**—If the Governor and the Legislature fail to develop and approve a Territory Budget that is a compliant budget by the day before the first day of the fiscal year for which the Territory Budget is being developed, the Oversight Board shall submit a Budget to the Governor and the Legislature (including any revision to the Territory Budget made by the Oversight Board pursuant to subsection (d)(2)) and such Budget shall be—

(A) deemed to be approved by the Governor and the Legislature;

(B) the subject of a compliance certification issued by the Oversight Board to the Governor and the Legislature; and

(C) in full force and effect beginning on the first day of the applicable fiscal year.

(4) **DEEMED CERTIFICATION OF INSTRUMENTALITY BUDGETS.**—If the Governor fails to de-

velop an Instrumentality Budget that is a compliant budget by the day before the first day of the fiscal year for which the Instrumentality Budget is being developed, the Oversight Board shall submit an Instrumentality Budget to the Governor (including any revision to the Instrumentality Budget made by the Oversight Board pursuant to subsection (c)(2)) and such Budget shall be—

(A) deemed to be approved by the Governor;

(B) the subject of a compliance certification issued by the Oversight Board to the Governor; and

(C) in full force and effect beginning on the first day of the applicable fiscal year.

(f) **JOINT DEVELOPMENT OF BUDGETS.**—Notwithstanding any other provision of this section, if, in the case of a Territory Budget, the Governor, the Legislature, and the Oversight Board, or in the case of an Instrumentality Budget, the Governor and the Oversight Board, jointly develop such Budget for the fiscal year that meets the requirements under this section, and that the relevant parties certify that such budget reflects a consensus among them, then such Budget shall serve as the Budget for the territory or territorial instrumentality for that fiscal year.

SEC. 203. EFFECT OF FINDING OF NONCOMPLIANCE WITH BUDGET.

(a) **SUBMISSION OF REPORTS.**—Not later than 15 days after the last day of each quarter of a fiscal year (beginning with the fiscal year determined by the Oversight Board), the Governor shall submit to the Oversight Board a report, in such form as the Oversight Board may require, describing—

(1) the actual cash revenues, cash expenditures, and cash flows of the territorial government for the preceding quarter, as compared to the projected revenues, expenditures, and cash flows contained in the certified Budget for such preceding quarter; and

(2) any other information requested by the Oversight Board, which may include a balance sheet or a requirement that the Governor provide information for each covered territorial instrumentality separately.

(b) **INITIAL ACTION BY OVERSIGHT BOARD.**—

(1) **IN GENERAL.**—If the Oversight Board determines, based on reports submitted by the Governor under subsection (a), independent audits, or such other information as the Oversight Board may obtain, that the actual quarterly revenues, expenditures, or cash flows of the territorial government are not consistent with the projected revenues, expenditures, or cash flows set forth in the certified Budget for such quarter, the Oversight Board shall—

(A) require the territorial government to provide such additional information as the Oversight Board determines to be necessary to explain the inconsistency; and

(B) if the additional information provided under subparagraph (A) does not provide an explanation for the inconsistency that the Oversight Board finds reasonable and appropriate, advise the territorial government to correct the inconsistency by implementing remedial action.

(2) **DEADLINES.**—The Oversight Board shall establish the deadlines by which the territorial government shall meet the requirements of subparagraphs (A) and (B) of paragraph (1).

(c) **CERTIFICATION.**—

(1) **INCONSISTENCY.**—If the territorial government fails to provide additional information under subsection (b)(1)(A), or fails to correct an inconsistency under subsection (b)(1)(B), prior to the applicable deadline under subsection (b)(2), the Oversight Board shall certify to the President, the House of Representatives Committee on Natural Resources, the Senate Committee on Energy and Natural Resources, the

Governor, and the Legislature that the territorial government is inconsistent with the applicable certified Budget, and shall describe the nature and amount of the inconsistency.

(2) **CORRECTION.**—If the Oversight Board determines that the territorial government has initiated such measures as the Oversight Board considers sufficient to correct an inconsistency certified under paragraph (1), the Oversight Board shall certify the correction to the President, the House of Representatives Committee on Natural Resources, the Senate Committee on Energy and Natural Resources, the Governor, and the Legislature.

(d) **BUDGET REDUCTIONS BY OVERSIGHT BOARD.**—If the Oversight Board determines that the Governor, in the case of any then-applicable certified Instrumentality Budgets, and the Governor and the Legislature, in the case of the then-applicable certified Territory Budget, have failed to correct an inconsistency identified by the Oversight Board under subsection (c), the Oversight Board shall—

(1) with respect to the territorial government, other than covered territorial instrumentalities, make appropriate reductions in nondebt expenditures to ensure that the actual quarterly revenues and expenditures for the territorial government are in compliance with the applicable certified Territory Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature; and

(2) with respect to covered territorial instrumentalities at the sole discretion of the Oversight Board—

(A) make reductions in nondebt expenditures to ensure that the actual quarterly revenues and expenses for the covered territorial instrumentality are in compliance with the applicable certified Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature or the covered territorial instrumentality, as applicable; or

(B)(i) institute automatic hiring freezes at the covered territorial instrumentality; and

(ii) prohibit the covered territorial instrumentality from entering into any contract or engaging in any financial or other transactions, unless the contract or transaction was previously approved by the Oversight Board.

(e) **TERMINATION OF BUDGET REDUCTIONS.**—The Oversight Board shall cancel the reductions, hiring freezes, or prohibition on contracts and financial transactions under subsection (d) if the Oversight Board determines that the territorial government or covered territorial instrumentality, as applicable, has initiated appropriate measures to reduce expenditures or increase revenues to ensure that the territorial government or covered territorial instrumentality is in compliance with the applicable certified Budget or, in the case of the fiscal year in which the Oversight Board is established, the budget adopted by the Governor and the Legislature.

SEC. 204. REVIEW OF ACTIVITIES TO ENSURE COMPLIANCE WITH FISCAL PLAN.

(a) **SUBMISSION OF LEGISLATIVE ACTS TO OVERSIGHT BOARD.**—

(1) **SUBMISSION OF ACTS.**—Except to the extent that the Oversight Board may provide otherwise in its bylaws, rules, and procedures, not later than 7 business days after a territorial government duly enacts any law during any fiscal year in which the Oversight Board is in operation, the Governor shall submit the law to the Oversight Board.

(2) **COST ESTIMATE; CERTIFICATION OF COMPLIANCE OR NONCOMPLIANCE.**—The Governor shall include with each law submitted to the Oversight Board under paragraph (1) the following:

(A) A formal estimate prepared by an appropriate entity of the territorial government with

expertise in budgets and financial management of the impact, if any, that the law will have on expenditures and revenues.

(B) If the appropriate entity described in subparagraph (A) finds that the law is not significantly inconsistent with the Fiscal Plan for the fiscal year, it shall issue a certification of such finding.

(C) If the appropriate entity described in subparagraph (A) finds that the law is significantly inconsistent with the Fiscal Plan for the fiscal year, it shall issue a certification of such finding, together with the entity's reasons for such finding.

(3) **NOTIFICATION.**—The Oversight Board shall send a notification to the Governor and the Legislature if—

(A) the Governor submits a law to the Oversight Board under this subsection that is not accompanied by the estimate required under paragraph (2)(A);

(B) the Governor submits a law to the Oversight Board under this subsection that is not accompanied by either a certification described in paragraph (2)(B) or (2)(C); or

(C) the Governor submits a law to the Oversight Board under this subsection that is accompanied by a certification described in paragraph (2)(C) that the law is significantly inconsistent with the Fiscal Plan.

(4) **OPPORTUNITY TO RESPOND TO NOTIFICATION.**—

(A) **FAILURE TO PROVIDE ESTIMATE OR CERTIFICATION.**—After sending a notification to the Governor and the Legislature under paragraph (3)(A) or (3)(B) with respect to a law, the Oversight Board may direct the Governor to provide the missing estimate or certification (as the case may be), in accordance with such procedures as the Oversight Board may establish.

(B) **SUBMISSION OF CERTIFICATION OF SIGNIFICANT INCONSISTENCY WITH FISCAL PLAN AND BUDGET.**—In accordance with such procedures as the Oversight Board may establish, after sending a notification to the Governor and Legislature under paragraph (3)(C) that a law is significantly inconsistent with the Fiscal Plan, the Oversight Board shall direct the territorial government to—

(i) correct the law to eliminate the inconsistency; or

(ii) provide an explanation for the inconsistency that the Oversight Board finds reasonable and appropriate.

(5) **FAILURE TO COMPLY.**—If the territorial government fails to comply with a direction given by the Oversight Board under paragraph (4) with respect to a law, the Oversight Board may take such actions as it considers necessary, consistent with this Act, to ensure that the enactment or enforcement of the law will not adversely affect the territorial government's compliance with the Fiscal Plan, including preventing the enforcement or application of the law.

(6) **PRELIMINARY REVIEW OF PROPOSED ACTS.**—At the request of the Legislature, the Oversight Board may conduct a preliminary review of proposed legislation before the Legislature to determine whether the legislation as proposed would be consistent with the applicable Fiscal Plan under this subtitle, except that any such preliminary review shall not be binding on the Oversight Board in reviewing any law subsequently submitted under this subsection.

(b) **EFFECT OF APPROVED FISCAL PLAN ON CONTRACTS, RULES, AND REGULATIONS.**—

(1) **TRANSPARENCY IN CONTRACTING.**—The Oversight Board shall work with a covered territory's office of the comptroller or any functionally equivalent entity to promote compliance with the applicable law of any covered territory that requires agencies and instrumentalities of the territorial government to maintain a registry

of all contracts executed, including amendments thereto, and to remit a copy to the office of the comptroller for inclusion in a comprehensive database available to the public. With respect to Puerto Rico, the term "applicable law" refers to 2 L.P.R.A. 97, as amended.

(2) **AUTHORITY TO REVIEW CERTAIN CONTRACTS.**—The Oversight Board may establish policies to require prior Oversight Board approval of certain contracts, including leases and contracts to a governmental entity or government-owned corporations rather than private enterprises that are proposed to be executed by the territorial government, to ensure such proposed contracts promote market competition and are not inconsistent with the approved Fiscal Plan.

(3) **SENSE OF CONGRESS.**—It is the sense of Congress that any policies established by the Oversight Board pursuant to paragraph (2) should be designed to make the government contracting process more effective, to increase the public's faith in this process, to make appropriate use of the Oversight Board's time and resources, to make the territorial government a facilitator and not a competitor to private enterprise, and to avoid creating any additional bureaucratic obstacles to efficient contracting.

(4) **AUTHORITY TO REVIEW CERTAIN RULES, REGULATIONS, AND EXECUTIVE ORDERS.**—The provisions of this paragraph shall apply with respect to a rule, regulation, or executive order proposed to be issued by the Governor (or the head of any department or agency of the territorial government) in the same manner as such provisions apply to a contract.

(5) **FAILURE TO COMPLY.**—If a contract, rule, regulation, or executive order fails to comply with policies established by the Oversight Board under this subsection, the Oversight Board may take such actions as it considers necessary to ensure that such contract, rule, executive order or regulation will not adversely affect the territorial government's compliance with the Fiscal Plan, including by preventing the execution or enforcement of the contract, rule, executive order or regulation.

(c) **RESTRICTIONS ON BUDGETARY ADJUSTMENTS.**—

(1) **SUBMISSIONS OF REQUESTS TO OVERSIGHT BOARD.**—If the Governor submits a request to the Legislature for the reprogramming of any amounts provided in a certified Budget, the Governor shall submit such request to the Oversight Board, which shall analyze whether the proposed reprogramming is significantly inconsistent with the Budget, and submit its analysis to the Legislature as soon as practicable after receiving the request.

(2) **NO ACTION PERMITTED UNTIL ANALYSIS RECEIVED.**—The Legislature shall not adopt a reprogramming, and no officer or employee of the territorial government may carry out any reprogramming, until the Oversight Board has provided the Legislature with an analysis that certifies such reprogramming will not be inconsistent with the Fiscal Plan and Budget.

(3) **PROHIBITION ON ACTION UNTIL OVERSIGHT BOARD IS APPOINTED.**—During the period after a territory becomes a covered territory and prior to the appointment of all members and the Chair of the Oversight Board, such covered territory shall not enact new laws that either permit the transfer of any funds or assets outside the ordinary course of business or that are inconsistent with the constitution or laws of the territory as of the date of enactment of this Act, provided that any executive or legislative action authorizing the movement of funds or assets during this time period may be subject to review and reversal by the Oversight Board upon appointment of the Oversight Board's full membership.

(d) **IMPLEMENTATION OF FEDERAL PROGRAMS.**—In taking actions under this Act, the

Oversight Board shall not exercise applicable authorities to impede territorial actions taken to—

(1) comply with a court-issued consent decree or injunction, or an administrative order or settlement with a Federal agency, with respect to Federal programs;

(2) implement a federally authorized or federally delegated program; or

(3) implement territorial laws, which are consistent with a certified Fiscal Plan, that execute Federal requirements and standards.

SEC. 205. RECOMMENDATIONS ON FINANCIAL STABILITY AND MANAGEMENT RESPONSIBILITY.

(a) *IN GENERAL.*—The Oversight Board may at any time submit recommendations to the Governor or the Legislature on actions the territorial government may take to ensure compliance with the Fiscal Plan, or to otherwise promote the financial stability, economic growth, management responsibility, and service delivery efficiency of the territorial government, including recommendations relating to—

(1) the management of the territorial government's financial affairs, including economic forecasting and multiyear fiscal forecasting capabilities, information technology, placing controls on expenditures for personnel, reducing benefit costs, reforming procurement practices, and placing other controls on expenditures;

(2) the structural relationship of departments, agencies, and independent agencies within the territorial government;

(3) the modification of existing revenue structures, or the establishment of additional revenue structures;

(4) the establishment of alternatives for meeting obligations to pay for the pensions of territorial government employees;

(5) modifications or transfers of the types of services that are the responsibility of, and are delivered by the territorial government;

(6) modifications of the types of services that are delivered by entities other than the territorial government under alternative service delivery mechanisms;

(7) the effects of the territory's laws and court orders on the operations of the territorial government;

(8) the establishment of a personnel system for employees of the territorial government that is based upon employee performance standards;

(9) the improvement of personnel training and proficiency, the adjustment of staffing levels, and the improvement of training and performance of management and supervisory personnel; and

(10) the privatization and commercialization of entities within the territorial government.

(b) *RESPONSE TO RECOMMENDATIONS BY THE TERRITORIAL GOVERNMENT.*—

(1) *IN GENERAL.*—In the case of any recommendations submitted under subsection (a) that are within the authority of the territorial government to adopt, not later than 90 days after receiving the recommendations, the Governor or the Legislature (whichever has the authority to adopt the recommendation) shall submit a statement to the Oversight Board that provides notice as to whether the territorial government will adopt the recommendations.

(2) *IMPLEMENTATION PLAN REQUIRED FOR ADOPTED RECOMMENDATIONS.*—If the Governor or the Legislature (whichever is applicable) notifies the Oversight Board under paragraph (1) that the territorial government will adopt any of the recommendations submitted under subsection (a), the Governor or the Legislature (whichever is applicable) shall include in the statement a written plan to implement the recommendation that includes—

(A) specific performance measures to determine the extent to which the territorial government has adopted the recommendation; and

(B) a clear and specific timetable pursuant to which the territorial government will implement the recommendation.

(3) *EXPLANATIONS REQUIRED FOR RECOMMENDATIONS NOT ADOPTED.*—If the Governor or the Legislature (whichever is applicable) notifies the Oversight Board under paragraph (1) that the territorial government will not adopt any recommendation submitted under subsection (a) that the territorial government has authority to adopt, the Governor or the Legislature shall include in the statement explanations for the rejection of the recommendations, and the Governor or the Legislature shall submit such statement of explanations to the President and Congress.

SEC. 206. OVERSIGHT BOARD DUTIES RELATED TO RESTRUCTURING.

(a) *REQUIREMENTS FOR RESTRUCTURING CERTIFICATION.*—The Oversight Board, prior to issuing a restructuring certification regarding an entity (as such term is defined in section 101 of title 11, United States Code), shall determine, in its sole discretion, that—

(1) the entity has made good-faith efforts to reach a consensual restructuring with creditors;

(2) the entity has—

(A) adopted procedures necessary to deliver timely audited financial statements; and

(B) made public draft financial statements and other information sufficient for any interested person to make an informed decision with respect to a possible restructuring;

(3) the entity is either a covered territory that has adopted a Fiscal Plan certified by the Oversight Board, a covered territorial instrumentality that is subject to a Territory Fiscal Plan certified by the Oversight Board, or a covered territorial instrumentality that has adopted an Instrumentality Fiscal Plan certified by the Oversight Board; and

(4)(A) no order approving a Qualifying Modification under section 601 has been entered with respect to such entity; or

(B) if an order approving a Qualifying Modification has been entered with respect to such entity, the entity is unable to make its debt payments notwithstanding the approved Qualifying Modification, in which case, all claims affected by the Qualifying Modification shall be subject to a title III case.

(b) *ISSUANCE OF RESTRUCTURING CERTIFICATION.*—The issuance of a restructuring certification under this section requires a vote of no fewer than 5 members of the Oversight Board in the affirmative, which shall satisfy the requirement set forth in section 302(2) of this Act.

SEC. 207. OVERSIGHT BOARD AUTHORITY RELATED TO DEBT ISSUANCE.

For so long as the Oversight Board remains in operation, no territorial government may, without the prior approval of the Oversight Board, issue debt or guarantee, exchange, modify, repurchase, redeem, or enter into similar transactions with respect to its debt.

SEC. 208. REQUIRED REPORTS.

(a) *ANNUAL REPORT.*—Not later than 30 days after the last day of each fiscal year, the Oversight Board shall submit a report to the President, Congress, the Governor and the Legislature, describing—

(1) the progress made by the territorial government in meeting the objectives of this Act during the fiscal year;

(2) the assistance provided by the Oversight Board to the territorial government in meeting the purposes of this Act during the fiscal year;

(3) recommendations to the President and Congress on changes to this Act or other Federal laws, or other actions of the Federal Government, that would assist the territorial government in complying with any certified Fiscal Plan;

(4) the precise manner in which funds allocated to the Oversight Board under section 107

and, as applicable, section 104(e) have been spent by the Oversight Board during the fiscal year; and

(5) any other activities of the Oversight Board during the fiscal year.

(b) *REPORT ON DISCRETIONARY TAX ABATEMENT AGREEMENTS.*—Within six months of the establishment of the Oversight Board, the Governor shall submit a report to the Oversight Board documenting all existing discretionary tax abatement or similar tax relief agreements to which the territorial government, or any territorial instrumentality, is a party, provided that—

(1) nothing in this Act shall be interpreted to limit the power of the territorial government or any territorial instrumentality to execute or modify discretionary tax abatement or similar tax relief agreements, or to enforce compliance with the terms and conditions of any discretionary tax abatement or similar tax relief agreement, to which the territorial government or any territorial instrumentality is a party; and

(2) the members and staff of the Oversight Board shall not disclose the contents of the report described in this subsection, and shall otherwise comply with all applicable territorial and Federal laws and regulations regarding the handling of confidential taxpayer information.

(c) *QUARTERLY REPORTS OF CASH FLOW.*—The Oversight Board, when feasible, shall report on the amount of cash flow available for the payment of debt service on all notes, bonds, debentures, credit agreements, or other instruments for money borrowed whose enforcement is subject to a stay or moratorium hereunder, together with any variance from the amount set forth in the debt sustainability analysis of the Fiscal Plan under section 201(b)(1)(I).

SEC. 209. TERMINATION OF OVERSIGHT BOARD.

An Oversight Board shall terminate upon certification by the Oversight Board that—

(1) the applicable territorial government has adequate access to short-term and long-term credit markets at reasonable interest rates to meet the borrowing needs of the territorial government; and

(2) for at least 4 consecutive fiscal years—

(A) the territorial government has developed its Budgets in accordance with modified accrual accounting standards; and

(B) the expenditures made by the territorial government during each fiscal year did not exceed the revenues of the territorial government during that year, as determined in accordance with modified accrual accounting standards.

SEC. 210. NO FULL FAITH AND CREDIT OF THE UNITED STATES.

(a) *IN GENERAL.*—The full faith and credit of the United States is not pledged for the payment of any principal of or interest on any bond, note, or other obligation issued by a covered territory or covered territorial instrumentality. The United States is not responsible or liable for the payment of any principal of or interest on any bond, note, or other obligation issued by a covered territory or covered territorial instrumentality.

(b) *SUBJECT TO APPROPRIATIONS.*—Any claim to which the United States is determined to be liable under this Act shall be subject to appropriations.

(c) *FUNDING.*—No Federal funds shall be authorized by this Act for the payment of any liability of the territory or territorial instrumentality.

SEC. 211. ANALYSIS OF PENSIONS.

(a) *DETERMINATION.*—If the Oversight Board determines, in its sole discretion, that a pension system of the territorial government is materially underfunded, the Oversight Board shall conduct an analysis prepared by an independent actuary of such pension system to assist the Oversight Board in evaluating the fiscal and economic impact of the pension cash flows.

(b) **PROVISIONS OF ANALYSIS.**—An analysis conducted under subsection (a) shall include—

(1) an actuarial study of the pension liabilities and funding strategy that includes a forward looking projection of payments of at least 30 years of benefit payments and funding strategy to cover such payments;

(2) sources of funding to cover such payments; (3) a review of the existing benefits and their sustainability; and

(4) a review of the system's legal structure and operational arrangements, and any other studies of the pension system the Oversight Board shall deem necessary.

(c) **SUPPLEMENTARY INFORMATION.**—In any case, the analysis conducted under subsection (a) shall include information regarding the fair market value and liabilities using an appropriate discount rate as determined by the Oversight Board.

SEC. 212. INTERVENTION IN LITIGATION.

(a) **INTERVENTION.**—The Oversight Board may intervene in any litigation filed against the territorial government.

(b) **INJUNCTIVE RELIEF.**—

(1) **IN GENERAL.**—If the Oversight Board intervenes in a litigation under subsection (a), the Oversight Board may seek injunctive relief, including a stay of litigation.

(2) **NO INDEPENDENT BASIS FOR RELIEF.**—This section does not create an independent basis on which injunctive relief, including a stay of litigation, may be granted.

TITLE III—ADJUSTMENTS OF DEBTS

SEC. 301. APPLICABILITY OF OTHER LAWS; DEFINITIONS.

(a) **SECTIONS APPLICABLE TO CASES UNDER THIS TITLE.**—Sections 101 (except as otherwise provided in this section), 102, 104, 105, 106, 107, 108, 112, 333, 344, 347(b), 349, 350(b), 351, 361, 362, 364(d), 364(e), 364(f), 365, 366, 501, 502, 503, 504, 506, 507(a)(2), 509, 510, 524(a)(1), 524(a)(2), 544, 545, 546, 547, 548, 549(a), 549(c), 549(d), 550, 551, 552, 553, 555, 556, 557, 559, 560, 561, 562, 902 (except as otherwise provided in this section), 922, 923, 924, 925, 926, 927, 928, 942, 944, 945, 946, 1102, 1103, 1109, 1111(b), 1122, 1123(a)(1), 1123(a)(2), 1123(a)(3), 1123(a)(4), 1123(a)(5), 1123(b), 1123(d), 1124, 1125, 1126(a), 1126(b), 1126(c), 1126(e), 1126(f), 1126(g), 1127(d), 1128, 1129(a)(2), 1129(a)(3), 1129(a)(6), 1129(a)(8), 1129(a)(10), 1129(b)(1), 1129(b)(2)(A), 1129(b)(2)(B), 1142(b), 1143, 1144, 1145, and 1146(a) of title 11, United States Code, apply in a case under this title and section 930 of title 11, United States Code, applies in a case under this title; however, section 930 shall not apply in any case during the first 120 days after the date on which such case is commenced under this title.

(b) **MEANINGS OF TERMS.**—A term used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), has the meaning given to the term for the purpose of the applicable section, unless the term is otherwise defined in this title.

(c) **DEFINITIONS.**—In this title:

(1) **AFFILIATE.**—The term “affiliate” means, in addition to the definition made applicable in a case under this title by subsection (a)—

(A) for a territory, any territorial instrumentality; and

(B) for a territorial instrumentality, the governing territory and any of the other territorial instrumentalities of the territory.

(2) **DEBTOR.**—The term “debtor” means the territory or covered territorial instrumentality concerning which a case under this title has been commenced.

(3) **HOLDER OF A CLAIM OR INTEREST.**—The term “holder of a claim or interest”, when used in section 1126 of title 11, United States Code, made applicable in a case under this title by subsection (a)—

(A) shall exclude any Issuer or Authorized Instrumentality of the Territory Government

Issuer (as defined under Title VI of this Act) or a corporation, trust or other legal entity that is controlled by the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, provided that the beneficiaries of such claims, to the extent they are not referenced in this subparagraph, shall not be excluded; and

(B) with reference to Insured Bonds, shall mean the monoline insurer insuring such Insured Bond to the extent such insurer is granted the right to vote Insured Bonds for purposes of directing remedies or consenting to proposed amendments or modifications as provided in the applicable documents pursuant to which such Insured Bond was issued and insured.

(4) **INSURED BOND.**—The term “Insured Bond” means a bond subject to a financial guarantee or similar insurance contract, policy and/or surety issued by a monoline insurer.

(5) **PROPERTY OF THE ESTATE.**—The term “property of the estate”, when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), means property of the debtor.

(6) **STATE.**—The term “State” when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a) means State or territory when used in reference to the relationship of a State to the municipality of the State or the territorial instrumentality of a territory, as applicable.

(7) **TRUSTEE.**—The term “trustee”, when used in a section of title 11, United States Code, made applicable in a case under this title by subsection (a), means the Oversight Board, except as provided in section 926 of title 11, United States Code.

(d) **REFERENCE TO TITLE.**—Solely for purposes of this title, a reference to “this title”, “this chapter”, or words of similar import in a section of title 11, United States Code, made applicable in a case under this title by subsection (a) or to “this title”, “title 11”, “Chapter 9”, “the Code”, or words of similar import in the Federal Rules of Bankruptcy Procedure made applicable in a case under this title shall be deemed to be a reference to this title.

(e) **SUBSTANTIALLY SIMILAR.**—In determining whether claims are “substantially similar” for the purpose of section 1122 of title 11, United States Code, made applicable in a case under this title by subsection (a), the Oversight Board shall consider whether such claims are secured and whether such claims have priority over other claims.

(f) **OPERATIVE CLAUSES.**—A section made applicable in a case under this title by subsection (a) that is operative if the business of the debtor is authorized to be operated is operative in a case under this title.

SEC. 302. WHO MAY BE A DEBTOR.

An entity may be a debtor under this title if—

(1) the entity is—

(A) a territory that has requested the establishment of an Oversight Board or has had an Oversight Board established for it by the United States Congress in accordance with section 101 of this Act; or

(B) a covered territorial instrumentality of a territory described in paragraph (1)(A);

(2) the Oversight Board has issued a certification under section 206(b) of this Act for such entity; and

(3) the entity desires to effect a plan to adjust its debts.

SEC. 303. RESERVATION OF TERRITORIAL POWER TO CONTROL TERRITORY AND TERRITORIAL INSTRUMENTALITIES.

Subject to the limitations set forth in titles I and II of this Act, this title does not limit or impair the power of a covered territory to control, by legislation or otherwise, the territory or any territorial instrumentality thereof in the exercise

of the political or governmental powers of the territory or territorial instrumentality, including expenditures for such exercise, whether or not a case has been or can be commenced under this title, but—

(1) a territory law prescribing a method of composition of indebtedness or a moratorium law, but solely to the extent that it prohibits the payment of principal or interest by an entity not described in section 109(b)(2) of title 11, United States Code, may not bind any creditor of a covered territory or any covered territorial instrumentality thereof that does not consent to the composition or moratorium;

(2) a judgment entered under a law described in paragraph (1) may not bind a creditor that does not consent to the composition; and

(3) unlawful executive orders that alter, amend, or modify rights of holders of any debt of the territory or territorial instrumentality, or that divert funds from one territorial instrumentality to another or to the territory, shall be preempted by this Act.

SEC. 304. PETITION AND PROCEEDINGS RELATING TO PETITION.

(a) **COMMENCEMENT OF CASE.**—A voluntary case under this title is commenced by the filing with the district court of a petition by the Oversight Board pursuant to the determination under section 206 of this Act.

(b) **OBJECTION TO PETITION.**—After any objection to the petition, the court, after notice and a hearing, may dismiss the petition if the petition does not meet the requirements of this title; however, this subsection shall not apply in any case during the first 120 days after the date on which such case is commenced under this title.

(c) **ORDER FOR RELIEF.**—The commencement of a case under this title constitutes an order for relief.

(d) **APPEAL.**—The court may not, on account of an appeal from an order for relief, delay any proceeding under this title in the case in which the appeal is being taken, nor shall any court order a stay of such proceeding pending such appeal.

(e) **VALIDITY OF DEBT.**—The reversal on appeal of a finding of jurisdiction shall not affect the validity of any debt incurred that is authorized by the court under section 364(c) or 364(d) of title 11, United States Code.

(f) **JOINT FILING OF PETITIONS AND PLANS PERMITTED.**—The Oversight Board, on behalf of debtors under this title, may file petitions or submit or modify plans of adjustment jointly if the debtors are affiliates; provided, however, that nothing in this title shall be construed as authorizing substantive consolidation of the cases of affiliated debtors.

(g) **JOINT ADMINISTRATION OF AFFILIATED CASES.**—If the Oversight Board, on behalf of a debtor and one or more affiliates, has filed separate cases and the Oversight Board, on behalf of the debtor or one of the affiliates, files a motion to administer the cases jointly, the court may order a joint administration of the cases.

(h) **PUBLIC SAFETY.**—This Act may not be construed to permit the discharge of obligations arising under Federal police or regulatory laws, including laws relating to the environment, public health or safety, or territorial laws implementing such Federal legal provisions. This includes compliance obligations, requirements under consent decrees or judicial orders, and obligations to pay associated administrative, civil, or other penalties.

(i) **VOTING ON DEBT ADJUSTMENT PLANS NOT STAYED.**—Notwithstanding any provision in this title to the contrary, including sections of title 11, United States Code, incorporated by reference, nothing in this section shall prevent the holder of a claim from voting on or consenting to a proposed modification of such claim under title VI of this Act.

SEC. 305. LIMITATION ON JURISDICTION AND POWERS OF COURT.

Subject to the limitations set forth in titles I and II of this Act, notwithstanding any power of the court, unless the Oversight Board consents or the plan so provides, the court may not, by any stay, order, or decree, in the case or otherwise, interfere with—

- (1) any of the political or governmental powers of the debtor;
- (2) any of the property or revenues of the debtor; or
- (3) the use or enjoyment by the debtor of any income-producing property.

SEC. 306. JURISDICTION.

(a) **FEDERAL SUBJECT MATTER JURISDICTION.**—The district courts shall have—

- (1) except as provided in paragraph (2), original and exclusive jurisdiction of all cases under this title; and
- (2) except as provided in subsection (b), and notwithstanding any Act of Congress that confers exclusive jurisdiction on a court or courts other than the district courts, original but not exclusive jurisdiction of all civil proceedings arising under this title, or arising in or related to cases under this title.

(b) **PROPERTY JURISDICTION.**—The district court in which a case under this title is commenced or is pending shall have exclusive jurisdiction of all property, wherever located, of the debtor as of the commencement of the case.

(c) **PERSONAL JURISDICTION.**—The district court in which a case under this title is pending shall have personal jurisdiction over any person or entity.

(d) **REMOVAL, REMAND, AND TRANSFER.**—

(1) **REMOVAL.**—A party may remove any claim or cause of action in a civil action, other than a proceeding before the United States Tax Court or a civil action by a governmental unit to enforce the police or regulatory power of the governmental unit, to the district court for the district in which the civil action is pending, if the district court has jurisdiction of the claim or cause of action under this section.

(2) **REMAND.**—The district court to which the claim or cause of action is removed under paragraph (1) may remand the claim or cause of action on any equitable ground. An order entered under this subsection remanding a claim or cause of action, or a decision not to remand, is not reviewable by appeal or otherwise by the court of appeals under section 158(d), 1291 or 1292 of title 28, United States Code, or by the Supreme Court of the United States under section 1254 of title 28, United States Code.

(3) **TRANSFER.**—A district court shall transfer any civil proceeding arising under this title, or arising in or related to a case under this title, to the district court in which the case under this title is pending.

(e) **APPEAL.**—

(1) An appeal shall be taken in the same manner as appeals in civil proceedings generally are taken to the courts of appeals from the district court.

(2) The court of appeals for the circuit in which a case under this title has venue pursuant to section 307 of this title shall have jurisdiction of appeals from all final decisions, judgments, orders and decrees entered under this title by the district court.

(3) The court of appeals for the circuit in which a case under this title has venue pursuant to section 307 of this title shall have jurisdiction to hear appeals of interlocutory orders or decrees if—

(A) the district court on its own motion or on the request of a party to the order or decree certifies that—

(i) the order or decree involves a question of law as to which there is no controlling decision of the court of appeals for the circuit or of the

Supreme Court of the United States, or involves a matter of public importance;

(ii) the order or decree involves a question of law requiring the resolution of conflicting decisions; or

(iii) an immediate appeal from the order or decree may materially advance the progress of the case or proceeding in which the appeal is taken; and

(B) the court of appeals authorizes the direct appeal of the order or decree.

(4) If the district court on its own motion or on the request of a party determines that a circumstance specified in clauses (i), (ii), or (iii) of paragraph (3)(A) exists, then the district court shall make the certification described in paragraph (3).

(5) The parties may supplement the certification with a short statement of the basis for the certification issued by the district court under paragraph (3)(A).

(6) Except as provided in section 304(d), an appeal of an interlocutory order or decree does not stay any proceeding of the district court from which the appeal is taken unless the district court, or the court of appeals in which the appeal is pending, issues a stay of such proceedings pending the appeal.

(7) Any request for a certification in respect to an interlocutory appeal of an order or decree shall be made not later than 60 days after the entry of the order or decree.

(f) **REALLOCATION OF COURT STAFF.**—Notwithstanding any law to the contrary, the clerk of the court in which a case is pending shall reallocate as many staff and assistants as the clerk deems necessary to ensure that the court has adequate resources to provide for proper case management.

SEC. 307. VENUE.

(a) **IN GENERAL.**—Venue shall be proper in—

(1) with respect to a territory, the district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii; and

(2) with respect to a covered territorial instrumentality, the district court for the territory in which the covered territorial instrumentality is located or, for any territory that does not have a district court, the United States District Court for the District of Hawaii.

(b) **ALTERNATIVE VENUE.**—If the Oversight Board so determines in its sole discretion, then venue shall be proper in the district court for the jurisdiction in which the Oversight Board maintains an office that is located outside the territory.

SEC. 308. SELECTION OF PRESIDING JUDGE.

(a) For cases in which the debtor is a territory, the Chief Justice of the United States shall designate a district court judge to sit by designation to conduct the case.

(b) For cases in which the debtor is not a territory, and no motion for joint administration of the debtor's case with the case of its affiliate territory has been filed or there is no case in which the affiliate territory is a debtor, the chief judge of the court of appeals for the circuit embracing the district in which the case is commenced shall designate a district court judge to conduct the case.

SEC. 309. ABSTENTION.

Nothing in this title prevents a district court in the interests of justice from abstaining from hearing a particular proceeding arising in or related to a case under this title.

SEC. 310. APPLICABLE RULES OF PROCEDURE.

The Federal Rules of Bankruptcy Procedure shall apply to a case under this title and to all civil proceedings arising in or related to cases under this title.

SEC. 311. LEASES.

A lease to a territory or territorial instrumentality shall not be treated as an executory con-

tract or unexpired lease for the purposes of section 365 or 502(b)(6) of title 11, United States Code, solely by reason of the lease being subject to termination in the event the debtor fails to appropriate rent.

SEC. 312. FILING OF PLAN OF ADJUSTMENT.

(a) **EXCLUSIVITY.**—Only the Oversight Board, after the issuance of a certificate pursuant to section 104(j) of this Act, may file a plan of adjustment of the debts of the debtor.

(b) **DEADLINE FOR FILING PLAN.**—If the Oversight Board does not file a plan of adjustment with the petition, the Oversight Board shall file a plan of adjustment at the time set by the court.

SEC. 313. MODIFICATION OF PLAN.

The Oversight Board, after the issuance of a certification pursuant to section 104(j) of this Act, may modify the plan at any time before confirmation, but may not modify the plan so that the plan as modified fails to meet the requirements of this title. After the Oversight Board files a modification, the plan as modified becomes the plan.

SEC. 314. CONFIRMATION.

(a) **OBJECTION.**—A special tax payer may object to confirmation of a plan.

(b) **CONFIRMATION.**—The court shall confirm the plan if—

(1) the plan complies with the provisions of title 11 of the United States Code, made applicable to a case under this title by section 301 of this Act;

(2) the plan complies with the provisions of this title;

(3) the debtor is not prohibited by law from taking any action necessary to carry out the plan;

(4) except to the extent that the holder of a particular claim has agreed to a different treatment of such claim, the plan provides that on the effective date of the plan each holder of a claim of a kind specified in 507(a)(2) of title 11, United States Code, will receive on account of such claim cash equal to the allowed amount of such claim;

(5) any legislative, regulatory, or electoral approval necessary under applicable law in order to carry out any provision of the plan has been obtained, or such provision is expressly conditioned on such approval;

(6) the plan is feasible and in the best interests of creditors, which shall require the court to consider whether available remedies under the non-bankruptcy laws and constitution of the territory would result in a greater recovery for the creditors than is provided by such plan; and

(7) the plan is consistent with the applicable Fiscal Plan certified by the Oversight Board under title II.

(c) **CONFIRMATION FOR DEBTORS WITH A SINGLE CLASS OF IMPAIRED CREDITORS.**—If all of the requirements of section 314(b) of this title and section 1129(a) of title 11, United States Code, incorporated into this title by section 301 other than sections 1129(a)(8) and 1129(a)(10) are met with respect to a plan—

(1) with respect to which all claims are substantially similar under section 301(e) of this title;

(2) that includes only one class of impaired claims; and

(3) that was not accepted by such impaired class,

the court shall confirm the plan notwithstanding the requirements of such sections 1129(a)(8) and 1129(a)(10) of title 11, United States Code if the plan is fair and equitable with respect to such impaired class.

SEC. 315. ROLE AND CAPACITY OF OVERSIGHT BOARD.

(a) **ACTIONS OF OVERSIGHT BOARD.**—For the purposes of this title, the Oversight Board may

take any action necessary on behalf of the debtor or to prosecute the case of the debtor, including—

(1) filing a petition under section 304 of this Act;

(2) submitting or modifying a plan of adjustment under sections 312 and 313; or

(3) otherwise generally submitting filings in relation to the case with the court.

(b) **REPRESENTATIVE OF DEBTOR.**—The Oversight Board in a case under this title is the representative of the debtor.

SEC. 316. COMPENSATION OF PROFESSIONALS.

(a) After notice to the parties in interest and the United States Trustee and a hearing, the court may award to a professional person employed by the debtor (in the debtor's sole discretion), the Oversight Board (in the Oversight Board's sole discretion), a committee under section 1103 of title 11, United States Code, or a trustee appointed by the court under section 926 of title 11, United States Code—

(1) reasonable compensation for actual, necessary services rendered by the professional person, or attorney and by any paraprofessional person employed by any such person; and

(2) reimbursement for actual, necessary expenses.

(b) The court may, on its own motion or on the motion of the United States Trustee or any other party in interest, award compensation that is less than the amount of compensation that is requested.

(c) In determining the amount of reasonable compensation to be awarded to a professional person, the court shall consider the nature, the extent, and the value of such services, taking into account all relevant factors, including—

(1) the time spent on such services;

(2) the rates charged for such services;

(3) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under this chapter;

(4) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance, and nature of the problem, issue, or task addressed;

(5) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the restructuring field; and

(6) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title or title 11, United States Code.

(d) The court shall not allow compensation for—

(1) unnecessary duplication of services; or

(2) services that were not—

(A) reasonably likely to benefit the debtor; or

(B) necessary to the administration of the case.

(e) The court shall reduce the amount of compensation awarded under this section by the amount of any interim compensation awarded under section 317 of this title, and, if the amount of such interim compensation exceeds the amount of compensation awarded under this section, may order the return of the excess to the debtor.

(f) Any compensation awarded for the preparation of a fee application shall be based on the level and skill reasonably required to prepare the application.

SEC. 317. INTERIM COMPENSATION.

A debtor's attorney, or any professional person employed by the debtor (in the debtor's sole discretion), the Oversight Board (in the Oversight Board's sole discretion), a committee under section 1103 of title 11, United States Code, or a trustee appointed by the court under section 926 of title 11, United States Code, may apply to the

court not more than once every 120 days after an order for relief in a case under this title, or more often if the court permits, for such compensation for services rendered before the date of such an application or reimbursement for expenses incurred before such date as is provided under section 316 of this title.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. RULES OF CONSTRUCTION.

Nothing in this Act is intended, or may be construed—

(1) to limit the authority of Congress to exercise legislative authority over the territories pursuant to Article IV, section 3 of the Constitution of the United States;

(2) to authorize the application of section 104(f) of this Act (relating to issuance of subpoenas) to judicial officers or employees of territory courts;

(3) to alter, amend, or abrogate any provision of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (48 U.S.C. 1801 et seq.); or

(4) to alter, amend, or abrogate the treaties of cession regarding certain islands of American Samoa (48 U.S.C. 1661).

SEC. 402. RIGHT OF PUERTO RICO TO DETERMINE ITS FUTURE POLITICAL STATUS.

Nothing in this Act shall be interpreted to restrict Puerto Rico's right to determine its future political status, including by conducting the plebiscite as authorized by Public Law 113-76.

SEC. 403. FIRST MINIMUM WAGE IN PUERTO RICO.

Section 6(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)) is amended by striking paragraphs (2) through (4) and inserting the following:

“(2) In lieu of the rate prescribed by subsection (a)(1), the Governor of Puerto Rico, subject to the approval of the Financial Oversight and Management Board established pursuant to section 101 of the Puerto Rico Oversight, Management, and Economic Stability Act, may designate a time period not to exceed four years during which employers in Puerto Rico may pay employees who are initially employed after the date of enactment of such Act a wage which is not less than the wage described in paragraph (1). Notwithstanding the time period designated, such wage shall not continue in effect after such Board terminates in accordance with section 209 of such Act.

“(3) No employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in paragraph (1) or (2).

“(4) Any employer who violates this subsection shall be considered to have violated section 15(a)(3).

“(5) This subsection shall only apply to an employee who has not attained the age of 20 years, except in the case of the wage applicable in Puerto Rico, 25 years, until such time as the Board described in paragraph (2) terminates in accordance with section 209 of the Act described in such paragraph.”

SEC. 404. APPLICATION OF REGULATION TO PUERTO RICO.

(a) **SPECIAL RULE.**—The regulations proposed by the Secretary of Labor relating to exemptions regarding the rates of pay for executive, administrative, professional, outside sales, and computer employees, and published in a notice in the Federal Register on July 6, 2015, and any final regulations issued related to such notice, shall have no force or effect in the Commonwealth of Puerto Rico until—

(1) the Comptroller General of the United States completes the assessment and transmits the report required under subsection (b); and

(2) the Secretary of Labor, taking into account the assessment and report of the Comptroller General, provides a written determination to Congress that applying such rule to Puerto Rico would not have a negative impact on the economy of Puerto Rico.

(b) **ASSESSMENT AND REPORT.**—Not later than two years after the date of enactment of this Act, the Comptroller General shall examine the economic conditions in Puerto Rico and shall transmit a report to Congress assessing the impact of applying the regulations described in subsection (a) to Puerto Rico, taking into consideration regional, metropolitan, and non-metropolitan salary and cost-of-living differences.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Bureau of the Census should conduct a study to determine the feasibility of expanding data collection to include Puerto Rico and the other United States territories in the Current Population Survey, which is jointly administered by the Bureau of the Census and the Bureau of Labor Statistics, and which is the primary source of labor force statistics for the population of the United States; and

(2) if necessary, the Bureau of the Census should request the funding required to conduct this feasibility study as part of its budget submission to Congress for fiscal year 2018.

SEC. 405. AUTOMATIC STAY UPON ENACTMENT.

(a) **DEFINITIONS.**—In this section:

(1) **LIABILITY.**—The term “Liability” means a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness for borrowed money, including rights, entitlements, or obligations whether such rights, entitlements, or obligations arise from contract, statute, or any other source of law related to such a bond, loan, letter of credit, other borrowing title, obligation of insurance, or other financial indebtedness in physical or dematerialized form, of which—

(A) the issuer, obligor, or guarantor is the Government of Puerto Rico; and

(B) the date of issuance or incurrence precedes the date of enactment of this Act.

(2) **LIABILITY CLAIM.**—The term “Liability Claim” means, as it relates to a Liability—

(A) right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or

(B) right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

(b) **IN GENERAL.**—Except as provided in subsection (c) of this section, the establishment of an Oversight Board for Puerto Rico (i.e., the enactment of this Act) in accordance with section 101 operates with respect to a Liability as a stay, applicable to all entities (as such term is defined in section 101 of title 11, United States Code), of—

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was or could have been commenced before the enactment of this Act, or to recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act;

(2) the enforcement, against the Government of Puerto Rico or against property of the Government of Puerto Rico, of a judgment obtained before the enactment of this Act;

(3) any act to obtain possession of property of the Government of Puerto Rico or of property from the Government of Puerto Rico or to exercise control over property of the Government of Puerto Rico;

(4) any act to create, perfect, or enforce any lien against property of the Government of Puerto Rico;

(5) any act to create, perfect, or enforce against property of the Government of Puerto Rico any lien to the extent that such lien secures a Liability Claim that arose before the enactment of this Act;

(6) any act to collect, assess, or recover a Liability Claim against the Government of Puerto Rico that arose before the enactment of this Act; and

(7) the setoff of any debt owing to the Government of Puerto Rico that arose before the enactment of this Act against any Liability Claim against the Government of Puerto Rico.

(c) **STAY NOT OPERABLE.**—The establishment of an Oversight Board for Puerto Rico in accordance with section 101 does not operate as a stay—

(1) solely under subsection (b)(1) of this section, of the continuation of, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the Government of Puerto Rico that was commenced on or before December 18, 2015; or

(2) of the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's or organization's police and regulatory power, including the enforcement of a judgment other than a money judgment, obtained in an action or proceeding by the governmental unit to enforce such governmental unit's or organization's police or regulatory power.

(d) **CONTINUATION OF STAY.**—Except as provided in subsections (e), (f), and (g) the stay under subsection (b) continues until the earlier of—

(1) the later of—

(A) the later of—

(i) February 15, 2017; or

(ii) six months after the establishment of an Oversight Board for Puerto Rico as established by section 101(b);

(B) the date that is 75 days after the date in subparagraph (A) if the Oversight Board delivers a certification to the Governor that, in the Oversight Board's sole discretion, an additional 75 days are needed to seek to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(C) the date that is 60 days after the date in subparagraph (A) if the district court to which an application has been submitted under subparagraph 601(m)(1)(D) of this Act determines, in the exercise of the court's equitable powers, that an additional 60 days are needed to complete a voluntary process under title VI of this Act with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities; or

(2) with respect to the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, the date on which a case is filed by or on behalf of the government of the Commonwealth of Puerto Rico or any of its territorial instrumentalities, as applicable, under title III.

(e) **JURISDICTION, RELIEF FROM STAY.**—

(1) The United States District Court for the District of Puerto Rico shall have original and exclusive jurisdiction of any civil actions arising under or related to this section.

(2) On motion of or action filed by a party in interest and after notice and a hearing, the United States District Court for the District of Puerto Rico, for cause shown, shall grant relief from the stay provided under subsection (b) of this section.

(f) **TERMINATION OF STAY; HEARING.**—Forty-five days after a request under subsection (e)(2)

for relief from the stay of any act against property of the Government of Puerto Rico under subsection (b), such stay is terminated with respect to the party in interest making such request, unless the court, after notice and a hearing, orders such stay continued in effect pending the conclusion of, or as a result of, a final hearing and determination under subsection (e)(2). A hearing under this subsection may be a preliminary hearing, or may be consolidated with the final hearing under subsection (e)(2). The court shall order such stay continued in effect pending the conclusion of the final hearing under subsection (e)(2) if there is a reasonable likelihood that the party opposing relief from such stay will prevail at the conclusion of such final hearing. If the hearing under this subsection is a preliminary hearing, then such final hearing shall be concluded not later than thirty days after the conclusion of such preliminary hearing, unless the thirty-day period is extended with the consent of the parties in interest or for a specific time which the court finds is required by compelling circumstances.

(g) **RELIEF TO PREVENT IRREPARABLE DAMAGE.**—Upon request of a party in interest, the court, with or without a hearing, shall grant such relief from the stay provided under subsection (b) as is necessary to prevent irreparable damage to the interest of an entity in property, if such interest will suffer such damage before there is an opportunity for notice and a hearing under subsection (e) or (f).

(h) **ACT IN VIOLATION OF STAY IS VOID.**—Any order, judgment, or decree entered in violation of this section and any act taken in violation of this section is void, and shall have no force or effect, and any person found to violate this section may be liable for damages, costs, and attorneys' fees incurred in defending any action taken in violation of this section, and the Oversight Board or the Government of Puerto Rico may seek an order from the court enforcing the provisions of this section.

(i) **GOVERNMENT OF PUERTO RICO.**—For purposes of this section, the term "Government of Puerto Rico", in addition to the definition set forth in section 5(11) of this Act, shall include—

(1) the individuals, including elected and appointed officials, directors, officers of and employees acting in their official capacity on behalf of the Government of Puerto Rico; and

(2) the Oversight Board, including the directors and officers of and employees acting in their official capacity on behalf of the Oversight Board.

(j) **NO DEFAULT UNDER EXISTING CONTRACTS.**—

(1) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, the holder of a Liability Claim or any other claim (as such term is defined in section 101 of title 11, United States Code) may not exercise or continue to exercise any remedy under a contract or applicable law in respect to the Government of Puerto Rico or any of its property—

(A) that is conditioned upon the financial condition of, or the commencement of a restructuring, insolvency, bankruptcy, or other proceeding (or a similar or analogous process) by, the Government of Puerto Rico, including a default or an event of default thereunder; or

(B) with respect to Liability Claims—

(i) for the non-payment of principal or interest; or

(ii) for the breach of any condition or covenant.

(2) The term "remedy" as used in paragraph (1) shall be interpreted broadly, and shall include any right existing in law or contract, including any right to—

(A) setoff;

(B) apply or appropriate funds;

(C) seek the appointment of a custodian (as such term is defined in section 101(11) of title 11, United States Code);

(D) seek to raise rates; or

(E) exercise control over property of the Government of Puerto Rico.

(3) Notwithstanding any contractual provision or applicable law to the contrary and so long as a stay under this section is in effect, a contract to which the Government of Puerto Rico is a party may not be terminated or modified, and any right or obligation under such contract may not be terminated or modified, solely because of a provision in such contract is conditioned on—

(A) the insolvency or financial condition of the Government of Puerto Rico at any time prior to the enactment of this Act;

(B) the adoption of a resolution or establishment of an Oversight Board pursuant to section 101 of this Act; or

(C) a default under a separate contract that is due to, triggered by, or a result of the occurrence of the events or matters in paragraph (1)(B).

(4) Notwithstanding any contractual provision to the contrary and so long as a stay under this section is in effect, a counterparty to a contract with the Government of Puerto Rico for the provision of goods and services shall, unless the Government of Puerto Rico agrees to the contrary in writing, continue to perform all obligations under, and comply with the terms of, such contract, provided that the Government of Puerto Rico is not in default under such contract other than as a result of a condition specified in paragraph (3).

(k) **EFFECT.**—This section does not discharge an obligation of the Government of Puerto Rico or release, invalidate, or impair any security interest or lien securing such obligation. This section does not impair or affect the implementation of any restructuring support agreement executed by the Government of Puerto Rico to be implemented pursuant to Puerto Rico law specifically enacted for that purpose prior to the enactment of this Act or the obligation of the Government of Puerto Rico to proceed in good faith as set forth in any such agreement.

(l) **PAYMENTS ON LIABILITIES.**—Nothing in this section shall be construed to prohibit the Government of Puerto Rico from making any payment on any Liability when such payment becomes due during the term of the stay, and to the extent the Oversight Board, in its sole discretion, determines it is feasible, the Government of Puerto Rico shall make interest payments on outstanding indebtedness when such payments become due during the length of the stay.

(m) **FINDINGS.**—Congress finds the following:

(1) A combination of severe economic decline, and, at times, accumulated operating deficits, lack of financial transparency, management inefficiencies, and excessive borrowing has created a fiscal emergency in Puerto Rico.

(2) As a result of its fiscal emergency, the Government of Puerto Rico has been unable to provide its citizens with effective services.

(3) The current fiscal emergency has also affected the long-term economic stability of Puerto Rico by contributing to the accelerated outmigration of residents and businesses.

(4) A comprehensive approach to fiscal, management, and structural problems and adjustments that exempts no part of the Government of Puerto Rico is necessary, involving independent oversight and a Federal statutory authority for the Government of Puerto Rico to restructure debts in a fair and orderly process.

(5) Additionally, an immediate—but temporary—stay is essential to stabilize the region for the purposes of resolving this territorial crisis.

(A) The stay advances the best interests common to all stakeholders, including but not limited to a functioning independent Oversight

Board created pursuant to this Act to determine whether to appear or intervene on behalf of the Government of Puerto Rico in any litigation that may have been commenced prior to the effectiveness or upon expiration of the stay.

(B) The stay is limited in nature and narrowly tailored to achieve the purposes of this Act, including to ensure all creditors have a fair opportunity to consensually renegotiate terms of repayment based on accurate financial information that is reviewed by an independent authority or, at a minimum, receive a recovery from the Government of Puerto Rico equal to their best possible outcome absent the provisions of this Act.

(6) Finally, the ability of the Government of Puerto Rico to obtain funds from capital markets in the future will be severely diminished without congressional action to restore its financial accountability and stability.

(n) **PURPOSES.**—The purposes of this section are to—

(1) provide the Government of Puerto Rico with the resources and the tools it needs to address an immediate existing and imminent crisis;

(2) allow the Government of Puerto Rico a limited period of time during which it can focus its resources on negotiating a voluntary resolution with its creditors instead of defending numerous, costly creditor lawsuits;

(3) provide an oversight mechanism to assist the Government of Puerto Rico in reforming its fiscal governance and support the implementation of potential debt restructuring;

(4) make available a Federal restructuring authority, if necessary, to allow for an orderly adjustment of all of the Government of Puerto Rico's liabilities; and

(5) benefit the lives of 3.5 million American citizens living in Puerto Rico by encouraging the Government of Puerto Rico to resolve its longstanding fiscal governance issues and return to economic growth.

(o) **VOTING ON VOLUNTARY AGREEMENTS NOT STAYED.**—Notwithstanding any provision in this section to the contrary, nothing in this section shall prevent the holder of a Liability Claim from voting on or consenting to a proposed modification of such Liability Claim under title VI of this Act.

SEC. 406. PURCHASES BY TERRITORY GOVERNMENTS.

The text of section 302 of the Omnibus Insular Areas Act of 1992 (48 U.S.C. 1469e), is amended to read as follows: “The Governments of the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands are authorized to make purchases through the General Services Administration.”.

SEC. 407. PROTECTION FROM INTER-DEBTOR TRANSFERS.

(a) **PROTECTION OF CREDITORS.**—While an Oversight Board for Puerto Rico is in existence, if any property of any territorial instrumentality of Puerto Rico is transferred in violation of applicable law under which any creditor has a valid pledge of, security interest in, or lien on such property, or which deprives any such territorial instrumentality of property in violation of applicable law assuring the transfer of such property to such territorial instrumentality for the benefit of its creditors, then the transferee shall be liable for the value of such property.

(b) **ENFORCEABILITY.**—A creditor may enforce rights under this section by bringing an action in the United States District Court for the District of Puerto Rico after the expiration or lifting of the stay of section 405, unless a stay under title III is in effect.

SEC. 408. GAO REPORT ON SMALL BUSINESS ADMINISTRATION PROGRAMS IN PUERTO RICO.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

“(t) **GAO REPORT ON SMALL BUSINESS ADMINISTRATION PROGRAMS IN PUERTO RICO.**—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate a report on the application and utilization of contracting activities of the Administration (including contracting activities relating to HUBZone small business concerns) in Puerto Rico. The report shall also identify any provisions of Federal law that may create an obstacle to the efficient implementation of such contracting activities.”.

SEC. 409. CONGRESSIONAL TASK FORCE ON ECONOMIC GROWTH IN PUERTO RICO.

(a) **ESTABLISHMENT.**—There is established within the legislative branch a Congressional Task Force on Economic Growth in Puerto Rico (hereinafter referred to as the “Task Force”).

(b) **MEMBERSHIP.**—The Task Force shall be composed of eight members as follows:

(1) One member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Natural Resources of the House of Representatives.

(2) One member of the House of Representatives, who shall be appointed by the Speaker of the House of Representatives, in coordination with the Chairman of the Committee on Ways and Means of the House of Representatives.

(3) One member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on Natural Resources of the House of Representatives.

(4) One member of the House of Representatives, who shall be appointed by the Minority Leader of the House of Representatives, in coordination with the ranking minority member of the Committee on Ways and Means of the House of Representatives.

(5) One member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Energy and Natural Resources of the Senate.

(6) One member of the Senate, who shall be appointed by the Majority Leader of the Senate, in coordination with the Chairman of the Committee on Finance of the Senate.

(7) One member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Energy and Natural Resources of the Senate.

(8) One member of the Senate, who shall be appointed by the Minority Leader of the Senate, in coordination with the ranking minority member of the Committee on Finance of the Senate.

(c) **DEADLINE FOR APPOINTMENT.**—All appointments to the Task Force shall be made not later than 15 days after the date of enactment of this Act.

(d) **CHAIR.**—The Speaker shall designate one Member to serve as chair of the Task Force.

(e) **VACANCIES.**—Any vacancy in the Task Force shall be filled in the same manner as the original appointment.

(f) **STATUS UPDATE.**—Between September 1, 2016, and September 15, 2016, the Task Force shall provide a status update to the House and Senate that includes—

(1) information the Task Force has collected; and

(2) a discussion on matters the chairman of the Task Force deems urgent for consideration by Congress.

(g) **REPORT.**—Not later than December 31, 2016, the Task Force shall issue a report of its findings to the House and Senate regarding—

(1) impediments in current Federal law and programs to economic growth in Puerto Rico including equitable access to Federal health care programs;

(2) recommended changes to Federal law and programs that, if adopted, would serve to spur sustainable long-term economic growth, job creation and attract investment in Puerto Rico;

(3) the economic effect of Administrative Order No. 346 of the Department of Health of the Commonwealth of Puerto Rico (relating to natural products, natural supplements, and dietary supplements) or any successor or substantially similar order, rule, or guidance of the Commonwealth of Puerto Rico; and

(4) additional information the Task Force deems appropriate.

(h) **CONSENSUS VIEWS.**—To the greatest extent practicable, the report issued under subsection (f) shall reflect the shared views of all eight Members, except that the report may contain dissenting views.

(i) **HEARINGS AND SESSIONS.**—The Task Force may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Task Force considers appropriate. If the Task Force holds hearings, at least one such hearing must be held in Puerto Rico.

(j) **STAKEHOLDER PARTICIPATION.**—In carrying out its duties, the Task Force shall consult with the Puerto Rico Legislative Assembly, the Puerto Rico Department of Economic Development and Commerce, and the private sector of Puerto Rico.

(k) **RESOURCES.**—The Task Force shall carry out its duties by utilizing existing facilities, services, and staff of the House of Representatives and Senate, except that no additional funds are authorized to be appropriated to carry out this section.

(l) **TERMINATION.**—The Task Force shall terminate upon issuing the report required under subsection (f).

SEC. 410. REPORT.

The Comptroller General shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate describing—

(1) the conditions which led to the level of debt per capita and based upon overall economic activity;

(2) how actions of the territorial government improved or impaired the territory's financial conditions; and

(3) recommendations on non-fiscal actions, nor policies that would imperil America's homeland and national security, that could be taken by Congress or the Administration to avert future indebtedness of territories, States or local units of government while respecting sovereignty and constitutional parameters.

TITLE V—PUERTO RICO INFRASTRUCTURE REVITALIZATION

SEC. 501. DEFINITIONS.

In this title:

(1) **ACT 76.**—The term “Act 76” means Puerto Rico Act 76–2000 (3 L.P.R.A. 1931 et seq.), approved on May 5, 2000, as amended.

(2) **CRITICAL PROJECT.**—The term “Critical Project” means a project identified under the provisions of this title and intimately related to addressing an emergency whose approval, consideration, permitting, and implementation shall be expedited and streamlined according to the statutory process provided by Act 76, or otherwise adopted pursuant to this title.

(3) **ENERGY COMMISSION OF PUERTO RICO.**—The term “Energy Commission of Puerto Rico” means the Puerto Rico Energy Commission as established by Subtitle B of Puerto Rico Act 57–2014.

(4) **ENERGY PROJECTS.**—The term “Energy Projects” means those projects addressing the

generation, distribution, or transmission of energy.

(5) **EMERGENCY.**—The term “emergency” means any event or grave problem of deterioration in the physical infrastructure for the rendering of essential services to the people, or that endangers the life, public health, or safety of the population or of a sensitive ecosystem, or as otherwise defined by section 1 of Act 76 (3 L.P.R.A. 1931). This shall include problems in the physical infrastructure for energy, water, sewer, solid waste, highways or roads, ports, telecommunications, and other similar infrastructure.

(6) **ENVIRONMENTAL QUALITY BOARD.**—The term “Environmental Quality Board” means the Puerto Rico Environmental Quality Board, a board within the executive branch of the Government of Puerto Rico as established by section 7 of Puerto Rico Act 416–2004 (12 L.P.R.A. 8002a).

(7) **EXPEDITED PERMITTING PROCESS.**—The term “Expedited Permitting Process” means a Puerto Rico Agency’s alternate procedures, conditions, and terms mirroring those established under Act 76 (3 L.P.R.A. 1932) and pursuant to this title shall not apply to any Federal law, statute, or requirement.

(8) **GOVERNOR.**—The term “Governor” means the Governor of Puerto Rico.

(9) **INTERAGENCY ENVIRONMENTAL SUBCOMMITTEE.**—The term “Interagency Environmental Subcommittee” means the Interagency Subcommittee on Expedited Environmental Regulations as further described by section 504.

(10) **LEGISLATURE.**—The term “Legislature” means the Legislature of Puerto Rico.

(11) **PLANNING BOARD.**—The term “Planning Board” means the Puerto Rico Planning Board, a board within the executive branch of the Government of Puerto Rico established by Puerto Rico Act 75–1975 (23 L.P.R.A. 62 et seq.).

(12) **PROJECT SPONSOR.**—The term “Project Sponsor” means a Puerto Rico Agency or private party proposing the development of an existing, ongoing, or new infrastructure project or Energy Project.

(13) **PUERTO RICO AGENCY OR AGENCIES.**—The terms “Puerto Rico Agency” or “Puerto Rico Agencies” means any board, body, board of examiners, public corporation, commission, independent office, division, administration, bureau, department, authority, official, person, entity, municipality, or any instrumentality of Puerto Rico, or an administrative body authorized by law to perform duties of regulating, investigating, or that may issue a decision, or with the power to issue licenses, certificates, permits, concessions, accreditations, privileges, franchises, except the Senate and the House of Representatives of the Legislature and the judicial branch.

(14) **PUERTO RICO ELECTRIC POWER AUTHORITY.**—The term “Puerto Rico Electric Power Authority” means the Puerto Rico Electric Power Authority established by Puerto Rico Act 83–1941.

SEC. 502. POSITION OF REVITALIZATION COORDINATOR.

(a) **ESTABLISHMENT.**—There is established, under the Oversight Board, the position of the Revitalization Coordinator.

(b) **APPOINTMENT.**—

(1) **IN GENERAL.**—The Revitalization Coordinator shall be appointed by the Governor as follows:

(A) Prior to the appointment of the Revitalization Coordinator and within 60 days of the appointment of the full membership of the Oversight Board, the Oversight Board shall submit to the Governor no less than three nominees for appointment.

(B) In consultation with the Oversight Board, not later than 10 days after receiving the nomi-

nations under subparagraph (A), the Governor shall appoint one of the nominees as the Revitalization Coordinator. Such appointment shall be effective immediately.

(C) If the Governor fails to select a Revitalization Coordinator, the Oversight Board shall, by majority vote, appoint a Revitalization Coordinator from the list of nominees provided under paragraph (A).

(2) **QUALIFICATIONS.**—In selecting nominees under paragraph (1)(A), the Oversight Board shall only nominate persons who—

(A) have substantial knowledge and expertise in the planning, predevelopment, financing, development, operations, engineering, or market participation of infrastructure projects, provided that stronger consideration may be given to candidates who have experience with Energy Projects and the laws and regulations of Puerto Rico that may be subject to an Expedited Permitting Process;

(B) does not currently provide, or in the preceding 3 calendar years provided, goods or services to the government of Puerto Rico (and, as applicable, is not the spouse, parent, child, or sibling of a person who provides or has provided goods and services to the government of Puerto Rico in the preceding 3 calendar years); and

(C) shall not be an officer, employee of, or former officer or employee of the government of Puerto Rico in the preceding 3 calendar years.

(3) **COMPENSATION.**—The Revitalization Coordinator shall be compensated at an annual rate determined by the Oversight Board sufficient in the judgment of the Oversight Board to obtain the services of a person with the skills and experience required to discharge the duties of the position, but such compensation shall not exceed the annual salary of the Executive Director.

(c) **ASSIGNMENT OF PERSONNEL.**—The Executive Director of the Oversight Board may assign Oversight Board personnel to assist the Revitalization Coordinator.

(d) **REMOVAL.**—

(1) **IN GENERAL.**—The Revitalization Coordinator may be removed for any reason, in the Oversight Board’s discretion.

(2) **TERMINATION OF POSITION.**—Upon the termination of the Oversight Board pursuant to section 209 of this Act, the position of the Revitalization Coordinator shall terminate.

SEC. 503. CRITICAL PROJECTS.

(a) **IDENTIFICATION OF PROJECTS.**—

(1) **PROJECT SUBMISSION.**—Any Project Sponsor may submit, so long as the Oversight Board is in operation, any existing, ongoing, or proposed project to the Revitalization Coordinator. The Revitalization Coordinator shall require such submission to include—

(A) the impact the project will have on an emergency;

(B) the availability of immediate private capital or other funds, including loan guarantees, loans, or grants to implement, operate, or maintain the project;

(C) the cost of the project and amount of Puerto Rico government funds, if any, necessary to complete and maintain the project;

(D) the environmental and economic benefits provided by the project, including the number of jobs to be created that will be held by residents of Puerto Rico and the expected economic impact, including the impact on ratepayers, if applicable;

(E) the status of the project if it is existing or ongoing; and

(F) in addition to the requirements found in subparagraphs (A) through (E), the Revitalization Coordinator may require such submission to include any or all of the following criteria that assess how the project will—

(i) reduce reliance on oil for electric generation in Puerto Rico;

(ii) improve performance of energy infrastructure and overall energy efficiency;

(iii) expedite the diversification and conversion of fuel sources for electric generation from oil to natural gas and renewables in Puerto Rico as defined under applicable Puerto Rico laws;

(iv) promote the development and utilization of energy sources found on Puerto Rico;

(v) contribute to transitioning to privatized generation capacities in Puerto Rico;

(vi) support the Energy Commission of Puerto Rico in achievement of its goal of reducing energy costs and ensuring affordable energy rates for consumers and business; or

(vii) achieve in whole or in part the recommendations, if feasible, of the study in section 505(d) of this title to the extent such study is completed and not inconsistent with studies or plans otherwise required under Puerto Rico laws.

(2) **IDENTIFICATION OF RELEVANT PUERTO RICO AGENCIES.**—Within 20 days of receiving a project submission under paragraph (1), the Revitalization Coordinator shall, in consultation with the Governor, identify all Puerto Rico Agencies that will have a role in the permitting, approval, authorizing, or other activity related to the development of such project submission.

(3) **EXPEDITED PERMITTING PROCESS.**—

(A) **SUBMISSION OF EXPEDITED PERMITTING PROCESS.**—Not later than 20 days after receiving a project submission, each Puerto Rico Agency identified in paragraph (1) shall submit to the Revitalization Coordinator the Agency’s Expedited Permitting Process.

(B) **FAILURE TO PROVIDE EXPEDITED PERMITTING PROCESS.**—If a Puerto Rico Agency fails to provide an Expedited Permitting Process within 20 days of receiving a project submission, the Revitalization Coordinator shall consult with the Governor to develop within 20 days an Expedited Permitting Process for the Agency.

(C) **IMPLEMENTATION AND PRIORITIZATION.**—The Revitalization Coordinator shall require Puerto Rico Agencies to implement the Expedited Permitting Process for Critical Projects. Critical Projects shall be prioritized to the maximum extent possible in each Puerto Rico Agency regardless of any agreements transferring or delegating permitting authority to any other Territorial Instrumentality or municipality.

(b) **CRITICAL PROJECT REPORT.**—

(1) **IN GENERAL.**—For each submitted project, the Revitalization Coordinator in consultation with the Governor and relevant Puerto Rico Agencies identified in subsection (a)(2) shall develop a Critical Project Report within 60 days of the project submission, which shall include:

(A) An assessment of how well the project meets the criteria in subsection (a)(1).

(B) A recommendation by the Governor whether the project should be considered a Critical Project. If the Governor fails to provide a recommendation during the development of the Critical Project Report, the failure shall constitute a concurrence with the Revitalization Coordinator’s recommendation in subparagraph (E).

(C) In the case of a project that may affect the implementation of Land-Use Plans, as defined by Puerto Rico Act 550–2004, a determination by the Planning Board will be required within the 60-day timeframe. If the Planning Board determines such project will be inconsistent with relevant Land-Use Plans, then the project will be deemed ineligible for Critical Project designation.

(D) In the case of an Energy Project that will connect with the Puerto Rico Electric Power Authority’s transmission or distribution facilities, a recommendation by the Energy Commission of Puerto Rico, if the Energy Commission determines such Energy Project will affect an approved Integrated Resource Plan, as defined under Puerto Rico Act 54–2014. If the Energy Commission determines the Energy Project will

adversely affect an approved Integrated Resource Plan, then the Energy Commission shall provide the reasons for such determination and the Energy Project shall be ineligible for Critical Project designation, provided that such determination must be made during the 60-day time-frame for the development of the Critical Project Report.

(E) A recommendation by the Revitalization Coordinator whether the project should be considered a Critical Project.

(2) **PUBLIC INVOLVEMENT.**—Immediately following the completion of the Critical Project Report, the Revitalization Coordinator shall make such Critical Project Report public and allow a period of 30 days for the submission of comments by residents of Puerto Rico specifically on matters relating to the designation of a project as a Critical Project. The Revitalization Coordinator shall respond to the comments within 30 days of closing the coming period and make the responses publicly available.

(3) **SUBMISSION TO OVERSIGHT BOARD.**—Not later than 5 days after the Revitalization Coordinator has responded to the comments under paragraph (2), the Revitalization Coordinator shall submit the Critical Project Report to the Oversight Board.

(c) **ACTION BY THE OVERSIGHT BOARD.**—Not later than 30 days after receiving the Critical Project Report, the Oversight Board, by majority vote, shall approve or disapprove the project as a Critical Project, if the Oversight Board—

(1) approves the project, the project shall be deemed a Critical Project; and

(2) disapproves the project, the Oversight Board shall submit to the Revitalization Coordinator in writing the reasons for disapproval.

SEC. 504. MISCELLANEOUS PROVISIONS.

(a) **CREATION OF INTERAGENCY ENVIRONMENTAL SUBCOMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 60 days after the date on which the Revitalization Coordinator is appointed, the Interagency Environmental Subcommittee shall be established and shall evaluate environmental documents required under Puerto Rico law for any Critical Project within the Expedited Permitting Process established by the Revitalization Coordinator under section 503(a)(3).

(2) **COMPOSITION.**—The Interagency Environmental Subcommittee shall consist of the Revitalization Coordinator, and a representative selected by the Governor in consultation with the Revitalization Coordinator representing each of the following agencies: The Environmental Quality Board, the Planning Board, the Puerto Rico Department of Natural and Environmental Resources, and any other Puerto Rico Agency determined to be relevant by the Revitalization Coordinator.

(b) **LENGTH OF EXPEDITED PERMITTING PROCESS.**—With respect to a Puerto Rico Agency's activities related only to a Critical Project, such Puerto Rico Agency shall operate as if the Governor has declared an emergency pursuant to section 2 of Act 76 (3 L.P.R.A. 1932). Section 12 of Act 76 (3 L.P.R.A. 1942) shall not be applicable to Critical Projects. Furthermore, any transactions, processes, projects, works, or programs essential to the completion of a Critical Project shall continue to be processed and completed under such Expedited Permitting Process regardless of the termination of the Oversight Board under section 209.

(c) **EXPEDITED PERMITTING PROCESS COMPLIANCE.**—

(1) **WRITTEN NOTICE.**—A Critical Project Sponsor may in writing notify the Oversight Board of the failure of a Puerto Rico Agency or the Revitalization Coordinator to adhere to the Expedited Permitting Process.

(2) **FINDING OF FAILURE.**—If the Oversight Board finds either the Puerto Rico Agency or

Revitalization Coordinator has failed to adhere to the Expedited Permitting Process, the Oversight Board shall direct the offending party to comply with the Expedited Permitting Process. The Oversight Board may take such enforcement action as necessary as provided by section 104(l).

(d) **REVIEW OF LEGISLATURE ACTS.**—

(1) **SUBMISSION OF ACTS TO OVERSIGHT BOARD.**—Pursuant to section 204(a), the Governor shall submit to the Oversight Board any law duly enacted during any fiscal year in which the Oversight Board is in operation that may affect the Expedited Permitting Process.

(2) **FINDING OF OVERSIGHT BOARD.**—Upon receipt of a law under paragraph (1), the Oversight Board shall promptly review whether the law would adversely impact the Expedited Permitting Process and, upon such a finding, the Oversight Board may deem such law to be significantly inconsistent with the applicable Fiscal Plan.

(e) **ESTABLISHMENT OF CERTAIN TERMS AND CONDITIONS.**—No Puerto Rico Agency may include in any certificate, right-of-way, permit, lease, or other authorization issued for a Critical Project any term or condition that may be permitted, but is not required, by any applicable Puerto Rico law, if the Revitalization Coordinator determines the term or condition would prevent or impair the expeditious construction, operation, or expansion of the Critical Project. The Revitalization Coordinator may request a Puerto Rico Agency to include in any certificate, right-of-way, permit, lease, or other authorization, a term or condition that may be permitted in accordance with applicable laws if the Revitalization Coordinator determines such inclusion would support the expeditious construction, operation, or expansion of any Critical Project.

(f) **DISCLOSURE.**—All Critical Project reports, and justifications for approval or rejection of Critical Project status, shall be made publicly available online within 5 days of receipt or completion.

SEC. 505. FEDERAL AGENCY REQUIREMENTS.

(a) **FEDERAL POINTS OF CONTACT.**—At the request of the Revitalization Coordinator and within 30 days of receiving such a request, each Federal agency with jurisdiction over the permitting, or administrative or environmental review of private or public projects in Puerto Rico, shall name a Point of Contact who will serve as that agency's liaison with the Revitalization Coordinator.

(b) **FEDERAL GRANTS AND LOANS.**—For each Critical Project with a pending or potential Federal grant, loan, or loan guarantee application, the Revitalization Coordinator and the relevant Point of Contact shall cooperate with each other to ensure expeditious review of such application.

(c) **EXPEDITED REVIEWS AND ACTIONS OF FEDERAL AGENCIES.**—All reviews conducted and actions taken by any Federal agency relating to a Critical Project shall be expedited in a manner consistent with completion of the necessary reviews and approvals by the deadlines under the Expedited Permitting Process, but in no way shall the deadlines established through the Expedited Permitting Process be binding on any Federal agency.

(d) **TRANSFER OF STUDY OF ELECTRIC RATES.**—Section 9 of the Consolidated and Further Continuing Appropriations Act, 2015 (48 U.S.C. 1492a) is amended—

(1) in subsection (a)(5), by inserting “, except that, with respect to Puerto Rico, the term means, the Secretary of Energy” after “Secretary of the Interior”; and

(2) in subsection (b)—

(A) by inserting “(except in the case of Puerto Rico, in which case not later than 270 days after

the date of enactment of the Puerto Rico Oversight, Management, and Economic Stability Act)” after “of this Act”; and

(B) by inserting “(except in the case of Puerto Rico)” after “Empowering Insular Communities activity”.

SEC. 506. JUDICIAL REVIEW.

(a) **DEADLINE FOR FILING OF A CLAIM.**—A claim arising under this title must be brought no later than 30 days after the date of the decision or action giving rise to the claim.

(b) **EXPEDITED CONSIDERATION.**—The District Court for the District of Puerto Rico shall set any action brought under this title for expedited consideration, taking into account the interest of enhancing Puerto Rico's infrastructure for electricity, water and sewer services, roads and bridges, ports, and solid waste management to achieve compliance with local and Federal environmental laws, regulations, and policies while ensuring the continuity of adequate services to the people of Puerto Rico and Puerto Rico's sustainable economic development.

SEC. 507. SAVINGS CLAUSE.

Nothing in this title is intended to change or alter any Federal legal requirements or laws.

TITLE VI—CREDITOR COLLECTIVE ACTION

SEC. 601. CREDITOR COLLECTIVE ACTION.

(a) **DEFINITIONS.**—In this title:

(1) **ADMINISTRATIVE SUPERVISOR.**—The term “Administrative Supervisor” means the Oversight Board established under section 101.

(2) **AUTHORIZED TERRITORIAL INSTRUMENTALITY.**—The term “Authorized Territorial Instrumentality” means a covered territorial instrumentality authorized in accordance with subsection (e).

(3) **CALCULATION AGENT.**—The term “Calculation Agent” means a calculation agent appointed in accordance with subsection (k).

(4) **CAPITAL APPRECIATION BOND.**—The term “Capital Appreciation Bond” means a Bond that does not pay interest on a current basis, but for which interest amounts are added to principal over time as specified in the relevant offering materials for such Bond, including that the accreted interest amount added to principal increases daily.

(5) **CONVERTIBLE CAPITAL APPRECIATION BOND.**—The term “Convertible Capital Appreciation Bond” means a Bond that does not pay interest on a current basis, but for which interest amounts are added to principal over time as specified in the relevant offering materials and which converts to a current pay bond on a future date.

(6) **INFORMATION AGENT.**—The term “Information Agent” means an information agent appointed in accordance with subsection (l).

(7) **INSURED BOND.**—The term “Insured Bond” means a bond subject to a financial guarantee or similar insurance contract, policy or surety issued by a monoline insurer.

(8) **ISSUER.**—The term “Issuer” means, as applicable, the Territory Government Issuer or an Authorized Territorial Instrumentality that has issued or guaranteed at least one Bond that is Outstanding.

(9) **MODIFICATION.**—The term “Modification” means any modification, amendment, supplement or waiver affecting one or more series of Bonds, including those effected by way of exchange, repurchase, conversion, or substitution.

(10) **OUTSTANDING.**—The term “Outstanding,” in the context of the principal amount of Bonds, shall be determined in accordance with subsection (b).

(11) **OUTSTANDING PRINCIPAL.**—The term “Outstanding Principal” means—

(A) for a Bond that is not a Capital Appreciation Bond or a Convertible Capital Appreciation Bond, the outstanding principal amount of such Bond; and

(B) for a Bond that is a Capital Appreciation Bond or a Convertible Capital Appreciation Bond, the current accreted value of such Capital Appreciation Bond or a Convertible Capital Appreciation Bond, as applicable.

(12) **POOL.**—The term “Pool” means a pool established in accordance with subsection (d).

(13) **QUALIFYING MODIFICATION.**—The term “Qualifying Modification” means a Modification proposed in accordance with subsection (g).

(14) **SECURED POOL.**—The term “Secured Pool” means a Pool established in accordance with subsection (d) consisting only of Bonds that are secured by a lien on property, provided that the inclusion of a Bond Claim in such Pool shall not in any way limit or prejudice the right of the Issuer, the Administrative Supervisor, or any creditor to recharacterize or challenge such Bond Claim, or any purported lien securing such Bond Claim, in any other manner in any subsequent proceeding in the event a proposed Qualifying Modification is not consummated.

(15) **TERRITORY GOVERNMENT ISSUER.**—The term “Territory Government Issuer” means the Government of Puerto Rico or such covered territory for which an Oversight Board has been established pursuant to section 101.

(b) **OUTSTANDING BONDS.**—In determining whether holders of the requisite principal amount of Outstanding Bonds have voted in favor of, or consented to, a proposed Qualifying Modification, a Bond will be deemed not to be outstanding, and may not be counted in a vote or consent solicitation for or against a proposed Qualifying Modification, if on the record date for the proposed Qualifying Modification—

(1) the Bond has previously been cancelled or delivered for cancellation or is held for reissuance but has not been reissued;

(2) the Bond has previously been called for redemption in accordance with its terms or previously become due and payable at maturity or otherwise and the Issuer has previously satisfied its obligation to make, or provide for, all payments due in respect of the Bond in accordance with its terms;

(3) the Bond has been substituted with a security of another series; or

(4) the Bond is held by the Issuer or by an Authorized Territorial Instrumentality of the Territory Government Issuer or by a corporation, trust or other legal entity that is controlled by the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, as applicable.

For purposes of this subsection, a corporation, trust or other legal entity is controlled by the Issuer or by an Authorized Territorial Instrumentality of the Territory Government Issuer if the Issuer or an Authorized Territorial Instrumentality of the Territory Government Issuer, as applicable, has the power, directly or indirectly, through the ownership of voting securities or other ownership interests, by contract or otherwise, to direct the management of or elect or appoint a majority of the board of directors or other persons performing similar functions in lieu of, or in addition to, the board of directors of that legal entity.

(c) **CERTIFICATION OF DISENFRANCHISED BONDS.**—Prior to any vote on, or consent solicitation for, a Qualifying Modification, the Issuer shall deliver to the Calculation Agent a certificate signed by an authorized representative of the Issuer specifying any Bonds that are deemed not to be Outstanding for the purpose of subsection (b) above.

(d) **DETERMINATION OF POOLS FOR VOTING.**—The Administrative Supervisor, in consultation with the Issuer, shall establish Pools in accordance with the following:

(1) Not less than one Pool shall be established for each Issuer.

(2) A Pool that contains one or more Bonds that are secured by a lien on property shall be a Secured Pool.

(3) The Administrative Supervisor shall establish Pools according to the following principles:

(A) For each Issuer that has issued multiple Bonds that are distinguished by specific provisions governing priority or security arrangements, including Bonds that have been issued as general obligations of the Territory Government Issuer to which the Territory Government Issuer pledged the full or good faith, credit, and taxing power of the Territory Government Issuer, separate Pools shall be established corresponding to the relative priority or security arrangements of each holder of Bonds against each Issuer, as applicable, provided, however, that the term “priority” as used in this section shall not be understood to mean differing payment or maturity dates.

(B) For each Issuer that has issued senior and subordinated Bonds, separate Pools shall be established for the senior and subordinated Bonds corresponding to the relative priority or security arrangements.

(C) For each Issuer that has issued multiple Bonds, for at least some of which a guarantee of repayment has been provided by the Territory Government Issuer, separate Pools shall be established for such guaranteed and non-guaranteed Bonds.

(D) Subject to the other requirements contained in this section, for each Issuer that has issued multiple Bonds, for at least some of which a dedicated revenue stream has been pledged for repayment, separate Pools for such Issuer shall be established as follows—

(i) for each dedicated revenue stream that has been pledged for repayment, not less than one Secured Pool for Bonds for which such revenue stream has been pledged, and separate Secured Pools shall be established for Bonds of different priority; and

(ii) not less than one Pool for all other Bonds issued by the Issuer for which a dedicated revenue stream has not been pledged for repayment.

(E) The Administrative Supervisor shall not place into separate Pools Bonds of the same Issuer that have identical rights in security or priority.

(4) Notwithstanding the preceding provisions of this subsection, a preexisting voluntary agreement may classify Insured Bonds and uninsured bonds in different Pools and provide different treatment thereof so long as the preexisting voluntary agreement has been agreed to by—

(A) holders of a majority in amount of all uninsured bonds outstanding in the modified Pool; and

(B) holders (including insurers with power to vote) of a majority in amount of all Insured Bonds.

(e) **AUTHORIZATION OF TERRITORIAL INSTRUMENTALITIES.**—A covered territorial instrumentality is an Authorized Territorial Instrumentality if it has been specifically authorized to be eligible to avail itself of the procedures under this section by the Administrative Supervisor.

(f) **INFORMATION DELIVERY REQUIREMENT.**—Before solicitation of acceptance or rejection of a Modification under subsection (h), the Issuer shall provide to the Calculation Agent, the Information Agent, and the Administrative Supervisor, the following information—

(1) a description of the Issuer's economic and financial circumstances which are, in the Issuer's opinion, relevant to the request for the proposed Qualifying Modification, a description of the Issuer's existing debts, a description of the impact of the proposed Qualifying Modification on the territory's or its territorial instrumentalities' public debt;

(2) if the Issuer is seeking Modifications affecting any other Pools of Bonds of the Territory Government Issuer or its Authorized Terri-

torial Instrumentalities, a description of such other Modifications;

(3) if a Fiscal Plan with respect to such Issuer has been certified, the applicable Fiscal Plan certified in accordance with section 201; and

(4) such other information as may be required under applicable securities laws.

(g) **QUALIFYING MODIFICATION.**—A Modification is a Qualifying Modification if—

(1) the Issuer proposing the Modification has consulted with holders of Bonds in each Pool of such Issuer prior to soliciting a vote on such Modification;

(2) each exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification is offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of consideration per amount of past due interest, respectively, as that offered to each other exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification (or, where a menu of instruments or other consideration is offered, each exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification is offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of consideration per amount of past due interest, respectively, as that offered to each other exchanging, repurchasing, converting, or substituting holder of Bonds of any series in a Pool affected by that Modification electing the same option under such menu of instruments);

(3) the Modification is certified by the Administrative Supervisor as being consistent with the requirements set forth in section 104(i)(1) and is in the best interests of the creditors and is feasible; or

(4) notwithstanding paragraphs (1) through (3), the Administrative Supervisor has issued a certification that—

(A) the requirements set forth in section 104(i)(2) have been satisfied; or

(B) the Modification is consistent with a restructuring support or similar agreement to be implemented pursuant to the law of the covered territory executed by the Issuer prior to the establishment of an Oversight Board for the relevant territory.

(h) **SOLICITATION.**—

(1) Upon receipt of a certification from the Administrative Supervisor under subsection (g), the Information Agent shall, if practical and except as provided in paragraph (2), submit to the holders of any Outstanding Bonds of the relevant Issuer, including holders of the right to vote such Outstanding Bonds, the information submitted by the relevant Issuer under subsection (f)(1) in order to solicit the vote of such holders to approve or reject the Qualifying Modification.

(2) If the Information Agent is unable to identify the address of holders of any Outstanding Bonds of the relevant Issuer, the Information Agent may solicit the vote or consent of such holders by—

(A) delivering the solicitation to the paying agent for any such Issuer or Depository Trust Corporation if it serves as the clearing system for any of the Issuer's Outstanding Bonds; or

(B) delivering or publishing the solicitation by whatever additional means the Information Agent, after consultation with the Issuer, deems necessary and appropriate in order to make a reasonable effort to inform holders of any Outstanding Bonds of the Issuer which may include, notice by mail, publication in electronic media, publication on a website of the Issuer, or publication in newspapers of national circulation in the United States and in a newspaper of general circulation in the territory.

(i) **WHO MAY PROPOSE A MODIFICATION.**—For each Issuer, a Modification may be proposed to the Administrative Supervisor by the Issuer or by one or more holders of the right to vote the Issuer's Outstanding Bonds. To the extent a Modification proposed by one or more holders of the right to vote Outstanding Bonds otherwise complies with the requirements of this title, the Administrative Supervisor may accept such Modification on behalf of the Issuer, in which case the Administrative Supervisor will instruct the Issuer to provide the information required in subsection (f).

(j) **VOTING.**—For each Issuer, any Qualifying Modification may be made with the affirmative vote of the holders of the right to vote at least two-thirds of the Outstanding Principal amount of the Outstanding Bonds in each Pool that have voted to approve or reject the Qualifying Modification, provided that holders of the right to vote not less than a majority of the aggregate Outstanding Principal amount of all the Outstanding Bonds in each Pool have voted to approve the Qualifying Modification. The holder of the right to vote the Outstanding Bonds that are Insured Bonds shall be the monoline insurer insuring such Insured Bond to the extent such insurer is granted the right to vote Insured Bonds for purposes of directing remedies or consenting to proposed amendments or modifications as provided in the applicable documents pursuant to which such Insured Bond was issued and insured.

(k) **CALCULATION AGENT.**—For the purpose of calculating the principal amount of the Bonds of any series eligible to participate in such a vote or consent solicitation and tabulating such votes or consents, the Territory Government Issuer may appoint a Calculation Agent for each Pool reasonably acceptable to the Administrative Supervisor.

(l) **INFORMATION AGENT.**—For the purpose of administering a vote of holders of Bonds, including the holders of the right to vote such Bonds, or seeking the consent of holder of Bonds, including the holders of the right to vote such Bonds, to a written action under this section, the Territory Government Issuer may appoint an Information Agent for each Pool reasonably acceptable to the Administrative Supervisor.

(m) **BINDING EFFECT.**—

(1) A Qualifying Modification will be conclusive and binding on all holders of Bonds whether or not they have given such consent, and on all future holders of those Bonds whether or not notation of such Qualifying Modification is made upon the Bonds, if—

(A) the holders of the right to vote the Outstanding Bonds in every Pool of the Issuer pursuant to subsection (f) have consented to or approved the Qualifying Modification;

(B) the Administrative Supervisor certifies that—

(i) the voting requirements of this section have been satisfied;

(ii) the Qualifying Modification complies with the requirements set forth in section 104(i)(1); and

(iii) except for such conditions that have been identified in the Qualifying Modification as being non-waivable, any conditions on the effectiveness of the Qualifying Modification have been satisfied or, in the Administrative Supervisor's sole discretion, satisfaction of such conditions has been waived;

(C) with respect to a Bond Claim that is secured by a lien on property and with respect to which the holder of such Bond Claim has rejected or not consented to the Qualifying Modification, the holder of such Bond—

(i) retains the lien securing such Bond Claims;

or

(ii) receives on account of such Bond Claim, through deferred cash payments, substitute col-

lateral, or otherwise, at least the equivalent value of the lesser of the amount of the Bond Claim or of the collateral securing such Bond Claim; and

(D) the district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii, has, after reviewing an application submitted to it by the applicable Issuer for an order approving the Qualifying Modification, entered an order that the requirements of this section have been satisfied.

(2) Upon the entry of an order under paragraph (1)(D), the conclusive and binding Qualifying Modification shall be valid and binding on any person or entity asserting claims or other rights, including a beneficial interest (directly or indirectly, as principal, agent, counterparty, subrogee, insurer or otherwise) in respect of Bonds subject to the Qualifying Modification, any trustee, any collateral agent, any indenture trustee, any fiscal agent, and any bank that receives or holds funds related to such Bonds. All property of an Issuer for which an order has been entered under paragraph (1)(D) shall vest in the Issuer free and clear of all claims in respect of any Bonds of any other Issuer. Such Qualifying Modification will be full, final, complete, binding, and conclusive as to the territorial government Issuer, other territorial instrumentalities of the territorial government Issuer, and any creditors of such entities, and should not be subject to any collateral attack or other challenge by any such entities in any court or other forum. Other than as provided herein, the foregoing shall not prejudice the rights and claims of any party that insured the Bonds, including the right to assert claims under the Bonds as modified following any payment under the insurance policy, and no claim or right that may be asserted by any party in a capacity other than holder of a Bond affected by the Qualifying Modification shall be satisfied, released, discharged, or enjoined by this provision.

(n) **JUDICIAL REVIEW.**—

(1) The district court for the territory or, for any territory that does not have a district court, the United States District Court for the District of Hawaii shall have original and exclusive jurisdiction over civil actions arising under this section.

(2) Notwithstanding section 106(e), there shall be a cause of action to challenge unlawful application of this section.

(3) The district court shall nullify a Modification and any effects on the rights of the holders of Bonds resulting from such Modification if and only if the district court determines that such Modification is manifestly inconsistent with this section.

SEC. 602. APPLICABLE LAW.

In any judicial proceeding regarding this title, Federal, State, or territorial laws of the United States, as applicable, shall govern and be applied without regard or reference to any law of any international or foreign jurisdiction.

TITLE VII—SENSE OF CONGRESS REGARDING PERMANENT, PRO-GROWTH FISCAL REFORMS

SEC. 701. SENSE OF CONGRESS REGARDING PERMANENT, PRO-GROWTH FISCAL REFORMS.

It is the sense of the Congress that any durable solution for Puerto Rico's fiscal and economic crisis should include permanent, pro-growth fiscal reforms that feature, among other elements, a free flow of capital between possessions of the United States and the rest of the United States.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except

those printed in House Report 114-610. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BISHOP OF UTAH

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-610.

Mr. BISHOP of Utah. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 14, strike "If" and insert "(a) IN GENERAL.—Except as provided in subsection (b), if".

Page 3, after line 20, insert the following:

(b) **UNIFORMITY.**—If a court holds invalid any provision of this Act or the application thereof on the ground that the provision fails to treat similarly situated territories uniformly, then the court shall, in granting a remedy, order that the provision of this Act or the application thereof be extended to any other similarly situated territory, provided that the legislature of that territory adopts a resolution signed by the territory's governor requesting the establishment and organization of a Financial Oversight and Management Board pursuant to section 101.

Page 9, strike lines 24 and 25.

Page 10 strike lines 1 through 7, and insert the following:

(1) **PUERTO RICO.**—A Financial Oversight and Management Board is hereby established for Puerto Rico.

Page 10, line 8, strike "(3)" and insert "(2)".

Page 12, line 22, strike "must" and insert "shall".

Page 14, line 6, insert ", non-overlapping" after "from a separate".

Page 16, lines 15 through 16, strike "September 30, 2016" and insert "September 1, 2016".

Page 16, line 18, strike "December 1, 2016" and insert "September 15, 2016".

Page 19, line 4, strike "subsection" and insert "Act".

Page 20, line 5, insert "and any professionals the Oversight Board determines necessary" after "voting members".

Page 29, line 9, insert "until an order approving the Qualifying Modification has been entered pursuant to section 601(m)(1)(D) of this Act" after "such agreement".

Page 29, strike lines 10 through 18 and insert the following:

(3) **PREEXISTING VOLUNTARY AGREEMENTS.**—Any voluntary agreement that the territorial government or any territorial instrumentality has executed before May 18, 2016, with holders of a majority in amount of Bond Claims that are to be affected by such agreement to restructure such Bond Claims shall be deemed to be in conformance with the requirements of this subsection.

Page 32, line 11, strike "the Government of Puerto Rico" and insert "a covered territory".

Page 34, strike line 19 through page 35, line 3 and insert the following:

(b) FUNDING.—The Oversight Board shall use its powers with respect to the Territory Budget of the covered territory to ensure that sufficient funds are available to cover all expenses of the Oversight Board.

(1) PERMANENT FUNDING.—Within 30 days after the date of enactment of this Act, the territorial government shall designate a dedicated funding source, not subject to subsequent legislative appropriations, sufficient to support the annual expenses of the Oversight Board as determined in the Oversight Board's sole and exclusive discretion.

(2)(A) INITIAL FUNDING.—On the date of establishment of an Oversight Board in accordance with section 101(b) and on the 5th day of each month thereafter, the Governor of the covered territory shall transfer or cause to be transferred the greater of \$2,000,000 or such amount as shall be determined by the Oversight Board pursuant to subsection (a) to a new account established by the territorial government, which shall be available to and subject to the exclusive control of the Oversight Board, without any legislative appropriations of the territorial government.

(B) TERMINATION.—The initial funding requirements under subparagraph (A) shall terminate upon the territorial government designating a dedicated funding source not subject to subsequent legislative appropriations under paragraph (1).

(3) REMISSION OF EXCESS FUNDS.—If the Oversight Board determines in its sole discretion that any funds transferred under this subsection exceed the amounts required for the Oversight Board's operations as established pursuant to subsection (a), any such excess funds shall be periodically remitted to the territorial government.

Page 35, line 15, strike “or on” and insert “, on”.

Page 35, line 15, insert “, or against” after “behalf of”.

Page 35, line 17 and 18, strike “no conflict of interest exists” and insert “the representation complies with the applicable professional rules of conduct governing conflicts of interests”.

Page 60, line 7, insert “(A)” before “During the period”.

Page 60, line 18, strike “reversal” and insert “rescission”.

Page 60, line 19, insert at the end the following:

(B) Upon appointment of the Oversight Board's full membership, the Oversight Board may review, and in its sole discretion, rescind, any law that—

(i) was enacted during the period between, with respect to Puerto Rico, May 4, 2016; or with respect to any other territory, 45 days prior to the establishment of the Oversight Board for such territory, and the date of appointment of all members and the Chair of the Oversight Board; and

(ii) alters pre-existing priorities of creditors in a manner outside the ordinary course of business or inconsistent with the territory's constitution or the laws of the territory as of, in the case of Puerto Rico, May 4, 2016, or with respect to any other territory, 45 days prior to the establishment of the Oversight Board for such territory;

but such rescission shall only be to the extent that the law alters such priorities.

Page 73, strike line 22, and insert “be excluded, and that, for each excluded trust or other legal entity, the court shall, upon the request of any participant or beneficiary of such trust or entity, at any time after the commencement of the case, order the appointment of a separate committee of creditors pursuant to section 1102(a)(2) of title 11, United States Code; and”.

Page 75, line 2, insert at the end the following: “The term ‘trustee’ as described in this paragraph does not mean the U.S. Trustee, an official of the United States Trustee Program, which is a component of the United States Department of Justice.”.

Page 75, line 8, insert “‘Chapter 11,’” after “‘Chapter 9’”.

Page 76, line 22, insert “but” after “for such exercise,”.

Page 76, line 23, strike “, but”.

Page 84, line 23, insert “(1)” before “If the Oversight Board”.

Page 85, after line 2, insert the following:

(2) With respect to paragraph (1), the Oversight Board may consider, among other things—

(A) the resources of the district court to adjudicate a case or proceeding; and

(B) the impact on witnesses who may be called in such a case or proceeding.

Page 88, line 7, strike “IMPAIRED CREDITORS” and insert “CLAIMS”.

Page 88, line 14, insert “claims, which claims are” after “only one class of”.

Page 88, line 21, insert “and does not discriminate unfairly” after “table”.

Page 94, line 10, insert “(29 U.S.C. 215(a)(3))” after “section 15(a)(3)”.

Page 111, line 1, strike “180 days” and insert “one year”.

Page 115, line 24, insert “, which should be analyzed,” after “level of debt”.

Page 116, lines 4 and 5, strike “nor policies that would” and insert “or policies that would not”.

Page 116, line 8, strike “States or local units of government”.

Page 121, lines 7 and 8, strike “, or in the preceding 3 calendar years provided,”.

Page 142, line 2, strike “a preexisting voluntary agreement” and insert “solely with respect to a preexisting voluntary agreement as described in section 104(i)(3) of this Act, such voluntary agreement”.

Page 143, line 16, strike “if—” and insert “if one of the following processes has occurred”.

Page 143, line 17, strike “the Issuer” and insert “CONSULTATION PROCESS.—(A) The Issuer”.

Page 143, line 20, strike “(2)” and insert “(B)”.

Page 144, line 17, insert “and” after the semicolon.

Page 144, line 18, strike “(3)” and insert “(C)”.

Page 144, line 21, strike “; or” and insert a period.

Page 144, lines 22 through 23, strike “(4) notwithstanding paragraphs (1) through (3), the” and insert the following:

(2) VOLUNTARY AGREEMENT PROCESS.—The
Page 145, line 2, insert “and section 601(g)(1)(B)” after “104(i)(2)”.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Utah (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, this is the proverbial manager's amendment. It does have four significant elements that I think people ought to be aware of in this particular amendment.

Thanks to a lot of work from Mr. MACARTHUR and some others, we have an opt-in provision in this piece of legislation for the other territories. However, if a court finding removes the

opt-in provision and finds it to be unconstitutional, it then does have a reverse severability clause that would reinstate the opt-in for other territories so there would not be a constitutional issue.

We do have a funding mechanism in this bill to make sure that the oversight board is up and running properly as we begin. It also has the ability for the oversight board to give them the authority to review and rescind any laws passed by the territory between May 4 and the date of its full appointment of membership if those actions alter the priorities of repayment and move things around in a controversial way.

Finally, and probably most important, the amendment also includes a moving up of the timetable for appointment to the board. This simply says the President will have the appointment of the board up and running by September 15 of this year, and no later than that.

This, I think, has some other technical amendments that truly are technical, but those are four substantive amendments in the manager's amendment that help make this what we intend it to be and get us up and running very quickly.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GRAVES OF MISSOURI

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-610.

Mr. GRAVES of Missouri. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 61, line 4, strike “or”.

Page 61, line 7, strike the period and insert “; or”.

Page 61, after line 7, insert:

(4) preserve and maintain federally funded mass transportation assets.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Missouri (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES of Missouri. Mr. Chairman, I rise today in support of my amendment which ensures federally funded public transportation systems are considered an essential service as Puerto Rico works to address its debt crisis.

Mr. Chairman, public transportation services in Puerto Rico are provided by a fully automated rapid rail line known as Tren Urbano. The system serves 8.5 million customers each year, providing access to three universities, the main

medical center in Puerto Rico, and major financial centers in its capital.

Construction of Tren Urbano was funded by the United States Government through a Federal Transit Administration grant. In fact, of the total \$2.2 billion price tag, over \$800 million came from Federal grants, and another \$300 million came from a TIFIA loan. These are taxpayer investments we cannot let go to waste, and this amendment is simply a fiscally responsible way to make sure that that doesn't happen.

Failure to maintain Puerto Rico's mass transit system would cause Tren Urbano to fall into disrepair. We have seen just how disruptive those problems can be right here in our Nation's Capital. As the chairman of the House Subcommittee on Highways and Transit, I recently held a hearing on the safety and reliability of the Metro system here in D.C. Repairs to the Metro have added to congestion problems in this city, and it has caused an untold amount in lost worker productivity. We do not want to see the same problems in Puerto Rico. We want to make sure that that doesn't happen. We don't want to see those same problems, especially given the economic situation they are facing.

Over the last several years, the Government of Puerto Rico has struggled to pay for Tren Urbano's operations. At times, outstanding debt for operations has exceeded \$20 million. Nevertheless, with the aid of FTA preventive maintenance grants, revenues from passenger fares, and funds from the Puerto Rican Highway and Transportation Authority, Tren Urbano has been able to continue serving the residents of Puerto Rico. It is critical we ensure Tren Urbano is treated as an essential service so that we can protect the hundreds of millions of taxpayer dollars that are already invested in the system.

Mr. Chairman, this doesn't prioritize anything. It doesn't put anything at the top of the list. It just simply says that it is going to be a part of this process, so we do not lose that investment.

Mr. CAPUANO. Will the gentleman yield?

Mr. GRAVES of Missouri. I yield to the gentleman from Massachusetts.

Mr. CAPUANO. Mr. Chairman, I thank the gentleman for yielding.

I want to step up and basically add my name to this and my support and say it is a good amendment. It should pass.

Mr. BISHOP of Utah. Will the gentleman yield?

Mr. GRAVES of Missouri. I yield to the gentleman from Utah.

Mr. BISHOP of Utah. Mr. Chairman, I also want to support this amendment. Everything is fine with me too.

Mr. GRAVES of Missouri. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES). The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. JOLLY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-610.

Mr. JOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 114, line 11, insert “; reduce child poverty,” before “and attract”.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Florida (Mr. JOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. JOLLY. Mr. Chairman, section 409 of this very important legislation creates a congressional task force on economic growth in Puerto Rico. The intent of the task force is to study barriers to economic growth, report back to Congress on changes in Federal law that would spur long-term, sustainable economic growth, job creation, and also attract investment in Puerto Rico. However, in my opinion, the section could be improved by also studying the impact and recommended changes on child poverty on the island of Puerto Rico.

Nearly 60 percent of children under 18 live below the poverty level in Puerto Rico, and roughly 80 percent live in high poverty areas. That is in comparison to only 11 percent who live in high poverty areas here in the continental United States.

This very simple amendment would add to the requirements of the congressional task force that they report back on recommended changes to address and reduce child poverty in the territory.

This amendment has been endorsed by an organization of roughly 600 national and local religious bodies, including the U.S. Conference of Catholic Bishops, the United Methodist Church, the Presbyterian Church U.S.A., Catholic Charities, the Union for Reform Judaism.

Additionally, on Tuesday of this week, San Juan Archbishop Roberto Gonzalez Nieves called on Congress to specifically address child poverty in this bill.

Much of the debate has centered around balancing the interests and needs of bondholders and lenders with those of pensioners. I would ask that this body also consider the impact on the least among us. We are all called to serve each other.

This is an opportunity for this body to reflect not just the vision of our Founders, but the calling of our Creator in doing so. These children are

American citizens. Their plight deserves our explicit attention.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I ask unanimous consent to claim the time in opposition to this amendment, although I am not opposed to the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI), the commissioner from Puerto Rico.

Mr. PIERLUISI. Mr. Chairman, I thank Congressman GRIJALVA.

I rise to support this thoughtful amendment and to thank its authors, Congressman JOLLY and Congressman CURBELO, both from Florida.

Florida is home to over 1 million individuals of Puerto Rican birth or descent, and will soon pass New York as the State with the largest Puerto Rican population. Many of the Puerto Rican families in Florida are recent arrivals, having relocated from Puerto Rico to the Sunshine State in search of the equality and economic opportunity that they lack on the island.

□ 1715

I also want to thank the organization Jubilee USA, which has been a constructive player in the debate over PROMESA.

This amendment requires the Congressional Task Force on Economic Growth in Puerto Rico, created by section 409 of the bill, to report on recommended changes to Federal policy that would reduce child poverty in Puerto Rico.

I do not want to prejudice the work of the task force, so I will simply say this: poverty in Puerto Rico, including child poverty, is far higher than in any State in the Nation, and it has been far higher for as long as statistics have been available. This demonstrates that the problem is structural in nature. It is rooted in the unequal treatment that Puerto Rico receives under key Federal antipoverty programs, which is only permissible because Puerto Rico is a territory rather than a State. To reduce poverty, we must end unequal treatment, and to end unequal treatment, Puerto Rico must discard its territory status in favor of statehood or nationhood.

Mr. JOLLY. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I yield 1 minute to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chair, I was not planning to speak, but when I heard

Bishop Gonzalez' name mentioned, I had to say something because he was my parish priest at two different parishes in the Bronx. I know of his work, and if he wants this discussed, then it is something I should rise to and support. He always cared about child poverty in the Bronx when he was my parish priest. Now, as I tell him he is a big shot in Puerto Rico, he is still doing the right thing by God's work.

Mr. JOLLY. Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, in closing, let me thank and commend the gentleman from Florida for this very good amendment. I think it dovetails with the rest of the legislation very well as the gentleman addresses some of the indices in Puerto Rico that require attention—the challenges around poverty that the Puerto Rican people are facing. It is not often in this Chamber that we talk about poverty. The gentleman is to be commended, and I support the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. JOLLY. Mr. Chair, in closing, I urge my colleagues to support this very important amendment.

Do the right thing for the very least among us—those children on the island who are facing significant challenges of poverty—so that we, as a body, might respond better to the right policies that address their very real needs. I urge the passage of this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. JOLLY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-610.

Mr. BYRNE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 115, line 20, strike "The" and insert "Not later than 18 months after the date of the enactment of this Act, the".

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chair, I thank Chairman BISHOP for his leadership on this issue. This has not been an easy task, but he has provided great leadership, and I appreciate it.

I also thank Mr. GRAVES of Louisiana and Mr. POLIS for their amendment at the committee level, which requires a report from the Government Accountability Office that outlines how Puerto Rico reached this point of fiscal insolvency.

My amendment is very straightforward. It would simply set a deadline for the GAO to submit this report within 18 months of the enactment of this bill. Mr. GRAVES and Mr. POLIS are cosponsors of my amendment, and they agree that setting a deadline is important.

We must figure out how Puerto Rico got to this point in order to avoid another territory's finding itself in a similar position at some point down the road. I believe having this report and receiving it in a timely manner will, hopefully, go a long way towards preventing a similar situation in the future. This amendment is about accountability, and I urge its adoption.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-610.

Mr. BYRNE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 116, after line 10, insert the following:

SEC. 411. REPORT ON TERRITORIAL DEBT.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, and thereafter not less than once every two years, the Comptroller General of the United States shall submit to Congress a report on the public debt of each territory, including—

(1) the historical levels of each territory's public debt, current amount and composition of each territory's public debt, and future projections of each territory's public debt;

(2) the historical levels of each territory's revenue, current amount and composition of each territory's revenue; and

(3) the drivers and composition of each territory's public debt;

(4) the effect of Federal laws, mandates, rules, and regulations on each territory's public debt; and

(5) the ability of each territory to repay its public debt.

(b) MATERIALS.—The government of each territory shall make available to the Comptroller General of the United States all materials necessary to carry out this section.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chair, as we have heard over and over again today, this Congress has plenary authority over our territories. Over the course of the last century, this body has rightly delegated this power to provide for home rule for our territories. However, it is abundantly clear that this delegation

of power has resulted in no oversight by the Federal Government over the debts that our territories are running up.

In this particular case, out of the blue, we have been told by the United States Treasury that it is our constitutional responsibility to do something to save a territory from years of its own fiscal irresponsibility. For years, the entire Federal Government was, essentially, asleep at the wheel as one of our territories ran up huge, unsustainable debts until the day arose when the territory could no longer pay.

Mr. Chair, I have absolutely no interest in interfering with the home rule of our territories. However, delegated authority can be abused. If we have a constitutional responsibility to intervene to prevent territorial insolvency, we certainly should exercise at least minimal oversight into the large debts that some of our territories are running up.

My amendment is simple. It requires a biennial report to Congress on the debt of each territory, the drivers of each territory's debt, the effect of Federal policy on each territory's debt, and the ability of each territory to repay its debt. This will help us provide that minimal oversight.

Unfortunately, Mr. Chair, the very agency that is coming to Congress and asking us to help Puerto Rico—the United States Treasury—has refused to provide this report to Congress, claiming it lacks resources. Let's be clear. The Department of the Treasury was appropriated \$11.9 billion for this fiscal year, and they claim a lack of resources to put together a simple report on five tiny territories. That is astonishing. It is also irresponsible.

In response to the Department of the Treasury, I offered a compromise. I would take one Treasury report on territorial debt if the Treasury would simply agree to monitor and advise us of what is going on with these territorial governments and what we should do to prevent insolvency.

According to the Treasury, this was even worse. It would represent an unprecedented expansion into the finances and solvency of a U.S. subsovereign. Apparently, this administration doesn't like the Territories Clause of the Constitution unless it is being used at the very last minute to save Puerto Rico.

I don't blame Puerto Rico for this. I blame the United States Treasury for this. If the United States Treasury is unwilling to do its job, I have changed the text of my amendment to require the GAO to put together this biennial report, and I look forward to seeing its results.

Last night, Mr. Chair, in the Rules Committee meeting, we heard testimony from the representatives of two other territories, who told us that they are concerned that their territories are sliding in the same direction as Puerto

Rico's while the Treasury Department sleeps. Since the Treasury Department won't take responsibility and do its job, we are going to do our job through the GAO.

I hope my colleagues will join me in doing something to fix this problem before another crisis is upon us. Perhaps, then, we can even get the Treasury and the rest of the Federal Government to wake up. If they don't, I will have a lot less sympathy the next time they come asking for our help.

Mr. Chair, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chair, this amendment requires the GAO to submit reports every 2 years to the Congress about the public debt and about the ability to pay that debt of all U.S. territories. While the debt crisis in Puerto Rico is, indeed, serious and real, there is no indication that any other territory faces a similar crisis.

The base bill already includes reporting requirements. Requiring more reporting to cover the territories is unwarranted as well as being a waste of the GAO's limited time to provide more important reports to Congress.

A number of States and localities on the mainland face much more precarious budget situations than do the other territories. We don't need any more focus on U.S. territories when there is no reason to believe such onerous reporting is really required or justified.

Mr. Chair, I reserve the balance of my time.

Mr. BYRNE. Mr. Chair, I yield 2 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chair, there is an old line from the play "1776," when Stephen Hopkins says:

Mr. Chair, I have never seen, heard, or smelled an issue so dangerous it couldn't be talked about. Hell, yes. I am for debating anything.

This is one of those situations in which you have never seen, heard, or smelled anything that shouldn't be studied. The information could be vital, and it could be helpful. For that, I endorse and support this amendment.

Mr. GRIJALVA. Mr. Chair, I reserve the balance of my time.

Mr. BYRNE. Mr. Chair, I listened to the gentleman's comments, and I have to tell you, if there is enough in this bill for the reporting, why did the Treasury not say that to us? They didn't say that to us because they know there needs to be a report done. They just don't want to take the responsibility for doing it.

I think this amendment is definitely necessary for us to make sure we are doing our job in exercising our constitutional responsibility.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chair, I reserve the balance of my time.

Mr. BYRNE. Mr. Chair, I didn't know anything about this, and the vast majority of the Members didn't know anything about this problem before it was thrust upon us over the last several weeks.

The irresponsibility of the Treasury Department in not giving this information to us months ago when they knew it was happening or when they should have known it was happening underscores the need for this. I am putting it on the GAO in this particular amendment, but in the years to come, we need to expect the Treasury to do its job, because it has failed to do so in this circumstance.

I ask the House to adopt my amendment.

Mr. Chair, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chair, a recent report from the U.S. Public Interest Research Group Education Fund rated all 50 States on whether they made transparent budget and spending information available to the public. My own State of Arizona received a grade of a B, so we have some work to do there. The State of Alabama, however, received the grade of a D, placing it fourth from the bottom of all States.

From that, it seems clear, if our goal is budget and spending transparency, perhaps our focus should be on our States on the mainland and not on the territories, because that seems to be where there is a verifiable problem.

This amendment is unwarranted, and it does not need to be included in the legislation.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. DUFFY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-610.

Mr. DUFFY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 116, after line 10, insert the following:
SEC. 411. EXPANSION OF HUBZONES IN PUERTO RICO.

(a) IN GENERAL.—

(1) Section 3(p)(4)(A) of the Small Business Act (15 U.S.C. 632(p)(4)(A)) is amended to read as follows:

“(A) QUALIFIED CENSUS TRACT.—

“(i) IN GENERAL.—The term ‘qualified census tract’ has the meaning given that term in section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986.

“(ii) EXCEPTION.—For any metropolitan statistical area in the Commonwealth of Puerto Rico, the term ‘qualified census tract’ has the meaning given that term in

section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986 as applied without regard to subclause (II) of such section, except that this clause shall only apply—

“(I) 10 years after the date that the Administrator implements this clause, or

“(II) the date on which the Financial Oversight and Management Board for the Commonwealth of Puerto Rico created by the Puerto Rico Oversight, Management, and Economic Stability Act ceases to exist, whichever event occurs first.”.

(2) REGULATIONS.—The Administrator of the Small Business Administration shall issue regulations to implement the amendment made by paragraph (1) not later than 90 days after the date of the enactment of this Act.

(b) IMPROVING OVERSIGHT.—

(1) GUIDANCE.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Small Business Administration shall develop and implement criteria and guidance on using a risk-based approach to requesting and verifying information from entities applying to be designated or recertified as qualified HUBZone small business concerns (as defined in section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5))).

(2) ASSESSMENT.—Not later 1 year after the date on which the criteria and guidance described in paragraph (1) is implemented, the Comptroller General of the United States shall begin an assessment of such criteria and guidance. Not later than 6 months after beginning such an assessment, the Comptroller General shall submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that includes—

(A) an assessment of the criteria and guidance issued by the Administrator of the Small Business Administration in accordance with paragraph (1);

(B) an assessment of the implementation of the criteria and guidance issued by issued by the Administrator of the Small Business Administration in accordance with paragraph (1);

(C) an assessment as to whether these measures have successfully ensured that only qualified HUBZone small business concerns are participating in the HUBZone program under section 31 of the Small Business Act (15 U.S.C. 657a);

(D) an assessment as to whether the reforms made by the criteria and guidance implemented under paragraph (1) have resulted in job creation in the Commonwealth of Puerto Rico; and

(E) recommendations on how to improve controls in the HUBZone program.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from Wisconsin (Mr. DUFFY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. DUFFY. Mr. Chair, the Puerto Rico unemployment rate is double the national average. Nearly one in every two residents lives below the poverty line. Economic growth is in the negative. We have heard about that all day today. Now, PROMESA will stop the bleeding, but there isn't an easy solution to jump-start the economy. We have a down payment in a commission, but this is, I think, a real step in the

direction of trying to kick-start economic growth.

My amendment, with my colleague from Puerto Rico (Mr. PIERLUISI), will provide modest assistance to Puerto Rico by removing an impediment to the Small Business Administration's HUBZone program that limits the number of businesses on the island that are eligible for the program.

This idea was brought to me by my friend Jaime Perello, the speaker of the Legislative Assembly of Puerto Rico, and it is a good one. What does it do? The HUBZone program is a small business, Federal contracting assistance program, whose primary objective is job creation and increasing capital investment in distressed communities.

□ 1730

Now, there is a 20 percent cap. So that 20 percent cap for this program might not affect Minneapolis or Chicago or Milwaukee because you don't even have 20 percent of the communities that are distressed.

However, in Puerto Rico you have far more than 20 percent of the communities that are distressed. You have 80 percent of them that are distressed. So by removing this cap, you have a larger part of the community that qualifies to access this program.

This is, I think, a very good solution and downpayment on economic growth and investment in Puerto Rico. Not only that, but there have been some noted problems with the program. GAO has made some recommendations. We have solidified those recommendations in this bill not just for Puerto Rico, but for the Nation as a whole to make sure there are better checks and balances in the HUBZone program.

I reserve the balance of my time.

Mr. CHABOT. Mr. Chair, I claim time in opposition.

The Acting CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. CHABOT. Mr. Chairman, I rise reluctantly in opposition to the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The House Small Business Committee that I happen to chair has jurisdiction over the SBA's HUBZone program. Our committee has not yet had the opportunity to have oversight hearings on the program during this session, and I don't believe it would be prudent to adopt this amendment until the committee has had the opportunity to perform its due diligence.

In discussions with interested parties during the development of this legislation, I suggested language that would require the GAO to issue a report on Small Business Administration programs in Puerto Rico, including contract activities relating to HUBZone small businesses concerns. That language is contained in the underlying text. That report, coupled with committee oversight work, I believe, will

ensure that what Congress ultimately does will, in fact, help Puerto Rico's small businesses.

I reserve the balance of my time.

Mr. DUFFY. Mr. Chair, I yield 2½ minutes to the gentleman from Puerto Rico (Mr. PIERLUISI).

Mr. PIERLUISI. Mr. Chairman, I want to begin by thanking Congressman DUFFY for his outstanding work on this bill and on this particular amendment. I also want to thank Congressman DON YOUNG, a steadfast champion for fair treatment for Puerto Rico who is also a cosponsor of this amendment.

The primary purpose of this amendment is to increase small business activity and promote job creation in Puerto Rico.

The HUBZone program supports economically distressed communities throughout the Nation. If the poverty rate or median income in a census tract meets a certain threshold, it is designated as a qualified census tract. Small businesses located in a qualified census tract can compete for Federal contracts with preference, assuming they meet all other criteria established by law.

However, there is a statutory cap which prevents the combined population of the qualified census tracts within a metropolitan statistical area from exceeding 20 percent of the total population of that area. Although the cap applies nationwide, it has a uniquely negative impact in Puerto Rico. Small firms located in over 60 municipalities in Puerto Rico cannot take advantage of the HUBZone program solely because of the cap. No other U.S. State or territory comes anywhere close to being as adversely affected by the cap as Puerto Rico.

To promote economic development in Puerto Rico, which is absolutely essential if the territory is going to prosper, our amendment would remove the cap for Puerto Rico for 10 years or until the independent oversight board established by the legislation terminates, whichever occurs first. Based on the best available statistics, this amendment ensures that small firms located in over 80 percent of the census tracts in Puerto Rico may be eligible to compete with preference for Federal contracts, which should create additional employment opportunities on the island. The amendment will only extend the HUBZone programs to those census tracts in Puerto Rico that would have qualified for the program in the absence of the cap. So it does not constitute an unwarranted expansion of the HUBZone program.

I urge my colleagues to vote "yes" on this amendment.

Mr. DUFFY. Mr. Chair, who has the right to close?

The Acting CHAIR. The gentleman from Ohio has the right to close.

Mr. DUFFY. Mr. Chair, I appreciate the comments by Chairman CHABOT,

and I would just note that I know his committee hasn't had oversight hearings on this issue. The GAO has done extensive studies, and the Small Business Administration has not implemented those recommendations. I think the most salient recommendations made by the GAO have been included in this bill and go a long way to improving the program, but if we are going to fix Puerto Rico, debt restructuring is imperative.

This oversight board is key, but we need economic growth. And I think this is the right downpayment to help kick-start some economic growth on the island, that the people in Puerto Rico know that we understand that. And we are taking one small step today to show that we are going to help them get from that 20 percent cap to allow 80 percent of the island to access this HUBZone program because we care about growth, we care about opportunity, and we care about jobs on the island.

Mr. Chair, I yield back the balance of my time.

Mr. CHABOT. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. DUFFY).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. SERRANO

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-610.

Mr. SERRANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title IV, insert the following:

SEC. 411. DETERMINATION ON DEBT.

Nothing in this Act shall be interpreted to restrict—

(1) the ability of the Puerto Rico Commission for the Comprehensive Audit of the Public Credit to file its reports; or

(2) the review and consideration of the Puerto Rico Commission's findings by Puerto Rico's government or an Oversight Board for Puerto Rico established under section 101.

The Acting CHAIR. Pursuant to House Resolution 770, the gentleman from New York (Mr. SERRANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. SERRANO. Mr. Chairman, this amendment offered by Ms. VELÁZQUEZ and myself would help clarify that this legislation would not impact the work being done by the Puerto Rico Commission for the Comprehensive Audit of the Public Credit.

This entity, set up by Puerto Rico's Government, is in the process of examining the massive debt that has been accrued by the territory. In a preliminary report, the commission recently found that a small portion of the debt

may have been illegally issued by the government of Puerto Rico, and they need to further examine the issue and its implications.

This amendment simply preserves the ability of this commission to continue their work and for either the government or the oversight board to review and consider any findings that the commission might have. The work being done by the commission could significantly assist both the oversight board and the Puerto Rican Government as the island tries to get back on its feet.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Chair, I claim time in opposition, even though I am not opposed to this particular amendment.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. BISHOP of Utah. Mr. Chair, I want to make it very clear that this particular amendment does not override the authority of the oversight board. But because of that, I do support the amendment, and I urge its adoption.

I yield back the balance of my time.

Mr. SERRANO. Mr. Chair, I yield 3 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), my sister from Yabucoa, Puerto Rico.

Ms. VELÁZQUEZ. Mr. Chair, I represent New York's Seventh Congressional District.

I rise in strong support of the Serrano-Velázquez amendment. Throughout the course of this entire saga, it has become increasingly clear that Puerto Rico's debt is not fully understood. The island has issued 18 different classes of debt—from general obligation to COFINA, to GDB, to utility bonds. Various local and State laws are involved, and the result is a web of confusion.

To address this, the Puerto Rico Commission for the Comprehensive Audit of the Public Credit was created to examine all of the island's debt, something that is very much needed. The audit will not only inform the people of Puerto Rico, but also, in many ways, will assist the oversight board in carrying out its mission. Analyzing and assessing all of the island's \$70 billion in debt is long overdue.

Recently, the commission released a preliminary report finding that a small, yet significant, amount of the debt may have violated the island's constitution. Such a finding is meaningful and could have ramifications for this legislation's implementation.

Our amendment ensures that the underlying bill will not prevent the commission from finishing its important work while also allowing the local government and the oversight board to consider these findings if they so chose.

In summary, this amendment would allow for much-needed sunlight to be

shown on the island's financial situation.

I urge Members to support this amendment.

Mr. SERRANO. Mr. Chair, I urge everyone to vote for the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. SERRANO).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. TORRES

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-610.

Mrs. TORRES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 403 (and redesignate succeeding sections and conform the table of contents accordingly).

The Acting CHAIR. Pursuant to House Resolution 770, the gentlewoman from California (Mrs. TORRES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. TORRES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill, as it is currently written, allows the minimum wage for workers 25 years and under to be lowered to abysmal \$4.25 for 4 years for as long as the oversight board is in place. It also fails to specify whether this reduction is limited to one 4-year period or if the request can be made over and over again, essentially keeping the lower wage indefinitely.

My amendment would strip this provision from the bill. In today's dollars, American workers haven't had a minimum wage this low since the 1940s. The young men and women of Puerto Rico are American citizens, and they don't deserve to be treated like second-class workers.

These aren't high school students with summer jobs. They are young people setting off on their careers, many of them struggling to pay off student loan debt and become self-sufficient. Lowering the wage only adds insult to injury and sends the wrong statement about whether we value Puerto Ricans as equal Americans.

The island is already experiencing a mass exodus of young people. Lowering wages will only make more young people want to leave, having a detrimental impact on Puerto Rico's current and future workforce, its tax base, and its ability to pay off its debt, ultimately digging them into a deeper hole.

If we want to help Puerto Rico overcome this current crisis, we need to make sure the island is a place where young people can see a future for themselves, start a family, and work to grow a business, not a place that devalues their work and their contributions.

The minimum wage provision in this bill is bad for these young workers and is bad for Puerto Rico.

I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROE of Tennessee. Mr. Chair, I respectfully rise in opposition to the amendment by my colleague from California because this is exactly the kind of thinking that led Puerto Rico into the fiscal situation in which they now find themselves.

As we all know, one thing that would help address Puerto Rico's fiscal crisis is a stronger, more vibrant local economy. That is why this legislation includes a number of provisions aimed at helping local businesses expand and hire new workers. This amendment would strike an entire provision from the bill, a provision that is pro-growth and aimed at revitalizing local businesses and the Puerto Rican economy as a whole.

Section 403 is a provision that will make it easier for young workers to find jobs and start their careers. The legislation gives the Governor of Puerto Rico the authority, subject to the approval of the oversight board, to adjust the minimum wage for new workers under the age of 25. Current law already allows employers to offer what is known as a youth opportunity wage for up to 90 days. This legislation simply extends the time period in Puerto Rico to 4 years, an idea that was first recommended in 2012 by the Federal Reserve Bank of New York, which noted then that younger workers were "in danger of becoming disconnected from the labor market."

This recommended change will support economic growth and provide more job opportunities for the local workforce, particularly younger workers and workers with fewer skills. These are commonsense policies that will help address Puerto Rico's fiscal crisis by supporting a stronger, more prosperous local economy.

For these reasons, I urge my colleagues to oppose this amendment and support the underlying legislation.

I yield back the balance of my time.

Mrs. TORRES. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. GRAYSON).

□ 1745

Mr. GRAYSON. Mr. Chairman, we are talking about a minimum wage of \$4.25 an hour. That is less than \$700 per month. Tell me how anybody can survive anywhere on the island of Puerto Rico on less than \$700 a month. It simply isn't possible. The cost of living in San Juan is no lower than it is in Orlando, or much of the mainland for that matter.

I don't know where you can even find a one-bedroom apartment for \$700 a month that would be worth living in. I don't know how you can pay for lunch and dinner and breakfast for \$700 a month. I don't know how you can find health coverage for \$700 a month. I don't know how you can find transportation to get to that job for \$700 a month. I just don't get it. Any one of these things would be enough to break the budget and put you into bankruptcy if you are only making \$700 a month, and that is before you even have to pay taxes.

What we are doing is we are taking a Spanish-speaking population, 3.5 million of them, and we are condemning them to low wages to the point where 45-year-old men will lose their jobs to 20-year-old sons because the 20-year-old sons are forced to work for only \$4.25.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. TORRES. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. GRAYSON. This is the lesson that we are teaching those young men and women who we are supposedly trying to help. The lesson is this: hop on an airplane from San Juan to my district in Orlando for \$168, and you can get a 70 percent increase in your wages because that is what the difference is already under current law between what you are talking about, a \$4.25 hourly wage and \$7.25 that you can earn legally—it is actually more than that under State law—in Orlando. That is not teaching people how to work. It is teaching people to disrespect work.

Mrs. TORRES. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentlewoman has 1½ minutes remaining.

Mrs. TORRES. Mr. Chairman, someone living in Puerto Rico needs to make \$9.25 an hour to afford a one-bedroom apartment. If the wage is lowered to \$4.25, not even two earners could afford to live there.

Mr. Chairman, there is no question that Puerto Rico will need to make sacrifices, but it can't do so on the backs of its young workforce, American citizens. This provision does not fix Puerto Rico's problems, and in the long run, it makes them worse.

I urge my colleagues to support my amendment so that Puerto Rico's recovery doesn't come at the expense of young, hardworking Americans.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. TORRES).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

RECORDED VOTE

Mrs. TORRES. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 225, not voting 13, as follows:

[Roll No. 287]

AYES—196

Adams	Fudge	Murphy (FL)
Aguilar	Gabbard	Nadler
Ashford	Gallego	Napolitano
Bass	Garamendi	Neal
Beatty	Gibson	Nolan
Becerra	Graham	Norcross
Bera	Grayson	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Pascarella
Blumenauer	Grijalva	Pelosi
Bonamici	Gutiérrez	Perlmutter
Bost	Hahn	Peters
Boyle, Brendan	Hanna	Peterson
F.	Hastings	Pingree
Brady (PA)	Heck (WA)	Pocan
Brown (FL)	Higgins	Polis
Brownley (CA)	Himes	Price (NC)
Bustos	Honda	Quigley
Butterfield	Hoyer	Rangel
Capps	Huffman	Reed
Capuano	Israel	Rice (NY)
Cárdenas	Jackson Lee	Richmond
Carney	Jeffries	Ros-Lehtinen
Carson (IN)	Johnson (GA)	Roybal-Allard
Cartwright	Johnson, E. B.	Ruiz
Castor (FL)	Jolly	Ruppersberger
Castro (TX)	Joyce	Rush
Chu, Judy	Kaptur	Ryan (OH)
Cicilline	Katko	Sánchez, Linda
Clark (MA)	Keating	T.
Clarke (NY)	Kelly (IL)	Sanchez, Loretta
Cleaver	Kennedy	Sarbanes
Clyburn	Kildee	Schakowsky
Cohen	Kilmer	Schiff
Connolly	Kind	Schrader
Conyers	Kirkpatrick	Scott (VA)
Cooper	Kuster	Scott, David
Costa	Langevin	Serrano
Costello (PA)	Larsen (WA)	Sewell (AL)
Courtney	Larson (CT)	Sherman
Crowley	Lawrence	Sinema
Cuellar	Lee	Slaughter
Cummings	Levin	Smith (NJ)
Davis (CA)	Lewis	Smith (WA)
Davis, Danny	Lipinski	Speier
DeFazio	LoBiondo	Swalwell (CA)
DeGette	Loebback	Takano
Delaney	Lofgren	Thompson (CA)
DeLauro	Lowenthal	Thompson (MS)
DelBene	Lowe	Titus
DeSaulnier	Lujan Grisham	Tonko
Deutch	(NM)	Torres
Dingell	Luján, Ben Ray	Tsongas
Doggett	(NM)	Van Hollen
Dold	Lynch	Vargas
Donovan	Maloney,	Veasey
Doyle, Michael	Carolyn	Vela
F.	Maloney, Sean	Velázquez
Duckworth	Matsui	Visclosky
Edwards	McCollum	Walz
Ellison	McDermott	Wasserman
Engel	McGovern	Schultz
Eshoo	McNerney	Waters, Maxine
Esty	Meehan	Watson Coleman
Fattah	Meeks	Welch
Fitzpatrick	Meng	Wilson (FL)
Foster	Moore	Yarmuth
Frankel (FL)	Moulton	

NOES—225

Abraham	Brat	Collins (GA)
Aderholt	Bridenstine	Collins (NY)
Allen	Brooks (AL)	Comstock
Amash	Brooks (IN)	Conaway
Amodei	Buchanan	Cook
Babin	Buck	Cramer
Barr	Bucshon	Crawford
Barton	Burgess	Crenshaw
Benishek	Byrne	Culberson
Bilirakis	Calvert	Curbelo (FL)
Bishop (MI)	Carter (GA)	Davidson
Bishop (UT)	Carter (TX)	Davis, Rodney
Black	Chabot	Denham
Blackburn	Chaffetz	Dent
Blum	Clawson (FL)	DeSantis
Boustany	Coffman	DesJarlais
Brady (TX)	Cole	Diaz-Balart

Duffy	Lamborn	Rokita
Duncan (SC)	Lance	Rooney (FL)
Duncan (TN)	Latta	Roskam
Ellmers (NC)	Long	Ross
Emmer (MN)	Loudermilk	Rothfus
Farenthold	Love	Rouzer
Fleischmann	Lucas	Royce
Fleming	Lummis	Russell
Flores	MacArthur	Salmon
Forbes	Marchant	Sanford
Fortenberry	Marino	Scalise
Fox	Massie	Schweikert
Frelinghuysen	McCarthy	Scott, Austin
Garrett	McCaul	Sensenbrenner
Gibbs	McClintock	Sessions
Gohmert	McHenry	Shimkus
Goodlatte	McKinley	Shuster
Gosar	McMorris	Simpson
Gowdy	Rodgers	Smith (MO)
Granger	McSally	Smith (NE)
Graves (GA)	Meadows	Smith (TX)
Graves (LA)	Messer	Stefanik
Graves (MO)	Mica	Stewart
Griffith	Miller (FL)	Stivers
Grothman	Miller (MI)	Stutzman
Guinta	Moolenaar	Thompson (PA)
Guthrie	Mooney (WV)	Thornberry
Harper	Mullin	Tiberi
Harris	Mulvaney	Tipton
Hartzler	Murphy (PA)	Trott
Heck (NV)	Neugebauer	Turner
Hensarling	Newhouse	Upton
Hice, Jody B.	Noem	Valadao
Hill	Nugent	Wagner
Holding	Nunes	Walberg
Hudson	Olson	Walden
Huelskamp	Palazzo	Walker
Huizenga (MI)	Palmer	Walorski
Hultgren	Paulsen	Walters, Mimi
Hunter	Pearce	Weber (TX)
Hurd (TX)	Perry	Webster (FL)
Hurt (VA)	Pittenger	Wenstrup
Issa	Pitts	Westerman
Jenkins (KS)	Poe (TX)	Westmoreland
Jenkins (WV)	Poliquin	Whitfield
Johnson (OH)	Pompeo	Williams
Johnson, Sam	Posey	Wilson (SC)
Jones	Price, Tom	Wittman
Jordan	Ratcliffe	Womack
Kelly (MS)	Reichert	Woodall
Kelly (PA)	Renacci	Yoder
King (IA)	Ribble	Yoho
King (NY)	Rice (SC)	Young (AK)
Kinzinger (IL)	Rigell	Young (IA)
Kline	Roby	Young (IN)
Knight	Roe (TN)	Zeldin
Labrador	Rogers (AL)	Zinke
LaHood	Rogers (KY)	
LaMalfa	Rohrabacher	

NOT VOTING—13

Barletta	Hardy	Payne
Clay	Herrera Beutler	Sires
Farr	Hinojosa	Takai
Fincher	Lieu, Ted	
Franks (AZ)	Luetkemeyer	

□ 1811

Messrs. AUSTIN SCOTT of Georgia, NUGENT, and Ms. GRANGER changed their vote from “aye” to “no.”

Mr. NOLAN changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of the substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DOLD) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5278) to establish an

Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes, and, pursuant to House Resolution 770, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on adoption of the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BISHOP of Utah. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 297, noes 127, not voting 11, as follows:

[Roll No. 288]

AYES—297

Adams	Clark (MA)	Dold
Aguilar	Clarke (NY)	Donovan
Amodi	Clay	Doyle, Michael
Barton	Cleaver	F.
Bass	Clyburn	Duckworth
Beatty	Coffman	Duffy
Benishek	Cohen	Duncan (TN)
Bera	Cole	Edwards
Beyer	Collins (GA)	Ellison
Bishop (GA)	Collins (NY)	Engel
Bishop (MI)	Comstock	Eshoo
Bishop (UT)	Conaway	Esty
Blumenauer	Connolly	Fitzpatrick
Bonamici	Conyers	Fortenberry
Bost	Cooper	Foster
Brady (TX)	Costa	Foxx
Brooks (IN)	Costello (PA)	Frankel (FL)
Brown (FL)	Courtney	Frelinghuysen
Brownley (CA)	Cramer	Gabbard
Buchanan	Crenshaw	Galleo
Bucshon	Crowley	Garamendi
Bustos	Cuellar	Garrett
Butterfield	Culberson	Gibbs
Byrne	Cummings	Graham
Calvert	Curbelo (FL)	Granger
Capps	Davis (CA)	Graves (GA)
Capuano	DeFazio	Graves (LA)
Cárdenas	DeGette	Graves (MO)
Carney	Delaney	Grayson
Carson (IN)	DeLauro	Green, Al
Carter (GA)	DelBene	Green, Gene
Cartwright	Denham	Griffith
Castor (FL)	Dent	Grijalva
Castro (TX)	DeSaulnier	Grothman
Chabot	Deutch	Guthrie
Chaffetz	Diaz-Balart	Hahn
Chu, Judy	Dingell	Hanna
Ciçilline	Doggett	Harper

Harris	Matsui	Scalise
Heck (WA)	McCarthy	Schiff
Hensarling	McCaul	Schrader
Higgins	McCollum	Schweikert
Hill	McDermott	Scott (VA)
Himes	McGovern	Scott, Austin
Honda	McHenry	Scott, David
Hoyer	McKinley	Sensenbrenner
Huffman	McNerney	Serrano
Huizenga (MI)	McSally	Sessions
Hunter	Meeks	Sewell (AL)
Hurd (TX)	Meng	Sherman
Hurt (VA)	Moolenaar	Shimkus
Israel	Moore	Simpson
Jackson Lee	Moulton	Sinema
Jeffries	Murphy (FL)	Slaughter
Jenkins (KS)	Murphy (PA)	Smith (NE)
Johnson (GA)	Nadler	Smith (NJ)
Johnson (OH)	Napolitano	Smith (WA)
Johnson, E. B.	Neal	Stefanik
Jolly	Noem	Stewart
Kaptur	Nugent	Stivers
Katko	Nunes	Stutzman
Keating	O'Rourke	Swalwell (CA)
Kelly (IL)	Pallone	Takano
Kennedy	Pascarell	Thompson (CA)
Kildee	Paulsen	Thompson (MS)
Kilmer	Pelosi	Thompson (PA)
Kind	Perlmutter	Thornberry
King (NY)	Peters	Tipton
Kinzinger (IL)	Pingree	Titus
Kirkpatrick	Pittenger	Tonko
Kline	Pitts	Trott
Kuster	Pocan	Tsongas
Labrador	Polis	Turner
LaHood	Posey	Upton
LaMalfa	Price (NC)	Valadao
Langevin	Price, Tom	Van Hollen
Larsen (WA)	Quigley	Veasey
Larson (CT)	Rangel	Velázquez
Latta	Reichert	Visclosky
Lawrence	Ribble	Wagner
Lee	Rice (NY)	Walden
Levin	Rice (SC)	Walker
Lewis	Roby	Walorski
Lipinski	Roe (TN)	Walters, Mimi
Loeb sack	Rogers (KY)	Watson Coleman
Lofgren	Rokita	Webster (FL)
Loudermilk	Ros-Lehtinen	Welch
Love	Roskam	Wenstrup
Lowenthal	Ross	Westerman
Lowe y	Rothfus	Whitfield
Lucas	Roybal-Allard	Williams
Lujan Grisham	Royce	Wilson (FL)
(NM)	Ruiz	Wilson (SC)
Luján, Ben Ray	Ruppersberger	Womack
(NM)	Russell	Woodall
Lum mis	Ryan (WI)	Yarmuth
MacArthur	Salmon	Young (AK)
Maloney,	Sánchez, Linda	Young (IA)
Carolyn	T.	Young (IN)
Maloney, Sean	Sanchez, Loretta	Zinke
Marchant	Sarbanes	

NOES—127

Abraham	Duncan (SC)	Jordan
Aderholt	Ellmers (NC)	Joyce
Allen	Emmer (MN)	Kelly (MS)
Amash	Farenthold	Kelly (PA)
Ashford	Fattah	King (IA)
Babin	Fleischmann	Knight
Barr	Fleming	Lamborn
Becerra	Flores	Lance
Bilirakis	Forbes	LoBiondo
Black	Franks (AZ)	Long
Blackburn	Fudge	Lynch
Blum	Gibson	Marino
Boustany	Gohmert	Massie
Boyle, Brendan	Goodlatte	McClintock
F.	Gosar	McMorris
Brady (PA)	Gowdy	Rodgers
Brat	Guinta	Meadows
Bridenstine	Gutiérrez	Meehan
Brooks (AL)	Hartzler	Messer
Buck	Hastings	Mica
Burgess	Heck (NV)	Miller (FL)
Carter (TX)	Hice, Jody B.	Miller (MI)
Clawson (FL)	Holding	Mooney (WV)
Cook	Hudson	Mullin
Crawford	Huelskamp	Mulvaney
Davidson	Hultgren	Neugebauer
Davis, Danny	Issa	Newhouse
Davis, Rodney	Jenkins (WV)	Nolan
DeSantis	Johnson, Sam	Norcross
DesJarlais	Jones	Olson

Palazzo	Rohrabacher	Vela
Palmer	Rooney (FL)	Walberg
Pearce	Rouzer	Walz
Perry	Rush	Wasserman
Peterson	Ryan (OH)	Schultz
Poe (TX)	Sanford	Waters, Maxine
Poliquin	Schakowsky	Weber (TX)
Pompeo	Shuster	Westmoreland
Ratcliffe	Smith (MO)	Wittman
Reed	Smith (TX)	Yoder
Renacci	Speier	Yoho
Richmond	Tiberi	Zeldin
Rigell	Torres	
Rogers (AL)	Vargas	

NOT VOTING—11

Barletta	Herrera Beutler	Payne
Farr	Hinojosa	Sires
Fincher	Lieu, Ted	Takai
Hardy	Luetkemeyer	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1820

Mr. ASHFORD changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HARDY. Mr. Speaker, on rollcall No. 283—I would have voted "yes." Rollcall No. 284—I would have voted "yes." Rollcall No. 285—I would have voted "yes." Rollcall No. 286—I would have voted "yes." Rollcall No. 287—I would have voted "no." Rollcall No. 288—I would have voted "no."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5278, PUERTO RICO OVERSIGHT, MANAGEMENT, AND ECONOMIC STABILITY ACT

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 5278, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN THE ENROLLMENT OF S. 2328

Mr. BISHOP of Utah. Mr. Speaker, I send to the desk a concurrent resolution and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 135

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 2328, the Secretary of the Senate shall make the following correction: Amend the long title so as to read "An Act to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes."

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

Washington, DC, June 8, 2016.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a grand jury subpoena for documents, issued by the United States District Court for the Middle District of Florida.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

WILL PLASTER,
Chief Administrative Officer.

**LEGISLATIVE BRANCH
APPROPRIATIONS ACT, 2017**

GENERAL LEAVE

Mr. GRAVES of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5325, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 771 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5325.

The Chair appoints the gentleman from Louisiana (Mr. GRAVES) to preside over the Committee of the Whole.

□ 1828

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with Mr. GRAVES of Louisiana in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Georgia (Mr. GRAVES) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) each will control 30 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

The overarching goal of the bill we are considering here today is to ensure that we continue to preserve the beauty, enhance the security, and improve the institutions of the United States Capitol complex. I am glad to report that we have accomplished our mission, and we have done it in a way that respects taxpayers. By making tough choices, this bill demonstrates the great work that Congress can do even during a time of lean budgets.

The American people will be proud to know that this bill continues to use a zero-based budgeting approach. That means each legislative branch agency was required to justify its budget from scratch. This practice curbs wasteful spending and safeguards taxpayer dollars.

Another part of our effort to respect taxpayers was the orderly shutdown of the Open World Leadership Center, which is outdated, and a multimillion-dollar-a-year program that no longer will exist.

Additionally, we continue the freeze on Members' pay. Now, this was a simple decision for me. If our constituents aren't getting a raise in this economy, then we shouldn't either.

Now, it is also worth noting that the Capitol Dome Restoration project is on time and it is under budget. In fact, my office has had a little fun with this, posting pictures each day on social media of the progress of the scaffolding coming off the dome, using the hashtag "Free the Dome."

We also have a family-themed bill this year. We have worked with Mem-

bers on both sides of the aisle to make certain that baby-changing stations are available throughout all the House office buildings and in the Capitol. Visiting the Capitol with a new baby can be difficult enough. Young mothers and fathers traveling with their children in tow should have the appropriate facilities available to them, and now they will.

□ 1830

Additionally, with so many mothers-to-be working for the House of Representatives through their pregnancies, the committee wants to ensure that these working moms have access to convenient parking.

Of course, we have also carried on the new tradition of sledding on Capitol Hill. Again this winter, children and adults alike living in the area can sled on the west front of the Capitol—something that, unfortunately, was banned before we changed it last year.

Simply put, this bill makes the Capitol more inviting and accessible to young families.

I would, of course, like to thank the ranking member for her role throughout the process of writing this bill and all the members of our committee for their hard work and their valuable contributions. In seeing this bill through the committee process, a good bill was made even better. Together, we have received and worked through more than 200 submissions from Republicans and Democrats, appropriators and non-appropriators, many of which we have included in this legislation.

We continued conversations with Members of both the majority and the minority up to and through full committee markup, and saw an amendment process that incorporated proposals from both sides of the aisle, including additional resources to better serve our constituents, increased savings dedicated to the Historic Buildings Revitalization Trust Fund, and support for efforts to enhance the security of the Capitol campus.

I would also like to thank all of the staff on both sides of the aisle who have worked on the bill this year. In particular, I am appreciative of the hard work Liz Dawson, Tim Monahan and Shalanda Young, and, of course, Jenny Panone who really stepped up to the plate after we lost our good friend, Chuck Turner.

As a longtime professional staff member of this subcommittee, Chuck has been missed this appropriations season. The appropriations family just isn't the same without him, and I want to express my continued sympathies to his family, his friends, and those he worked so closely with all these years.

I would also like to thank Jason Murphy and John Donnelly in my personal office, as well Sarah Arkin and Rosalyn Kumar from Ranking Member WASSERMAN SCHULTZ's office.

Finally, I would like to note the important contributions that Congressman SAM FARR and Congressman SCOTT RIGELL both have made to our sub-

committee. Their hard work and dedication has been extremely valuable, and they will be dearly missed by our subcommittee and by this body.

Mr. Chairman, I reserve the balance of my time.

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - LEGISLATIVE BRANCH					
HOUSE OF REPRESENTATIVES					
Payment to Widows and Heirs of Deceased Members of Congress (Public Law 114-53, Sec. 143) 1/.....	174	---	---	-174	---
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker.....	6,645	6,645	6,645	---	---
Office of the Majority Floor Leader.....	2,180	2,180	2,180	---	---
Office of the Minority Floor Leader.....	7,114	7,114	7,114	---	---
Office of the Majority Whip.....	1,887	1,887	1,887	---	---
Office of the Minority Whip.....	1,460	1,460	1,460	---	---
Republican Conference.....	1,505	1,505	1,505	---	---
Democratic Caucus.....	1,487	1,487	1,487	---	---
Subtotal, House Leadership Offices.....	22,278	22,278	22,278	---	---
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses.....	554,318	554,318	562,632	+8,314	+8,314
Committee Employees					
Standing Committees, Special and Select.....	123,903	127,053	127,053	+3,150	---
Committee on Appropriations (including studies and investigations).....	23,271	23,271	23,271	---	---
Subtotal, Committee employees.....	147,174	150,324	150,324	+3,150	---
Salaries, Officers and Employees					
Office of the Clerk.....	24,981	26,411	26,268	+1,287	-143
Office of the Sergeant at Arms.....	14,827	15,571	15,505	+678	-66
Office of the Chief Administrative Officer.....	117,165	117,165	117,165	---	---
Office of the Inspector General.....	4,742	4,987	4,963	+221	-24
Office of General Counsel.....	1,413	1,451	1,444	+31	-7
Office of the Parliamentarian.....	1,975	2,010	1,999	+24	-11
Office of the Law Revision Counsel of the House.....	3,120	3,182	3,167	+47	-15
Office of the Legislative Counsel of the House.....	8,353	8,979	8,979	+626	---
Office of Interparliamentary Affairs.....	814	814	814	---	---
Other authorized employees.....	1,142	1,188	1,183	+41	-3
Subtotal, Salaries, officers and employees.....	178,532	181,758	181,487	+2,955	-269
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims.....	3,625	3,625	3,625	---	---
Official mail for committees, leadership offices, and administrative offices of the House.....	190	180	190	---	---
Government contributions.....	251,629	251,630	245,334	-6,295	-6,296
Business Continuity and Disaster Recovery.....	16,217	16,217	16,217	---	---
Transition activities.....	2,084	2,084	2,084	---	---
Wounded Warrior program.....	2,500	2,500	2,500	---	---
Office of Congressional Ethics.....	1,467	1,667	1,658	+191	-9
Miscellaneous items.....	720	720	720	---	---
Subtotal, Allowances and expenses.....	278,432	278,633	272,328	-6,104	-6,305
Total, House of Representatives (discretionary)...	1,180,734	1,187,309	1,189,049	+8,315	+1,740
Total, House of Representatives (mandatory).....	174	---	---	-174	---

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
JOINT ITEMS					
Joint Economic Committee.....	4,203	4,203	4,203	---	---
Joint Congressional Committee on Inaugural Ceremonies of 2017.....	1,250	---	---	-1,250	---
Joint Committee on Taxation.....	10,095	11,540	10,095	---	-1,445
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances....	3,784	3,838	3,838	+54	---
Office of Congressional Accessibility Services.....	1,400	1,429	1,429	+29	---
Total, Joint items.....	20,732	21,010	18,565	-1,167	-1,445
CAPITOL POLICE					
Salaries.....	309,000	333,128	325,300	+16,300	-7,828
General expenses.....	66,000	76,460	66,000	---	-10,460
Total, Capitol Police.....	375,000	409,588	391,300	+16,300	-18,288
OFFICE OF COMPLIANCE					
Salaries and expenses.....	3,959	4,315	3,959	---	-356
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses.....	46,500	47,637	46,500	---	-1,137
ARCHITECT OF THE CAPITOL (AOC)					
Capital Construction and Operations.....	91,589	103,850	88,542	-3,047	-15,108
Capitol building.....	46,737	44,010	33,005	-13,732	-11,005
Capitol grounds.....	11,880	13,083	12,626	+946	-257
House of Representatives buildings:					
House office buildings.....	174,962	189,528	187,481	+12,519	-2,047
House Historic Buildings Revitalization Trust Fund..	10,000	10,000	17,000	+7,000	+7,000
Capitol Power Plant.....	103,722	114,765	113,480	+9,758	-1,285
Offsetting collections.....	-9,000	-9,000	-9,000	---	---
Subtotal, Capitol Power Plant.....	94,722	105,765	104,480	+9,758	-1,285
Library buildings and grounds.....	40,689	65,959	47,080	+6,331	-18,879
Capitol police buildings, grounds and security.....	25,434	37,513	26,697	+1,263	-10,816
Botanic Garden.....	12,113	15,081	14,067	+1,954	-1,014
Capitol Visitor Center.....	20,557	21,306	20,557	---	-749
Total, Architect of the Capitol.....	528,683	605,895	551,735	+23,052	-54,160
LIBRARY OF CONGRESS					
Salaries and expenses.....	425,971	479,235	449,971	+24,000	-29,264
Authority to spend receipts.....	-6,350	-6,350	-6,350	---	---
Subtotal, Salaries and expenses.....	419,621	472,885	443,621	+24,000	-29,264
Copyright Office, Salaries and expenses.....	59,875	74,028	68,827	+9,952	-5,199
Authority to spend receipts.....	-35,777	-39,548	-37,198	-1,421	+2,350
Prior year unobligated balances.....	---	-6,147	-4,531	-4,531	+1,616
Subtotal, Copyright Office.....	23,098	28,331	27,098	+4,000	-1,233
Congressional Research Service, Salaries and expenses....	106,945	114,408	107,945	+1,000	-6,463
Books for the blind and physically handicapped.....	50,248	51,591	50,248	---	-1,343
Total, Library of Congress.....	599,912	667,215	628,912	+29,000	-38,303

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
GOVERNMENT PUBLISHING OFFICE					
Congressional publishing	79,736	79,736	79,736	---	---
Public Information Programs of the Superintendent of Documents, Salaries and expenses.....	30,500	29,500	29,500	-1,000	---
Government Publishing Office Business Operations Revolving Fund	8,832	7,832	7,832	+1,000	---
Total, Government Publishing Office	117,068	117,068	117,068	---	---
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses.....	556,450	591,175	556,450	---	-34,725
Offsetting collections.....	-25,450	-23,350	-23,350	+2,100	---
Total, Government Accountability Office.....	531,000	567,825	533,100	+2,100	-34,725
OPEN WORLD LEADERSHIP CENTER TRUST FUND					
Payment to the Open World Leadership Center (OWLC) Trust Fund.....	5,600	5,800	1,000	-4,600	-4,800
JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT					
Stennis Center for Public Service.....	430	430	430	---	---
GENERAL PROVISIONS					
AOC Working Capital Fund (CBO estimate).....	---	1,000	---	---	-1,000
Scorekeeping adjustment (CBO estimate) 2/.....	-1,000	---	-1,000	---	-1,000
Grand total.....	3,408,782	3,635,092	3,481,618	+72,826	-153,474
Discretionary.....	(3,408,618)	(3,635,092)	(3,481,618)	(+73,000)	(-153,474)
Mandatory 1/.....	(174)	---	---	(-174)	---
1/ FY2016 funds provided in Continuing Appropriations Act, 2016 (Public Law 114-53) 2/ FY2016 is Sec. 9 of Consolidated Appropriations Act, 2016 (Public Law 114-113)					

LEGISLATIVE BRANCH APPROPRIATIONS BILL, 2017 (H.R. 5325)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
House of Representatives (discretionary).....	1,180,734	1,187,309	1,189,049	+8,315	+1,740
House of Representatives (mandatory) 1/.....	174	---	---	-174	---
Joint Items.....	20,732	21,010	19,565	-1,167	-1,445
Capitol Police.....	375,000	409,588	391,300	+18,300	-18,288
Office of Compliance.....	3,959	4,315	3,959	---	-356
Congressional Budget Office.....	48,500	47,637	46,500	---	-1,137
Architect of the Capitol.....	528,683	605,895	551,735	+23,052	-54,160
Library of Congress.....	599,912	667,215	628,912	+29,000	-38,303
Government Publishing Office.....	117,068	117,068	117,068	---	---
Government Accountability Office.....	531,008	567,825	533,100	+2,100	-34,725
Open World Leadership Center.....	5,600	5,600	1,000	-4,600	-4,600
Stennis Center for Public Service.....	430	430	430	---	---
General Provisions 2/.....	-1,000	1,000	-1,000	---	-2,000
Prior year outlays.....	---	---	---	---	---
Grand total.....	3,408,792	3,635,092	3,481,618	+72,826	-153,474
Discretionary.....	(3,408,618)	(3,635,092)	(3,481,618)	(+73,000)	(-153,474)
Mandatory 1/.....	(174)	---	---	(-174)	---

1/ FY2016 funds provided in Continuing Appropriations Act, 2016 (Public Law 114-53)

2/ FY2016 is Sec. 9 of Consolidated Appropriations Act, 2016 (Public Law 114-113)

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Legislative Branch Appropriations bill is a total of \$3.481 billion—\$72 million above the fiscal year 2016 enacted bill.

I thank our full committee chairman, Mr. ROGERS of Kentucky, for understanding the challenges posed by years of cuts and providing an allocation to begin rebuilding the capacity of Congress to do the people's work.

Chairman GRAVES funded critical investments with the additional allocation. He knows that if we were only discussing funding today, I would be with him in protecting the good work of the subcommittee.

Specifically, I am pleased with the critical investments in the Copyright Modernization Project and the Historic Buildings Revitalization Trust Fund.

The bill provides the Copyright Modernization Project with a 17 percent increase. This critical funding will enable the Copyright Office to hire the necessary staff to begin to make technological advancements to improve the way they do business. It is unacceptable in the year 2016 that copyright users have to make certain requests via paper in the 21st century. That is inefficient and a drag on commerce that is dependent on the copyright system.

There is also report language included that makes it clear that the Library of Congress shall continue to defer to the Register of Copyrights on all copyright-related issues. While the Copyright Office is within the Library of Congress, it has unique functions that make it necessary to have a strong leader that can answer to Congress and the copyright community when issues arise. The Register of Copyrights should have the freedom to make decisions and be responsive to the copyright community.

I am also happy to see increased funding for the Historic Buildings Revitalization Trust Fund. This is the same fund that we used to save for the downpayment on the Cannon Building Restoration.

This bill provides \$17 million for the fund, which is \$7 million above fiscal year 2016 funding. I thank the chairman for working with me to sustain this important program.

We started the trust fund after the construction of the Capitol Visitor Center. That project was over budget by fourfold, and its management was, frankly, an embarrassment. It was an example of ballooning government projects that pull resources away from other worthy initiatives.

The trust fund was created to avoid the pitfalls of the CVC project by creating a reserve of funds that can be used for future large-scale projects. We must put on our forward-thinking caps and look 10 to 20 years down the road

so that we save appropriately for large-scale projects. This long-term thinking will ensure that our smallest appropriations bill—the Legislative Branch Appropriations bill—does not have to absorb such large projects to the detriment of other worthy programs.

While there are many positives in this bill, Mr. Chairman, there are also issues that must be addressed as we move through the process. One particularly troublesome issue is that the report accompanying this bill includes language seeking to influence the Library of Congress' process to change its subject headings related to immigration.

The Library of Congress decided in March of this year to begin using the terms "noncitizens" and "unauthorized immigration" for cataloging purposes. They did so after being petitioned by Dartmouth College in 2014—a petition they turned down initially—and then again by the American Library Association earlier this year.

In January of this year, the American Library Association adopted a resolution calling on the Library of Congress to change the heading "illegal aliens" to "undocumented immigrants."

Now, these are search terms. The Library of Congress uses subject headings to help researchers be able to find topics based on what they are appropriately to be called. The Library did not adopt the term "undocumented immigrants" but chose to begin to use the two phrases "noncitizens" and "unauthorized immigration." These new subject headings are still in the process of being considered, as the public will have 60 days to comment on them.

The fact that this project is ongoing makes the inclusion of report language even more problematic.

How can the Library of Congress be expected to go through a fair and open comment period with this language included in the report accompanying the appropriations bill?

My side of the aisle could have certainly pushed to have the Library of Congress reconsider its decision after the Dartmouth petition was turned down in 2014 because many Democrats and Republicans believe that the term "illegal alien" labels a group of people based on a misconception that an immigrant's presence in our Nation is a criminal violation, but we allowed the process to work because the Library of Congress is in the business of language and nomenclature and should be free to make these decisions without political interference. Congress should not be setting ourselves up as the word police.

Let's be clear: this puts the Library of Congress front and center on one of our Nation's most contentious and emotional political issues. Over the years, as ranking member, this is certainly not the first time I find myself in disagreement with the chairman on

a particular issue. However, I have been able to work closely with the chairman of this subcommittee to move the bill and the process forward.

And though I have been committed as always to resolving our policy differences, the politicization of the Library of Congress in order to perpetuate a misconception about immigrants in our country is simply an issue on which my principles will not allow me to bend an inch.

This language is not necessary, it is not appropriate, and it jeopardizes the work of our Nation's oldest Federal cultural institution and the research arm of this body.

The Library of Congress makes thousands of changes to its subject headings every year. At one time, "Negro" was a subject heading, but when it became pejorative, they changed it to "Afro American," and eventually the term used today, "African American."

The chairman and other Republican members emphasize that they are the Library of Congress—emphasis on Congress—and we should dictate to them what terms they use in their subject headings.

Well, I ran for Congress, not word police. We should leave search terms for researchers to the experts and not politicize this bill that simply funds the legislative branch.

I am also concerned that under this bill, the Capitol Police budget increases by \$325.3 million. This would increase funding for the Capitol Police by 5 percent, above the 8 percent increase they received in the current fiscal year.

We value and respect the officers on staff, but I think many Members will join me in raising a skeptical eye when they realize this bill would add 72 new officers and bring the total number of officers to close to 1,900.

Just as mayors and city councils across the country have to balance law enforcement with other city services like repairing aging infrastructure, so must Congress. In the near future, the congressional leadership and committees of jurisdiction will need to have a serious discussion about the appropriate size of the Capitol Police. The officers I speak to don't complain about not having enough officers, but, rather, about decisions on how the officers they do have are deployed by police leadership. It is fiscally irresponsible to grow the police at this rate.

Also, as Member and committee budgets have been cut, Congress has had to rely on support agencies to fill the gaps in staff expertise. One of those agencies, Mr. Chairman, is the Congressional Research Service, or CRS.

CRS was funded in the bill at \$107.9 million, \$1 million above the fiscal year 2016 enacted level. At the level included in the bill, CRS remains \$4.6 million below the fiscal year 2010 levels. According to CRS, recent funding

levels have led to a loss of 13 percent of its purchasing power since 2010.

The \$1 million increase provided by this bill will not cover mandatory pay for CRS' current staff. CRS' budget request sought to rebuild the agency. They asked for two defense policy staff, five health policy staff, three education policy staff, two budget and appropriation staff, four technology policy staff, and two data management and analysis staff. None of those staffs will be funded under the bill before us, therefore, denying Congress of an unbiased analysis of these critical policy areas.

Before concluding, Mr. Chairman, I also want to join the chairman in acknowledging the loss of our beloved Chuck Turner. I had the privilege of working with Chuck when I was the chairman of this committee, and he has served both sides of the aisle with integrity, commitment, and love of this institution. His loss was tremendous for the entire appropriations family, and he will be greatly missed on both sides of the aisle.

I also want to issue a big thanks to Liz Dawson, the majority clerk and her staff, Jenny Panone and Tim Monahan. Many thanks as well to Jason Murphy with Chairman GRAVES' personal office. Thank you to my team, Shalanda Young on the committee's minority staff who has worked tirelessly on those issues. Last, but certainly not least, thank you to my personal staff, Rosalyn Kumar and Sarah Arkin.

Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the chairman of the full Committee on Appropriations.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to support the Legislative Branch Appropriations bill that is before us. This is the third of the 12 bills to make it to the floor. We have passed eight of the bills through the full committee, and 10 of them through the subcommittees. But this bill provides the important funding that Congress needs to do our work on behalf of the American people.

From maintaining the hallowed halls of this very building, to providing services for our constituents, to funding the agencies that keep us informed and in check, the \$3.48 billion in this bill supports the largest and freest democracy the world has ever known.

In total, our funding is increased slightly—\$73 million above current levels. That increase is directed to essential health and safety improvements to aging or damaged facilities as well as to the Capitol Police to protect Members, staff, and our visitors.

At the same time, this bill keeps the belt tight, continuing our trajectory of

trimming funding for the House of Representatives by 13.2 percent since 2011 and extending the pay freeze for Members of Congress. The funds provided for House operations will allow Members of Congress to continue serving the American people to the fullest extent and representing their voices in Washington, D.C.

For the thousands and thousands of people who enter this Capitol complex each day—be it visitors, staff, or Members themselves—safety is of the utmost importance.

As we have seen recently, the brave men and women of the Capitol Police force must remain vigilant and well-equipped to secure the Capitol complex. The bill funds the Capitol Police at \$391.3 million—that is \$16.3 million above current levels—to enhance security and maintain public access to this complex.

To ensure the safety of the buildings in the Capitol complex, which, as we know, has historic but aging facilities, the legislation provides \$551 million for the Architect of the Capitol. That includes ongoing rehab projects as well as deferred maintenance.

In addition, the bill provides funding for the congressional support agencies that we rely on each day to do our jobs. That includes \$533 million for the Government Accountability Office, which provides Congress with accurate reporting on how tax dollars are spent, and \$629 million for the Library of Congress.

□ 1845

Mr. Chairman, this is a good bill that targets funds to critical operations while keeping a close eye on every tax dollar spent.

I want to thank Chairman GRAVES for his hard work to ensure that every dollar in this bill helps make the people's House run efficiently and productively. I also want to thank Ranking Member WASSERMAN SCHULTZ, and all of the subcommittee members and staff for their efforts that brought this bill to the floor. Finally, I do want to specify a thanks to our staff for their knowledge and expertise and passion for this place throughout this process.

As we continue our important work on the 2017 appropriations bills, I am proud to support good bills like this one, bills that fulfill their mission in a responsible, targeted way.

I urge all Members to support this bill as well.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, first of all, I want to acknowledge the presence of Chairman GRAVES' lovely daughter, because it is always nice as a parent to have your children with you while you are doing your work. So welcome to the House of Representatives.

I yield such time as she may consume to the gentlewoman from New York (Mrs. LOWEY), our ranking member of the full Appropriations Committee.

Mrs. LOWEY. Mr. Chairman, I thank Ranking Member WASSERMAN SCHULTZ. And I thank Chairman GRAVES and Chairman ROGERS. It is a pleasure for me to work here with all of them.

However, in the fiscal year 2017 Legislative Branch Appropriations bill, the House majority has put its political interests first with a process that limits amendments based on a fear of another embarrassing failure, like the Energy and Water Appropriations bill, which the House rejected 2 weeks ago.

The legislative branch bill contains a number of important services that allow the public to safely visit the U.S. Capitol and for Members to respond to the needs of their constituents. The bill would provide modest increases for the first time in years, including more funding for the Library of Congress, Capitol Police, Architect of the Capitol, and the Members' Representational Allowance.

These increases are badly needed. The legislative branch bill has remained essentially flat for several years, despite the steadily growing needs of this institution, including staff shortages, enhanced security, repairs to aging buildings and infrastructure, and preservation at the Library of Congress, among others.

Unfortunately, rather than focus on these institutions' value to the public, House Republicans went out of their way to include provisions that ignore these issues, and instead push a partisan agenda that wastes taxpayer dollars.

First of all, House Republicans inserted language meant to appease the most extreme members of their conference by directing the Library of Congress to use the term "illegal alien" in its subject headings for searches rather than the Library's preferred "noncitizens" or "unauthorized immigration." This unnecessary interference into the routine work of the Library of Congress politicizes a change meant to help provide the most up-to-date, thorough information.

The inclusion of such language is sadly nothing new for the subcommittee. In the past few years, the majority has spent close to \$7 million on a partisan, political Benghazi investigation; \$2.3 million defending the Defense of Marriage Act; and is now engaging in shameful, unprecedented attacks on biomedical researchers and women's health.

Frankly, I am outraged at how the majority on the Select Investigative Panel is conducting its business. The majority's witch hunt of researchers, including scientists, physicians, and even graduate students, will have real consequences that harm medical advances, and are nothing more than a political charade and waste of taxpayer money. Their request for information and subpoenas without any assertion of wrongdoing are an abuse of authority,

a violation of House oversight practices, and a page out of the McCarthy-era bullying tactics that are a stain on our legislative process. The panel should be disbanded immediately.

It is unacceptable that we cannot move appropriation bills forward in a bipartisan manner because Republicans would rather play partisan politics with taxpayer dollars than deal with the pressing challenges facing this institution and this country.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Before I recognize my friend from Illinois, I have the deepest respect for the ranking member of the full committee, Mrs. LOWEY. I know that she represents what she believes very well and eloquently.

But I must point out for clarification, for the RECORD, really what the report language says. I think that is important. I think words are important. I listened very intently to what was shared a minute ago that this committee is directing the Library of Congress to use certain words. She even used certain terms that she said we are prescribing them to use, such as "illegal alien" or "illegal immigrant." In fact, this is what the committee passed in subcommittee and full committee.

It says:

"To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title 8, United States Code."

Now, I read it several times and I saw it in committee, but nowhere in there do I see any specific terms used. It just says can you be consistent with U.S. Code.

I will point out that we are Congress, and they are the Library of Congress. We write laws, and it is important that the Library of Congress reference and refer to the laws that we have written.

I will also note that the gentlewoman is also a Member of Congress and has the full ability—and since the subcommittee meeting when we had this first discussion, I have yet to see the bill she has introduced to change any terminology in the U.S. Code. I have not seen it. I don't know, Mr. Chairman, if you have seen it. I have not seen it, and I look forward to seeing it.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. GRAVES of Georgia. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I thank the gentleman.

Will the gentleman point out to the House of Representatives what is referenced in the U.S. Code to which the report refers?

Mr. GRAVES of Georgia. Title 8 of the U.S. Code has a lot of terminology in there.

Ms. WASSERMAN SCHULTZ. What is the term that is referenced in that section?

Mr. GRAVES of Georgia. There is not one single term that is used in that Code. In fact, there are multiple terms. I would ask, and maybe encourage, the gentlewoman to read that.

Ms. WASSERMAN SCHULTZ. I have, and it refers specifically to the term "illegal alien." That is how it is referenced in the United States Code.

Mr. GRAVES of Georgia. In addition to other terms.

Reclaiming my time, Mr. Chairman, I just want to make sure that the committee understands that the report language just directs the Library of Congress to be consistent with the laws of this land when they have subject headings. That is not too much to ask.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), my good friend.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I really would like to thank Chairman GRAVES for his leadership on this issue.

I think the debate this evening shows us what part of the problem is when we try and follow our Forefathers' constitutional appropriations process to spend money wisely that the taxpayers send to Washington, D.C., to spend it wisely on their behalf.

It is tertiary issues that bog down the debate, instead of talking about doing what is right for the upwards of 5 million families that tour our Capitol Grounds each and every year. It becomes a political debate, rather than a debate on how to effectively use taxpayer dollars to ensure that one of the most popular destinations for families, hardworking families, to spend their money to vacation right here in the Capitol, to make sure we spend that wisely so that they have better facilities. That is exactly what this bill does, Mr. Chairman.

I want to, again, thank all of those who served on this subcommittee from both sides of the aisle, because we have to get back to the vision that our Forefathers have put forth on how we should spend money in this House, and how we regain the power of the purse.

As I said, upwards of 5 million families from across the Nation come see their government at work each year. I am pleased this bill contains report language that will make it easier for families with infants and small children to visit the Capitol, House and Senate office buildings by implementing additional changing stations and other family-friendly improvements throughout this Capitol Hill complex.

Mr. Chairman, I say this as the father of twin boys. Trust me, changing stations when they were younger were very, very important. We should make it as easy as possible for families with young children to visit and explore Capitol Hill and our complexes. Minor improvements and changes along these lines can make a huge difference in improving the experience for visitors.

I look forward to working with the Architect of the Capitol in my capacity as a member of the Committee on House Administration to complete these important changes. I will continue to look for ways to work in a bipartisan manner to make our Capitol family-friendly.

Mr. Chairman, I urge passage of this bill.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

I will point out that title 8 of the U.S. Code specifically references the term "illegal aliens." The purpose of referencing it that way in this legislation is specifically so that the majority can require the Library of Congress to continue to use the term "illegal alien" in their subject heading. We are being a little too cute by half here, and we are simply not going to let the majority get away with it.

I will also point out that Congressman JOAQUIN CASTRO is the sponsor of legislation that would do exactly what the chairman just suggested. He has legislation that would change the term "illegal alien" in title 8 of the U.S. Code.

Instead of dealing with a political issue in the midst of an unrelated appropriations bill, we should allow the legislative process to work under regular order and have that bill move through the process.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I want to follow up on that just for a moment.

I am glad to hear there is legislation to address their concerns. I think that is the appropriate way. What better way to make that legislation more applicable than to identify here in this report language that whatever is referenced in title 8 could be used. I think that is the right way to go forward.

But to suggest that asking the Library of Congress to use terms that are consistent with the laws of this land that this body has voted on, that the Senate has voted on, and that the President of the United States has signed into law is, in some way, pejorative; words that have been used by the Supreme Court just in recent weeks are pejorative, inflammatory, and dehumanizing, I would suggest to the minority that even some of the most liberal justices have used the term "illegal alien" or "illegal immigrant" just in the last couple of weeks and they are not racist, they are not using negative terms, they are not dehumanizing any individual, they are using U.S. law terminology.

I can understand the disagreement with the terms, I can respect that, but that is the law. I have yet to see or hear what their proper terminology would be for somebody who does not

abide by the laws of the land and what that would be.

Mr. Chairman, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself such time as I may consume.

I will point out that it is not a criminal act to be in the United States as an immigrant. The suggestion in the 21st century that the term “illegal alien” is an appropriate one is similar to suggesting that we continue to use the term “Negro.”

We evolve in this country, and it is understandable that someone who was not a member of a group of immigrants wouldn't understand that that term could feel pejorative. So we, as a responsible body, should evolve as society evolves.

To continue to insist that the Library of Congress by law use a pejorative term that they have been petitioned to change by the American Library Association so that researchers can search for the appropriate term when they are doing research is truly unbelievable. To be so committed to racist and bigoted terms that really have no place in the Legislative Branch Appropriations bill is outrageous.

That is why this language should have been deleted. I think it is truly unfortunate that the majority did not have at least the courage to allow my amendment and Congressman CASTRO's amendment to be made in order so that we could have a proper debate on this subject on the floor of the House of Representatives.

□ 1900

I will point out and remind the chairman that my amendment that would have done just that only was defeated in the Appropriations Committee by one vote. So this is not a slam dunk when it comes to your side of the aisle either. It would have been nice to give your colleagues an opportunity to have had that discussion.

I reserve the balance of my time.

The CHAIR. Members are reminded to direct their remarks to the Chair.

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

If I heard the ranking member correctly, she said that somebody who is undocumented in this country, who is not from this country, is not here illegally. I thought I heard that, and I hope I heard that incorrectly.

I will point out that the Immigration and Nationality Act, section 237(a)(1)(b) reads, in fact—and this is law that was voted on by this body and that was signed into law by the President of the United States, who was elected by the people—that aliens who are present in the U.S. in violation of immigration code are breaking the law and are deportable. That is U.S. law. That is not the majority's opinion;

that is not a party's opinion; that is not an individual's opinion. That is the law of this land. Now, you can disagree with those laws, and you can disagree with the terminology, but that is the law.

That is the law, in fact, to the point that, in *Arizona v. United States*, in 2012, Justice Sotomayor asked:

So how—where do they get the records that show that this person is an illegal alien that is not authorized to be here?

Was she being racist? pejorative? demeaning? dehumanizing? I don't think so. I don't agree with all of her decisions, but I don't believe that that was her intent when she broached that question there.

I will point out this provision—maybe I should read it again. I will read it again for the ranking member.

To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title VIII of the United States Code.

That is all it says. It is right here. There is nothing so demeaning about that. This provision, in fact, was created in consultation, Mr. Chair, with the Library of Congress. Imagine that. In working with the Library of Congress, we were able to come up with that language. Existing subject headings, including the term “illegal alien,” have been used for years and have been enshrined in law for 100 years. This is nothing new. Supreme Court Justices, as I have pointed out, have used it time and time and time again.

Now, if the Library of Congress adopted the practice of responding to every instance in which there is a perceived offensive phrase, it would impact their ability to prioritize the quality of service they provide to patrons every day. We are, actually, helping the Library here. We are not telling them what words to use. We are just saying, hey, be consistent with U.S. law. That keeps it pretty simple, I believe.

Mr. Chair, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

Before we passed the Civil Rights Act and the Voting Rights Act in the 1960s and when we had the Jim Crow laws, which were an unfortunate stain on our history, there were plenty of people who said that the laws that were in place were doing a favor to Negroes, which is the way they were referred to at the time. For the chairman to suggest that we are doing the Library of Congress a favor by requiring them to continue to use a term that they have been petitioned to stop using, “illegal alien,” is insensitive, inappropriate, outdated, and political.

This is the Legislative Branch Appropriations bill. We are supposed to be discussing how to fund the functions of

the legislative branch, and we have just spent an extraordinary amount of time debating the immigration debate that has been raging in this country for far too long.

I guess I shouldn't be surprised that the majority believes that we should continue to label people as “illegal.” People aren't illegal. Acts that are committed are illegal, but people are not illegal, Mr. Chair. That is, simply, why the American Library Association, the umbrella policy organization for libraries across this country, has petitioned the Library of Congress to change the use of the term “illegal alien.”

What the majority is doing here, as I said, is setting Congress up as the word police. Where are we going to stop? There are thousands of subject headings that they change at the Library of Congress every year. I can't imagine how many pages this bill will be when we start referencing and spending time arguing over what they call each of those. It is inappropriate; it is unacceptable; it is a complete waste of time. It injects politics into a bill that usually and, most often, doesn't have it.

It is unfortunate that the funding of the Planned Parenthood select committee and that the funding of the Benghazi Select Committee have continued to politicize a bill that should, simply, be an effort for us to make sure that we can sustain the most significant beacon of democracy that the world has ever seen.

Mr. Chair, I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

It is remarkable that we are actually spending so much time on this; but we must point out to the constituency who is watching that we have had 7½ years of an executive who wants to ignore our laws. We have had 7½ years of overreach by the executive branch, of its totally ignoring the laws that have been passed by this body, and just poking us in the eye, saying, I don't care about the legislative branch. I don't care about that legislative body. I don't care about the laws of the land. In fact, I will ignore them, and I will instruct my agencies to do something different.

Yet, I hear it again from the minority that they want to ignore the words, the terms, the identifications, the definitions of the very laws of this land. What message does that send to the youth of our country? What message does that send to law-abiding citizens in our country, that there is a party in Washington, D.C., that, for whatever reason, wants to pick and choose which laws they want to uphold and defend, or which laws or words or terms or definitions in the laws that they will acknowledge or not acknowledge?

We are a Nation of laws. Whether we agree with the laws or we don't, whether we agree with the terminology or we don't, we have all been elected by 700,000-plus constituency districts in which we can change those laws if we choose. This is the opportunity to do it for the minority party if they like. In fact, throughout our laws, these terms are used. Whether they are agreeable terms or not by the minority, those are the words that are in our laws.

I think we can all agree that the term "illegal alien" does not mean the human being is illegal. This is not an effort to demean anyone. We don't even identify what terms the Library must use. We just say, Hey, please be consistent with U.S. Code. That is it. The simple fact is that immigrants, if they have entered this country illegally, are, in fact, illegal immigrants. According to U.S. Code, U.S. laws, they have committed a crime. It is not the job of this committee's to create an alternate reality whatsoever. The laws are the laws.

Thankfully, the Supreme Court sees it the same way. We have Justice Sotomayor as using the term "illegal alien" a half a dozen times and the published opinion written by Justice Kennedy, and he joined the Court's more liberal block as well, using it a number of times. It is very consistent.

I recall it was, maybe, a year or two that the ranking member, on a different occasion, disagreed with me on another term. It was "ObamaCare." We were having a debate about policies, Mr. Chair, and I used the term "ObamaCare." She found it offensive, pejorative maybe, very negative, demeaning, used in a negative light. I believe she tried to strike my words during that time. So, if anybody is trying to be word police in this body, maybe it is the ranking member, who has a history of it.

Mr. Chair, I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Ms. WASSERMAN SCHULTZ. Mr. Chair, I have a parliamentary inquiry.

The CHAIR. The gentlewoman will state her parliamentary inquiry.

Ms. WASSERMAN SCHULTZ. Is it not appropriate for the ranking member and the chairman, when we are debating, to go through the Chair when we are having that debate?

The CHAIR. Members are reminded to direct their remarks to the Chair.

Ms. WASSERMAN SCHULTZ. I would ask that you remind the chairman to do so, please.

The CHAIR. Members have been reminded to direct their remarks to the Chair.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

I would point out that the gentleman from Georgia is absolutely correct. I did raise that concern, and I thought it

was appropriate to raise the concern that the way the majority meant the term "ObamaCare," as applied at the time, was intended to be pejorative. Then President Obama embraced the term; so we evolved because President Obama decided that he liked that his name would be associated with making sure that 20 million people who now have health insurance but who didn't before would be associated with his name.

That is all that the American Library Association and the Library of Congress are asking with regard to the people who are labeled as "illegal aliens." The gentleman from Georgia, it would be understood, is not someone who is labeled that way, so, perhaps, it is understandable that he would not understand why that was offensive. The American Library Association and the Library of Congress have recognized that the evolution beyond using a term that has been determined to be pejorative is essential. That is called progress. That is called tolerance.

Unfortunately, the Legislative Branch Appropriations bill, through the reference to title VIII in the United States Code, requires, in this bill, the Library of Congress to continue to use the term "illegal alien." It is inappropriate, unfortunate, and it should be deleted. We should have had an opportunity to debate an amendment to have allowed that to happen.

The majority chooses to hide the fact. I mean, I wish they would have just owned up to it. Mr. Chair, they should have just put it right up in the bill. I don't know why they didn't. If they think it is the right thing to do, they should have just put that term right in the bill and spelled out that they expect the Library of Congress to continue to use it. Hiding behind title VIII of the U.S. Code shows that they don't have, necessarily, the courage of their convictions to stand up for that term. Why? Because there are a whole lot of people in this country who think it is offensive, including me and the Members of my party.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chair, I yield myself such time as I may consume.

I am sorry this is taking so long tonight to reach the admission by the ranking member that this term does not exist in this bill. I mean, she just said it: Why didn't they just be more explicit? Why didn't he just use the term? In fact, they are hiding behind U.S. Code. That is what I just heard from the ranking member.

As Americans, we don't hide behind the U.S. Code. The U.S. Code is our defense; it is our shield. The laws of this land are what protect us from one from another; so to suggest that one is hiding behind it when, in fact, we are defended by it is really amazing to hear tonight.

I am pleased to hear, though, that the ranking member has acknowledged that nowhere in this legislation do we direct the Library of Congress to use any term other than what is found in and is consistent with the U.S. Code.

Mr. Chair, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I yield myself such time as I may consume.

What I suggested was that, because the majority realizes that the term "illegal alien" is not something that is appropriate to continue to use as a subject heading, if they had spelled it straight out in the bill rather than hiding what their true intention was behind the reference to the U.S. Code, they probably would have had to have answered a little bit more closely to the fact that they were making this effort.

Now we have been able to at least have this discussion, and I am intentionally using most of my time to be able to shine a spotlight on the fact that the majority wishes to continue to label people as "illegal," wishes to continue to politicize the legislative branch appropriations bill to inject the immigration debate into the funding of the legislative branch, and to set themselves up as the word police with regard to subject headings.

This is what we need our colleagues to wrap their minds around, Mr. Chair—requiring the Library to continue to use an offensive term in their subject headings so that researchers can't use the term that the American Library Association has deemed more appropriate and not offensive. Instead, they insist on continuing to use an offensive term.

□ 1915

That is unacceptable. It is inappropriate. We are going to continue to insist, and I will not be able to support this legislation as a result of the insistence of the majority on labeling an entire group of people "illegal" and politicizing this bill when the Library of Congress should be allowed to let the process work that works for thousands of other changes to their subject headings.

I will also point out, Mr. Chairman, that we do embrace evolution of terminology here. Just in May, a few weeks ago, we finally deleted the last vestiges of the terms "Oriental" and "Negro" from the United States Code. So we do have a process by which we take legislation like that that has been introduced by Congressman JOAQUIN CASTRO, and we allow it to move through the process. That is the appropriate way that we deal with discussion about changes in terminology in the code. We don't do it in the legislative branch bill. And that is exactly what the majority is doing by insisting that the Library of Congress continue to use that offensive term "illegal alien."

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I recognize this has been an exciting and tantalizing debate this evening.

Whenever the gentlewoman from Florida is ready to close, I will be ready as well.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentlewoman from Florida has 7 minutes remaining.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I yield myself the balance of my time to close.

I think it is unfortunate that myself and my colleagues on our side of the aisle don't feel that we can lend our support to this legislation for a variety of reasons. First, there has been an overwhelming injection of politics into what should be an otherwise solid piece of legislation in which we have done a lot of good work to make sure that the functions of the legislative branch are able to make sure that we can exercise our roles and responsibilities as Members of the legislative branch.

Unfortunately, due to the funding of the select committee on Planned Parenthood, which continues the witch hunt into an organization that simply exists to provide millions of women access to quality health care, in which there has been absolutely no evidence whatsoever that there was any wrongdoing, the majority continues to insist on funding the witch hunt that is designed to prevent women from getting access to quality, affordable health care.

It also continues funding for the Select Committee on Benghazi, an investigation in which the majority has actually admitted that they found absolutely no wrongdoing. Yet they have not disbanded the committee, and they continue to provide funding for it in this bill.

Lastly, as we have been able to spend a few minutes debating here on the floor, this bill tragically sets the legislative branch up as the word police and Members of Congress as the watchful sentries over the uses of the terms and subject headings at the Library of Congress. I am glad that we are really carefully protecting the card catalog in the Library of Congress to make sure that we can continue to use offensive terms when researchers look them up in the Library of Congress, like "illegal alien."

This bill makes sure that, instead of evolving, instead of moving forward, instead of letting professionals who work in libraries decide what terms should be used in their subject headings, Congress is going to establish ourselves as the word police, politicize something where we should not inject politics, and label people as "illegal."

Again, I will reiterate that there should have been an opportunity for us

to debate this issue separately. I am glad we have had an opportunity to discuss it here and to expose the majority for wanting to continue a bigoted, offensive term as the subject heading in the Library of Congress.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I yield myself the balance of my time to close.

We have heard a lot tonight about why the minority is opposed to this bill. They are opposed to this bill because of what is not in it. Do you notice that? It is because of what is not in it.

They have yet to talk about the great things, the good things, and what this bill really is about. In fact, they are going to oppose this bill, as they did last year, just because of things that don't exist, that are absent.

I will point out, and I want to remind the chairman and the committee, that this is really a good piece of legislation. It is very family friendly, which is one of our major focuses. We have thousands and thousands of visitors each year that come and visit this place, this Capitol Building, this historic beacon of hope for our country and for the world. Visitors come and visit our offices and tour the facilities, and we want it to be family friendly, safe and secure, and a welcoming environment. That is what this bill achieves.

It does that by providing something that is unique, something that I was very passionate about in my days in the State of Georgia, and that is doing zero-based budgeting, something very unique. It is not done in all the other appropriations bills, but it is done in this one, where every agency starts from zero and justifies each expense forward. That is what our constituents expect.

It even does it by eliminating the Open World Center, zeroing out, winding down, and eliminating a program that was well-intended back in the 1980s when it was first founded. But it is time to wind it down, move on, and use those dollars for something else, changing priorities. That is what this committee was focused on.

It continues the Member pay freeze. As I stated earlier, when our constituents aren't getting a raise in this economy, the Obama economy, then I don't believe we should be getting a raise either. It eliminates that. It freezes that.

We do this by also cutting the House budget by 13.2 percent since Republicans took the majority. That is something we don't share enough of. The House has taken the necessary steps to lead by example in cutting our budgets by 13.2 percent since taking the majority in 2010. I can't say the same about the Senate. I can't say the same about the executive branch, nor the judicial. But we can say that about our side, because we are leading by example.

Then it has a strong focus on constituent services. We were able to provide additional resources for all Members, Republican and Democrat alike, from all corners of this country and from all the territories to make sure that they have the resources necessary to meet the needs of their constituents, because that is really one of our number one priorities back in our districts and from our offices here is to provide the services to our constituency.

We have heard a lot tonight about the Library of Congress. Look, the Library of Congress has a great history, a great heritage, and provides a tremendous service. It has a history of providing law services to this body and to the Senate over the years as well as constituencies that come and do research. It does a great job.

All we have done in this bill is say, as you do your subject headings, just make sure it is consistent with the U.S. Code, be consistent with the laws of this land. That way, those who are searching topics are searching topics that are consistent with what is being debated in the Supreme Court, what is being debated in other courts throughout the country because they are using the laws of this land as they try various cases. So why not just use terminology that is consistent with the Code that this body and that the Senate and that a President has signed into law at some point.

Mr. Chair, I want to commend to this body and to the committee the Legislative Branch Appropriations bill. It is a good bill to be supported and to be proud of and to know that you are going to be able to take care of your constituents better. And we have got a great family-friendly, safe, and secure environment for them to come and visit.

I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Chair, I rise today in reluctant opposition to H.R. 5325, Legislative Branch Appropriations Act, 2017.

Although I support most of the programs and services this bill helps to fund including the Capitol Police, the independent budgetary and economic analysis of the Congressional Budget Office and the nonpartisan oversight work of the Government Accountability Office, as well as the language to stop this year's COLA for Congress, I must oppose the bill on the grounds that it has become a vehicle for the House Majority to advance an ideological agenda.

Funding in the bill has been used to finance the Benghazi Committee, to defend the misnamed "Defense of Marriage Act," to sue the President over the Affordable Care Act and to fund the witch hunt against Planned Parenthood. Now the Majority wants to use this appropriations bill to order the Library of Congress to use politically charged terminology to refer to classes of people in the United States.

It is unfortunate that the Majority has chosen to play politics with this appropriations bill instead of devoting the time to shaping policies that actually serve the country.

The Acting CHAIR (Mr. BYRNE). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 5325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, namely:

TITLE I

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,189,050,766, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$22,278,891, including: Office of the Speaker, \$6,645,417, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,180,048, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$7,114,471, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$1,886,632, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,459,639, including \$5,000 for official expenses of the Minority Whip; Republican Conference, \$1,505,426; Democratic Caucus, \$1,487,258; *Provided*, That such amount for salaries and expenses shall remain available from January 3, 2017 until January 2, 2018.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$562,632,498.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$127,053,373; *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2018, except that \$3,150,200 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$23,271,004, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed; *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2018.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$181,487,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than \$25,000 for official representation and reception ex-

penses, of which not more than \$20,000 is for the Family Room and not more than \$2,000 is for the Office of the Chaplain, \$26,268,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than \$3,000 for official representation and reception expenses, \$15,505,000, of which \$5,618,902 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$117,165,000, of which \$2,120,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$4,963,000; for salaries and expenses of the Office of the General Counsel, \$1,444,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$1,999,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,167,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$8,979,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$814,000; and for other authorized employees, \$1,183,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$272,328,000, including: supplies, materials, administrative costs and Federal tort claims, \$3,625,000; official mail for committees, leadership offices, and administrative offices of the House, \$190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$245,334,000, to remain available until March 31, 2018; Business Continuity and Disaster Recovery, \$16,217,000, of which \$5,000,000 shall remain available until expended; transition activities for new Members and staff \$2,084,000, to remain available until expended; Wounded Warrior Program \$2,500,000, to remain available until expended; Office of Congressional Ethics, \$1,658,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$720,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2017. Any amount remaining after all payments are made under such allowances for fiscal year 2017 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 102. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 103. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 104. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds \$1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 105. None of the funds made available by this Act may be used to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 106. None of the funds made available by this Act may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

DELIVERY OF DAILY CALENDAR

SEC. 107. None of the funds made available by this Act may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives which is prepared by the Clerk of the House of Representatives.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 108. None of the funds made available by this Act may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

ADJUSTMENTS TO COMPENSATION

SEC. 109. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2017.

OVERSEAS TRAVEL TO ACCOMPANY MEMBERS OF HOUSE LEADERSHIP

SEC. 110. (a) TRAVEL AUTHORIZED.—

(1) IN GENERAL.—A member of the Capitol Police may travel outside of the United States for official duty if—

(A) that travel is with, or in preparation for, travel of a Member of the House of Representatives who holds a position in a House Leadership Office, including travel of the Member as part of a congressional delegation; and

(B) the Sergeant at Arms of the House of Representatives gives prior approval to the travel of the member of the Capitol Police.

(2) DEFINITIONS.—In this subsection—

(A) the term “House Leadership office” means an office of the House of Representatives for which the appropriation for salaries and expenses of the office for the year involved is provided under the heading “House Leadership Offices” in the act making appropriations for the Legislative Branch for the fiscal year involved;

(B) the term “Member of the House of Representatives” includes a Delegate or Resident Commissioner to the Congress; and

(C) the term “United States” means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

(b) REIMBURSEMENT FROM SERGEANT AT ARMS.—

(1) IN GENERAL.—From amounts made available for salaries and expenses of the Office of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms of the House of Representatives shall reimburse the Capitol Police for the overtime pay, travel, and related expenses of any member of the Capitol Police who travels under the authority of this section.

(2) USE OF AMOUNTS RECEIVED.—Any amounts received by the Capitol Police for reimbursements under paragraph (1) shall be credited to the accounts established for the general expenses or salaries of the Capitol Police, and shall be available to carry out the purposes of such accounts during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$10,095,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of \$2,175 per month to the Attending Physician;

(2) an allowance of \$1,300 per month to the Senior Medical Officer;

(3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of \$725 per month to 2 assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) \$2,780,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,838,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,429,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$325,300,000 of which overtime shall not exceed \$35,305,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$66,000,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2017 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISION

AUTHORITY TO DISPOSE OF FORFEITED AND ABANDONED PROPERTY AND TO ACCEPT SURPLUS OR OBSOLETE PROPERTY OFFERED BY OTHER FEDERAL AGENCIES

SEC. 1001. (a) Section 1003(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1906(a)) is amended by striking “surplus or obsolete property of the Capitol Police” and inserting the following: “surplus or obsolete property of the Capitol Police, and property which is in the possession of the Capitol Police because it has been disposed, forfeited, voluntarily abandoned, or unclaimed.”.

(b) Upon notifying the Committees of Appropriations of the House of Representatives and Senate, the United States Capitol Police may accept surplus or obsolete property offered by another Federal department, agency, or office.

(c) This section and the amendment made by this section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000, of which \$450,000 shall remain available until September 30, 2018: *Provided*, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in

connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$46,500,000.

ADMINISTRATIVE PROVISION

ESTABLISHMENT OF SENIOR LEVEL POSITIONS

SEC. 1101. (a) Notwithstanding the fourth sentence of section 201(b) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601(b)), the Director of the Congressional Budget Office may establish and fix the compensation of senior level positions in the Congressional Budget Office to meet critical scientific, technical, professional, or executive needs of the Office.

(b) LIMITATION ON COMPENSATION.—The annual rate of pay for any position established under this section may not exceed the annual rate of pay for level II of the Executive Schedule.

(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

ARCHITECT OF THE CAPITOL

CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$88,542,234, of which \$5,268,000 shall remain available until September 30, 2021.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$33,005,499, of which \$9,005,499 shall remain available until September 30, 2021.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$12,826,000, of which \$2,946,000 shall remain available until September 30, 2021.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$187,481,000, of which \$61,404,000 shall remain available until September 30, 2021, and of which \$62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$17,000,000, to remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol

Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$104,480,000, of which \$27,339,000 shall remain available until September 30, 2021: *Provided*, That not more than \$9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2017.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$47,080,000, of which \$22,137,000 shall remain available until September 30, 2021.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computing Facility, and Architect of the Capitol security operations, \$26,697,000, of which \$9,164,000 shall remain available until September 30, 2021.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$14,067,000; of which \$4,054,000 shall remain available until September 30, 2021: *Provided*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$20,557,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 1201. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 1202. None of the funds made available by this Act may be used for scrims con-

taining photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

WORKING CAPITAL FUND

SEC. 1203. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a working capital fund (hereafter in this section referred to as the “Fund”) for the Architect of the Capitol.

(b) AVAILABILITY OF AMOUNTS.—Amounts in the Fund shall be available to the Architect of the Capitol for such common agency services, activities, and equipment, such as construction, capital repairs, renovations, rehabilitation, maintenance of real property, and similar agency expenses, on a reimbursable basis within the Architect of the Capitol as the Architect determines to be appropriate, efficient, and economical.

(c) CONTENTS.—The capital of the Fund consists of—

- (1) amounts appropriated to the Fund;
- (2) the reasonable value of stocks of supplies, equipment, and other assets and inventories on order that the Architect transfers to the fund, less related liabilities and unpaid obligations;
- (3) receipts from the sale or exchange of property held in the Fund;
- (4) all miscellaneous receipts compensating the Architect of the Capitol for loss or damage to any Government property under the Architect's jurisdiction or care, including but not limited to the United States Botanic Garden;
- (5) reimbursements pursuant to subsection (d); and
- (6) amounts transferred to the Fund pursuant to subsection (e).

(d) REIMBURSEMENT.—The Fund shall be reimbursed from available accounts of the Architect of the Capitol for supplies, materials, services, and related expenses, at rates which will approximate the full cost of operations, including—

- (1) accrual of employee leave and benefits;
- (2) depreciation of plant, property, and equipment; and
- (3) overhead.

(e) TRANSFERS FROM OTHER ACCOUNTS.—The Architect is authorized to transfer amounts from other available Architect of the Capitol accounts to the Fund in this and each succeeding fiscal year as the Architect determines to be appropriate, efficient, and economical, subject to the approval of the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, or both (as the case may be), in accordance with section 306 of the Legislative Branch Appropriations Act, 1997 (2 U.S.C. 1862).

(f) CONTINUING AVAILABILITY OF FUNDS.—Amounts in the Fund are available without regard to fiscal year limitation.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

AUTHORITY FOR A HOUSE OFFICE BUILDINGS SHUTTLE

SEC. 1204. (a) The proviso in the item relating to “Capitol Grounds” in title VI of the Legislative Branch Appropriations Act, 1977 (90 Stat. 1453; 2 U.S.C. 2163) is amended by striking “appropriated under this heading” and inserting “appropriated for any available account of the Architect of the Capitol”.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

USE OF EXPIRED FUNDS FOR UNEMPLOYMENT COMPENSATION PAYMENTS

SEC. 1205. (a) Available balances of expired Architect of the Capitol appropriations shall

be available to the Architect of the Capitol for reimbursing the Secretary of Labor for any amounts paid with respect to unemployment compensation payments for former employees of the Architect of the Capitol, not withstanding any other provision of law, without regard to the fiscal year for which the obligation to make such payments is incurred.

(b) This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

FLAG OFFICE REVOLVING FUND

SEC. 1206. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund to be known as the “Flag Office Revolving Fund” (in this section referred to as the “Fund”) for services provided by the Flag Office of the Architect of the Capitol (in this section referred to as the “Flag Office”).

(b) DEPOSIT OF FEES.—The Architect of the Capitol shall deposit any fees charged for services described in subsection (a) into the Fund.

(c) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

- (1) Amounts deposited by the Architect of the Capitol under subsection (b).
- (2) Any other amounts received by the Architect of the Capitol which are attributable to services provided by the Flag Office.
- (3) Such other amounts as may be appropriated under law.

(d) USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be available for disbursement by the Architect of the Capitol, without fiscal year limitation, for expenses in connection with the services provided by the Flag Office, including—

- (1) supplies, inventories, equipment, and other expenses; and
- (2) the reimbursement of any applicable appropriations account for amounts used from such appropriations account to pay the salaries of employees of the Flag Office.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$449,971,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2017, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000 shall be derived from collections during fiscal year 2017 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than

\$6,350,000: *Provided further*, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, \$8,444,000 shall remain available until expended for the digital collections and educational curricula program: *Provided further*, That of the total amount appropriated, \$1,300,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System: *Provided further*, That of the total amount appropriated, \$4,039,000 shall remain available until September 30, 2019 to complete the first of three phases of the shelving replacement in the Law Library's collection storage areas: *Provided further*, That of the total amount appropriated, \$24,000,000 shall remain available until September 30, 2019 to migrate the Library's Primary Computing Facility (PCF) in the James Madison Building to an alternate PCF.

COPYRIGHT OFFICE SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, \$68,827,000, of which not more than \$31,269,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2017 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than \$5,929,000 shall be derived from collections during fiscal year 2017 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$37,198,000: *Provided further*, That \$4,531,000 shall be derived from prior year unobligated balances: *Provided further*, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than \$6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$107,945,000: *Provided*, That no part of such amount may be used to pay any salary or ex-

pense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$50,248,000: *Provided*, That of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1301. (a) IN GENERAL.—For fiscal year 2017, the obligatory authority of the Library of Congress for the activities described in subsection (b) may not exceed \$188,188,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

LIBRARY OF CONGRESS NATIONAL COLLECTION STEWARDSHIP FUND

SEC. 1302. (a) ESTABLISHMENT.—There is hereby established in the Treasury of the United States, as an account for the Librarian of Congress, the "Library of Congress National Collection Stewardship Fund" (hereafter in this section referred to as the "Fund").

(b) CONTENTS OF FUND.—The Fund shall consist of the following amounts:

(1) Such amounts as may be transferred by the Librarian from available amounts appropriated for any fiscal year for the Library of Congress under the heading "Salaries and Expenses".

(2) Such amounts as may be appropriated to the Fund under law.

(c) USE OF AMOUNTS.—Amounts in the Fund may be used by the Librarian as follows:

(1) The Librarian may use amounts directly for the purpose of preparing collection materials of the Library of Congress for long-term storage.

(2) The Librarian may transfer amounts to the Architect of the Capitol for the purpose of designing, constructing, altering, upgrading, and equipping collections preservation and storage facilities for the Library of Congress, or for the purpose of acquiring real property by lease for the preservation and storage of Library of Congress collections in accordance with section 1102 of the Legislative Branch Appropriations Act, 2009 (2 U.S.C. 1823a).

(d) CONTINUING AVAILABILITY OF FUNDS.—Any amounts in the Fund shall remain available until expended.

(e) ANNUAL REPORT.—Not later than 180 days after the end of each fiscal year, the Librarian shall submit a joint report on the Fund to the Joint Committee on the Library and the Committees on Appropriations of the House of Representatives and Senate.

(f) INITIAL 5-YEAR PLAN.—Not later than 6 months after the date of the enactment of this Act, the Librarian shall submit to the Joint Committee on the Library and the Committees on Appropriations of the House

of Representatives and Senate a report providing a plan for expenditures from the Fund for the first 5 fiscal years of the Fund's operation.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2017 and each succeeding fiscal year.

FILM PRESERVATION PROGRAMS

SEC. 1303. (a) NATIONAL FILM PRESERVATION BOARD.—

(1) REAUTHORIZATION.—Section 112 of the National Film Preservation Act of 1996 (2 U.S.C. 179v) is amended by striking "through fiscal year 2016" and inserting "through fiscal year 2026".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in the enactment of the National Film Preservation Act of 1996.

(b) NATIONAL FILM PRESERVATION FOUNDATION.—Section 151711(a)(1)(C) of title 36, United States Code, is amended by striking "through 2016" and inserting "through 2026".

SOUND RECORDING PRESERVATION PROGRAMS

SEC. 1304. (a) NATIONAL RECORDING PRESERVATION BOARD.—Section 133 of the National Recording Preservation Act of 2000 (2 U.S.C. 1743) is amended by striking "through fiscal year 2016" and inserting "through fiscal year 2026".

(b) NATIONAL RECORDING PRESERVATION FOUNDATION.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 152411(a) of title 36, United States Code, is amended by striking "through fiscal year 2016" and inserting "through fiscal year 2026".

(2) NUMBER OF MEMBERS OF BOARD OF DIRECTORS.—Section 152403(b)(2)(A) of such title is amended by striking "nine directors" and inserting "12 directors".

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$79,736,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar

purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE
SUPERINTENDENT OF DOCUMENTS
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$29,500,000: *Provided*, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2015 and 2016 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Publishing Office Business Operations Revolving Fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS
OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, \$7,832,000, to remain available until expended, for information technology development and facilities repair: *Provided*, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: *Provided further*, That not more than \$7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: *Provided further*, That the Business Operations Revolving Fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the Business Operations Revolving Fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the Business Operations Revolving Fund may provide information in any format: *Provided*

further, That the Business Operations Revolving Fund and the funds provided under the heading "Public Information Programs of the Superintendent of Documents" may not be used for contracted security services at Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$533,100,000: *Provided*, That, in addition, \$23,350,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER
TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$1,000,000.

JOHN C. STENNIS CENTER FOR PUBLIC
SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2017 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

COMPUTER NETWORK ACTIVITY

SEC. 208. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity to carry out criminal or Congressional investigations, prosecution, or adjudication activities.

SPENDING REDUCTION ACCOUNT

SEC. 209. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974, excluding Senate items, exceeds the amount of proposed new budget authority is \$0.

This Act may be cited as the "Legislative Branch Appropriations Act, 2017".

The Acting CHAIR. No amendment to the bill shall be in order except those printed in House Report 114-611. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now order to consider amendment No. 1 printed in House Report 114-611.

AMENDMENT NO. 2 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-611.

Mr. ELLISON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 22, after the first dollar amount, insert "(reduced by \$1,000,000) (increased by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, we can raise living standards for working families across this country if we use Federal dollars to create good jobs.

My amendment would reprogram funds to create an office of good jobs within the Office of the Chief Administrative Officer. This office would help ensure that the House's procurement and contracting decisions encourage the creation of decently paid jobs, support collective bargaining rights, and encourage responsible employment practices. Our amendment does nothing to alter existing procurement, debarment, or contracting processes.

Right now, the U.S. Government is America's leading low-wage job creator, funding over 2 million poverty jobs through contracts, loans, and grants in corporate America. That is more than the total number of low-wage workers employed by Walmart and McDonald's combined.

Mr. Chairman, at this point, the Federal Government is leading the race to the bottom through its processes and its failure to capitalize on the procurement process. U.S. contract workers

earn so little that nearly 40 percent use public assistance programs like food stamps and Section 8 to feed their families.

In other words, Mr. Chairman, because these jobs are paid so low that are funded by the Federal contracts, Uncle Sam has to subsidize these people, working people, because they are not getting paid enough by the Federal contractors that employ them.

To add insult to injury, many of these low-wage U.S. contract workers are driven deeper into poverty because their employers steal their wages and break other Federal labor laws. Treating the people who work with us here at the Capitol with dignity and respect is absolutely essential.

It is intended that the appropriation for the Office of the Chief Administrative Officer be used to establish an Office of Good Jobs aimed at ensuring that the Chief Administrative Officer's procurement decisions encourage the creation of decently paid jobs, collective bargaining rights, and responsible employment practices. The office's structure shall be substantially similar to the Centers for Faith-Based and Neighborhood Partnerships located within the Department of Education, Department of Housing and Urban Development, Department of Homeland Security, Department of Health and Human Services, Department of Labor, Department of Agriculture, Department of Commerce, Department of Veterans Affairs, Department of State, Small Business Administration, Environmental Protection Agency, Corporation for National and Community Service, and U.S. Agency for International Development.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Chair, I know Mr. ELLISON is well-intended in his amendment. In fact, his amendment was offered during the House debate on the Energy and Water Appropriations bill just recently, and it was rejected by an overwhelming majority on a bipartisan basis. In fact, the vote was 174-245. I know his intentions are well-meaning, and he speaks well of the topic, but this amendment is no more appropriate in this context than it was previously. It ignores the fact that Congress operates an entirely different procurement system than other Federal agencies.

The House has an established procurement process that is in place to ensure that all procurements are executed in a fair and a competitive manner. The function of this amendment would only add additional time to an already sound procurement process.

I oppose the amendment.

I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chair, I support my colleague's amendment.

The aim of this amendment is to create an office of good jobs for the House within the Office of the Chief Administrative Officer. This office would help ensure that the House makes contracting and employment decisions, encouraging the creation of decently paid jobs, implementation of fair labor practices, and responsible employment practices.

As the legislative branch, we ought to be setting an example for the Nation when it comes to contracting decisions. Members of Congress who are committed to creating good-paying jobs and supporting workers have a chance with this amendment to see those values reflected right where we work.

This office will help guide the legislative branch in making responsible contracting and employment decisions and do right by the countless men and women who help us perform the people's business each and every day.

I urge my colleagues to support the amendment by voting "yes."

Mr. ELLISON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 2 minutes remaining.

Mr. ELLISON. Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I think this is a great example to show the openness of this process. In fact, this amendment was offered recently with the Energy and Water Appropriations bill and is applicable to be offered even here today. While I rise in opposition to the gentleman's amendment, I think it is just a good example of bipartisanship and this open process, of an orderly structured process to get our job done here.

However, this amendment doesn't achieve what we would hope it would, and that is why I have to rise in opposition.

I mean, it is clear that vendors that do business with the House are already reviewed against the GSA's excluding parties list, which includes businesses that are then precluded from doing business with the Federal Government for and, among other things, violating employees' legal employment rights.

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As written, this amendment fails to do really much of anything. It has no legislative effect. It fails to define what the office should examine, where in the House of Representatives organizational structure the office would reside, and what recourse, if any, a Member would have if he or she disagreed with a finding of the office.

Again, with that, I have to oppose the gentleman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, it is long past time, given this economy that we have, for the Congress of the

United States to prioritize good jobs. The fact is that, if we have an agency, an office of good jobs making sure that everyone who we do business with is making sure that workers are paid fairly, that they get every penny that they earn, and that we are making sure that we prioritize good employers over the bad ones, this is exactly what we should be doing. We live in a time of 40 years of wage stagnation, and the Federal Government is deeply implicated in this wage stagnation. The Federal Government, the U.S. Congress should do something about it.

Mr. Chairman, let me tell you about a friend of mine named Vee. Vee has been a catering worker here at the House of Representatives for 27 years. She is 67 years old. She says she has next to nothing for retirement. She jokes that she will be working until half an hour before her funeral. In Vee's own words: We aren't looking for a handout; we are looking for a hand up.

No one who works for decades should be left without a secure retirement. Retirement insecurity isn't the only trouble she and her colleagues face. Some of them don't get healthcare benefits from their employer. Of the 50 catering workers serving Members and visitors to the Hill, only about half have access to year-round health care.

We need to make it clear to current and future contractors that we want them to put taxpayers' dollars in their contracts to use, taking care of Americans who are working for them. This will help raise living standards for all workers.

Let me tell you this, Mr. Chairman, when we see the Federal Government and we see State governments make good jobs the issue, the private sector falls in line. We have seen the Gap, even Walmart, talking about raising issues. Why? Because President Obama signed an executive order to say that anyone who works for a Federal contractor has to get paid at least \$10.10 an hour. That kind of leadership is what makes the Federal Government not the leader in the race to the bottom but the leader in the race to the top.

Vote "yes" on my amendment.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I am grateful for the gentleman's time tonight and taking time on this late evening to express his passion and zeal for workers all across this country. However, with that, because of his amendment and, as I mentioned, the impact that it, in effect, really wouldn't have, I would have to oppose the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-611.

Mr. BLUMENAUER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 6, after the dollar amount, insert "(reduced by \$100,000) (increased by \$100,000)".

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, there is a bike share revolution that is spreading across America. Over 70 systems are now operating in 104 cities, including, next month, my hometown of Portland, Oregon. Atlanta's system opened today. This is an opportunity to provide the bicycle in a more convenient form, where people can rent by the half hour, by the hour, by the day.

We find that research shows that the bike share is safer than regular bicycles. There have been no fatalities recorded in more than 35 million trips around the country so far. It is cheaper. It is a healthier form of transit. Low-cost memberships are available for low-income populations, for example, in Washington, D.C., and Philadelphia and Chicago.

The Nation's Capital is a model for bike share. Launched in 2010, there are now over 350 stations around the D.C. area. Daily ridership is over 9,000. Bike share members report annual savings of \$700 to \$800 a year due to riding the bike share.

My amendment suggests that it is time for the Architect of the Capitol to have the Capitol Grounds included in this process, requiring a feasibility study on the installation and operation of bike share stations on the Capitol Grounds.

Right now, the nearest station to House Office Buildings is at the bottom of Capitol Hill, between the busy Independence Avenue and freeway on-ramps. It is not convenient to our staff. It is not convenient to the millions of visitors that come to Capitol Hill every year. Thinking for a moment about the problems we have got now with the Metro maintenance, every person that takes a bike share is one more person who is not on the road ahead of you or crowded into overcrowded facilities.

I respectfully suggest that this amendment be adopted, that we have \$100,000 within the Architect of the Capitol's budget to undertake this feasibility study to improve the quality of life, the health, and mobility in and around this vital area of our Nation's Capital. It is unfortunate that this intense area of activity is underserved. This amendment would help remedy that.

Mr. Chairman, I reserve the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Chairman, I don't claim the time in opposition to speak against it. In fact, I am supportive of the gentleman's amendment, and I appreciate him bringing this forward. As a cyclist myself, I can tell you, I understand the importance of making sure, on a campus such as this or in a town such as this or an area such as this, that there is plenty of availability, and the bike share facilities and locations are certainly around here, but we understand that there are some absences or vacancies in spaces near to this campus.

Saying all that, I do respect the Sergeant at Arms and the Capitol Police and some of their concerns that they have expressed, and I would hope that, as the Architect moves forward with a study such as this, that they would take those considerations into effect as well as they put their study together.

I thank the gentleman for his amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I rise in strong support of the Blumenauer amendment to request a feasibility study on the installation and operation of Capital Bikeshare stations on the Capitol Grounds. I would like to thank Mr. BLUMENAUER for his bike-partisan leadership over the years and for his work on this issue specifically. His passion for cycling is known to and appreciated by so many of us.

Mr. Chairman, Capital Bikeshare opened in 2010 in the District of Columbia and in Arlington, Virginia, which I am proud to represent. Since then, the system has grown steadily to include more than 350 stations. It has changed the way many people in this region travel. The U.S. Capitol receives millions of visitors every year, and millions more visit our offices to talk about their issues and concerns. These people are friends, families, and constituents. There are also guests of the

United States from all over the world. Capital Bikeshare has been successful precisely because many of these visitors want to see our city up close, from the seat of a bicycle.

Expanding this very successful program to the Capitol Grounds is a great way to give tourists, local commuters, and our staffs an excellent transportation alternative, not to mention the benefits the bicycle has on the environment, individual health, and traffic congestion.

This need is especially great right now as the D.C.'s Metrorail system undergoes extensive, prolonged maintenance. This puts a real strain on all the other modes of transportation in the city.

Capital Bikeshare is beloved by D.C. residents and visitors alike, and we should be setting a strong example by supporting the program and welcoming stations in the place where we work, right here on the Capitol Grounds.

Mr. Chair, I thank Mr. BLUMENAUER for his leadership and urge my colleagues to support the amendment.

Mr. BLUMENAUER. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. WELCH

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-611.

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 6, after the dollar amount, insert "(reduced by \$500,000)".

Page 17, line 11, after the dollar amount, insert "(increased by \$250,000)".

Page 17, line 23, after the first dollar amount, insert "(increased by \$250,000)".

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Speaker, I am delighted to be here presenting this amendment. My cosponsor of this amendment, JAIME HERRERA BEUTLER, is unable to be here, but it is relevant. She had a baby 2 weeks ago—this is not her first child—and she is a breastfeeding mother.

This amendment is about creating the potential for the House Office Buildings and this Capitol to come into compliance with the General Services Administration guidelines for having breastfeeding stations available for women who need them. There are 7,000 women who work here. There are thousands of women who visit on a regular

basis, and we don't have the stations that the women who visit the Capitol, work in the Capitol, work in the House Office Buildings, or visit need to be here in order to take care of their infant children.

It is just amazing to me. JAIME HERRERA BEUTLER is someone we all admire. She can't be here—she wishes she was—but she is a big advocate of this. What this amendment would do is not cost new money, but it would allow a shift in money, \$500,000, from the capital construction and operations account to the Capitol Building and House Office Building accounts, appropriating \$250,000 each.

The fact is, why wouldn't we want to be in compliance with the GSA requirements as to the access to the breastfeeding stations for mothers who work and visit here?

Mr. Chair, my hope is that there will be broad bipartisan support to do something that I think all of us know needs to be done.

Mr. GRAVES of Georgia. Will the gentleman yield?

Mr. WELCH. I yield to the gentleman from Georgia.

Mr. GRAVES of Georgia. Mr. Chairman, I want to thank the gentleman for his thoughtful amendment. We are prepared to accept it, support it.

Mr. WELCH. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the committee.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I join the chairman in supporting the gentleman's amendment. This amendment would add approximately 30 lactation rooms to the Capitol complex. Working mothers rely on these rooms—and I can speak from experience—to ensure that they can continue to work while breastfeeding their children.

This amendment rightfully recognizes that Congress must lead by example to ensure that women can be both moms and leaders in their field. In fact, my own office right now is serving as a lactation room, and that is because one of my wonderful staff is a nursing mom.

While I am happy to do that, it is our responsibility to maintain an environment where all of our employees feel comfortable, including working mothers. Our staff deserves to feel welcome and secure when they are ready to return to work. We should be doing everything we can to encourage working moms to return to the workplace, and it must start here on Capitol Hill.

As we all know, the offices in which we work are inadequate for moms to pump. Our staff is many to an office with open-air cubicles. Having lactation rooms is mandatory, essential, if we want to keep talented women in the workplace.

I want to thank the gentleman for offering this amendment. I urge its sup-

port and appreciate the chairman's support.

Mr. WELCH. Mr. Chairman, I want to thank Chairman GRAVES. I appreciate his support of this amendment. I also want to thank the ranking member for her support. I also thank my cosponsors, Congresswoman MATSUI and Congresswoman FRANKEL, but I especially want to thank and congratulate Congresswoman HERRERA BEUTLER.

Mr. Chairman, I yield back the balance of my time.

Ms. MATSUI. Mr. Chair, I want to thank Congressman WELCH for his leadership on this common sense amendment.

Working mothers are driving our economy forward. Two out of every three women are the sole or equal breadwinner in their households. Many of these women are juggling the responsibilities of caring for their children and supporting their family.

Having workplaces that accommodate the needs of our hard working American mothers makes our economy stronger. Businesses across the country have made important improvements in their work place standards for women. And the Federal government has too. In fact, the General Services Administration now requires that federal buildings have lactation stations for breastfeeding mothers.

But here in the U.S. Capitol we are not living up to these standards—at the expense of the thousands of women who work in the Capitol and the millions of women who pass through these grounds every day. We need to make working mothers' ability to contribute to our economy easier, not harder.

This amendment simply brings the House of Representatives into compliance with existing laws already on the books and would not require any new funding. It is a common sense step forward for working mothers.

Our Capitol is a symbol of our democracy and should set the highest example for the American people. I urge my colleagues to support this amendment which makes our Capitol more welcoming to all.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was agreed to.

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The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-611.

AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-611.

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ (a) Each amount made available by this Act is hereby reduced by 1 percent.

(b) The reduction in subsection (a) shall not apply with respect to—

(1) accounts under the heading "Capitol Police";

(2) "Architect of the Capitol—Capitol Police Buildings, Grounds and Security"; or

(3) the amount provided for salaries and expenses of the Office of the Sergeant at Arms under the heading "House of Representatives—Salaries, Officers and Employees".

The Acting CHAIR. Pursuant to House Resolution 771, the gentlewoman from Tennessee (Mrs. BLACKBURN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I want to begin by thanking the committee for the hard work that they have put into this bill and for the way the House has approved reducing our budget over the last several years. If every department of the Federal Government were to be as active as we were in reducing our spending, our budget would be in better shape.

This bill provides a net total of \$3.482 billion in fiscal year 2017 base discretionary budget authority. That is \$153 million below the President's budget request, \$73 million above the enacted 2016 level, and \$140 million above the level proposed by the Appropriations Committee for fiscal year 2016.

However, I think there is more work that needs to be done. And thus, as I do for most of our appropriations bills, I am here with my 1 percent across-the-board spending reduction amendment.

It would reduce discretionary budget authority by \$31 million and outlays by \$28 million. It exempts the Capitol Police, the Architect of the Capitol, Capitol Police Buildings, Grounds and Security, and the Sergeant at Arms.

I am certainly aware that there is opposition to doing the penny-on-a-dollar cut. I have heard many times that cuts like this are damaging and we shouldn't do them, but I think that cutting an extra penny on every dollar not only goes to putting us on a better track, it helps to preserve our Nation's sovereignty for future generations.

When we have \$19.2 trillion in debt, our constituents are saying: What are you going to do about this?

Well, here is an action that we can take: making a penny-on-a-dollar cut and saving ourselves some more money—\$31 million—that will help to send the right message that, again, we are going to cut a little bit more, just as the families in our districts are doing.

Mr. Chair, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I strongly oppose this amendment, as it takes a meat-ax approach to cutting this bill by \$31 million with an across-the-board cut of 1 percent.

The amendment exempts the Capitol Police and its buildings, as well as the

Sergeant at Arms. It does not exempt our staff, including the offerer's own staff because it would cut the Members' Representational Allowance. It would also cut the Congressional Research Service, the Government Accountability Office, the Congressional Budget Office, committees of Congress, and the Office of Compliance.

The Legislative Branch bill, Mr. Chairman, has been flat for 3 years. And this bill finally provides a modest overall increase of 2.1 percent, but because we have not kept up with inflation, each year we are buying less and less for our dollar. The Congressional Research Service, for example, is still below FY 2010 levels and reports it has lost 13 percent of its purchasing power.

We can't continue to do more with less. There is a reason the perception of Congress is damaged. We are damaging our ability to write and analyze legislation and have serious debates because we take the politically expedient route, like the across-the-board cuts, because they play well during town halls. But if we bothered to explain the brain drain within the halls of Congress and the need to boost funding for staff to do oversight, I have the belief that our constituents would understand that.

If Members want a strong legislative branch to ensure oversight of the executive, this amendment should be defeated.

The cut to the MRA is one of the most egregious that would result from this amendment. I happen to think my staff contributes to the well-being of my constituents and are worth every penny we can afford to pay them after years of cuts to the MRA. The MRA is \$97 million less than it was in fiscal year 2010. This amendment would cut \$5.6 million more.

Mr. Chairman, you get the government you pay for, and I fear that this amendment would do nothing more than hurt the service we are able to provide to our constituents.

I urge defeat of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, I will have to say that people do like across-the-board cuts. Indeed, many governors, Republican and Democrat alike, use these. From coast-to-coast, they have used these. And our constituents like them.

Take a look at the December 2012 POLITICO-George Washington University Battleground Tracking Poll. It shows 75 percent approve of them. January 2013, The Hill, 6-in-10 approve. Look at what happened in Oklahoma in December: a 3 percent across-the-board cut. In March, they did a 4 percent across-the-board cut.

Why is it that our governors do these?

They work. Department heads like to be able to go in there and find a way to

cut a little bit more in that budget and still meet the needs that the people have said they want to see their government meet.

We have \$19.3 trillion in debt. We are working to get the cost of government down, but we have to do a little bit more. This is a way to engage rank-and-file Federal employees and to say to them: It is time for us to get our fiscal house in order.

A penny on the dollar is what our constituents are doing. We should do likewise. It is what our States are doing, because they can't crank the printing press. They can't go borrow money. They can't have more of our debt that is owned by China and Japan and OPEC and the entities that own our debt. They have to have balanced budget amendments. When I was in the Tennessee State Senate, we didn't go home until we had the budget in balance.

So I would encourage support of this amendment. It is a penny out of a dollar. It is another \$31 million in savings.

Mr. Chairman, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, as I said, this bill has already taken hit after hit. We are far below the levels that we were at in 2010. We have employees who deserve to be assured that we have enough respect for their professionalism that we are going to adequately fund their ability to do their jobs, which is to represent our constituents.

This amendment takes, as I said, a meat-ax approach rather than what the chairman and I worked together to do, which is to develop the substantive portions of this bill related to the funding of the legislative branch in a precisionlike way.

It doesn't make sense. I have never heard of polling that actually asks generic questions of constituents on whether they like or dislike across-the-board cuts. I am not sure what the purpose of electing Members of Congress is if we are going to just make indiscriminate, across-the-board decisions rather than use our brains and build consensus around the decisions that we make.

That is the type of approach that this amendment would take, and it is inappropriate. We need to make sure that we are adequately funding the legislative branch functions so that we can represent our constituents effectively.

Mr. Chairman, I reserve the balance of my time.

Mrs. BLACKBURN. Mr. Chairman, the American people think they have taken hit after hit. And they have taken it right in the wallet. They are sick and tired of this. They feel like this economy has taken a meat-ax approach to their well-being. What they want to see is leadership that will work to get our spending habits under control here in Washington.

This is a great opportunity to lead by example and to say: A penny on the dollar, we are going to do it for the children and for future generations.

Mr. Chairman, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, the American people are appreciative and understand that we have been through 75 straight months of private sector job growth, that we have added 20 million people who didn't have health insurance before and who are now able to go to the doctor when they are sick, that we have cut the deficit by nearly three-quarters, and that we have made progress. And we need to continue to build on that progress and help more Americans have an opportunity to reach the middle class.

All of those things were accomplished through funding the legislative branch. And we need to appropriately fund it, adequately fund it, so we can effectively represent our constituents.

I urge defeat of this ill-advised amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 114-611.

PARLIAMENTARY INQUIRY

Mr. GRAVES of Georgia. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. GRAVES of Georgia. Could the Chair inform the committee of what the intentions are tonight, about how many amendments we would move forward and how many for tomorrow?

The Acting CHAIR. The Chair has just announced that amendment No. 7 is now in order.

Mr. GRAVES of Georgia. Mr. Chair, I have an additional parliamentary inquiry.

The Acting CHAIR. The Chair would be prepared to entertain a motion to rise.

Mr. GRAVES of Georgia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. AMODEI) having assumed the chair, Mr. BYRNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee,

having had under consideration the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

CELEBRATING PRIDE MONTH

The SPEAKER pro tempore (Mr. BYRNE). Under the Speaker's announced policy of January 6, 2015, the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. WATSON COLEMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. WATSON COLEMAN. Mr. Speaker, I am thrilled to be here on the floor of the House this evening with my Congressional Progressive Caucus and LGBT Equality Caucus as we join millions of Americans around the country in celebrating Pride Month.

Pride Month offers an opportunity to celebrate the incredible achievements of the LGBT community and the progress we have made toward a society that accepts LGBT Americans as equals. It is a chance to honor the trailblazers and leaders that have contributed so much to the lives of LGBT individuals worldwide. And it gives us the space to remind one another that we are all humans, deserving of dignity, acceptance, and equal treatment.

The LGBT community, along with allies like myself, have fought to see the end of discriminatory laws and policies. We have applauded as society itself opens its arms. And we have watched as more and more LGBT "firsts" make their mark in public service, Hollywood, and every corner of our world.

□ 2000

From the Stonewall riots that set the stage for the pride celebrations that we have today, to the end of "Don't Ask, Don't Tell" in our Armed Forces, to the landmark Supreme Court decision in *Obergefell v. Hodges*, to the recent confirmation of the very first gay man to serve as Secretary of the Army, we have made clear, forward progress.

But even as we celebrate the countless achievements of the past few years, we must also acknowledge the continuing uphill battle for LGBT equality. This year has seen a deeply painful wave of laws passed by State legislatures and aimed at legalizing blatant discrimination against the LGBT communities.

There have been recent upticks in transgender violence and, just last week, a disgraceful move by a few Members on the other side of the aisle to prevent the passage of an amendment that sought to prevent discrimination. That reminded us that we still have quite a bit of work to do.

That is why my colleagues and I support legislation like the Student Non-Discrimination Act, or the Safe Schools Improvement Act, or the Equality Act. That is why I remain committed to making sure that we eliminate every form of discrimination in our society.

Who you are and who you love shouldn't affect which jobs you are eligible for, who serves you in a restaurant, how much you make at work, or anything else about your life.

In a Nation founded upon the principles of personal freedom and individual rights, the word "equality" carries great weight. It should mean equal treatment, respect, and access, regardless of race, gender, education, income, sexual orientation, with no exceptions. And as a LGBT ally, I am determined to make that vision a reality.

Mr. Speaker, I thank you for the opportunity to present these few words on behalf of a community that has suffered so many discrimination attempts, so much disharmony, so many harmful experiences. Yet, this is a community of healthy, helpful, brilliant and introductory individuals.

We must make sure that this society, our society, our House, this great America, stands firm for the equal opportunity of all people; that it should have nothing to do with who we love or what our gender identity is. It should be what do we have to offer to make our society a better and healthy one.

Mr. Speaker, I yield to my colleague from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I thank the gentlewoman for yielding the time. I would like to thank the leadership for allowing the time. And, Mr. Speaker, I also want to thank my staff and the many members of the LGBT Caucus for helping us to produce H. Res. 772. This is the original LGBTQ Pride Month resolution, and I am very proud that persons have signed onto this resolution, so I want to thank all of the cosponsors, original cosponsors of the resolution.

I am grateful that the President of the United States has recognized Pride Month. President Obama has taken quantum leaps forward in helping us to realize this notion that all persons are created equal and endowed by their Creator with certain inalienable rights, and among them, life, liberty, and the pursuit of happiness. This is what Pride Month is really all about, these inalienable rights.

I am proud to align myself and proud to call myself an ally of the LGBT

community. I am an ally of this community for many reasons. I would like to just share a few.

I have suffered invidious discrimination. I know what it is like to be decided as one who should stand in a different line. I know what it is like to be required to drink from the Colored water fountain. I know what it is like to be required to sit in a different area in a theater. I know what it is like to have to ride in a certain place on a bus.

I have felt the sting of invidious discrimination, and my history dictates that I stand against invidious discrimination in any form against whomever. My history requires that I be where I am when it comes to helping others who are being discriminated against.

So I am proud to have this resolution that we have presented, and I am proud to have presented it because there is still great work to be done. We still have 28 States that allow someone to be fired for being gay, lesbian, or bisexual. No one should be fired because of who you happen to be. Your performance should determine your position in a place of work.

Unfortunately, in our country, we still have people who will look at someone and conclude that that person should not work in a certain position.

Dr. King reminded us that it was the content of character that determines the worth of a people, not what they look like, not what you think they may have as a preference in life, the content of character.

People should be judged upon their merits. They should ascend on merits, and they should fail on demerits, not what they look like or what you think their preferences are.

Twenty-eight States still allow people to be fired based upon what someone thinks about their sexuality, or if they should happen to announce their sexuality. Thirty States still allow someone to be fired for being trans.

How people behave, as long as they are obeying the law, should not be a means by which you can fire them. People have every right to be themselves.

To all of those who are heterosexual, as am I, we should think about what it would be like for us to have to pretend to be something other than that we are. People ought not to have to pretend or hide their sexuality.

I was very proud to see “Don’t Ask, Don’t Tell” fall because people ought to be able to ask and to tell who they are and what their preferences are. This ought not be something that we ought to, somehow, impose upon people as a shame. People should be proud of what God has made them to be, and they ought to be able to share that with the world. All persons created equal, endowed by their Creator, with certain inalienable rights; that includes people who happen to be a part of the LGBTQ community.

We still have 28 States that don’t include the protections for sexuality under housing discrimination laws; people just evicted because someone concludes something about their sexuality. You ought not be evicted because of discrimination related to your sexuality.

There was a time in this country when females could not vote, a time when they couldn’t own land, a time when they had to have a husband to acquire certain status in this country. But we have gone beyond that.

We should get beyond this notion that people should not have fair and equality with reference to housing in the greatest country in the world. And I still say it is the greatest country in the world. I understand we have these problems, but I believe that people ought to receive housing based upon behavior, not based upon what you think of them.

We still have, in this country, 30 States that lack housing protections for being trans. Again, what people think of you should not determine where you will be housed.

I am proud that President Obama, as I indicated earlier, has helped us move forward in this area and in many other areas, because it was on his watch that the Supreme Court of the United States required that all States recognize same-sex marriages, and that they issue licenses to same-sex couples. This was a Supreme Court, but it was a Supreme Court that this President had an impact on.

I am proud that, under this President, we have had the downing of DOMA, the notion that you can discriminate against same-sex couples with their benefits. This President has helped us move forward in areas that were taboo prior to his watch, and I believe that President Obama is going to be rewarded by history for his efforts to ensure that all persons are created equal. I am very proud that the Supreme Court has taken other steps to make sure that equality exists among people.

But finally, as it relates to President Obama, let me just say that his latest effort to make sure that the military lives up to the standards that we believe should allow every person to serve in the capacity that they were born into is a remarkable one.

I think his appointing Eric Fanning as the first Secretary of the Army, a person who is openly gay, was probably one of the most significant things that he has done because this is a means by which people relate to the country. People who serve in the military are held in high esteem. People who work with the military are held in high esteem. People who serve as Secretaries are held in high esteem, and I thank the President for this very bold and courageous move.

So we are very proud to have this resolution on the floor recognizing

Pride Month, and we do so because, in my opinion, every month ought to be Pride Month. We ought not have a single month that we do this. But until we can overcome some of these greater adversities that are yet to be dealt with, I think we have to continue to celebrate Pride Month.

I am honored to do this tonight with my colleague, and I thank the gentlewoman for the time. I want to assure the gentlewoman that H. Res. 772, the original LGBTQ Pride Month resolution, while it will not pass this Congress, I want to assure the gentlewoman that, in our lifetimes, this resolution will pass a Congress of the United States of America because the Congress of the United States of America is metamorphosing. It, too, is coming to realize that we have to recognize the words of the Declaration of Independence; that all persons doesn’t mean all people of a certain gender; doesn’t mean all persons of a certain hue; doesn’t mean all persons who happen to be from a certain place. It literally means what it says; all persons are created equal, and that all people are endowed by the Creator with these inalienable rights, and that we must bring the LGBTQ community within the purview of all that others enjoy and take for granted as a matter of course.

I thank the gentlewoman for the time.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank my colleague for his eloquent and inspiring words and encouragement. And I, too, think that this is a metamorphosing body, and I just pray sooner than later.

Mr. Speaker, I yield to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentlewoman from New Jersey for yielding. Thank you, Representative WATSON COLEMAN, for leading us in this Special Order that is so significant.

I stand with many in lending my voice on behalf of the LGBT community in the 20th Congressional District of New York, and across the map of New York for that matter, and across the Nation.

We mark Pride Month each year as an opportunity to celebrate the steps that have been taken in the fight for justice, the fight for equality and civil rights for our friends and neighbors in the LGBTQ community.

As we reflect on victories, I believe it is critical that we acknowledge the challenges before us; challenges like archaic bathroom laws that conjure up the ghosts of segregation and separate water fountains; challenges like that of Supreme Court Chief Justices who refuse to obey rulings from the Supreme Court when the highest court dictates that marriage equality is indeed the law of the land; challenges like initiatives that are borne out of

fear, out of bigotry, and out of misunderstanding; and even in Washington, D.C., large routine appropriations bills that fail because one side of the aisle simply cannot support an amendment that ensures taxpayer dollars are not awarded to small businesses that, indeed, discriminate. These actions hurt each and every one of us.

□ 2015

When my LGBT friends are robbed of opportunity that hurts my community and local economies in New York's Capital Region, there needs to be a voice expressed. When LGBT kids are bullied, that teaches those who witness the act that it is okay to diminish the humanity of those that may be different from us.

These challenges are, unfortunately, a natural reaction to the massive strides we have taken in a short couple of years on the way toward equality. That does not make it acceptable, and we must work together to stamp out discrimination of any kind wherever and however it may exist.

Martin Luther King, Jr., has famously said: "The arc of the moral universe is long, but it bends toward justice."

That is where we are headed. We will get there sooner if we embrace the ideals of tolerance, of togetherness, and certainly of inclusion.

Another civil rights giant, our friend and our colleague, Congressman JOHN LEWIS of Georgia, spoke words that I will never forget. He said: "Make good trouble."

That is exactly what we must do during Pride Month and every month until our goals are achieved.

I thank the Congressional LGBT Caucus and its leadership for assembling us here today. Let's take this opportunity to recommit ourselves to the noble and simple goal that everyone—that is everyone—has a shot at the American Dream regardless of their creed, regardless of their color, and regardless of their sexual orientation and identity.

Mr. Speaker, I am grateful for the opportunity to share thoughts this evening, and I thank the gentlewoman from New Jersey.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank the gentleman from New York for his words and for taking the time to share what I think is a very important issue.

Mr. Speaker, I yield to the gentlewoman from the great State of California (Ms. LORETTA SANCHEZ), my colleague.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I would like to thank the gentlewoman from New Jersey for reserving this hour of time for us to talk about something that is incredibly important, the LGBTQ Pride Month.

It is just remarkable to look back just in the time that I have been here in the Congress to see the equality that has come about in these years. Just 8 years ago, in my home State of California, there was a proposition to prohibit gay marriage, and it passed. When proposition 8 passed, it was really heartbreaking for not only California's LGBTQ community and its allies, but really for our families because, quite honestly, every family in some way or another is connected. We have family members who belong to the LGBTQ community.

But we didn't let this be a setback to us. Like other Americans, LGBTQ Californians believed that they deserved equality under the eyes of the law. So in July of 2013, the Supreme Court finally struck down core components of the 1996 Defense of Marriage Act law that was passed right before I got to the Congress. This important ruling made proposition 8 null and void, returning marriage equality back to my great State of California.

Last year, the Supreme Court guaranteed an individual's right to marry whomever they love regardless of sex. The Supreme Court recognized what we have known for a long time, that it is wrong to deprive citizens of the right to marry the loves of their lives. They recognize that to do so would be to treat same-sex couples like second class citizens. Equality, fairness, and love won in the highest court of this Nation.

In our military, LGBTQ servicemembers have also achieved remarkable progress towards equality and ending anti-LGBTQ discrimination. Just 5 years ago, an LGBTQ American could not proudly serve their country in the military. But since the repeal of Don't Ask, Don't Tell, our LGBTQ servicemembers are now able to serve openly in our military. What a great day.

While we celebrate this extraordinary progress, we also have to recognize that we still have a ways to go. There are many States in our country where you can be fired from your job simply because you are gay. Across the country and in Congress, we are still seeing discrimination, discrimination, discrimination. Under our current laws, LGBTQ Americans aren't guaranteed the vital protections against discrimination. That is why I am a proud sponsor of the Equality Act. It is time for Congress to pass this essential civil rights legislation.

So, once again, I want to thank my colleague from New Jersey for celebrating today and to understand that regardless of sexual orientation, all Americans deserve life, liberty, and the pursuit of happiness.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank my colleague from California.

Mr. Speaker, I yield to the gentlewoman from California (Ms. SPEIER).

Congresswoman SPEIER is another colleague from the great State of California.

Ms. SPEIER. Mr. Speaker, I thank the gentlewoman for giving me the opportunity to speak today about LGBT Pride Month.

Pride Month is coming at a crucial time this year. While we have made huge strides in the LGBT community over the last few years—from marriage equality to the introduction of the Equality Act—this year has been a tragic and frustrating reminder of the terrain ahead.

Congress has ground to a halt, from legislative appropriations to the National Defense Authorization Act, as too many conservatives remain obsessed with legalizing discrimination from the contracting system to our own bathrooms. They just can't help themselves.

We can't do our job right now, and soon we will be leaving for election season without finishing the appropriations process all because conservatives are obsessed with making discrimination legal. That's right. They want to make discrimination legal.

Who are they trying to serve?

The American people and corporate America are not standing for this bigoted behavior. Corporations around the country are canceling conventions in States that have passed legislation that prevents transgender bathrooms from being available.

At the entryway to my congressional office stands a California flag bearing the rainbow stripes of the LGBT movement. It is a mark of how far we have come that such a flag is now commonplace on Capitol Hill, but on this Pride Month, conservatives are debating how best to overturn anti-discrimination provisions and bar their own constituents from using the restroom. This is absolutely ridiculous, and, frankly, a tragic nadir in congressional action.

I am sick and tired of my colleagues saying they oppose discrimination, that they are fighting for LGBT Americans, and that they support equality when time and again they have voted just the opposite way.

How about instead of bickering about bathrooms, we look at passing true anti-discrimination laws?

Right now we don't have laws preventing housing, credit, workplace, or healthcare discrimination. We have lifted the ban on LGBT military service, but our transgender servicemembers continue to serve in the shadows, never knowing if this will be the day they are dismissed. Now is the time to ban so-called gay conversion therapy that harms so many of our children.

Californians, and especially my beloved San Franciscans, have always been at the forefront of this fight for equality. As San Francisco Supervisor Harvey Milk said when he became one of the first openly gay elected officials,

gay children who weren't accepted by their parents and peers used to feel they had few options: "staying in the closet; suicide. And then one day that child might open a paper that says, 'Homosexual elected in San Francisco.'"

That is what Harvey did many decades ago. One option is to go to California, he said, and the other is to stay and fight.

That is the fighting spirit we need to keep alive today as we work to make sure our laws live up to the promise of the Declaration of Independence, that all of us, each and every one of us, is created equal and that we should be treated that way.

So I thank my colleague again for giving us the opportunity to have this Special Order to talk about Pride Month and the importance of not just being proud that there is a Pride Month, but redoubling our efforts to make sure that these really insidious amendments are not slipped into bills to enforce discrimination. Because that is what they do. They legalize discrimination. We don't stand for that. That is not what this body is about, and that is not what this country is about.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from California for her wise and compassionate concern and sharing of information.

I want to remind us that there are so many vestiges of discrimination against the LGBT community, not the least of which is also denying them access to public accommodations. This isn't what this country stands for. This isn't who we are. We are better than that. So I am glad to have this opportunity to highlight some of our issues and concerns and the support that we have for the LGBT community.

For everyone, anyone, and all of us celebrating this month, I wish you a happy Pride Month.

Mr. Speaker, I conclude my Special Order hour, and I yield back the balance of my time.

Ms. LEE. Mr. Speaker, each June, our nation celebrates the extraordinary achievements of the LGBT community and their allies.

Thanks to the tireless activism of individuals and groups fighting for LGBT rights, we can all take pride in our nation's progress toward full LGBT equality. Just one year ago, the Supreme Court joined a growing number of Americans who recognize that love is love. Now millions have the security of knowing their rights and dignity are recognized and affirmed by our federal government.

There has never been a better time to rejoice in these hard fought victories. However, there is still work to be done.

Congress must pass the Equality Act to ensure that LGBT individuals are protected from discrimination. And we must take strong action to protect transgender Americans from an epidemic of violence, particularly transgender women of color.

All people deserve to live without fear and with dignity. We must continue the march towards LGBT equality in the United States and across the world.

I am honored to join with my colleagues in the Congressional LGBT Equality Caucus and all Americans in celebrating PRIDE month. I am confident that if we stand united, we will win the fight for equality and justice.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PAYNE (at the request of Ms. PELOSI) for today and June 10 on account of business in district.

PUBLICATION OF BUDGETARY MATERIAL

UPDATED STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY2016 AND THE 10-YEAR PERIOD FY2016, THROUGH FY2025

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, June 9, 2016.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2016, and for the 10-year period of fiscal years 2016 through 2025. This status report is current through June 6, 2016. The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues to the overall limits, as adjusted, contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016, and for the 10-year period of fiscal years 2016 through 2025. This comparison is needed to implement section 311(a) of the Congressional Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2016 because appropriations for those years have not yet been completed.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the limits contained in the conference report on S. Con. Res. 11, as agreed to on May 5, 2015, for fiscal year 2016 and for the 10-year period of fiscal years 2016 through 2025. For fiscal year 2016 and the 10-year period of fiscal years 2016 through 2025, "legislative action" refers to legislation enacted after the adoption of the levels set forth in the conference agreement on S. Con. Res. 11. This comparison is needed to enforce section 302(f) of the Congressional Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal year 2016 with the "section 302(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation. The table also provides supplementary information on spending in excess of the base discretionary spending limits allowed under section 251(b) of the Balanced Budget and Emergency Deficit Control Act.

Table 4 compares the levels of changes in mandatory programs (CHIMPs) contained in appropriations acts with the permissible limits on CHIMPs as specified in sections 3103 and 3104 of S. Con. Res. 11. The comparison is needed to enforce a point of order established in S. Con. Res. 11 against fiscal year 2016 appropriations measures containing CHIMPs that would breach the permissible limits for fiscal year 2016.

Table 5 displays the current level of advance appropriations for fiscal year 2017 of accounts identified for advance appropriations under section 3304 of S. Con. Res. 11. The table is needed to enforce a point of order against appropriations bills containing advance appropriations that are: (i) not identified in the statement of managers and (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the budget resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation that occurred after adoption of the budget resolution against the budget resolution aggregates in force.

If you have any questions, please contact Jim Herz or Jim Bates at (202) 226-7270.

Sincerely,
TOM PRICE, M.D.,
Chairman.

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2016, AND 2016–2025 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF JUNE 6, 2016
(On-budget amounts, in millions of dollars)

	Fiscal Year 2016 ¹	Fiscal Years 2016–2025
Appropriate Level:		
Budget Authority	3,151,655	n.a.
Outlays	3,165,099	n.a.
Revenues	2,698,366	32,325,542
Current Level:		
Budget Authority	3,277,961	n.a.
Outlays	3,263,830	n.a.

TABLE 1—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2016, AND 2016–2025 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF JUNE 6, 2016—Continued

(On-budget amounts, in millions of dollars)

	Fiscal Year 2016 ¹	Fiscal Years 2016–2025
Revenues	2,542,403	31,808,384
Current Level over (+)/under (–)		
Appropriate Level:		
Budget Authority	+126,306	n.a.
Outlays	+98,731	n.a.
Revenues	–155,963	–517,158

n.a. = Not applicable because annual appropriations Acts for fiscal years 2017 through 2025 will not be considered until future sessions of Congress.

¹ The FY2016 Concurrent Resolution on the Budget was agreed to in S. Con. Res. 11 and the accompanying report, H. Rept. 114–96. The current level for this report is measured relative to the on-budget levels filed in H. Rept. 114–96.

TABLE 2—DIRECT SPENDING LEGISLATION COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATION FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF JUNE 6, 2016

(Fiscal Years, in millions of dollars)

House Committee	2016		2016–2025	
	BA	Outlays	BA	Outlays
Agriculture:				
302(a) Allocation	–1,645	–347	–298,629	–296,982
Legislative Action	+4	+4	+77	+77
Difference	+1,649	+351	+298,706	+297,059
Armed Services:				
302(a) Allocation	0	0	0	0
Legislative Action	–97	–81	–1,903	–1,885
Difference	–97	–81	–1,903	–1,885
Education and the Workforce:				
302(a) Allocation	–10,633	–5,017	–249,574	–229,658
Legislative Action	+269	+269	–13	–8,138
Difference	+10,902	+5,286	+249,561	+221,520
Energy and Commerce:				
302(a) Allocation	–54,654	–49,173	–1,385,904	–1,375,688
Legislative Action	+6,057	+5,316	–29,253	–29,976
Difference	+60,711	+54,489	+1,356,651	+1,345,712
Financial Services:				
302(a) Allocation	–7,334	–6,712	–62,254	–62,056
Legislative Action	0	0	–9	–9
Difference	+7,334	+6,712	+62,245	+62,047
Foreign Affairs:				
302(a) Allocation	0	0	0	0
Legislative Action	0	0	0	0
Difference	0	0	0	0
Homeland Security:				
302(a) Allocation	–180	–180	–19,470	–19,470
Legislative Action	0	0	–2,160	–2,160
Difference	+180	+180	+17,310	+17,310
House Administration:				
302(a) Allocation	–31	–2	–298	–53
Legislative Action	0	0	0	0
Difference	+31	+2	+298	+53
Judiciary:				
302(a) Allocation	–14,419	–868	–24,949	–23,055
Legislative Action	–2,143	+1,315	+4,841	+3,827
Difference	+12,276	+2,183	+29,790	+26,882
Natural Resources:				
302(a) Allocation	–285	–2	–32,403	–32,208
Legislative Action	+284	+259	–1,170	–1,170
Difference	+569	+261	+31,233	+31,038
Oversight and Government Reform:				
302(a) Allocation	–9,188	–9,026	–193,961	–193,896
Legislative Action	0	0	–214	–214
Difference	+9,188	+9,026	+193,747	+193,682
Science, Space and Technology:				
302(a) Allocation	0	0	0	0
Legislative Action	0	0	0	0
Difference	0	0	0	0
Small Business:				
302(a) Allocation	0	0	0	0
Legislative Action	0	+1	0	+2
Difference	0	+1	0	+2
Transportation and Infrastructure:				
302(a) Allocation	+60,489	70,000	–109,928	+70,000
Legislative Action	+72,733	+70,000	+89,106	+70,029
Difference	+12,244	0	+199,034	+29
Veterans' Affairs:				
302(a) Allocation	–31	–31	–1,925	–1,925
Legislative Action	–2	+388	–1	+644
Difference	+29	+419	+1,924	+2,569
Ways and Means:				
302(a) Allocation	–59,546	–59,516	–1,603,168	–1,602,668
Legislative Action	–3,018	+512	+133,292	+139,619
Difference	+56,528	+60,028	+1,736,460	+1,742,287

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF JUNE 6, 2016

(Figures in Millions) ¹

	302(b) Allocations H. Rept. 114–198		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	20,650	22,064	0	0	21,880	22,257	0	0	+1,230	+193	0	0
Commerce, Justice, Science	51,374	62,026	0	0	55,722	63,797	0	0	+4,348	+1,771	0	0
Defense	490,226	515,775	88,421	45,029	514,136	527,495	58,638	27,354	+23,910	+11,720	–29,783	–17,675
Energy and Water Development	35,402	36,195	0	0	37,185	37,216	0	0	+1,783	+1,021	0	0
Financial Services and General Government	20,250	22,092	0	0	23,235	23,048	0	0	+2,985	+956	0	0
Homeland Security	39,333	49,169	0	0	47,668	45,410	160	128	+8,335	–3,759	+160	+128
Interior, Environment	30,170	31,891	0	0	32,159	32,966	0	0	+1,989	+1,075	0	0

TABLE 3—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2016—COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF JUNE 6, 2016—Continued

(Figures in Millions) ¹

	302(b) Allocations H. Rept. 114—198		302(b) for GWOT		Current Status General Purpose		Current Status GWOT		General Purpose less 302(b)		GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Labor, Health and Human Services, Education	154,536	170,377	0	0	163,650	170,090	0	0	+9,114	—287	0	0
Legislative Branch	4,300	4,243	0	0	4,363	4,289	0	0	+63	+46	0	0
Military Construction and Veterans Affairs	76,056	78,242	532	2	79,869	79,813	0	0	+3,813	+1,571	—532	—2
State, Foreign Operations	40,500	47,055	7,334	3,767	37,780	45,206	14,895	4,597	—2,720	—1,849	+7,561	+830
Transportation, Housing & Urban Development	55,269	118,792	0	0	57,601	120,469	0	0	+2,332	+1,677	0	0
Full Committee Allowance	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Total	1,018,066	1,157,921	96,287	48,798	1,075,248	1,172,056	73,693	32,079	+57,182	+14,135	—22,594	—16,719

Comparison of Total Appropriations and 302(a) allocation

	General Purpose		GWOT	
	BA	OT	BA	OT
302(a) Allocation	1,018,066	1,157,921	96,287	48,798
Total Appropriations	1,075,248	1,172,056	73,693	32,079
Total Appropriations vs. 302(a) Allocation	+57,182	+14,135	—22,594	—16,719

Memorandum		Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories		BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA		0	0	—2	0	130	50	0	0
Commerce, Justice, Science		0	0	0	75	0	0	0	0
Defense		0	0	0	0	0	0	0	0
Energy and Water Development		0	0	0	0	0	0	0	0
Financial Services and General Government		0	0	0	0	0	0	0	0
Homeland Security		0	0	0	0	6,713	336	0	0
Interior, Environment		0	0	700	700	0	0	0	0
Labor, Health and Human Services, Education		1,484	1,277	0	0	0	0	1,523	1,311
Legislative Branch		0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs		0	0	0	0	0	0	0	0
State, Foreign Operations		0	0	0	236	0	0	0	0
Transportation, Housing & Urban Development		0	0	0	0	300	2	0	0
Totals		1,484	1,277	698	1,011	7,143	388	1,523	1,311

¹ Spending designated as emergency is not included in the current status of appropriations shown in this table.

TABLE 4—CURRENT LEVEL OF FY 2016 CHIMPS SUBJECT TO S. CON. RES. 11, SECTION 3103 LIMITS (IN MILLIONS) AS OF JUNE 6, 2016

Appropriations Bill	Budget Authority
Agriculture, Rural Development, FDA	600
Commerce, Justice, Science	9,458
Defense	0
Energy and Water Development	0
Financial Services and General Government	725
Homeland Security	176
Interior, Environment	28
Labor, Health and Human Services, Education	6,799
Legislative Branch	0
Military Construction and Veterans Affairs	0
State, Foreign Operations	0
Transportation, Housing & Urban Development	0
Total CHIMP's Subject to Limit	17,786
S. Con. Res. 11, Section 3103 Limit for FY 2016	19,100
Total CHIMP's vs. Limit	—1,314

CURRENT LEVEL OF FY 2016 CRIME VICTIMS FUND CHIMP SUBJECT TO S. CON. RES. 11, SECTION 3104 LIMIT (IN MILLIONS) AS OF OCTOBER 27, 2015

	Budget Authority
Crime Victims Fund CHIMP	9,000
S. Con. Res. 11, Section 3104 Limit for FY 2016	10,800
Total CHIMP's vs. Limit	—1,800

TABLE 5—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF JUNE 6, 2016

(Budget Authority, millions)	
Section 3304(c)(2) Limits	2017
Appropriate Level	63,271

TABLE 5—2017 ADVANCE APPROPRIATIONS AS AUTHORIZED BY S. CON. RES. 11 AS OF JUNE 6, 2016—Continued

(Budget Authority, millions)	
Section 3304(c)(2) Limits	2017
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs:	
Medical Services	51,673
Medical Support and Compliance	6,524
Medical Facilities	5,074
Subtotal, enacted advances ¹	63,271
Enacted Advances vs. Section 601(d)(1) Limit	0
Section 3304(c)(1) Limits	2017
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	1,772
Education for the Disadvantaged	10,841
School Improvement Programs	1,681
Special Education	791
Career, Technical and Adult Education	9,283
Tenant-based Rental Assistance	4,000
Project-based Rental Assistance	400
Subtotal, enacted advances ¹	28,768
Enacted Advances vs. Section 601(d)(2) Limit	—84
Previously Enacted Advance Appropriations	2017
Corporation for Public Broadcasting ²	445
Total, enacted advances ¹	92,484

¹ Line items may not add to total due to rounding.

² Funds were appropriated in Public Law 113—235.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 9, 2016.
Hon. TOM PRICE, M.D.,
Chairman, Committee on the Budget, House of
Representatives, Washington, DC.
DEAR MR. CHAIRMAN: The enclosed report
shows the effects of Congressional action on

the fiscal year 2016 budget and is current through June 6, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated October 29, 2015, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2016:

Bipartisan Budget Act of 2015 (Public Law 114—74);

Recovery Improvements for Small Entities After Disaster Act of 2015 (Public Law 114—88);

National Defense Authorization Act for Fiscal Year 2016 (Public Law 114—92);

Fixing America's Surface Transportation Act (Public Law 114—94);

Federal Perkins Loan Program Extension Act of 2015 (Public Law 114—105);

Consolidated Appropriations Act, 2016 (Public Law 114—113);

Patient Access and Medicare Protection Act (Public Law 114—115); and

Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114—125).

Sincerely,

KEITH HALL,
Director.

Enclosure.

FISCAL YEAR 2016 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 6, 2016

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: ^a			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,972,212	1,905,523	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	- 784,820	- 784,879	n.a.
Total, Previously enacted	1,187,392	1,621,469	2,676,733
Enacted Legislation: ^b			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114-25)	0	20	0
Defending Public Safety Employees Retirement Act and the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114-26)	0	0	5
Trade Preferences Extension Act of 2015 (P.L. 114-27)	445	175	- 766
Steve Gleason Act of 2015 (P.L. 114-40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114-41) ^b	0	0	99
Airport and Airway Extension Act of 2015 (P.L. 114-55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114-58)	- 2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114-60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114-74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114-88)	0	1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114-92)	- 66	- 50	0
Fixing America's Surface Transportation Act (P.L. 114-94)	72,880	70,252	22,137
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114-105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114-113) ^b	2,007,155	1,562,597	- 156,107
Patient Access and Medicare Protection Act (P.L. 114-115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125)	20	20	- 7
Total, Enacted Legislation	2,084,292	1,638,559	- 134,330
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	6,277	3,802	0
Total Current Level ^c	3,277,961	3,263,830	2,542,403
Total House Resolution ^d	3,151,655	3,165,099	2,698,366
Current Level Over House Resolution	126,306	98,731	n.a.
Current Level Under House Resolution	n.a.	n.a.	155,963
Memorandum:			
Revenues 2016-2025:			
House Current Level	n.a.	n.a.	31,808,384
House Resolution ^c	n.a.	n.a.	32,325,542
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	517,158

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

^a Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016: the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114-1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4) and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114-10).

^b Pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2016, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015	0	917	0
Continuing Appropriations Resolution, 2016	700	775	0
Consolidated Appropriations Act, 2016	- 2	236	0
Total, amounts designated as emergency requirements	698	1,928	0

^c For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

^d Periodically, the House Committee on the Budget revises the totals in S. Con. Res. 11, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	3,039,215	3,091,442	2,676,133
Revisions			
Adjustment for Program Integrity Spending	1,083	924	0
Adjustment for Senate Amendment to H.R. 1295, the Trade Preferences Extension Act, 2015	445	175	- 766
Adjustment for H.R. 22, the FAST Act	72,880	70,252	22,137
Adjustment for H.R. 644, the Trade Facilitation and Trade Enforcement Act of 2015	20	20	- 7
Adjustment to achieve consistency with the Bipartisan Budget Act of 2015	38,012	2,286	269
Revised House Resolution	3,151,655	3,165,099	2,698,366

^c Periodically, the House Committee on the Budget revises the 2016-2025 revenue totals in S. Con. Res. 11, pursuant to various provisions of the resolution.

ADJOURNMENT

Mrs. WATSON COLEMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 27 minutes p.m.), the House adjourned until tomorrow, Friday, June 10, 2016, at 9 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Dele-

gates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 114th Congress,

pursuant to the provisions of 2 U.S.C. 25:

WARREN DAVIDSON, Eighth District of Ohio.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5643. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing nine officers to wear the insignia of the grade of major general, as indicated, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5644. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5645. A letter from the Assistant Secretary, Manpower and Reserve Affairs, Army, Department of Defense, transmitting a notice of mobilizations of Selected Reserve units from October 1, 2014 through September 30, 2015, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

5646. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Mitigation Strategies To Protect Food Against Intentional Adulteration [Docket No.: FDA-2013-N-1425] (RIN: 0910-AG63) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5647. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's Major final rule — Food Labeling: Serving Sizes of Foods That Can Reasonably Be Consumed At One Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments [Docket No.: FDA-2004-N-0258 (Formerly Docket No.: 2004N-0456)] (RIN: 0910-AF23) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5648. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy, designation of acting officer, nomination and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5649. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5650. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5651. A letter from the Deputy White House Liaison, Department of Commerce, transmitting a notification of a federal vacancy, designation of acting officer and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5652. A letter from the Secretary, Department of Labor, transmitting the Department's Inspector General Semiannual Report to the Congress for the reporting period October 1, 2015 through March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5653. A letter from the Regulations Officer, Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Categorical Exclusions [Docket No.: FHWA-2016-0008] (RIN: 2125-AF69; 2132-AB29) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5654. A letter from the Regulations Officer, Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning [Docket No.: FHWA-2013-0037] (RIN: 2125-AF52; 2132-AB10) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5655. A letter from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting the Department's final rule — Commercial Zones at International Border With Mexico [Docket No.: FMCSA-2015-0372] (RIN: 2126-AB86) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5656. A letter from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule — Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning [Docket No.: FHWA-2013-0037] (RIN: 2125-AF52; 2132-AB10) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5657. A letter from the Regulations Coordinator, Administration for Community Living, Department of Health and Human Services, transmitting the Department's final rule — State Health Insurance Assistance Program (SHIP) (RIN: 0985-AA11) received June 7, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5053. A bill to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; with an amendment (Rept. 114-612). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. S. 1109. An act to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (Rept. 114-613). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Ms. STEFANIK (for herself and Mr. MESSER):

H.R. 5415. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income student loan payments made by an employer on behalf of an employee; to the Committee on Ways and Means.

By Mr. LAMBORN:

H.R. 5416. A bill to amend title 38, United States Code, to expand burial benefits for veterans who die while receiving hospital care or medical services under the Veterans Choice Program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REICHERT (for himself, Mr. MCDERMOTT, Ms. DELBENE, Mr. LARSEN of Washington, Mr. KILMER, Mr. SMITH of Washington, and Mr. HECK of Washington):

H.R. 5417. A bill to require full spending of the Harbor Maintenance Trust Fund, provide for expanded uses of the Fund, and prevent cargo diversion, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself, Mr. SALMON, Mr. SENSENBRENNER, Mr. GOHMERT, Mr. JONES, Mr. FLEMING, Mr. CULBERSON, Mr. BABIN, Mr. JOYCE, and Mr. BURGESS):

H.R. 5418. A bill to prohibit the National Telecommunications and Information Administration from allowing the Internet Assigned Numbers Authority functions contract to lapse unless specifically authorized to do so by an Act of Congress; to the Committee on Energy and Commerce.

By Mr. GUINTA:

H.R. 5419. A bill to amend the Federal Credit Union Act to extend the examination cycle of the National Credit Union Administration to 18 months for certain credit unions, and for other purposes; to the Committee on Financial Services.

By Mr. MILLER of Florida:

H.R. 5420. A bill to authorize the American Battle Monuments Commission to acquire, operate, and maintain the Lafayette Escadrille Memorial in Marne-la-Coquette, France; to the Committee on Foreign Affairs.

By Mr. ROYCE:

H.R. 5421. A bill to amend the Securities Act of 1933 to apply the exemption from State regulation of securities offerings to securities listed on a national security exchange that has listing standards that have been approved by the Commission; to the Committee on Financial Services.

By Mr. POE of Texas (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 5422. A bill to ensure funding for the National Human Trafficking Hotline, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Mr. CONYERS, Ms. DELAURO, Mr. DEUTCH, Mr. GRIJALVA, Mr. HASTINGS, Mr. LANGEVIN, Ms. LOFGREN, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. RANGEL, Ms. SLAUGHTER, Mr. TAKANO, Mr. TONKO, Ms. ESTY, Ms. MENG, Mr.

LEWIS, Mr. CROWLEY, and Mrs. LAWRENCE):

H.R. 5423. A bill to amend the Food and Nutrition Act of 2008 to provide an incentive for households participating in the supplemental nutrition assistance program to purchase certain nutritious fruits and vegetables that are beneficial to good health; to the Committee on Agriculture.

By Mr. HURT of Virginia (for himself, Mr. VARGAS, Mr. FOSTER, and Mr. STIVERS):

H.R. 5424. A bill to amend the Investment Advisers Act of 1940 and to direct the Securities and Exchange Commission to amend its rules to modernize certain requirements relating to investment advisers, and for other purposes; to the Committee on Financial Services.

By Mr. CAPUANO (for himself, Mr. LYNCH, Mr. ISRAEL, Mr. KING of New York, Ms. CLARK of Massachusetts, Mr. FATTAH, Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Ms. KUSTER, Mr. PERLMUTTER, Mrs. CAROLYN B. MALONEY of New York, Mr. SWALWELL of California, Mr. KENNEDY, Mr. HASTINGS, Mr. MCGOVERN, Mr. LARSON of Connecticut, Mr. MEEKS, Ms. JACKSON LEE, Ms. MENG, Ms. CLARKE of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Mr. KEATING, Ms. TSONGAS, Ms. WILSON of Florida, and Mr. PASCRELL):

H.R. 5425. A bill to require the President to designate a legal public holiday to be known as National First Responders Day; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Mr. JONES, Ms. GABBARD, Mr. WILSON of South Carolina, Mr. CARTWRIGHT, and Mrs. WALORSKI):

H.R. 5426. A bill to amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services with respect to their employment and reemployment rights, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DOLD:

H.R. 5427. A bill to prohibit the use of education funds provided under the Elementary and Secondary Education Act of 1965 for excess payments to certain retirement or pension systems; to the Committee on Education and the Workforce.

By Mr. FORBES:

H.R. 5428. A bill to amend the Servicemembers Civil Relief Act to authorize spouses of servicemembers to elect to use the same residences as the servicemembers; to the Committee on Veterans' Affairs.

By Mr. GARRETT (for himself and Mr. HURT of Virginia):

H.R. 5429. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Financial Services.

By Mr. GOHMERT (for himself, Mr. SAM JOHNSON of Texas, Mr. WEBER of Texas, Mr. SESSIONS, Mr. BOUSTANY, Mr. WESTERMAN, Mr. BABIN, and Mr. RATCLIFFE):

H.R. 5430. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. ZELDIN):

H.R. 5431. A bill to direct the Secretary of Veterans Affairs to establish a pilot program to award grants to health care entities to lease, purchase, or build health care facilities for female patients to provide hospital care and medical services to qualified female veterans; to the Committee on Veterans' Affairs.

By Mr. JOYCE (for himself and Mr. RYAN of Ohio):

H.R. 5432. A bill to prevent the abuse of opiates, to improve response and treatment for the abuse of opiates and related overdoses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK:

H.R. 5433. A bill to amend the Claims Resolution Act of 2010 to clarify the use of the WMAT Settlement Fund; to the Committee on Natural Resources.

By Mrs. LOVE (for herself, Mr. ELLISON, Mr. HILL, and Mr. CLEAVER):

H.R. 5434. A bill to amend the Fair Debt Collection Practices Act to restrict the debt collection practices of certain debt collectors; to the Committee on Financial Services.

By Mr. LUETKEMEYER:

H.R. 5435. A bill to prohibit the payment of bonuses to certain Department of Veterans Affairs employees pending filling of Department of Veterans Affairs medical center director positions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCDERMOTT:

H.R. 5436. A bill to amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to require any trade agreement to which the United States is a party to stipulate the ability of the United States to deny the benefits of any dispute settlement claim that challenges any measure relating to human health that is adopted, maintained, or enforced by the United States in its territory, and for other purposes; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 5437. A bill to implement a mandatory random drug testing program for certain employees of the Indian Health Service, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER:

H.R. 5438. A bill to authorize certain private rights of action under the Foreign Corrupt Practices Act of 1977 for violations that damage certain businesses, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina:

H.R. 5439. A bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes; to the Committee on House Administration.

By Mr. RICE of South Carolina:

H.R. 5440. A bill to amend the Internal Revenue Code of 1986 to allow certain regulated companies to elect out of the public utility property energy investment tax credit limitation in the case of solar energy property; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 5441. A bill to prohibit the National Endowment for the Arts to use funds to make grants for Literature Fellowships: Translation Projects; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY:

H.R. 5442. A bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over-related death or injury, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SPEIER (for herself, Ms. ESHOO, Mrs. CAPPS, Mr. TONKO, Mr. SHERMAN, and Mr. RANGEL):

H.R. 5443. A bill to provide for mandamus actions under chapter 601 of title 49 of the United States Code; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VEASEY (for himself, Mr. GUTIERREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VELA, Ms. JACKSON LEE, Mr. HASTINGS, Mr. GRIJALVA, Mr. SERRANO, Mr. CONYERS, Ms. LOFGREN, Mr. ELLISON, Ms. VELAZQUEZ, and Mr. GENE GREEN of Texas):

H.R. 5444. A bill to prohibit the unlawful denial of any benefit to or deprivation of a right of a United States citizen by reason of age, or the immigration status of that citizen's parent or legal guardian, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Utah:

H. Con. Res. 135. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2328; considered and agreed to.

By Mr. HECK of Washington (for himself, Mr. KILMER, Ms. DELBENE, Mr. SMITH of Washington, Mr. LARSEN of Washington, and Mr. MCDERMOTT):

H. Res. 773. A resolution to express support for recognition of June 2016 as National Orca Protection Month; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Mr. BLUMENAUER, and Ms. BONAMICI):

H. Res. 774. A resolution expressing support for designation of the week of June 6 through June 12, 2016, as "Hemp History Week"; to the Committee on Agriculture.

By Mr. DESANTIS (for himself and Mr. CASTRO of Texas):

H. Res. 775. A resolution recognizing the impact of Sister Cities International and expressing support for the designation of July 15, 2016, as "Sister Cities International Day"; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. STEFANIK:

H.R. 5415.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. LAMBORN:

H.R. 5416.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. REICHERT:

H.R. 5417.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. DUFFY:

H.R. 5418.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes

By Mr. GUINTA:

H.R. 5419.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MILLER of Florida:

H.R. 5420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. ROYCE:

H.R. 5421.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. POE of Texas:

H.R. 5422.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution.

By Mr. CARTWRIGHT:

H.R. 5423.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 2: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

Article I, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. HURT of Virginia:

H.R. 5424.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. CAPUANO:

H.R. 5425.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CICILLINE:

H.R. 5426.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DOLD:

H.R. 5427.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1.

By Mr. FORBES:

H.R. 5428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 18

By Mr. GARRETT:

H.R. 5429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 (“The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States”), 3 (“To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes”), and 18 (“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof”).

By Mr. GOHMERT:

H.R. 5430.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, providing Congress the authority to regulate Commerce with Foreign Nations, and among the Several States, and with Indian Tribes.

By Mr. ISRAEL:

H.R. 5431.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. JOYCE:

H.R. 5432.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

By Mrs. KIRKPATRICK:

H.R. 5433.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 (18) To make all Laws which shall be necessary and proper for carrying into Executive the foregoing Powers, and all other Powers vest by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. LOVE:

H.R. 5434.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 5435.

Congress has the power to enact this legislation pursuant to the following:

Section 8 Article 1 of the United States Constitution.

By Mr. McDERMOTT:

H.R. 5436.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to lay and collect duties and to regulate Commerce with foreign Nations, as enumerated in Article I, Section 8.

By Mrs. NOEM:

H.R. 5437.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. PERLMUTTER:

H.R. 5438.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. PRICE of North Carolina:

H.R. 5439.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution.

By Mr. RICE of South Carolina:

H.R. 5440.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

By Mr. SALMON:

H.R. 5441.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—“No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.”

By Ms. SCHAKOWSKY:

H.R. 5442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7

By Ms. SPEIER:

H.R. 5443.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. VEASEY:

H.R. 5444.

Congress has the power to enact this legislation pursuant to the following:

Section 5, Fourteenth Amendment

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 69: Mr. CARSON of Indiana.

H.R. 93: Mr. DOLD.

- H.R. 266: Mr. COOK.
H.R. 391: Ms. CASTOR of Florida, Mr. JEFFRIES, Mr. LARSEN of Washington, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 446: Ms. TITUS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, and Mr. QUIGLEY.
H.R. 456: Mr. DOLD.
H.R. 576: Mr. QUIGLEY.
H.R. 664: Mr. PAULSEN.
H.R. 670: Mr. WALBERG and Mr. BISHOP of Michigan.
H.R. 711: Mr. COURTNEY and Mr. ROGERS of Alabama.
H.R. 762: Mr. HONDA.
H.R. 793: Mr. WITTMAN.
H.R. 814: Mrs. HARTZLER.
H.R. 842: Mr. HECK of Nevada and Mr. TIPPON.
H.R. 921: Ms. WILSON of Florida.
H.R. 923: Mr. ALLEN.
H.R. 980: Mr. BYRNE.
H.R. 1062: Mrs. WALORSKI.
H.R. 1095: Mr. COSTA.
H.R. 1185: Mrs. LOVE.
H.R. 1215: Mr. MOOLENAAR.
H.R. 1221: Ms. JENKINS of Kansas and Ms. ESHOO.
H.R. 1247: Ms. WILSON of Florida.
H.R. 1255: Mr. LARSEN of Washington.
H.R. 1347: Mr. QUIGLEY.
H.R. 1439: Mr. KIND.
H.R. 1559: Mr. CHAFFETZ.
H.R. 1627: Ms. FRANKEL of Florida.
H.R. 1706: Ms. ESHOO.
H.R. 1749: Mr. TONKO.
H.R. 1763: Mr. GOHMERT.
H.R. 1836: Mr. PITTENGER.
H.R. 1859: Mr. MEEHAN and Mr. OLSON.
H.R. 1865: Mr. THOMPSON of California, Ms. SPEIER, Mr. HUFFMAN, Ms. ESHOO, and Mrs. DAVIS of California.
H.R. 2103: Ms. VELÁZQUEZ, Mr. CONYERS, Mr. GARAMENDI, Mr. HIGGINS, Ms. DUCKWORTH, Mr. SERRANO, Mrs. WATSON COLEMAN, Mr. DEFAZIO, and Mr. TONKO.
H.R. 2218: Mr. POLIQUIN.
H.R. 2257: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2290: Mr. ALLEN.
H.R. 2403: Mr. GIBBS.
H.R. 2411: Mr. DEUTCH.
H.R. 2477: Mr. BABIN.
H.R. 2488: Mr. SMITH of New Jersey.
H.R. 2640: Mr. PITTENGER.
H.R. 2656: Mr. STIVERS and Mr. PAULSEN.
H.R. 2680: Mrs. WATSON COLEMAN.
H.R. 2698: Mr. MESSER.
H.R. 2710: Mr. MULLIN.
H.R. 2726: Mr. KILDEE, Mr. SIRES, Mrs. BROOKS of Indiana, Mr. COLE, Mr. PASCRELL, Mrs. WATSON COLEMAN, Ms. PINGREE, Mrs. McMORRIS RODGERS, Mrs. TORRES, Mr. SARBANES, Mr. LARSON of Connecticut, Mr. CONNOLLY, Ms. MENG, Ms. CLARK of Massachusetts, Ms. KUSTER, Ms. BROWNLEY of California, Mr. ELLISON, Mr. WELCH, Mr. DAVID SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. BEATTY, Mrs. LAWRENCE, Mr. BUTTERFIELD, Ms. CLARKE of New York, Ms. PLASKETT, Ms. FUDGE, Ms. ADAMS, Mrs. LOVE, Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Ms. MAXINE WATERS of California, Mr. SCOTT of Virginia, Ms. LEE, Ms. HAHN, Mr. POCAN, Ms. TSONGAS, Mrs. CAPPS, Ms. BONAMICI, Mr. CARNEY, Mr. RICHMOND, Mrs. KIRKPATRICK, Mr. GUTIÉRREZ, and Mr. KEATING.
H.R. 2799: Mr. TIPTON.
H.R. 2804: Mr. KEATING.
H.R. 2805: Mr. KIND.
H.R. 2867: Mrs. DINGELL and Mr. BERA.
H.R. 2896: Mr. BABIN.
H.R. 2903: Mr. WESTMORELAND, Mr. SWALWELL of California, Ms. DUCKWORTH, and Mrs. BROOKS of Indiana.
H.R. 2948: Mr. LOBIONDO, Mr. HECK of Washington, and Mr. CRAMER.
H.R. 2992: Mr. WENSTRUP, Ms. ROSS-LEHTINEN, Mr. MACARTHUR, Mr. BENISHEK, Mr. ROTHFUS, Mr. HUNTER, Mr. ROGERS of Kentucky, Mrs. McMORRIS RODGERS, and Mrs. LOVE.
H.R. 3048: Mr. GENE GREEN of Texas.
H.R. 3099: Ms. WASSERMAN SCHULTZ, Mr. GRAYSON, Ms. BROWN of Florida, Mr. TAKAI, Mr. HECK of Nevada, Mr. CICILLINE, and Mr. WILSON of South Carolina.
H.R. 3119: Mr. SMITH of Missouri and Mr. VISCLOSKEY.
H.R. 3151: Mr. COLLINS of Georgia.
H.R. 3229: Mr. PITTENGER and Ms. WILSON of Florida.
H.R. 3235: Mr. MURPHY of Pennsylvania.
H.R. 3255: Mr. OLSON.
H.R. 3381: Mr. MCNERNEY.
H.R. 3463: Ms. DUCKWORTH and Mr. BILIRAKIS.
H.R. 3471: Mr. COLE.
H.R. 3516: Mr. WESTERMAN.
H.R. 3520: Mr. PRICE of North Carolina.
H.R. 3590: Mr. SAM JOHNSON of Texas.
H.R. 3684: Mr. GRAYSON.
H.R. 3690: Mr. KIND.
H.R. 3713: Mr. LARSEN of Washington.
H.R. 3765: Mr. GROTHMAN.
H.R. 3770: Mr. LIPINSKI.
H.R. 3781: Mr. DEFAZIO.
H.R. 3851: Mr. LOBIONDO.
H.R. 4007: Mr. OLSON.
H.R. 4016: Mrs. BLACK.
H.R. 4073: Mr. HASTINGS and Mr. TIPTON.
H.R. 4177: Mr. DOLD and Mr. WALKER.
H.R. 4212: Mr. KING of New York.
H.R. 4229: Mr. HASTINGS.
H.R. 4247: Mr. NUGENT, Mr. DENHAM, Mr. WOODALL, and Mr. GUTHRIE.
H.R. 4365: Mr. PAULSEN, Mr. BABIN, Mr. STIVERS, and Mr. SMITH of Missouri.
H.R. 4381: Mr. KATKO.
H.R. 4450: Mr. FOSTER and Mr. LOBIONDO.
H.R. 4469: Mr. MOONEY of West Virginia.
H.R. 4479: Mr. COOPER.
H.R. 4488: Mr. COSTA, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. LOFGREN.
H.R. 4499: Mr. STIVERS.
H.R. 4514: Mr. MOONEY of West Virginia, Mr. LAMALFA, Mr. HUNTER, and Mr. MOOLENAAR.
H.R. 4526: Mr. RUPPERSBERGER.
H.R. 4559: Mr. DUNCAN of South Carolina.
H.R. 4571: Mr. DAVID SCOTT of Georgia.
H.R. 4575: Mr. WILLIAMS, Mr. HILL, and Mr. DUFFY.
H.R. 4592: Ms. MAXINE WATERS of California, Mr. CLAY, Ms. KELLY of Illinois, Mr. BARR, Mr. SCOTT of Virginia, Mr. HECK of Washington, Mr. LEVIN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. POLIS, Mr. PAULSEN, Ms. EDWARDS, and Mr. FATTAH.
H.R. 4625: Ms. VELÁZQUEZ, Ms. WILSON of Florida, Mr. NADLER, and Mr. DONOVAN.
H.R. 4626: Mr. POSEY, Mr. YOUNG of Alaska, Mr. PEARCE, and Mr. JOHNSON of Ohio.
H.R. 4646: Mr. BRADY of Pennsylvania.
H.R. 4657: Mr. KILMER.
H.R. 4662: Mr. OLSON.
H.R. 4695: Mr. SWALWELL of California, Ms. DEGETTE, Mrs. BEATTY, Mr. BLUMENAUER, and Mr. PASCRELL.
H.R. 4714: Mr. MEEHAN.
H.R. 4715: Mr. COHEN.
H.R. 4764: Mr. OLSON, Ms. JACKSON LEE, and Mr. McDERMOTT.
H.R. 4768: Mr. ROTHFUS and Mr. HUDSON.
H.R. 4773: Mrs. NOEM.
H.R. 4893: Mr. KNIGHT and Mrs. NAPOLITANO.
H.R. 4927: Mr. NOLAN.
H.R. 4959: Mr. WALZ.
H.R. 4971: Mr. TONKO.
H.R. 5001: Mr. ALLEN.
H.R. 5025: Ms. EDWARDS, Ms. PLASKETT, Mrs. LAWRENCE, and Mr. BISHOP of Georgia.
H.R. 5044: Mr. CLAY, Mr. CONNOLLY, and Mr. CAPUANO.
H.R. 5047: Mr. ELLISON.
H.R. 5053: Mr. MARCHANT, Mr. BOUSTANY, Mr. RICE of South Carolina, Mr. TOM PRICE of Georgia, Mrs. NOEM, Mr. REED, Mr. LOUDERMILK, Mr. JODY B. HICE of Georgia, Mr. NEWHOUSE, Mr. ISSA, and Mr. DUNCAN of South Carolina.
H.R. 5063: Mr. HUELSKAMP, Mr. BRAT, and Mr. GROTHMAN.
H.R. 5073: Mr. WALZ.
H.R. 5091: Mr. ISSA.
H.R. 5124: Mr. CUMMINGS.
H.R. 5125: Ms. NORTON and Mr. HUFFMAN.
H.R. 5133: Mr. PITTENGER.
H.R. 5143: Mr. LUCAS, Mr. ROSS, Mrs. LOVE, Mr. POSEY, Mr. STIVERS, Mr. MESSER, Mr. KING of New York, Mr. GUINTA, and Mr. HULTGREN.
H.R. 5164: Mr. CRAMER.
H.R. 5166: Mr. PALAZZO and Mr. SHIMKUS.
H.R. 5177: Mr. LOBIONDO.
H.R. 5180: Mr. JENKINS of West Virginia, Mr. MACARTHUR, Mr. MEADOWS, Mr. PITTENGER, Mr. RUSSELL, and Mr. PEARCE.
H.R. 5190: Mr. FITZPATRICK and Mr. ISSA.
H.R. 5207: Mr. KENNEDY.
H.R. 5224: Mr. GRAVES of Georgia.
H.R. 5259: Mr. LAMALFA.
H.R. 5263: Mr. MEEHAN.
H.R. 5275: Mr. RUSSELL, Mr. LONG, Mr. NEWHOUSE, and Mrs. NOEM.
H.R. 5292: Mr. JENKINS of West Virginia, Mr. LAMALFA, Mr. TONKO, Ms. MCSALLY, Mr. FITZPATRICK, Ms. WILSON of Florida, Mr. ZELDIN, Mr. WALZ, Mr. GARAMENDI, Mr. KELLY of Pennsylvania, Mr. SMITH of New Jersey, Mr. DOLD, Ms. ESTY, Ms. HAHN, Ms. DUCKWORTH, Mrs. NAPOLITANO, Mr. KILMER, Mr. STIVERS, Mr. BERA, and Mr. JOHNSON of Ohio.
H.R. 5294: Mr. PALAZZO and Mr. BURGESS.
H.R. 5301: Mr. BRIDENSTINE.
H.R. 5304: Mr. O'ROURKE.
H.R. 5320: Mr. CARNEY, Mr. HANNA, Mr. SMITH of Missouri, and Mrs. BROOKS of Indiana.
H.R. 5324: Mr. GOHMERT.
H.R. 5329: Mr. LAMBORN.
H.R. 5348: Mr. LYNCH.
H.R. 5350: Mr. TAKAI.
H.R. 5351: Mr. TURNER, Mr. BISHOP of Utah, Mr. COOK, and Mr. HECK of Nevada.
H.R. 5356: Mr. FLORES.
H.R. 5369: Mr. CÁRDENAS.
H.R. 5372: Mr. TED LIEU of California.
H.R. 5373: Mr. POLIS, Ms. TITUS, Mr. SWALWELL of California, and Ms. DEGETTE.
H.R. 5375: Mr. PITTENGER.
H.R. 5386: Mr. QUIGLEY and Mr. SWALWELL of California.
H.R. 5396: Mr. BLUMENAUER and Ms. PINGREE.
H.R. 5411: Mr. LOEBSACK.
H.J. Res. 48: Mr. O'ROURKE.
H. Con. Res. 114: Mr. DUNCAN of South Carolina.
H. Con. Res. 128: Mr. HARPER.
H. Res. 289: Mr. GRAYSON.
H. Res. 540: Mr. SABLAN.
H. Res. 584: Ms. LOFGREN.
H. Res. 590: Mr. PAULSEN.
H. Res. 591: Mr. BRAT, Mr. WEBSTER of Florida, Mr. HILL, and Mr. RUSSELL.
H. Res. 647: Mr. LOBIONDO.
H. Res. 717: Mr. CARTER of Georgia.
H. Res. 728: Ms. BORDALLO.
H. Res. 739: Mr. SWALWELL of California.
H. Res. 746: Mr. SWALWELL of California.

H. Res. 750: Mr. ENGEL.

H. Res. 752: Mr. PERRY, Mr. MARCHANT, Mr. KILMER, Mr. WELCH, Mr. POCAN, Ms. BORDALLO, and Mr. LANGEVIN.

H. Res. 762: Mr. DELANEY.

H. Res. 769: Ms. MOORE, Mr. PERLMUTTER, Ms. DELAURO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BLUMENAUER, Mr. COHEN, Mr. POCAN, Ms. BONAMICI, Mr. TED LIEU of California, Mr. SMITH of Washington, Mr. PETERS, Mrs. BUSTOS, Mr. FARR, Mr. SHERMAN, Mr. CASTRO of Texas, Ms. HAHN, Mr. LOEBSACK, Mr. ASHFORD, Mr. LARSEN of Washington, Mr. GENE GREEN of Texas, Mr.

DEFAZIO, Mr. PASCRELL, Mrs. KIRKPATRICK, Mr. THOMPSON of California, Ms. TITUS, Mrs. DAVIS of California, Mr. DESAULNIER, Mr. BERA, Mr. GALLEGO, Ms. BROWN of Florida, Mr. ENGEL, Mrs. LOWEY, Mr. BEYER, Mr. CROWLEY, Ms. KELLY of Illinois, Ms. BROWNLEY of California, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. ESTY, Mr. MOULTON, Mr. LEVIN, Mrs. CAPPS, Mr. LEWIS, Mr. JOHNSON of Georgia, Mr. FOSTER, Mr. VARGAS, Mr. KEATING, Ms. MATSUI, Mr. LOWENTHAL, Ms. MAXINE WATERS of California, Ms. JACKSON LEE, Ms. BASS, Ms. FRANKEL of Florida, Ms. LOFGREN, Mr. AL GREEN of Texas, Mr. VAN

HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. CLARK of Massachusetts, Mr. QUIGLEY, Ms. LEE, Mrs. DINGELL, Ms. JUDY CHU of California, Mr. GRIJALVA, Mr. CÁRDENAS, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mrs. LAWRENCE, Mr. McDERMOTT, Ms. EDWARDS, Mr. MEEKS, Mr. DANNY K. DAVIS of Illinois, Mrs. NAPOLITANO, Ms. ADAMS, Mrs. CAROLYN B. MALONEY of New York, Ms. PINGREE, Mr. TAKANO, Mr. MURPHY of Florida, and Mr. GARAMENDI.

H. Res. 772: Mr. SWALWELL of California, Mr. ISRAEL, and Mrs. DAVIS of California.

EXTENSIONS OF REMARKS

KEN KUEHNL

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to recognize Kenneth Kuehn, the retiring Wisconsin state adjutant of the Disabled American Veterans (DAV). He is retiring after serving as department adjutant and chief operating officer for the past 11 years.

Ken began his service in 2005 and served as department commander from 1996–1997. He has been a member of Kenosha Chapter 20 of DAV for 34 years. Ken is a Vietnam War veteran whose service started in April of 1971.

Mr. Speaker, Ken has served his fellow veterans for decades with dignity. He is a strong advocate for his cause, and he works tirelessly on behalf of those who served before, alongside, and after him. Ken put his heart and soul into his work to serve his brothers and sisters in arms. I want to personally wish Ken and his wife Lynn all the best, both now and in the future.

CELEBRATING ERIKA VOYZEY AS
A THREE-TIME HIGH SCHOOL
TRACK & FIELD STATE CHAMPION

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHUSTER. Mr. Speaker, I rise today to congratulate Erika Voyzey, an exceptional high school track & field athlete from Tyrone, Pennsylvania.

Erika has been a track and field athlete to watch since 2013, when she competed in the PIAA state championship as a freshman. She managed to finish 11th, jumping 5'2", but this was only the beginning of her illustrious career.

The next year, she returned to the PIAA state championship as a sophomore and secured her first state championship with a jump of 5'7". And the next year, she returned as a junior to beat her personal best and become the first female athlete from Tyrone to win two state championships, with a jump of 5'8".

Well Mr. Speaker, I am proud to say that Erika raised the bar yet again, this year taking first place as a senior, and achieving an outstanding 5'10" jump earlier in the season. With this milestone, she tied the PIAA record that has been held since 1979 and became the only three-time PIAA state champion in Tyrone Area High School's history.

Perhaps Erika's most impressive aspect, though, is that she never neglected her education in pursuit of her passion. This past

week, Erika graduated from Tyrone Area High School where she was the salutatorian. Starting this year, Erika will attend the University of Miami, where she will be a student athlete. Erika will double major in Aerospace Engineering and Mechanical Engineering, as well as competing on the track team.

Today I am honored to recognize Erika Voyzey's tremendous achievements, and I look forward to her future accomplishments. I have no doubt that she will continue doing what she has always done—raise the bar and clear new heights, both athletically and academically.

SALT FORK GIRLS TRACK TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding success of the Salt Fork Girls Track Team.

The Salt Fork Storm posted 52 points to give the school its first ever Class 1A girls track state title on Saturday, May 21. Leading the way were Jenny Kimbro, Abby Nicholson, and Katie Witte. Kimbro won the long jump, the 100-meter hurdles and the 300-meter hurdles, and finished third in the 200-meter dash. Nicholson took fourth in the shot put and sixth in the discus, while Witte took fifth in the discus. Their efforts were enough to bring the title home to Salt Fork.

I would like to congratulate girls athletic director Jason Baccadutre and head coach Gail Biggerstaff, who worked hard to help Salt Fork achieve this victory.

Kimbro will move on this fall to the University of Iowa, where she will continue her hurdling career, while Nicholson will go on to shot put for Eastern Illinois University. I wish them success as they continue their track and field careers.

And I look forward to the continued success of the Salt Fork girls track team, and I extend my best wishes for another outstanding season next year.

RECOGNIZING THE LEADERSHIP
OF MIKE GRAYUM TO THE
NORTHWEST INDIAN FISHERIES
COMMISSION AND THE PUGET
SOUND REGION

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. KILMER. Mr. Speaker, I rise today to recognize Mike Grayum, who will retire this year after 11 years as the Executive Director

of the Northwest Indian Fisheries Commission (NWIFC) in Washington State. Mike is one of NWIFC's original employees and has served in various positions with the Commission since 1976.

NWIFC is stronger, more unified, and better positioned to serve its member Tribes because of Mike's service and leadership. Born out of the Boldt Decision over 40 years ago, NWIFC has been a critical voice in natural resource policy at the local, state, and federal levels. Mike has played an integral role in developing that voice and crafting policies to support NWIFC's mission and help navigate often-challenging issues.

In addition to assisting member Tribes in their resource management practices, Mike partnered with past NWIFC Chair Billy Frank Jr. and Current Chair Lorraine Loomis in educating elected officials, government agency staff, and the public at-large on Tribal Treaty Rights, including producing the vital document Treaty Rights at Risk. Mike has played an important role in protecting these sacred cultural practices and joined countless Tribal Leaders from around the region in highlighting their importance to past, present, and future generations.

Mr. Speaker, for the past four decades, Mike Grayum has fiercely advocated for policies to protect our environment, restore natural habitat for salmon and other species, and recover Puget Sound. He has undoubtedly served as a mentor to younger staff at NWIFC and member Tribes and has helped grow the next generation of stewards of our environment and protectors of Tribal Treaty Rights. Thankfully, NWIFC is blessed to have Justin Parker continue that tradition and lead these efforts in the future as the next Executive Director.

Mr. Speaker, I am pleased to join Tribal Leaders, environmental advocates, local elected officials, and salmon lovers from throughout the Pacific Northwest in expressing my gratitude today in the United States Congress for Mike Grayum's 40 years of leadership and dedication. As the proud Representative of Washington's 6th Congressional District in the House of Representatives, I offer my best wishes for a happy retirement.

2016 SERVICE ACADEMY APPOINTMENTS FROM THE 27TH CONGRESSIONAL DISTRICT OF TEXAS

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. FARENTHOLD. Mr. Speaker, I would like to congratulate the 2016 Service Academy appointees from the 27th Congressional District of Texas.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The following outstanding young men and women have accepted academy appointments:

Joshua Aaron Agosto, Burkburnett High School, United States Merchant Marine Academy; Lucas Antonio Beltran, Richard King High School, United States Naval Academy; Roberto Esai Cervantes, Calallen High School, New Mexico Military Institute, United States Merchant Marine Academy; Julian Eduardo Flores, St. Stephens's Episcopal School, United States Air Force Academy; Amanda Nicole Madrid, Richard King High School, United States Air Force Academy; Matthew Joseph Moffitt, W.B. Ray High School, United States Military Academy; Austin M Nguyen, W.B. Ray High School, United States Military Academy; Gavin Senterfitt, Richard King High School, New Mexico Military Institute; Alana Stern, Gonzales High School, United States Naval Academy Preparatory School, Greystone Preparatory School at Schreiner University, United States Naval Academy; Tanner Strawbridge, W.B. Ray High School, United States Naval Academy; Clayton Daley Thompson, Flour Bluff High School, United States Naval Academy Preparatory School.

I ask my colleagues to join me in celebrating these remarkable students achievement. I'm confident they will serve our country well and I pray success will follow them in all their future endeavors.

IN HONOR OF PRIDE MONTH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. FARR. Mr. Speaker, throughout June, LGBT community members and allies across our country will march down Main Street to celebrate the tremendous progress we have made towards equality. I rise today to honor the many individuals in my district, as well as across the country, who have fought for generations for the right to be treated fairly and with decency. You have led the charge against bigotry, towards equality. We celebrate Pride Month in honor of you.

In the 24 years that I've served in Congress, the understanding and acceptance of the LGBT community has greatly improved. Families across the country have opened their hearts to welcome increasingly diverse neighbors and loved ones. This change can also be felt in the halls of Congress. Just this past month, an amendment to prevent discrimination against Federal employees and contractors on the basis of sexual orientation or gender identity passed the House with bipartisan support, after having been defeated just the week before. Discrimination against the LGBT community is increasingly being recognized for what it is—bigotry—and federal policy is starting the long trek to catch up.

I do not deny that there is still much work to be done. North Carolina's recent move to target transgender children proves that bigotry and hate still must be fought and defeated. We must continue to work towards a Federal prohibition of discrimination based on actual or perceived sexual orientation or gender identity.

I am a proud cosponsor of legislation that would do just that, the Equality Act, and remain committed to ensuring Congress enacts laws to fully protect the rights of all Americans, regardless of gender, ethnicity or race.

I am proud to represent communities all along the Central Coast who celebrate our diversity and continue to fight towards the equality that the LGBT community so rightly deserves. Just this past Sunday, Santa Cruz celebrated their Pride Parade, just as they've done for forty-one years. Marchers, musicians, and drummers marched, danced, and waved flags of every color down Pacific Avenue. We are inspired by the beat of their drum to march on towards equality.

BRETAGNE: A K-9 HERO

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POE of Texas. Mr. Speaker, heroes and servants of our country come in all shapes and sizes. Sept. 11, 2001 is one of those days that will live in infamy. The shameful attack of that morning, as President Bush noted in his address, was meant to frighten our nation. But we did not descend into chaos and retreat. September 12 was a day that saw our country united and resolved. A helping hand was extended by individuals and organizations from all across this nation.

We all came together, and in doing so we won the first battle of the war on terror. The men responsible for that attack wanted to shake the foundations of America, but in the wake of the disaster we demonstrated the power of our country, *e pluribus unum*, in full glory.

An example of that glory manifested can be found in Texas Task Force One, which came over 1,600 miles to lend a hand in the search for survivors. One invaluable member of that force was Bretagne (pronounced Britney), a rescue dog of the Cy-Fair Volunteer Fire Department in Cypress, Texas. She helped members of the rescue team search the rubble of the World Trade Center.

It is important that we show tribute to all, even the four-legged soldiers. Sixteen-year-old Bretagne, a golden retriever from Cypress, Texas, was the last living search and rescue dog who worked at Ground Zero after the 9/11 terrorist attacks. She recently passed away at age 16. She was a beloved member of the team, and we are grateful for her service to this country.

She first became a rescue dog in 2000, at the Cy-Fair Fire Department. Bretagne not only aided the heroes of 9/11, but also located and rescued hundreds of citizens after natural disasters such as Hurricane Katrina in New Orleans. When in Houston, Bretagne visited elementary schools, as a symbol to the children that courage doesn't just have one face.

To the despair of the Cypress community that so loved and adored her, brave little Bretagne's health declined. Her years of loyal service and devotion to the American people began to take a toll, and the veterinarians were given no choice but to put her down.

She was given the hero's salute by the fire department just the other day, as she made her last walk into the office. I too salute you, Bretagne, and all other surviving heroes of 9/11. Our nation deeply thanks all of you.

And that is just the way it is.

GOREVILLE HIGH SCHOOL BASEBALL TEAM

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the outstanding success of the Goreville High School Baseball Team.

The Goreville Blackcats defeated Dozer Park 17-7 on June 4 to give the school the 2016 Class 1A boys' baseball state title. After finishing second in 2010 and third in 2011, this is the Blackcats' first state title, and it was achieved in record-breaking fashion. Coming to bat trailing 7-3 in the bottom of the fifth inning, Goreville pushed across 14 runs, the most runs in one inning by any team at the state tournament since the IHSA went to its current four-class system. Additionally, Goreville's 17 runs set a new Class 1A record.

I know a great deal of hard work and dedication went into this team victory, and I would like to congratulate boys athletic director Todd Tripp, head coach Shawn Tripp, and assistant coaches Kenton Parmley and Bryan Webb, who worked hard to help Goreville achieve this victory.

Members of the state championship team include: Blaine Dunning, Nolan Vaughn, Jared Vaughn, Logan Verble, Brendon Davis, Caleb Murley, Tyler Pritchett, Brant Glidewell, Braden Webb, Grant Venus, Chance Düringer, Zane Schuetz, Peyton Geyman, Logyn Frassato, Peyton Massey, Connor Johnson, and Brodie Lenon.

I look forward to the continued success of the Goreville baseball team, and I extend my best wishes for another outstanding season next year.

HONORING MR. LYNN MAURICE STINSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Lynn Maurice Stinson, who is a chairman, leader, and educator.

Lynn Maurice Stinson was born in Grenada, MS in 1947 to Minnie Louise Stinson and Sam Metcalf. He was raised by his maternal grandparents, Willie B. and Susie Stinson. His early education was at Grenada Colored School and Willia Wilson Elementary in Grenada. Stinson graduated from Carrie Dotson High School in Grenada, MS in 1966.

Stinson's desire to continue his education led him to enroll in Coahoma Community College in Clarksdale, MS where he earned an Associate of Arts degree. Stinson then chose

to attend Jackson State University in Jackson, MS where he earned a Bachelor's of Science degree in Education. Stinson returned back to his home area and began his career in education at Stone Street Elementary in Greenwood, MS. His first position was teaching the integrated study of the Social Sciences and humanities to promote civic competence to 7th and 8th grade students. Stinson's passion was to help each student reach their full potential. He always reminded his students to dream big and work even harder.

A few years later, Stinson transferred to Threadgill Elementary, also in Greenwood, MS where he taught Social Studies. He later transferred to Greenwood Middle School and eventually retired in 2003 with 30 years of service. Stinson has been a strong supporter of education and those committed to working in the field of education. He is a past president of the Mississippi Association of Educators (MAE) in Greenwood, MS. Stinson also used his skills to help adults in his hometown, Grenada, by teaching GED night classes for several years.

In Stinson's early years, he was a participant in the Civil Rights Movement as the community worked to secure equal rights for all citizens. The reality of past conditions and his firsthand knowledge of the effort to open doors to African Americans has driven Stinson to continue his service to the community after his retirement.

Stinson presently holds the position of Election Commissioner for the City of Grenada. He has served in this position since 2005 with a top priority of assuring that the election process in Grenada is fair to all, and with the highest level of integrity. Stinson also serves on the Board of Trustees for Holmes Community College where he is the chairperson of the Insurance Committee.

Stinson is a proud member of the 100 Black Men of Grenada, Inc., where he serves as the chairman of the Education Committee. Stinson is involved in supporting youth and young adults as they strive to prepare themselves for their future and the workforce.

Stinson is a dedicated member of Belle Flower Missionary Baptist Church in Grenada, MS, and has served many years on the deacon board. He also serves as chairman of finance for the Grenada Baptist District Association Men's Department.

When he is not volunteering and participating in church activities, he enjoys traveling and playing golf.

He has been married to Queen Brooks Stinson for 43 years. They have one daughter, Monica Stinson, who resides in Brandon, MS.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Lynn M. Stinson, a Chairman, Leader and Educator for his dedication to serving others and giving back to the African American community.

IN HONOR OF THE HOLY MONTH
OF RAMADAN

HON. HENRY C. "HANK" JOHNSON, JR.
OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to show support for the Muslim community

in Georgia, as well as the Muslim community the world over, as they prepare for the month of Ramadan.

Ramadan is a holy month in the religion of Islam dedicated to spiritual meditation and personal reflection. For 30 days, Muslims will refrain from vulgarity, bad behavior and unfavorable habits, along with abstaining from food and drink from sunrise to sunset.

In the wake of national discrimination and intolerance, the Fourth District has been working to build a community that is welcoming and accepting to Muslims and practitioners of all faiths. Recently, Gwinnett County began an outreach initiative called "Building Bridges" that connects government officials to Muslims and other diverse groups. In DeKalb County, local officials have been visiting mosques and meeting with local Muslim leaders in an effort to build a strong, trusting relationship.

Such efforts to build understanding and good will with members of the Muslim community can be seen throughout the various cities of the Fourth District. In 2015, 125 people came together in Stone Mountain for a rally to welcome new refugees—this at a time when refugees were being rejected and attacked in our public discourse, politics, and media. The city of Clarkston has been called a "safe haven" for refugees for years. The leaders and citizens of Clarkston have done an excellent job of integrating refugees into the community, helping them learn to adjust to American culture, and providing access to housing, education, and job opportunities.

I commend my district for its efforts to be inclusive, welcoming, and hospitable, and I fully support and encourage initiatives that help bridge cultural gaps while ensuring a safe, friendly and nurturing community.

For Muslims, this next month is devoted to charity, loved ones, community, peace and faith—values that are universally respected, particularly in the great state of Georgia.

I join my constituents within the Fourth Congressional District in sending the best of regards to the Muslim community during this significant month, and wishing all Muslims a Ramadan Kareem.

HONORING THE 70TH ANNIVERSARY
OF SAN JOAQUIN MEMORIAL
HIGH SCHOOL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to celebrate the 70th anniversary of San Joaquin Memorial High School in Fresno, California—a private Catholic high school located in Fresno, California, in the heart of the San Joaquin Valley.

San Joaquin Memorial High School was founded in 1945, as the only Catholic high school in the greater Fresno area that is part of the Roman Catholic Diocese of Fresno. Named after the men and women of the San Joaquin Valley who gave their lives serving our country during World War II, San Joaquin Memorial is the first Diocesan Catholic High

School in the Monterey-Fresno Diocese. Since its founding the school has grown from being a small high school, to serving over 600 students today.

Over the last 70 years, many generations of students have walked the halls of San Joaquin Memorial, and have continued on to become leaders throughout the Central Valley, and beyond. San Joaquin Memorial mission has always been dedicated to developing future citizens and leaders. Memorial promotes a standard of excellence that challenges students through a rigorous college preparatory curriculum, and faith based program. These programs are designed to challenge students to become active, and engaged members of their communities in order to enhance their learning experience.

In addition to being top academic achievers, students also perform hundreds of hours of community service to the greater Fresno community through San Joaquin Memorial's Service Learning program. Service-learning offers students the opportunity to process what they learn in the classroom, and apply it by serving their community in a variety of ways. Each year, students are required to serve at least twenty hours in their communities, through a variety of local charities. Many students choose to volunteer with many community based organizations that serve the neediest of people in the Central Valley, including serving meals at the Poverello House, Community Food Bank, Catholic Charities, and volunteering on Kids Day to raise money for Valley Children's Hospital.

When young men and women graduate from San Joaquin Memorial, they are prepared to enter college, and ninety-nine percent of all Memorial graduates do attend a four year university upon graduation. Memorial works to inspire their students to become compassionate and conscientious leaders, so that they are equipped to serve their communities in a variety of professions.

San Joaquin Memorial is an inclusive community that embraces diversity and challenges each student to reach their full potential. Many outstanding alumni have walked Memorial's halls and now have established themselves in distinguished careers in law, medicine, business, education, government, technology, the military, sports, and other notable fields. As an alumnus of San Joaquin Memorial, it gives me great pleasure to celebrate this momentous occasion with the students, faculty, staff, and fellow alumni of Memorial.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to join me in recognizing San Joaquin Memorial High School of Fresno, as they celebrate its 70th anniversary. I extend my best wishes for the school's continued success in shaping the lives of young students, creating model citizens, and serving our communities throughout the Valley, and our nation.

THE SPIES AMONG US—AND
GOVERNMENT ABUSE OF 702 A

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POE of Texas. Mr. Speaker, almost 3 years have passed since Edward Snowden revealed the extent of surveillance that was occurring on U.S. citizens. Edward Snowden is no patriot. However, the alarming information about the NSA's abuse of power he revealed cannot be ignored.

Until Snowden, most Americans were unaware that their own government was trampling on their Fourth Amendment rights. Most people did not know their every move could be tracked by Big Brother. They trusted that this agency acted purely in the interest of national security to keep us safe. Post 9/11 and with two ongoing wars, many believed that government surveillance—including warrantless searches and seizures—was limited to foreign nationals, not American citizens. That would be consistent with federal law and the Constitution. But unfortunately, this is not always the case.

In recent years, we have learned that the agency has misused and expanded the intent of Section 702 of the Foreign Intelligence Surveillance Act (FISA). NSA uses Section 702 as a means to gather not only data but content and to allow law enforcement to later search this data for information about American citizens without a warrant. Because it gathers and searches content of individual communications, I believe Section 702 is more intrusive than even Section 215 which has garnered significant attention.

FISA permits the collection of such data of a suspected agent of a foreign power, but the federal government is also storing and later searching the content of emails, text messages and phone calls of American citizens—all without a warrant.

In the course of this collection, the data of American citizens, many of which have done nothing wrong or illegal, gets collected. That kind of reverse targeting of American citizens is not what Congress intended, is inconsistent with the Constitution, and it must stop. It's time for Congress to reign in this blatant violation of the Fourth Amendment and stop the warrantless searches of Americans. This issue—protecting the Fourth Amendment—has unified liberals and conservatives. My colleague Congresswoman LOFGREN and I may not agree on every issue before Congress, but we agree on this 100 percent.

Earlier this year, Congresswoman ZOE LOFGREN (D-CA), Congressman THOMAS MASSIE (R-KY) and I introduced H.R. 2233, the End Warrantless Surveillance of Americans Act. The bill would prohibit warrantless searches of government databases for information that pertains to U.S. citizens. It would also forbid government agencies from mandating or requesting "back doors" into commercial products that can be used for surveillance. The legislation mirrors an amendment we offered to the USA Freedom Act when it came up last year.

Failure to address this gaping loophole in FISA leaves the constitutional rights of millions

of Americans vulnerable and unprotected. This bill also ensures that the federal government does not force companies to enable its spying activities. The NSA has and will continue to violate the constitutional protections guaranteed to every American unless Congress intervenes. Until we fix this and make the law clear, citizens can never be sure that their private conversations are safe from the eyes of the government. Last year, the House of Representatives overwhelmingly passed similar legislation as an amendment to DOD Appropriations and I unanimously passed one provision of this bill as an amendment to the DOJ appropriations bill. Yet, we have still not seen any action on the standalone bill. Why wouldn't Congress move on an issue that has so much bipartisan support?

We need to push this standalone legislation and also push that 702 be significantly reformed when FISA is reauthorized to ensure that information regarding American citizens can NEVER be searched by law enforcement unless it was collected through a search authorized by a warrant. Technology may change but the Constitution does not.

It is our duty to make this right and ensure that the Fourth Amendment rights of the people we represent will no longer be trampled on by the NSA. The Fourth amendment right against unlawful search and seizure must be protected in both the physical and digital worlds at all times. Thank you for coming today and I look forward to working together to work towards this goal.

And that is just the way it is.

PERSONAL EXPLANATION

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SWALWELL of California. Mr. Speaker, I was unable to be present for votes taken Tuesday, June 7, due to it being primary election day in California. Had I been present, I would have voted as follows:

Roll Call Vote Number 269 (Passage of H. Con. Res. 129): YES

Roll Call Vote Number 270 (Passage of H.R. 4906): YES

Roll Call Vote Number 271 (Passage of H.R. 4904, the Making Electronic Government Accountable By Yielding Tangible Efficiencies (MEGABYTE) Act of 2016): YES

Roll Call Vote Number 272 (Passage of H.R. 1815, the Eastern Nevada Land Implementation Improvement Act): YES

HONORING HIS HOLINESS THE
DALAI LAMA

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. POCAN. Mr. Speaker, I rise today to honor His Holiness the Dalai Lama and welcome him to our nation's capital during his upcoming trip. I would like to recognize His Holiness

for his outstanding commitments to promoting nonviolence, increasing religious tolerance, and advancing human rights around the world.

For over 50 years, His Holiness has led the effort to preserve the rich and unique cultural, historical, linguistic, and religious heritage of the people of Tibet. He received the Nobel Peace Prize in 1989 and a Congressional Gold Medal in 2007 for his efforts to bring a peaceful resolution to the political situation in Tibet and promote non-violent methods for resolving the conflict.

His advocacy and teachings on religious tolerance, non-violence, and peace are so needed in our current global community. His Holiness' unwavering commitment to preserving and protecting the human rights of marginalized communities around the globe is an example for us all.

Mr. Speaker, it is with great honor that I recognize his Holiness the Dalai Lama today.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 272, I am not recorded.

Had I been present, I would have voted aye.

IN RECOGNITION OF CALDONIA
"PEACHES" ANDERSON

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Caledonia "Peaches" Anderson on a distinguished career with the UAW and for receiving the UAW Local 600 "Spirit of King Award" for 2016.

Peaches was born and raised in Detroit, Michigan, graduating from Detroit Central High School in 1964. After her graduation, she was married and had two children. She came from a hard working union family, and in 1969, she chose that path as well and was hired at the Ford Motor Company, where she worked at the Brownstown Plant and became a member of UAW Local 600, a local that she has loved for so many years since then.

In her time with Local 600, Peaches became deeply involved with the local and fighting for the rights of all members in the workplace. She served as an alternate Committeeperson, Chair of the Women's Committee, Unit Recording Secretary, Co-Chair of the Education Department Training Program, and Employee Resource Coordinator. Due to her hard work, she was asked to join the Local 600 staff, and then was asked to join the UAW National Ford Department where she worked as the Joint Programs Coordinator on Special Programs until her retirement in 2008. At that time, she had retired having worked for over 39 amazing years.

If there was a job that needed doing, Peaches was and is there. She is the bedrock

of a community that works hard to help others and fights for equality for all. She knows the challenges so many working men and women face; but nothing is an obstacle. For Peaches, it is always "let's take it on, what do we need to do?" She is tireless in her commitment to everyone.

After she retired, Peaches continued to serve her brothers and sisters in the UAW now serving as the President of the UAW Local 600 retirees chapter. Peaches has focused her energy on taking care of her mother Ernestine and on being a wonderful mother to her children and a loving wife to her husband Alonzo. She is also deeply involved in the community, she is politically active, and she volunteers faithfully at her church. It is amazing to see all of the things Peaches continues to do and always with a smile on her face. As everyone has come to know about her, she lives by the Peaches Rule which is to "treat people like she wanted to be treated." Peaches is one-of-a-kind, and I am honored to be able to call her a friend.

Mr. Speaker, I ask my colleagues to join me today to honor Caldonia "Peaches" Anderson for her many contributions to our community. I thank her for her leadership and friendship, and wish her many years of success and happiness.

HONORING KEITH M. KING

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious young man, Mr. Keith M. King. He has shown what can be done through hard work, dedication and a desire to live a productive life.

Keith M. King was born April 20, 1959 in New Orleans, LA. He lived there until age two then moved to Las Vegas, Nevada with his grandparents until he turned seven, then his move was to Chicago, IL with his parents. He lived there for another three years and decided to move to Mississippi because of the violence in Chicago. Mr. King was then ten years old and stayed in Mississippi with his parents until the age of twelve. He then returned back to Las Vegas, Nevada with his grandparents and resided with them for another four years. At the age of sixteen Mr. King moved back to Mississippi with his parents because of racial riots at his school in Las Vegas.

Mr. King was half way through the 10th grade as he continued to live in Mississippi until he graduated from the Jefferson County High School in Fayette, Mississippi. Prior to graduating from high school he joined the Army on the delay entry program on December 16, 1976 and entered the service on August 8, 1977. He completed his basic training in Fort Jackson, SC and completed his advanced individual training in Fort Benning, GA. He was stationed at Scofield Barracks in Honolulu, HI. During Mr. King's tour, he was deployed throughout the Pacific. Some of his tours were: Guam, USA, Korea, The Phil-

ippines Islands, Australia, The Big Island of Hawaii, Japan and Samoa.

On August 8, 1980 Mr. King ETS from regular service and joined the Army Reserves in December 1980. His first unit was the 386th Transportation Unit in Natchez, MS. Mr. King was still with this unit when they got activated on August 27, 1990 to go to Saudi Arabia to serve in the Desert Shield/Desert Storm War. They stayed in every state in the United States which included Panama, and overseas on numerous occasions. In 1999 Mr. King transferred to the 412th Eng. Battalion in Vicksburg, MS and in 2000 he was deployed and made his sixth and final deployment to Korea before his military career ended. In 2001 he transferred from the 412th Eng. Battalion to the 296th Trucking Company in Brookhaven, MS. On August 30, 2002 Mr. King retired from the military with over twenty-five years of military service for his country. He retired with the rank of E-7, Sergeant First Class.

Mr. King is married to his lovely wife, Sandra Gamble-King for thirty-one years. They have three children. Their oldest daughter has one daughter, the middle son has a set of twins and their baby boy is only sixteen. They have two godchildren who they love very much.

Mr. King has a total of twenty-three years of law enforcement experience. He started his law enforcement career in Fayette, MS with the Fayette Police Department and at Alcorn State University Police Department both at the same time. Three years later he left the Fayette Police Department and joined the Jefferson County Sheriff's Office. After working with the Sheriff's Office for six years, Mr. King decided to go back to school in 2006 to expand his career and pursue a Criminal Justice Degree, which he obtained in 2010. He graduated with a Bachelor of Arts degree having a GPA of 3.5 and he's still with the Alcorn State University Police Department as a Lieutenant.

Mr. King is on the deacon's board at his church, he sings in the choir, and plays the piano for two different churches. He is an author of inspirational writings. His first published book is entitled "Crying, Through GOD'S Eyes". He has completed two more books that have not been published yet and is currently working on another one. He has a weekly column in the Fayette Chronicle, the Glory Journal and the GAD About Magazine in Fayette, MS; along with a column in the Bluff City Post in Natchez, MS.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Keith M. King for his dedication to the U.S. military, the 2nd Congressional District and serving his country and community.

PERSONAL EXPLANATION

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. TURNER. Mr. Speaker, on June 7, 2016, I was unable to vote on roll call votes 269, 270, 271, and 272. Had I been present I would have voted "yea" on the motion to

suspend the rules and pass H. Con. Res. 129, "yea" on the motion to suspend the rules and pass H.R. 4906, "yea" on the motion to suspend the rules and pass H.R. 4904, and "yea" on the motion to suspend the rules and pass H.R. 1815.

IN HONOR OF JAMES A.
BUSSEY, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate and celebrate his 90th birthday, a dear friend of longstanding to my wife, Vivian and me, Mr. James A. Bussey, Sr. A 90th birthday celebration was held on Saturday, June 4, 2016 at 5:00 pm at the National Infantry Museum and Soldier Center in Columbus, Georgia. David Viscott once said that, "The purpose of life is to discover your gift. The Work of life is to develop it. The Meaning of life is to give your gift away." Mr. James Bussey has given his life away in service to others and we are all better for it.

James Andrew Bussey was born in Harris County, GA in 1926 and attended Spencer High School, where he graduated in 1944. Upon graduation, James was accepted into Morehouse College in Atlanta, GA, where he remained for one year before marrying Ms. Marguerite Lindsey in 1947 and moved to Columbus, GA.

Mr. Bussey is an industrious man who worked two jobs every week to support his family because he wanted to provide a better life for them. He constantly had to fight the scourge of racism and because of this, he left Columbus in 1957 to move to Washington, DC where he obtained employment at the Washington Hotel. But, the stench of racism was not far behind as Mr. Bussey discovered that his weekly paycheck was \$20 less than that of his White counterparts. Left with a heavy heart, Bussey immediately returned to Columbus.

Because of his grit, determination and unwavering faith in God, Mr. Bussey found employment as a mail handler with the United States Postal Service. He took pride in delivering the mail and especially enjoyed the East Highland route, which allowed him to visit his mother and grandmother, frequently. Becoming a Mail Handler allowed Mr. Bussey to connect with his community on a personal level and he was known to sing as he walked with joy along his daily route. In addition, he would support and assist community members with literacy troubles, and would read and respond to mail whenever asked. Mr. Bussey's dedication to his job as a Mail Handler and passion for members of his community granted him the recurring opportunity to drive the postal vehicle in the annual Christmas parade, in Columbus.

Mr. Bussey retired from the United States Postal Service in 1976, and upon his retirement, returned to college with his undying resilience and dedication, where he earned a Bachelor of Arts degree from Columbus College in 1988. Mr. Bussey became a proud

member of the Alpha Phi Alpha Fraternity, Inc., and to this day lives by their mission to promote brotherhood and service to all mankind.

Furthermore, Mr. Bussey is a longtime active member of St. James AME Church where he is an officer, a member of the Sons of Allen, and a soloist with the choir. He has volunteered with the Columbus Ambassadors of the Columbus Visitors Bureau and has appeared on stage at the Liberty Theater as an adult performer in musical productions at the Three Arts and River Centers.

Mr. Bussey continues to live a selfless and generous life, serving as a proud Christian, husband, father and friend and has been blessed with four children, James Jr., Janet, Margaret and Michael. I have known Mr. Bussey and the Bussey family for almost 50 years. He is one of the finest human beings that I have ever met in my lifetime. None of the success that he has obtained in life would have been possible without the love and support of his loving wife, Marguerite. He is an example of what Jesus meant when he said, "He that is great among you shall be a servant and he that is greatest among you shall be a servant unto all."

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, along with the more than 730,000 constituents of the Second Congressional District in extending our best wishes to James A. Bussey, Sr. on his 90th birthday. As we celebrate another year of this outstanding citizen's life, we would do well to follow the example of his legacy of striving to improve the quality of life of others giving the gift of his extraordinary life away for the betterment of humanity.

HONORING EVE GARCIA

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to recognize Eve Garcia, a woman from my district who saved the life of a six-year-old boy on April 29, 2016. Ms. Garcia stepped out of her home in West Palm Beach, Florida to find the young boy drowning in a neighborhood pond. Without hesitation, she rushed into the water and pulled the struggling boy to safety.

A bystander called 9-1-1, while Ms. Garcia continued to hold and comfort the young child. He was rushed to the hospital where he was treated then later released with no residual side effects from the horrific incident.

I would like to acknowledge and thank Ms. Garcia for her quick response and heroic actions. Her selflessness in that moment helped to save a young boy's life and, as his family is ever thankful for her actions, I am also thankful to have such a caring woman in my community.

In honor of Ms. Eve Garcia and her actions, I am pleased to recognize her before the United States House of Representatives.

HONORING KASPRINA MOTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Kasprina Moton.

Ms. Moton is going to pharmacy school at Xavier University, and her plan is to come back to Mississippi to serve the under served and minorities that cannot afford their medical treatments and medications. She has participated in various activities throughout the state of Mississippi. She is a 2006 graduate from Gentry High School in the top 10 percent of her class. She graduated from Jackson State University with a 3.7 GPA with a Bachelor's of Science in Chemistry. She graduated from Ole Miss Medical Center Pharmacy Tech program in the top 5 percent of her class. She won Miss. NOBeChe of Jackson Mississippi and she also won the Leadership scholarship of the Boys and Girls club in Jackson, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Kasprina Moton for her dedication to serving others and giving back to the community.

HONORING THE LIFE OF VIVIAN HICKEY

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. BUSTOS. Mr. Speaker, I rise today to honor the life and legacy of Vivian Hickey, who passed away on April 28, 2016 at the age of 100. She will be greatly missed by the Rockford community after influencing so many lives during her many years of service to the State of Illinois.

As a member of the Illinois Board of Higher Education, the original Rock Valley College's Board of Trustees, and the Illinois State Senate, Vivian was an icon and force in Rockford politics and public education. She was first appointed to the Illinois Senate to fill the 34th District seat following the death of Betty Ann Keegan in 1974, sparking the tradition of what soon became known as "The Woman's Seat" in Rockford. Vivian went on to serve one full term in that role, survived a fight against cancer, and became known as an impassioned leader in Illinois and an independent fighter for women and families. Vivian was a true inspiration for many people, whose passion and dedication made her a uniting force within our region.

Mr. Speaker, I am grateful for Vivian's contributions and service to our community, and my thoughts and prayers are with her friends and family during this difficult time.

RECOGNIZING THE 110TH CELEBRATION OF THE ANTIQUITIES ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I wish to recognize and celebrate the 110th anniversary of the Antiquities Act this week. The National Antiquities Act was signed into law by President Theodore Roosevelt on June 8, 1906. This legislation serves as a historic cornerstone in conservation, allowing our presidents to protect public lands with national or notable importance by designating national parks and monuments.

The Antiquities Act remains a critical tool in preserving our American history and in educating our American and foreign visitors about the American experience. These parks preserve our nation's landscapes that reflect the diverse beauty of our country—such as Katmai National Monument in Alaska, Grand Teton National Park in Wyoming, the Petrified Forest in Arizona, Papahānaumokuākea Marine National Monument in Hawaii, Mojave Trails in California, Marianas Trench Marine National Monument in the Northern Mariana Islands, and Grand Sequoia National Monument in California. These parks reflect the history of people who called our land home—such as the Aztec Ruins in New Mexico, Russell Cave in Alabama, the Gila Cliff Dwellings in New Mexico, the Navajo National Monument in Arizona, and Ellis Island in New York.

Further, these parks reflect the history of our nation's birth, struggles, and growth as well as citizens who played key roles in these efforts—such as Fort McHenry in Maryland, Castle Clinton National Monument in New York, Little Bighorn Battlefield in Montana, Fort Sumter in South Carolina, Appomattox Court House in Virginia, Booker T. Washington National Monument in Virginia, George Washington Carver National Monument in Missouri, the Belmont-Paul Women's Equality National Monument, and the World War II Valor in the Pacific National Monument in Hawaii, Alaska, and California. The importance of our lands and monuments is well documented in our American culture—in songs that praise "our redwood forests" or our "purple mountain majesties," music that captures the emotion of the Grand Canyon, and images of the Statue of Liberty that move our spirits and evoke our patriotism.

In my home City of Chicago rests the Pullman National Monument and Historic District that honors the 1894 factory strikes and their role in our nation's labor and civil rights movements. The Pullman District reflects the long history that the City of Chicago has with the birth of the Union Movement. I am proud to represent "Teamsters Row" in Chicago, the home of this important national labor union that champions the rights of workers.

In closing, I am pleased to recognize the 110th anniversary of the Antiquities Act and honor the substantial impact the Act has made in the preservation of our national and cultural history and environmental treasures.

RECOGNIZING MRS. LINDA CANLAS
ON HER RETIREMENT FROM
FAITH RINGGOLD ELEMENTARY
SCHOOL

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SWALWELL of California. Mr. Speaker, I rise to recognize Mrs. Rosalinda Valencia "Linda" Canlas on her retirement as Principal from Faith Ringgold Elementary School in Hayward, California.

Linda has been an active proponent of public education throughout her career. She has instilled a sense of leadership, moral courage, and personal responsibility in the many students that have had the privilege to be seated in her classroom. Her dedication to those students who were not well served by other schools is commendable.

While serving as principal, Linda has actively sought to implement a program to improve the quality of education, introducing effective teaching practices, standards-based curricula and a culture of effective collaboration between school staff and parents. Her efforts have proven to be successful, with Faith Ringgold seeing a 28 percent increase in academic performance over a three-year period.

She was elected as a Trustee to the New Haven Unified School Board in 2010, and she has served as a Board Member, the Clerk, and the Board's President. She helped spearhead the movement to rename Itliong-Vera Cruz Middle School, honoring the farm labor leaders who worked alongside Cesar Chavez.

Linda's dedication to our community extends beyond her commitment to education. She is an active member of her local parish, and serves as a committee member of the Ukulele Festival of Northern California. She has also raised her family to share in her dedication to public service. She is the proud mother of two daughters. One is now a licensed attorney and the other is beginning a career of her own as a public school teacher.

Linda's commitment to the students at Faith Ringgold and in schools across the Hayward and New Haven Unified School Districts is truly extraordinary. I want to acknowledge her for her dedication to a sustainable future and congratulate her on her well-deserved retirement.

CELEBRATING THE 50TH ANNIVERSARY
OF TONY AND JULIET
CAMPOS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to recognize Tony and Juliet Campos on their 50th anniversary. Individually, Tony and Juliet each have a lot to be proud of, but together, as a couple, their accomplishments and passion to give back to the community are truly remarkable.

Tony and Juliet met in 1965 at a wedding in Fresno, California. At the time, Juliet was

working in her hometown of Chino, California, and Tony was trying to make it in the sheep herding business. As a new immigrant from Orondritz, Spain, Tony knew it was fate when he met a young lady whose family emigrated from a Basque town just a couple hundred miles away from Orondritz.

In 1966, they were married in Chino and moved to Caruthers, California. Tony and Juliet partnered with Tony's brothers, and started a modest farming operation, Campos Brothers Farms. Tony's business savviness and charisma along with Juliet's tenacity, quick wit and humor complimented each other perfectly, and their small business turned into one of the largest almond processing plants in the country.

Tony and Juliet's success reaches far beyond their family business. They are parents of three, Steven, Joe, and Jeannine and grandparents of ten, Vanessa, Antonio, Audrey, Ava, Grace, Mathieu, Olivia, Vivian, Sophia, and George. Faith and family are most important to Tony and Juliet, and whether you are a long distance relative, friend, or business colleague, you will always be treated with the utmost respect.

Giving back to the community has always been a priority for Tony and Juliet. Most recently, Juliet was recognized by California State University, Fresno with the Common Threads Award for her contributions to the agriculture industry and philanthropic endeavors. And last August, Tony was honored at Fresno State's Ag One Community Salute for his contributions to agriculture and service to the community.

Mr. Speaker, it is with great respect that I ask my colleagues in the U.S. House of Representatives to join me in recognizing Tony and Juliet Campos on their 50th anniversary. I wish them continued happiness as they celebrate this momentous occasion with family and friends.

HONORING JANA L. CLANTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, the late Ms. Jana Leigh Clanton. Jana was born January 24, 1996 in Flowood, Mississippi.

Jana confessed Christ at an early age and joined Mt. Able Missionary Baptist Church under the leadership of Rev. Willie A. Travis, Sr., where she was a faithful steward, serving as a clerical volunteer to the church secretarial staff and a member of the Mt. Able Anointed Believers Praise Dance Ministry.

Jana was a Presidential Scholar at Tougaloo College, where she majored in English with an emphasis in Pre-Law and was a student leader, serving as a member of the Student Government Association, a member of Alpha Lambda Delta honor society and member of the Tougaloo Ambassadors for Meritorious Scholars (T.A.M.S.), student recruitment association.

Jana graduated with honors from Madison Central High School in May 2014, most re-

cently became licensed as a Certified Pharmacy Technician, and accepted a position at CVS Pharmacy. Though she loved science, Jana's dream was to become the first African American Female U.S. Supreme Court Justice.

To her family, Jana was affectionately known as "Jana Pooh Pooh". She will always be remembered for her willingness to help others and for her passion for reading. Jana always lived life on her own terms and never met a stranger.

She leaves to mourn her death, her loving and devoted parents, Minister Johnny L. and Vicky L. Clanton, Sr.; her adoring and loving siblings, Waikinya J. S. and Johnny L. Clanton, Jr.

Mr. Speaker, I ask my colleagues to join me in recognizing Jana Leigh Clanton.

PERSONAL EXPLANATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PERLMUTTER. Mr. Speaker, on June 7, 2016, due to technical difficulties I was not able to register a vote on H.R. 4906. I wish to reflect my intentions on roll call No. 270, as a "YEA" vote.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. LEE. Mr. Speaker, if I had been present on Wednesday, June 8, and Thursday, June 9, 2016 I would have voted the following ways:

No on Question of Consideration of the Resolution—the Rule for H.R. 5325—Legislative Branch Appropriations Act, 2017.

No on Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 4775, H. Con. Res. 89 and H. Con. Res. 112.

No on H. Res. 767—Rule providing for consideration of H.R. 4775—Ozone Standards Implementation Act of 2016, H. Con. Res. 89—Expressing the sense of Congress that a carbon tax would be detrimental to the United States economy, and H. Con. Res. 112—Expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil.

Yes on H.R. 3826—Mount Hood Cooper Spur Land Exchange Clarification Act.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 271, I am not recorded.

Had I been present, I would have voted aye.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, yesterday I inadvertently voted "nay" on Roll Call No. 279, on Representative POLIS' amendment to H.R. 4775 that would adopt the text of H.R. 1548, the BREATHE Act, which would amend the Clean Air Act to repeal the prohibitions against aggregating emissions from oil and gas sources. As an original cosponsor of H.R. 1548 and a strong supporter of policies to protect the public and our environment from the dangers of Hydraulic Fracturing, or fracking, I duly intended to vote "yea" on this amendment and appreciate this opportunity to note my support.

HONORING BREALAND PENDLETON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Brealand Pendleton.

Brealand Pendleton is the daughter of Mr. Christopher and Aubrey Pendleton of Terry, MS. She is one of four siblings: Chris, Braydon and Aubrey Pendleton. Currently, Brealand is a Senior of Terry High School where she will be graduating 6th out of a class of 320.

Brealand Pendleton is a very outgoing young lady that has served in several capacities in her school; showing great leadership skills and the qualities of a great team member. Brealand has been a member of the Band, Flag Team (Senior Captain), Tennis Team (Senior Captain), Beta Club (Senior Secretary), National Honor Society (Junior Treasury, Senior Vice-President), Interact Club (Senior Secretary) and the National Society of High School Scholars. Brealand has over 40 hours of community service which varies from local school participation, helping at the Food Network, serving at Stewpot, working with the school blood drive, contributor to the Angel Tree and other various community projects. Brealand will further her education at Xavier University of Louisiana, where she will major in Biochemistry. Brealand is a shining example for Terry High School and her community as she works to make it a better place.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable student, leader and community volunteer, Ms. Brealand Pendleton, for her hard work and dedication at Terry High School and throughout the communities of Mississippi.

IN RECOGNITION OF THE HEROISM OF CPL. PHILIP E. LOUR

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mrs. COMSTOCK. Mr. Speaker, I rise today to recognize the incredible heroism of one of my constituents, Cpl. Philip E. Lour, a veteran of World War II, a leader, and an American patriot. Mr. Lour first began serving our nation immediately after graduating from high school at the age of 17. He enlisted in the U.S. Army Air Corps, in 1942, where he quickly developed an interest in communications, and eventually an expertise in Morse code. However, life had different plans for him.

After he was accepted into the Army Specialized Training Program, Mr. Lour soon found himself heading to the front lines due to the program being shut down. Mr. Lour fought in one of the war's most infamous battles, the Battle of the Bulge, where he survived the surprise Nazi assault that incurred the highest casualties for any operation in World War II in Europe. In January, 1946, Mr. Lour retired from the Army as a hero and patriot with the thanks of a grateful nation.

Mr. Lour's service to our nation did not end upon returning home. After graduating from Yale University with a degree in engineering, achieved through the GI Bill, he went on to work for the National Advisory Committee of Aeronautics (NACA). His work at NACA continued for eight years before he transitioned to operational analysis at Langley Air Force Base in Newport News, Virginia. He eventually retired as Deputy Director for the Concepts Analysis Agency in the Department of the Army.

Mr. Lour's long career of service to our nation speaks volumes of his character. He exemplifies hard work, leadership, bravery, and ambition in all aspects of his life, from his education to his service abroad. His dedication to the United States serves as a model for all Americans.

I am honored to recognize Mr. Lour today for his selfless contributions to our great nation. Whether it has been fighting on the front lines in WWII, or by making his neighborhood more beautiful with his extraordinary azalea garden, it is clear that Mr. Philip E. Lour has dedicated his life to improving the lives of those around him. He is respected and loved by many.

Mr. Speaker, I ask that my colleagues join me in saluting Philip E. Lour for his lifetime of service to the United States of America. I wish him all the best in his future endeavors.

IN MEMORIAM OF MICHAEL RATNER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. CONYERS. Mr. Speaker, I rise today, with my colleague Congresswoman BARBARA

LEE, to pay tribute to Attorney Michael Ratner, a fearless champion for justice and peace, who passed away on Wednesday, May 11, 2016 at the age of 72.

For nearly half a century, the talented and tenacious Michael Ratner brought cases with the Center for Constitutional Rights in U.S. courts related to war, torture, and other human rights violations. Throughout his decades of legal service, he was and remains a giant in the field on Constitutional law and the law of war.

He was born in Cleveland on June 13, 1943. His father, Harry, was a Jewish immigrant from Russia, and his mother, the former Anne Spott, helped resettle refugees after World War II, during which numerous family members of the couple were killed. After graduating in 1966 from Brandeis University, Michael Ratner earned his juris doctorate from Columbia Law School. He took a year off of law school to work for the NAACP Legal Defense and Educational Fund on a Baltimore school desegregation case. He then clerked in Manhattan for Judge Constance Baker Motley, the first African American woman to serve on the federal bench.

In 1971, Ratner joined the Center for Constitutional Rights, a nonprofit organization headquartered in Manhattan. From 1984 to 1990, he served as the Center's legal director and became the Center's president in 2002 serving until 2014. He was also president of the National Lawyers Guild and of the European Center for Constitutional and Human Rights.

Ratner brought cases for war crimes and other human rights violations all over the world. Seeking to hold Bush administration officials accountable for torture, he filed cases under the Universal Jurisdiction principle in international courts, including in Germany, Spain, Canada, Switzerland, and France.

Ratner also oversaw litigation that successfully challenged New York City's stop-and-frisk policing tactic.

Under his leadership, the Center for Constitutional Rights was the first human rights organization to stand up for the human rights of Guantanamo detainees. Ratner was a founding member of the Guantanamo Bay Bar Association which grew to include more than 500 attorneys. This Association provided pro bono representation to prisoners at Guantanamo—one of the largest mass defense efforts in U.S. history. Michael acted as counsel in the landmark case *Rasul v. Bush*, which was the first successful Guantanamo case in the United States Supreme Court.

He is survived by his wife, Karen Ranucci, a video producer; his children, Jake and Ana; his sister Ellen and his brother Bruce.

Mr. Speaker, we ask that all our colleagues join us in honoring the life and work of Attorney Michael Ratner. He will truly be missed, but he will live on through the work of the countless social justice lawyers and activists he inspired.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,228,398,127,636.98. We've added \$8,601,521,078,723.90 to our debt in 6 years. This is over \$8.6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING LOUISE SMITH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious mother, Mrs. Louise Smith. Mrs. Smith has shown what can be done through hard work, dedication and a desire to live a productive life.

Louise Smith was born on February 21, 1925 in Laurel, Mississippi.

Mrs. Smith married Samuel Smith on March 10, 1946 and together they had 11 children, 5 boys and 6 girls. They moved to Yazoo City, Mississippi in the 1950s. When the youngest child was enrolled in kindergarten, Mrs. Smith enrolled in beauty school and later received her license to become a hairstylist. She and her good friend, Dorothy Casey, co-owned a beauty salon in downtown Yazoo City which opened in early 1970s and remained open for over 30 years. When you stopped by to get your hair done, you not only received a great hair styling, but you also got many words of wisdom with a little gospel to lift up your spirits until the next time you came.

Mrs. Smith was once a member of Chapel Hill Baptist Church on Brickyard Hill in Yazoo City with her husband and children. There she and several other women met and formed a gospel group known as the Gospel Carolettes. Her husband sang with them as well. The Gospel Carolettes not only sang in church but at various Christian events spreading the news of the gospel. They also sang on the radio station WAZF each Sunday morning.

Mrs. Smith left Chapel Hill Baptist Church with her husband and children to become a member of New Zion Baptist Church where her son, Rev. Willie E. Smith, is the pastor. There she not only served as a Mother of the church, but also works with the Mission women. Mother Smith taught Sunday School and sang in the choir at New Zion.

Mrs. Smith has been a mother and/or grandmother figure to many in the church and in her neighborhood; always welcoming others into her home, which has always displayed an array of beautiful flowers in the yard and many green plants indoors for comfort, decoration and fresh air. Louise enjoys gardening and

preparing dinner with vegetables from her garden on Sundays for her children, grandchildren, great-grandchildren and any other visitors from the community.

Mrs. Smith has pushed to be a role model not only for her children and grandchildren, but to all in her community.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Louise Smith for her dedication for change and serving her community.

HONORING PATRICIA DERIAN, CHAMPION OF HUMAN RIGHTS

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to remember Patricia Derian, former State Department human rights chief, who, as the Washington Post reported, "helped save thousands of lives by giving humanitarian concerns greater weight in U.S. foreign policy." Patt, who grew up in Virginia and first gained a national reputation as a fighter for civil rights in Mississippi, died on May 20 at the home she and her husband, Hodding Carter III, shared in Chapel Hill, NC.

Patt graduated from the University of Virginia nursing school in 1952 and moved with her then-husband to Jackson, Mississippi. There she volunteered for Head Start, fought to integrate public schools, and participated in the 1968 challenge to the state's all-white Democratic National Convention delegation. She also served as president of the Southern Regional Council and on the executive committee of the American Civil Liberties Union.

In 1976, Patt took a leadership role in Jimmy Carter's presidential campaign. President Carter appointed her State Department coordinator for human rights and humanitarian affairs, a position Congress upgraded to Assistant Secretary. "If you want a magnolia to decorate foreign policy," she told future Secretary of State Warren Christopher, "I'm the wrong person. I expect to get things done."

Patt Derian proved as good as her word, ruffling numerous feathers along the way. She persuaded the President to exert influence over international lending institutions by opposing loans to Argentina, Ethiopia, Laos, Uruguay, and other human rights violators. She helped engineer the release of thousands of political prisoners in Indonesia, Bangladesh and Pakistan. Her reports to Congress shed light on previously ignored subjects such as labor practices, women's rights, and female genital mutilation. Jacobo Timerman, an Argentine journalist imprisoned and tortured over many years, credited Ms. Derian with helping engineer his release and saving "thousands and thousands of lives all over the world."

In 1978, Patt married Hodding Carter, a well-known Mississippi journalist who was then Assistant Secretary of State for Public Affairs. They relocated to Chapel Hill in 2005, where my wife Lisa and I came to treasure their friendship and their continued political and civic leadership, locally and nationally. Hodding was Patt's loving caretaker in her years of declining health and continues in mul-

tiply teaching and other leadership roles at the University of North Carolina.

Because of Patt Derian's "determination and effective advocacy," President Carter said upon her death, "countless human rights and democracy activists survived that period, going on to plant the seeds of freedom in Latin America, Asia, and beyond." She was a great humanitarian who was not afraid to challenge the constraints generally placed on diplomacy and foreign policy. As a result, we now have a broader, morally-grounded view of our country's interests and of what we stand for in the world. That is a legacy of major importance: may we rededicate ourselves to it as we remember Patt Derian with gratitude and affection.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 270, I am not recorded.

Had I been present, I would have voted aye.

IN RECOGNITION OF DR. KAREN RUE'S RETIREMENT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BURGESS. Mr. Speaker, I rise today to recognize Dr. Karen Rue, Superintendent of Schools at Northwest ISD. Dr. Rue is retiring from this leadership position after over ten years of exemplary public service to its students, faculty and staff.

During her term as superintendent, Dr. Rue skillfully met the challenges of a rapidly growing school district. Dr. Rue guided NISD's transformation from an educational entity serving 8,700 students in a largely rural area to a more suburban district with an expanded enrollment of more than 21,000. She successfully shepherded the passage of three bond elections, with the overwhelming support of the community, to meet this dynamic growth. During this period, academic performance was increased to ensure that graduates would be equipped for success in higher education and prepared to compete in a global workforce. During Dr. Rue's tenure, the district saw the opening of two new high schools, Byron Nelson, and V.R. Eaton. Additionally, she was instrumental in the implementation of community-based accountability, the expansion of specialized NISD academies and the development of the Outdoor Learning Center.

Dr. Rue has been nationally recognized as a leading proponent of the importance of a digital learning environment to equip all students to be "future ready." She was selected to participate in the Connected Superintendents Summit at the White House, was named one of the nation's Top 50 Innovators in Education by the Center for Digital Education and was chosen as a finalist in the eSchool News

Tech-Savvy Superintendent Awards program. In addition, she was elected by her peers to serve as president of the Texas Association of School Administrators and was named Region XI Superintendent of the Year. Dr. Rue is also a dedicated community leader, having served as President of the Northwest Communities Partnership and as a director of the 35W Coalition.

Cumulatively, Dr. Rue has dedicated 37 years to improving the quality of American public education. She began her impressive career as a 6th grade teacher, then served as Executive Director of Elementary Education at Katy ISD, and as Superintendent of Schools of Tulos-Miday ISD before assuming her position as superintendent of schools for NISD. I salute Dr. Rue for her exemplary career and extend best wishes upon her retirement and future endeavors. It is my privilege to represent Northwest ISD in the U.S. House of Representatives. Dr. Rue's positive impact and dedicated service to Northwest ISD will not soon be forgotten.

**HONORING YAZOO CITY ALUMNAE
CHAPTER OF DELTA SIGMA
THETA SORORITY, INC.**

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a group of women who has shown what can be done through hard work, dedication and a desire to serve their community, Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. The Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. has served the Yazoo County community and the State of Mississippi through informational meetings, social and civic engagement.

The Yazoo City Alumnae Chapter was granted their 30th chartering in the state of Mississippi on February 2, 1997. Francine Wallace and Edwina Fox, in 1995, had the idea to create a chapter in Yazoo and placed an article in the local newspaper. Other Delta's in the area quickly responded, desiring to continue the mission to which they had pledged themselves in their college years and together they worked with the state leadership, the southern Region Manager and the national Headquarters to achieve this objective. Not being swayed, it took several attempts to acquire the approvals to establish the Yazoo City Alumnae Chapter. The Yazoo City Deltas traveled to the State Cluster to share their desire to focus on the high rate of teenage pregnancies in Yazoo County as it was the highest rate in the state of Mississippi. Relating their dedication to fighting this devastating trend, the Southern Region Manager, on their second attempt approved the chartering of the Yazoo City Alumnae Chapter. On February 2, 1997 at the St. Stephen United Methodist Church 12 members, Mary Ann Brewer, Teresa Bonner, Diane Delaware, Zellee Delaware, Sandra Younger, Tamara Dodd, Edwina Gordon-Fox, Marilyn Hathorne, Gloria Elayne Owens, Francine Wallace, the late Juanita

Scott-Washington and Mary Joshua Young stood and committed to carry out the public service mission of their beloved sisterhood throughout Yazoo County. Thus, this was the beginning of the Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Mr. Speaker, I ask my colleagues to join me in recognizing the Yazoo City Alumnae Chapter of Delta Sigma Theta Sorority, Inc. for its dedication to serving others and giving back to the community.

**IN HONOR OF THE 51ST ANNIVERSARY
OF PAYSON CONCRETE
AND MATERIALS**

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. GOSAR. Mr. Speaker, I rise today in honor of a business from my district, Payson Concrete and Materials, Incorporated.

Payson Concrete and Materials recently celebrated their 51st anniversary in business. George Randall opened the business in 1965. His brothers, Robert and Fred, joined him soon after and the family has been serving the communities of Payson, Pine and Tonto Basin ever since. Providers of concrete, asphalt and road paving services to eastern Arizona, the Randalls now employ 35 people, many of whom have been with the company for over 20 years. Their loyalty shows a commitment to excellence in every aspect of their company, from customer to employee. The Randall Brothers are also very active and generous in their community. Every year, they make major contributions to the local community. Robert Randall has also invested in the future of Pine. Mr. Randall, along with other local businessmen, has invested his own time and money into drilling a well with the capability of providing the citizens of Pine with a fresh source of water.

Payson Concrete and Materials is the type of family-owned and operated business that is all too rare in this day and age. It models the kind of community involvement that should be commonplace in our country. On behalf of the people of Arizona and the United States, we thank them for all that they do.

**AMERICA'S HEALTH MEASURES
PROTECTION ACT**

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce legislation to protect the health regulations of the United States, and thereby the health of Americans, from the pernicious use of the Investor-State Dispute Settlement mechanism that exists in free trade agreements like NAFTA and the TPP.

Abuses of the ISDS provision have already had harmful effects on the health of our Canadian neighbors, as an ISDS lawsuit essentially forced the Canadian government to abandon

its ban of the gasoline additive MMT, a known human neurotoxin.

My legislation, which amends the Bipartisan Congressional Trade Priorities and Accountable Act of 2015, known as the TPA, makes it explicitly clear that protecting the health of Americans is a paramount trade negotiating objective of the United States. As it stands today, the TPA falls short of this goal.

During negotiations of the Trans Pacific Partnership, several nations demanded the ability to dismiss ISDS claims made against their tobacco control measures. This insistence was a tacit acknowledgment that companies use ISDS lawsuits to challenge reasonable state health regulations.

But why only single out tobacco control measures? What about safeguards for other public health measures like lower drug prices under Medicare, food safety regulations, clean air and water regulations, or the Toxic Substances Control Act recently passed by Congress? The fact that a last minute "tobacco carve-out" was inserted into the TPP is proof that the trade negotiating objectives currently in TPA are not explicit enough to protect the health of Americans.

The purpose of my legislation is to ensure that all health regulations in the United States are protected from unscrupulous abuses of trade arbitration mechanisms that fall outside of the United States justice system. My legislation instructs the United States Trade Representative to explicitly ensure that no trade agreement gives an investor group the power to hold the health of Americans hostage for monetary gain.

Trade is important to our society, but it should not come at the expense of the health of Americans. I urge my colleagues to support this legislation.

**HONORING THE LIFE OF
MRS. VALERIE BENDER**

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Mrs. Valerie Bender. Mrs. Bender passed away on April 29, 2016, at the age of 60 as she valiantly battled breast cancer for seven years. Known by all who met her as a selfless individual, Mrs. Bender led a prolific career as a reporter and was loved deeply by friends and family.

Mrs. Bender began her journalism career as a reporter in Florida. After having moved to Virginia and working there for a short time, her merits earned her the esteemed role of managing editor at the Wilmington News Journal. Mrs. Bender went on to work at the Fresno Bee where she served for 20 years. While at the Fresno Bee, she held a variety of different positions that included serving as Features Editor, Assistant Managing Director, Director of Community Publications, and Vice President of Custom Publications. In February 2014 Mrs. Bender was named President and Publisher of the Merced Sun-Star, a role that was certainly well earned and deserved.

Among her many activities and passions, Mrs. Bender was an advocate for breast cancer awareness and was deeply passionate

about art. She made it a point to promote mammogram examinations among the young women that she met and went on to become part of Sistah's Just Surviving, a support group for cancer survivors. Mrs. Bender was viewed as a role model by members of the group because of her genuine and loving persona. Furthermore, Mrs. Bender was on the board of trustees at the Fresno Art Museum and showed constant support for young up-and-coming artists in the community. She was able to take her passion for art and effortlessly apply it to her career. During her time at the Fresno Bee, she became so well known for her "eye-popping" art designs that she was called away by other McClatchy newspapers for assistance in making their papers more appealing for up to several weeks at a time.

Throughout her battle with cancer, Mrs. Bender continued to work tirelessly and contributed in numerous ways to the Fresno Bee. She was known for her kindness and fierce devotion to her friends and family. In the wise words of Mrs. Bender, "Life is precious and while it's easy to ask 'why me?' the most important thing is still family and friends . . . I have a husband and a daughter who love me."

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to honor the life of Mrs. Valerie Bender. Often compared to feminist icon Rosie the Riveter, Mrs. Bender was a source of inspiration for all those she touched. She was a loving mother, wife, and journalist and everyone around her benefitted greatly by having her in their lives.

HONORING NORTH CAROLINA
STATE UNIVERSITY LIBRARIES:
2016 NATIONAL MEDAL FOR MU-
SEUM AND LIBRARY SERVICE

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the North Carolina State University Libraries on receiving the 2016 National Medal for Museum and Library Service. This prestigious award, offered annually by the Institute of Museum and Library Services, is the nation's highest honor given to museums and libraries for exceptional service to their communities.

The North Carolina State University Library system has transformed how libraries involve the community to understand, learn, and participate in a myriad of educational activities. The system strengthens North Carolina's K-12 education pipeline, increases the public's literacy, and prepares tomorrow's researchers with college- and workforce-ready skills.

Through cutting-edge programming at all of their locations, North Carolina State University has built a library system that can support the university's students and advanced research, while also serving as an incubator for Triangle businesses. This library was one of the first to leap into the digital age, and has been a terrific example for other academic research libraries around the world. Their creative re-

cruitment tactics for librarians and their crowdsourcing of ideas from student committees have made this library an invaluable asset to our state.

There are several key spaces for students, faculty, and the community to utilize at the North Carolina State University Libraries. These include digital media editing and production spaces, as well as gaming spaces for creating simulations and virtual environments. Library patrons have access to the D.H. Hill Makerspace, which is equipped with 3D printers, scanners, and laser cutters for users to explore a variety of ideas. There is even an Immersion Theater where students and faculty can display their work on a panoramic screen—I recently had the opportunity to experience a fully recreated historic speech given by John Donne in 1622.

North Carolina State University Libraries are one of just ten recipients of the National Medal for Museum and Library Service. NCSU Libraries have had a remarkable impact on the entire state of North Carolina. There were approximately 2.25 million visitors to the library last year, with nearly 12,000 registered visitors from 76 countries, 42 states, and 46 counties in North Carolina.

As we congratulate all the libraries' leaders, it is also important to recognize Susan K. Nutter, winner of the 2016 Association of College and Research Libraries' (ACRL) Academic/Research Librarian of the Year. As the Vice Provost & Director of Libraries, Susan has been instrumental in building the innovative library system we see today.

Mr. Speaker, once again, I offer congratulations to the North Carolina State University Libraries—and each of the nine other National Medal winners—for achieving this distinction for their path-breaking innovations and dedication to serving their communities.

HONORING JALEXIS EVANS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable student, Ms. Jalexis Evans.

Jalexis is the daughter of Latoya Lee and Samuel Evans and the granddaughter of Shirley Evans and the late Glenda Nelson. She is a native of Mound Bayou, Mississippi where she attended John F. Kennedy Memorial High School before being accepted into the Mississippi School for Mathematics and Science in Columbus, Mississippi. While attending John F. Kennedy she was class president, the founder of the mentorship program, "Girl Talk", and a cheerleader. In her spare time, she volunteers in her community with organizations such as St. Gabriel's Mercy Center, New Life Church, and local nursing homes.

One of the greatest impacts she believes she has made is with the mentoring program she initiated. Girl Talk was created solely to help empower, encourage, and equip young girls in the community. They've done things such as visit nursing homes, make Christmas with kindergartners, and host a tea party for

young ladies in middle school to teach proper etiquette.

Jalexis also spends time playing piano and guitar. During her tenure at John F. Kennedy she played the trumpet in the marching band.

A passion of Jalexis is caring for the youth in her community. Though she believes involvement in the community is crucial, she also believes her education will take her far. She works diligently to ensure that her future goals are within her grasp. Attending the Mississippi School for Mathematics and Science has granted her many more opportunities to do so. At this school, she receives the best education possible for high schoolers in the Magnolia state while enriching her knowledge on cultural diversity. Jalexis aspires to enroll into Tulane University where she desires to attend the Tulane Accelerated Physician-Training Program and earn her medical degree. She plans to become a pediatric oncologist after attending medical school. She has yearned to be a doctor since the young age of three. Her love for children pushed her towards the field of pediatrics and her grandmother's fight with cancer led to her interest and passion for oncology. It also instilled within her a strong determination to find a cure for cancer.

She pursues success in her everyday life by continuing to be an example and role model to her sisters: SaMaria, Cilyse, and London, and to be helpful in anyway she can while still achieving her goals day by day.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Jalexis Evans for her educational achievements and dedication to other youths.

HONORING THE WORLD WAR II
AND KOREAN WAR VETERANS
OF ILLINOIS

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on June 8, 2016 with Honor Flight Chicago, a program that provides World War II and Korean War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on June 8th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theater to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to submit the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

Harold C. Aichholzer, Donald G. Alpers, Sidney R. Anderson, George D. Aurand, O. Robert Baccaga, Daniel T. Barker Sr., Richard W. Bernardini, Claude T. Bjork, Julien F. Bloom, Paul Bobolia, Anthony F. Boecker, Robert George Bollman, Joseph E. Borowiak, Richard H. Burns, Thomas Calhoun, Robert G. Callaghan, Libero F. Calzavara, Paul T. Carrano, Charles A. Clark, Fred P. Claussen, John Considine, Donald E. Cramer, Robert E. Cutts, Allan D. Danielson, Charles Joseph Doherty, Robert L. Drennen, William N. Drish, Sr., Milton L. Duehr, Richard Eldorado, Ronald K. Erickson, Jerry R. Forst, Jr., William F. Galambos, Robert M. Gerhold, William Gilkey, Lawrence L. Gurtowski, James Guzzaldo, Donald E. Hahn, Roy L. Halvorsen, Raymond A. Handley, Robert P. Havlik, Albert W. Hellwig, Frank J. Hochman, Robert J. Horn, George E. Jaffke, Oury L. Johnson, Jr., Thomas L. Kelliher, James M. Kirk, John A. Kotan, Jr., Anthony J. Kowalczyk, Louis F. Kueltzo, Jr., Donald Larsen, Ruel F. Lehman, Jr., Stuart Letchinger, Marvin Daniel Levy, Robert T. Lewandowski, Burton A. Lewis, John H. Lichter, Ronald F. Lotz, Joseph B. Lyznicki, Robert Magnuson, Frank Mangels, Raymond J. Manista, Sherwin Marks, Jon R. Marshall, Melvin Mathias, Lloyd A. McCarthy, William P. Merci, Lloyd T. Millard, Joseph S. Musick, Richard S. Nadder, Michael J. Nannini, Leo J. Napolitano, George J. Nastav, Jack J. Nikoleit, Carl H. Nordeen, Joseph F. Pappalardo, Harry O. Parker, Roger L. Payne, Donald E. Pechous, Francis J. Pendergast, William L. Pierce, Eugene C. Piltaver, Waldo M. Pool, Robert P. Prible, John A. Quick, Robert Rodriguez, John J. Rogers, Norman J. Sachman, Paul Sanders, Robert W. Schaerer, Charles William Shepherd, Raymond Shlemon, Sergio J. Siena, Robert Sinclair, Richard V. Skagen, Frank Slay, Richard J. Slomczynski, James Demetrios Sotirakos, John M. Spaulding, Francis D. Stammer, George R. Tamminga, William N. Tauber, Jack Tomaselli, Robert E. Turk, Robert J. Weinmeier, Michael Werner, Charles A. White, Jr., Melvin Williams, Jerome A. Wirkus, Francis A. Wroblewski, John C. Yoder.

IN MEMORY OF EDMONIA L. BROCK

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. AL GREEN of Texas. Mr. Speaker, today, I would like to honor the memory of a distinguished public servant and exemplary Christian lady, Mrs. Edmonia L. Brock. Mrs. Brock devoted her life to spreading the Gospel and faithfully serving her community through public service.

Mrs. Brock was born on September 3, 1918 in Lake Charles, Louisiana. At the age of five, she relocated to Houston where she would go on to graduate magna cum laude and as valedictorian of her class at Phyllis Wheatley High School. She completed her education in the field of nursing.

Mrs. Brock married Robert L. Bogany with whom she had two children. In 1947, she

would go on to marry Henry A. Brock and have four children in addition to Mr. Brock's other children.

Mrs. Brock would become the "Mother of the Church" and State Supervisor of the Women's Department at the New Day Deliverance Holiness Church until she passed away. Additionally, she was a licensed and appointed District Missionary who also served as the International Women's Supervisor and organizer for the Living Gospel Fellowship. She taught weekly Bible study at the Manda Ann Convalescent Home, served as Director of the Sunshine Choir, a Sunday School Teacher and assisted with the prison ministry.

In addition to her lifelong service in her community, across this nation and internationally, Mrs. Brock authored three books: "An Orphan's Triumph," "The Power of Prayer," and "The Book of Poems," for which she received numerous awards.

Finally, Mr. Speaker, Mrs. Edmonia L. Brock will be missed dearly by her surviving children, Henry Brock, Jr., Loretta Amos, Eddie Brock, and Charles Brock; 31 grandchildren, 55 great-grandchildren, 28 great-great grandchildren; as well as her other family members and friends. May she rest in the peace she has earned through her life of service to her community.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. FOXX. Mr. Speaker, on roll call no. 269, I am not recorded. Had I been present, I would have voted aye.

HONORING MS. TY'RIANNE PERRY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ty'Rianne Perry.

Born Ty'Rianne Perry to great parents, Ty'Rianne has played a big part in community service and helping out her peers. She has participated in the breast cancer awareness walk. Ty'Rianne volunteers at the Boys and Girls Club once a month. She also tutors and mentors young children. She volunteers at the Golden Living Nursing Home where she plays games and reads stories to the patients.

Ty'Rianne is highly respected among friends. She speaks up for children and people who cannot speak up for themselves. She is very outspoken.

She also participates in a Blood Drive twice a year. Ty'Rianne loves helping others. She had the opportunity to participate in the Chick-fil-A Leader Academy. She also went to Camp John Hay for selected teenagers who volunteered at Boys and Girls Club. Ty'Rianne has walked in the MLK March many times. She encourages everyone to make a difference in their community and get up and help out.

Mr. Speaker please help us to congratulate Ms. Ty'Rianne Perry for making a difference in her community.

SUPPORT FOR THE REGION OF TIBET

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. SENSENBRENNER. Mr. Speaker, I would like to take this opportunity to offer a statement of my support for the region of Tibet. I have, during my tenure in the House of Representatives, been a strong supporter of the region of Tibet. There should be no divisiveness between political parties on the issue of Tibet and protecting their citizens from the repressions that they face around the world. Tibet is a unique region, and I hope that future actions in the House of Representatives will continue to support the Tibetan community in finding sustainable peaceful solutions.

The repression of Tibetans around the world has prompted the United States to take action to protect Tibetan citizens in their constant struggle for religious and cultural freedom. That is why in June of last year, Representative LOFGREN and I introduced the Tibetan Refugee Assistance Act, which would provide visas to Tibetan refugees.

Our bill would address the plight of Tibetan citizens who have been displaced from their homes for a multitude of reasons, and would be an incredibly useful step in the right direction for future relations between Tibet and the United States. The bill would provide 3,000 immigrant visas over a three-year period to Tibetan citizens who have been displaced.

I first traveled to India and met His Holiness the Dalai Lama in 2008, and it is an experience that I surely will never forget. The unique privilege of meeting with the head of state and spiritual leader of Tibet was one that led me to an even greater appreciation of Tibet, and brought me to first introduce legislation in 2008 supporting Tibetan refugees.

Eight years later we look at the same issue. This is not a new problem, as the epidemic has been occurring for years. We hope to make significant progress to aid many of these displaced Tibetans who have yet to free themselves from the rule of the Chinese government.

On behalf of the 5th District of Wisconsin, I welcome His Holiness the Dalai Lama to the United States and ask for continued perseverance from my colleagues on this issue. I hope to find a peaceful and manageable solution for the region of Tibet.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote on the Question of Consideration of the Resolution, the Rule for

H.R. 5325, Legislative Branch Appropriations Act, 2017 (Roll Call Number 283), I would have voted "no."

Had the question failed, Rep. Castro would have been able to offer his bill H.R. 3785, Correcting Hurtful and Alienating Names in Government Expression (CHANGE) Act. H.R. 3785 would strike the term "illegal alien" from federal law and replace it with the term "undocumented foreign national." Rep. Castro offered an amendment in Rules Committee to H.R. 5325, which was not made in order, that would reverse House Republican language restricting the Librarian of Congress from implementing changes to subject headings from "illegal alien" to "undocumented immigrant."

I support the Library of Congress's decision to no longer use the subject heading "illegal alien" and instead use "noncitizens" and "unauthorized immigration." The phrase "illegal alien" is offensive and dehumanizing to many, and I support the Library's thoughtful decision.

50TH ANNIVERSARY OF THE
AMERICAN CIVIL LIBERTIES
UNION OF NEVADA

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. TITUS. Mr. Speaker, I rise today to recognize and celebrate the 50th anniversary of the American Civil Liberties Union of Nevada.

Since 1966, the ACLU of Nevada has continuously worked to defend the civil rights and civil liberties of all Nevadans through public advocacy, litigation, and education.

The many dedicated board members, directors, volunteers, and staff over the years have made it an exceptional organization of critical importance to our state. I would like to thank current Executive Director Tod Story for his leadership and tireless work on behalf of the ACLU and people of Nevada.

I would also like to recognize the 50th anniversary celebration honorees: Jan Jones Blackhurst, Paula Francis, Colin Seale, Sheila Leslie, and Richard Siegel. Thank you for being champions of democracy and for your years of service to Nevada promoting justice, free speech, individual rights, and progressive leadership.

Congratulations on 50 years of great work. Thank you for your contributions to our community, and here's to 50 more years defending the rights and liberties of Nevadans. Count on me to be your friend and advocate in Washington.

HONORING MS. NETTIE JACKSON
UPON HER RETIREMENT

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to honor Ms. Nettie Jackson who has dedicated her life to helping folks live healthier lives. Ms. Jackson is retiring today

after 25 years of service at the American Heart Association.

Her list of accomplishments is long, including 12 years of participation in my annual health fair. She has been involved in key legislation in Georgia including the Georgia Smoke Free Act and the Automated Defibrillator Public Access Law. She's been involved in lowering the instances and causes of strokes by bringing in National Ambassadors for the Organization for the Power to End Stroke Cause Initiative, facilitating the AHA/ASA First Power Awards in Atlanta, and leading receptions to bring Power to End Stroke Ambassadors together from all over the Southeast United States. She helped coordinate the "Straight From The Heart: Sister To Sister Conference", and Walking for Wellness hosted at Spelman College among other conferences and workshops for healthcare professionals.

She has been recognized for her outstanding work with several awards including: NAACP State Conference Woman of Distinction, Concerned Black Clergy Community Service Award, Morehouse School of Medicine Inaugural Torch Awards, Georgia Ethnic Health Network Advocacy Award, Georgia Secretary of State Outstanding Citizen Award and the American Heart Association's Rome Betts Award which is the National Staff of Excellence Award. She will be missed by the many people whose lives she has touched, but her retirement is certainly well earned.

I rise today to ask my colleagues to join me in thanking Ms. Nettie Jackson for her many great works and to wish her a wonderful retirement.

HONORING MAYOR RAMSAY

HON. CARLOS CURBELO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize the passing of one of Monroe County's most respected and decent public servants. Richard "Dick" Ramsay, a former Marathon mayor and city councilman, small-business owner and airplane pilot, passed away on June 2nd at the age of 74.

A true visionary that worked tirelessly to better his community, Mayor Ramsay played a pivotal role in the incorporation of Marathon, FL. He possessed a genuine passion for the Florida Keys, passion that was reflected in his dedication to public service.

When Dick moved to Marathon, he purchased Surfside gas station near the Vaca Cut Bridge. Upon retirement is when Dick decided to become active with municipal issues.

Dick's contributions to Marathon are both significant and extensive. He served three two-year terms on the City Counsel and expressed great interest in issues concerning Marathon Florida Keys International Airport. One of his many successful projects was the newly installed U.S. Customs and Border Protection Facility, which now allows international flights to clear U.S. Customs in Marathon for the first time in decades.

Beloved by his family, his friends, and his community, Dick Ramsay will be dearly

missed by all. I am honored to have been able to call him my friend. My thoughts and prayers go out to the Ramsay family and the Florida Keys for the loss of such an active and caring member of the community.

CELEBRATING LGBT PRIDE MONTH

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. PALLONE. Mr. Speaker, today I rise to recognize the continued struggle for LGBT equality as we celebrate National LGBT Pride Month this month.

I am, and will continue to be, an ally of the LGBT community in its fight for a more equal and just future. LGBT rights are human rights and our diversity of identities and experiences makes us a stronger and more dynamic nation.

I remember just 20 years ago standing in the House chamber voicing my strong opposition to and voting against the Defense of Marriage Act. A lot has changed since that vote, and marriage equality is now the law of the land.

Despite that progress, LGBT individuals are still marginalized and discriminated against every day. And so our fight for equality continues. A couple weeks ago, I visited Highland Park, in my district, the 6th District of New Jersey, where the Board of Education unanimously voted for a policy ensuring transgender rights. The new policy—one of the strongest and most inclusive policies in the country—protects transgender students' privacy and allows all students to access school bathrooms, locker rooms, and programs based on their affirmed gender. I am proud to represent such an inclusive and accepting community.

So as we in Congress work to pass critical legislation—such as the Equality Act, which would include sexual orientation and gender identity as protected classes in much of our civil rights legislation—to promote a more equal society, I will continue to recognize the voices and people in the towns and cities I represent, who fight hard every day to build more open and accepting neighborhoods and communities.

I stand with the LGBT community in New Jersey—and across the country—in celebrating diversity and equality and in reaffirming the commitment to secure a future free of irrational fear, prejudice, and discrimination.

PERSONAL EXPLANATION

HON. KATHERINE M. CLARK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. CLARK of Massachusetts. Mr. Speaker, I was regrettably detained on June 8th, and I was not present for Roll call number 276. Had I been present, I would have voted no.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Ms. JACKSON LEE. Mr. Speaker, on Tuesday, June 7, I missed Roll Call Votes 269 through 272 due to my necessary attendance in my district attending to representational duties. Had I been present, I would have voted as follows:

On Roll Call 269, I would have voted yes. (H. Con. Res. 129—Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to through a financial commitment to address the unique health and welfare needs of vulnerable Holocaust victims)

On Roll Call 270, I would have voted yes. (H.R. 4906—To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes (Rep. CONNOLLY—Oversight and Government Reform))

On Roll Call 271, I would have voted yes. (H.R. 4904—Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016 (Rep. CARTWRIGHT—Oversight and Government Reform))

On Roll Call 272, I would have voted yes. (H.R. 1815—Eastern Nevada Land Implementation Improvement Act (Rep. HARDY—Natural Resources))

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. COHEN. Mr. Speaker, on May 18, 2016, while I was in an office meeting, the legislative signal bells in my office malfunctioned due to a loose electrical connection, and neither I nor my staff accompanying me knew that a vote had been called. The Architect of the Capitol's Electrical Engineering Branch later repaired the signal bells.

If present, I would have voted "no" on H. Res. 735.

CONCERNS ABOUT TURKISH CIVIL SOCIETY

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 9, 2016

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today out of concern for the welfare of one of our most important NATO allies; the Republic of Turkey. I need not remind this House that Turkey is an indispensable ally in the fight against ISIL, and the effort to restore stability in the Middle East. Nor do I need to remind the members of this body that Turkey bears a burden of biblical proportions as it struggles to safely host almost three million refugees while simultaneously defending against an unprecedented wave of terror attacks. The geopolitical vicissitudes in Turkey's vicinity present the most serious challenge to Turkish territorial integrity since the founding of the Republic.

However, history has consistently shown that great civilizations do not fall to outside

forces unless they are rife with internal turmoil. Under its current leadership, Turkey has regrettably embarked in a troubling direction. Once considered the shining example of a vibrant democracy with the potential to mediate between the Middle East and West, crack-downs on civil society under President Erdogan have forced many of us to reassess the nature of our countries' partnership. Repressive policies against political opposition, journalists, and women rights advocates constitute just a few of these concerns. Questionable use of antiterrorism laws to molest financial institutions, corporations, and academics associated with political opposition such as the Gulen movement raise concerns about Turkey's continued commitment to democratic principles. In a robust republic, civic organizations such as the Gulen movement cannot and should not be designated as terrorist organizations without evidence for the sake of political expediency.

There can be no doubt about America's continued commitment to defend our NATO allies; nor can we forget the substantial military buildup in Armenia, where Putin has deployed advanced fighter aircraft and attack helicopters just 25 miles from the Turkish border. This is the same NATO border that Russian military aircraft have regularly violated, culminating in the downing of a Russian bomber by Turkish defense forces. However, we must not forget the prerequisite requirements to be a member of the NATO alliance; that each member of the alliance be "determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law." It is my hope that President Erdogan's administration will remember this commitment to democratic principles even in the face of regional instability.

SENATE—Friday, June 10, 2016

The Senate met at 8:15 a.m. and was called to order by the Honorable JOHN-
NY ISAKSON, a Senator from the State
of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we rejoice in Your strength, for You continue to withhold no good thing from those who do what is right. You are our God; be merciful to our Nation and world.

Lord, teach our lawmakers Your ways so that they may live according to Your truth with a purity of heart that honors You. Guide them with Your unfailing love, fortifying them for every challenge. May they never be put to shame, as they strive to live worthy of Your amazing grace. Listen closely to their prayers and provide them with answers to the questions that befuddle them.

And Lord, we thank You for the faithful service of our 2016 spring page class. We are grateful for the creativity, competence, and commitment of these outstanding young people. In all of their tomorrows, do for them more than they can ask or imagine.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 10, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. ISAKSON thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. TOOMEY). The majority leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, in just a few minutes, the Senate will take another important step toward passing sweeping defense legislation that will support our troops and our national security. It will help drive defense innovation and research. It will authorize pay raises for our service-members and modernize retirement benefits. It will help prepare our country to deal with the threats of today and the challenges of tomorrow, and it will help prepare the force that the next Commander in Chief will lead to do so as well.

It is a responsible and important bill. Chairman MCCAIN and Ranking Member REED of Rhode Island have worked relentlessly to manage this bill, and I urge all my colleagues to join me in voting for cloture this morning.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. REID. Mr. President, I appreciate the hard work of Senator REED and of course of Senator MCCAIN. They have worked very hard on this bill, but it is not a good bill. I am going to vote against cloture for a lot of reasons. The White House has announced they have scores of reasons to veto the bill, and they will.

I also am concerned about the so-called robust amendment process we were supposed to have under the new Senate leadership. We have Senator GILLIBRAND, who has worked for years. All she wants is a vote, and she hasn't been given that opportunity. We have many other Senators. I know every Senator who has an amendment can't offer it, but, gee whiz, we have had a handful of amendments. I think we have been very outgoing and doing what we can to make sure these managers' packages are approved, but it has been unfair, the whole process. So for that, and many other reasons, I will vote no on cloture.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4607, to amend the provision on share-in-savings contracts.

Reed (for Reid) amendment No. 4603 (to amendment No. 4607), to change the enactment date.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I came to the floor yesterday to talk about a truly shameful change that is buried away in this bill. It is a change that would put us on a path to go back on a promise that we made to our service-members just 6 months ago and a change, if left unfixed, that will pull the rug out for men and women in the Armed Forces who are prepared to make the highest sacrifice for the country they love.

In case any of my colleagues are unaware, a single line in this massive Defense bill on page 1,455, buried in the funding chart, would zero out a new program that is intended to help men and women in our military realize their dream of having a family even if they go on to suffer catastrophic injuries when they are fighting on our behalf. I don't know how this line got in there, I don't know who thought it was a good idea, and I don't know why, but what I do know is this: It is wrong and it has to be fixed.

I just want to tell my colleagues that 6 months ago the Pentagon announced a pilot program that would offer servicemembers who are getting ready to deploy an opportunity at cryopreservation—in other words, freezing their eggs or sperm. This new program gave our deploying servicemembers not just the ability to have reproductive options in the event they are grievously injured but some deserved peace of mind. It took us a step forward in the promise we have made to our servicemembers to support them when they

sacrifice so much for us, and it meant they wouldn't have to worry about choosing between defending their country or a chance of having a family some day.

This new program was met with widespread praise and relief. Men and women who were getting ready to deploy—many of whom were thinking about exploring cryopreservation, using their own money if they could afford it—were assured that their country had their back.

While the pilot program was not groundbreaking, these services have long been available in the private sector, and, in fact, fertility preservation techniques have been used by the British Armed Forces for years. It reflected a basic level of respect for servicemembers who are willing to risk suffering catastrophic injuries on our behalf, and it sent a clear message that no matter what happens to them on the battlefield, we will be ready to stand with them with whatever they need.

I was hoping this new program was a step we could build on, a move in the right direction, an important part of our larger work to help our warriors who sustained grievous injuries achieve their dream of starting a family, which is why I was so upset when I learned this bill would move us the other way. It would take this promise we just made to our warriors and toss it in the trash. It would be a slap in the face to the men and women who serve us proudly and heroically. And honestly, it is the wrong thing to do.

Many people here in the Senate are quick to honor our military with their words, but for the men and women who signed up to fight on our behalf and are looking ahead to potentially massive sacrifices, we owe them so much more than that. We owe them action, respect, and a shot at their dream of having a family. We need to fix this bill. We owe them that much.

Mr. President, I ask unanimous consent that it be in order to offer Murray amendment No. 4490 relating to fertility treatments and that the Senate vote in relation to this amendment with no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, I reluctantly have to object, and that is because there is an objection on this side, which I have to honor.

I thank Senator MURRAY for her advocacy for the people who are serving in our military in uniform, and this is at least an important aspect of military life, and I thank the Senator for that.

I also thank Senator GILLIBRAND, who will speak in a moment on an issue that has been of great importance to her for several years now. She has been an advocate of this very compelling issue of sexual assault in the military.

Unfortunately, we have an objection to all the amendments, and that, in my view, is a great disservice to this body, to the men and women serving in the military, and to the American public. It shouldn't matter whether I happen to agree or disagree with Senator GILLIBRAND or Senator MURRAY; they deserve debate and votes, and they are not getting them because of these objections.

I wish to also point out that we are working on amendments by Senator MORAN, Senator CORKER, Senator GILLIBRAND, and Senator SHAHEEN.

I might point out gratuitously that one of the things I have seen in recent years is involvement on issues that bring new perspectives from people like Senator GILLIBRAND, Senator MURRAY, Senator AYOTTE, Senator MCCASKILL, Senator FISCHER, and Senator ERNST. They have brought perspectives to our committee and to this body that have been very helpful.

All I can say is this: Senator MURRAY, I will continue to fight to get a vote on your amendment.

Mr. President, I reluctantly object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I thank the chairman for his remarks, and I thank the leaders.

I urge my colleagues to allow a vote on my amendment No. 4310.

We now know far more about the extent of the military sexual assault problem than we did last year. We have more data, we have reviewed more case files, we heard from more survivors, and it is clear that very little has changed despite the Department of Defense's persistent claims that things are getting better and that they are making progress.

When the Department of Defense estimates that 20,000 servicemembers were sexually assaulted this year—the same number as in 2010—that is not progress. When an estimate of 8 out of 10 military sexual assault survivors don't report the crime, that is not progress. When more than half of all retaliation cases—58 percent of them—are perpetrated by someone in the chain of command of the accuser, that is not progress. When the percentage of survivors willing to report openly has declined for the past 5 years, that is not progress. When 62 percent of survivors have experienced retaliation since 2012 and there has not been one prosecution of this enumerated crime, that is not progress. When it is confirmed by the Associated Press that the Pentagon blatantly misled the Senate in order to skew our debate, this is perhaps the ultimate time that they are not making progress.

Our military justice system is broken. It is failing our men and women who so bravely serve. No matter how many small reforms we make, as long

as commanders with no legal experience are continuing to make these important decisions about violent sexual crimes, we are not going to solve this problem. Our commanders are great at winning wars and training troops. They are not prosecutors. They are not even lawyers. They are warfighters, and their job is to keep our country safe, not make legal judgments about whether to prosecute a rape.

Once and for all, let's take this decision to prosecute these crimes and instead give it to trained military prosecutors. Let's give our servicemembers a justice system that is worthy of their service. This is our chance, and I urge everyone to vote yes if we have a vote.

Mr. President, I now ask unanimous consent that if cloture is invoked for S. 2943, notwithstanding rule XXII, that Gillibrand amendment No. 4310, the Military Justice Improvement Act, be considered in order postcloture, and that it be in order to offer amendment No. 4310, and the Senate vote in relation to that amendment with a 60 affirmative vote threshold, with no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. MCCAIN. Mr. President, again, it is the same comment I made to Senator MURRAY. It is with profound reluctance because it is not the way we are supposed to conduct business here in the U.S. Senate.

I have reached such a level of frustration that I would even consider changing the rules of the Senate that one individual out of 100 can't bring everything to a screeching halt, and that is what is taking place here over an issue.

One of the amendments that is being held up is literally putting the lives of our interpreters in Afghanistan at risk. That is the view of General Petraeus, Ambassador Crocker, General Nicholson, and others. If we don't allow these people to come to this country, they are going to die. It is that serious. Senator GILLIBRAND's and Senator MURRAY's amendments are important, and I do not in any way diminish them, but we are talking about human lives of people who assisted us in carrying out our mission in Iraq and Afghanistan, and that is what is at stake here.

I reluctantly object, and I want to assure Senator GILLIBRAND that I will do everything in my power—which is not a lot right now when you look at the rules of the Senate—to get a vote. I may have some differences with Senator GILLIBRAND, but no one has been more dedicated to addressing this issue of a very difficult and frankly embarrassing side of the military today, and that is the incidence of sexual assaults.

I reluctantly object.

The PRESIDING OFFICER. Objection is heard.

The Democratic leader.

Mr. REID. Mr. President, I have been to a few of these rodeos, and I think

the only way we are going to get some fairness here is that we do not invoke cloture.

As I said, I have been through this a number of times. I think if that happens, people will understand. We have to have a few votes—not a lot of votes but a few votes.

I was on the floor yesterday when Senator McCAIN made this emphatic statement that, frankly, only he could make. He was talking about how people's lives are in jeopardy here, especially with the Shaheen amendment.

We don't have to change the rules of the Senate, but I suggest that we do not invoke cloture, give us some time to work out a few amendments, and I think that can happen.

We have two experienced legislators. The chairman of the committee and ranking member of the committee, Senator McCAIN and Senator JACK REED of Rhode Island, are two of the best we have here in the Senate, and we should move forward in a way that is expeditious yet productive.

Earlier this morning I said that a robust amendment process has not taken place here. There hasn't been an amendment process. You can blame a lot of people, but it hasn't happened.

I think this is an important piece of legislation. Senator McCAIN and I have worked on this issue for years, and we have been at odds on occasion. He was upset that I didn't bring the bill forward quickly enough, but I do remember that we always brought it to the floor. I can remember on one occasion when he and Senator Levin, who has since retired, finished this bill in 2 days, and we had a good bill that came out of here. There were no vetoes, no threats of veto, and we worked out the problems. So I would hope that we can move forward and get some fairness in this bill.

It is a huge bill. I have some differences in the bill, but it is not fair that we don't have a better process than what we have had so far. So I would suggest that others vote no on cloture.

The PRESIDING OFFICER (Mrs. CAPITO). The Senator from Rhode Island.

Mr. REED. Madam President, I simply want to underscore the importance of these amendments that Senator MURRAY and Senator GILLIBRAND are putting forward. There can be disagreement on the substance, but the merits, the importance, and the criticality should be obvious to all of us. I would hope to find a way to have votes on these amendments.

The same logic applies to Senator SHAHEEN and Senator MORAN. They have amendments that they have worked tirelessly on for days. They are being frustrated, not by the majority of the Senate but by a few individuals.

I think we have reached the point now where we have very little time

left. If we could come together at least on a good-faith package of consents to deal with all of these or a majority of these and then continue to work forward for votes on all of them, I think that would be the appropriate thing to do.

So, again, I just want to underscore the fact that the issues that Senator MURRAY and Senator GILLIBRAND have raised are deserving of a vote, and we should have a vote on these issues.

With that, I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 469, S. 2943, a bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John McCain, John Cornyn, Orrin G. Hatch, Tom Cotton, Kelly Ayotte, Deb Fischer, Mike Rounds, Lindsey Graham, John Barrasso, Roger F. Wicker, Joni Ernst, Thom Tillis, Daniel Coats, Chuck Grassley, John Thune, Steve Daines, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Utah (Mr. HATCH).

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Delaware (Mr. COONS), the Senator from Illinois (Mr. DURBIN), the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. SANDERS), the Senator from Virginia (Mr. WARNER), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 23, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—68

Alexander	Flake	Nelson
Ayotte	Gardner	Perdue
Baldwin	Graham	Peters
Barrasso	Grassley	Portman
Bennet	Heinrich	Risch
Blumenthal	Heitkamp	Roberts
Blunt	Heller	Rounds
Boozman	Hoeven	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Schatz
Cassidy	Johnson	Scott
Coats	Kaine	Sessions
Cochran	King	Shelby
Collins	Kirk	Stabenow
Corker	Klobuchar	Sullivan
Cornyn	Lankford	Tester
Cotton	Manchin	Thune
Crapo	McCain	Tillis
Daines	McCasikill	Toomey
Donnelly	McConnell	Udall
Enzi	Moran	Vitter
Ernst	Murkowski	Wicker
Fischer	Murphy	

NAYS—23

Booker	Franken	Paul
Brown	Gillibrand	Reed
Cantwell	Hirono	Reid
Cardin	Lee	Schumer
Carper	Markey	Shaheen
Casey	Menendez	Warren
Cruz	Merkley	Whitehouse
Feinstein	Murray	

NOT VOTING—9

Boxer	Hatch	Sanders
Coons	Leahy	Warner
Durbin	Mikulski	Wyden

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 23.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. THUNE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WICKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE HISTORICAL SIGNIFICANCE AND THE 50TH ANNIVERSARY OF THE "JAMES H. MEREDITH MARCH AGAINST FEAR"

Mr. WICKER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 488, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 488) recognizing the historical significance and the 50th anniversary of the "James H. Meredith March Against Fear," a 220-mile walk down Highway 51 from Memphis, Tennessee, to Jackson, Mississippi.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WICKER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon

the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 488) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. WICKER. Madam President, I think this is a very appropriate time to recognize the Meredith March Against Fear. On June 5, 1966, 4 years after becoming the first African-American student to enroll at the University of Mississippi, James Meredith began his historic Meredith March Against Fear. The march began at the Peabody Hotel in downtown Memphis and would conclude some 3 weeks later at the Mississippi State Capitol in Jackson.

On June 6, Mr. Meredith and his small band of supporters encountered gunshots about 1 mile south of Hernando, MS. James Meredith was shot three times on that day and was taken to a hospital. Although he would recover, Meredith was unable to complete his March Against Fear, and the leadership was taken over by Dr. Martin Luther King, Jr., Floyd McKissick, and Stokely Carmichael. By the time the march reached the city limits of Canton, the number of marchers had doubled to 250. By the time it concluded in Jackson, there were 15,000 people in attendance. This overwhelming turnout made it the largest civil rights demonstration in the history of the State of Mississippi. More than 4,000 African Americans were registered to vote from rallies and drives during the march along U.S. Highway 51.

Mr. Meredith still lives in Jackson, where he is frequently seen wearing his Ole Miss cap and attending Ole Miss athletic events in Oxford. He will turn 83 1 day before the 50th anniversary of the march's conclusion.

Today, the Senate recognizes the courageous leadership of James Meredith. I think it is appropriate that this resolution is sponsored by the three current Members of the Senate who are graduates of the University of Mississippi—Senator COCHRAN, Senator SHAHEEN, and this Senator.

I commend the Senate on its recognition of this important individual and this significant milestone in the history of the civil rights movement.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

Mr. MCCAIN. Madam President, as we move forward with cloture, I wish to make a clarification for the record.

There has been a lot of conversation about this issue of the role of women as far as Selective Service is concerned. At the time the amendments were filed, there was no amendment, except one, from the Senator from Utah, who is on the floor.

As soon as we began consideration of the bill, I said to the Senator from Utah: When do you want to do your amendment on women in the Selective Service?

His response was that he wanted to do another amendment first.

I said: Look, the way things work, you may have great difficulty getting that up. Nor has the Senator from Utah or anyone else raised the amendment for a vote.

So I am sorry to say that out there, there seems to be some conversation that Senator MCCAIN was blocking a vote on women in the Selective Service. I am not. Right now, if it were germane—and I don't know if it is germane or not—I have repeatedly said that if that amendment is up for consideration, I would be glad to have that amendment considered and to have it voted on.

So I want to clarify that for the record. I did not block any amendment concerning women being eligible for Selective Service. I want the record to be very clear.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COTTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. COTTON. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THOMAS GALYON

Mr. COTTON. Madam President, today I recognize Thomas Galyon of Rogers, AR, as this week's Arkansan of the Week for his advocacy work with the Arkansas chapter of the national ALS Association.

Tom was diagnosed with ALS in 2014 and has been a tireless advocate ever since. Tom isn't one to let ALS hold him back. In fact, after spending 33

successful years in the tourism industry, Tom decided retirement wasn't for him and went back to work as the property manager for the Center for Nonprofits at St. Mary's in northwest Arkansas. As luck would have it, the ALS Association is headquartered in the very building Tom manages, making his commitment to their organization that much stronger.

Recently I had the opportunity to meet with Tom when he came to Washington to advocate on behalf of the ALS Association. We had a long discussion, where I learned about Tom's story and the struggle of nearly 20,000 other Americans who are currently living with ALS. During our meeting, Tom asked me to address the problem that persons with ALS face when seeking disability insurance.

I was proud to work with my colleague Senator WHITEHOUSE to become the lead Republican sponsor of the ALS Disability Insurance Access Act, a bill that would waive the 5-month waiting period to receive disability insurance program benefits for those living with ALS. While the waiting period may be prudent in many cases, for ALS it consumes a lot of the remaining life expectancy once you get a diagnosis of ALS.

We now have nine sponsors. As we gain more support, I am hopeful this bill will move forward and eventually become law.

In a testimony about his journey with ALS, Tom writes: "Until there is a treatment or a cure for ALS I will continue to be an avid advocate for change in government policies and procedures that affect all ALS patients in a negative way."

I encourage all Arkansans to take a lesson from Tom's words: Advocacy works. If there is a bill or regulatory matter that impacts your life, I want to hear about it. To become an advocate, contact my office and tell me your story. It is part of my job to represent you in the Senate.

Tom's journey is a remarkable one. He has not let the unexpected discourage him. In fact, he has used his diagnosis to teach others about ALS and bring us closer to a cure. As Tom himself always says, "Blue skies always." I think that is a mantra everyone in the Senate and Arkansas could adopt, too. It is my honor to recognize Thomas Galyon as this week's Arkansan of the Week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE
AUTHORIZATION BILL

Ms. COLLINS. Madam President, I rise to speak in support of the Fiscal Year 2017 National Defense Authorization Act, a bill upon which we have fortunately invoked cloture today and which I hope will allow us to proceed to finish this vitally important legislation.

I wish to commend both Chairman MCCAIN and Ranking Member REED for their leadership as they worked together. Their bill puts us on a path toward addressing the myriad threats we face today. In fact, in my years in the Senate, it is difficult to think of a time in which we have faced more threats from more different adversaries around the world. These national security challenges include the challenges posed by ISIS, as it continues to control territory and key cities in Syria and Iraq and spreads to other countries, such as Libya and Nigeria; Al Qaeda and other Islamic extremist terrorist groups determined to attack our country and our allies; Russia's aggressive operations in Ukraine, the Baltics, and Syria; and China's aggressive military activities in the South China Sea.

This bill funds programs that ensure our Nation's continued presence and deterrence missions, including \$271 million to help complete the construction of two DDG-1000 Destroyers. These ships provide capabilities including stealth technology, electric propulsion, and a smaller crew size. The Navy recently accepted delivery of the first DDG-1000, the Zumwalt—a major milestone for this revolutionary program. Given the ship's cutting-edge technology, unique hull, and advanced combat systems, the shipbuilders at Bath Iron Works in my State should be commended for their exceptional work and dedication in building the largest naval destroyer and the most advanced naval destroyer in history.

The bill before us also includes \$3.2 billion for the procurement of two *Arleigh Burke*-Class Destroyers as part of a multiyear procurement contract, as well as incremental funding for a third fiscal year 2016 Flight Three Destroyer. This much needed additional destroyer, which ranks No. 2 on the Navy's unfunded priorities list, will be built at Bath Iron Works. As the workhorses of the Navy, these destroyers help ensure that our Navy's capabilities remain unrivaled in delivering power and presence across the globe. From freedom of navigation missions in the South China Sea to addressing Iranian aggression in the Strait of Hormuz, these ships signal to enemies and allies alike that the U.S. Navy is ready to respond wherever and whenever it is needed.

After years of advocacy, I am pleased this legislation also includes an important provision that requires the Department of Defense to finally comply

with the Berry amendment by outfitting new recruits with high-quality athletic shoes made in America by skilled American workers. This amendment, sponsored by my colleague Senator KING, is based upon stand-alone legislation that I introduced with my colleague from Maine. It is good not only for our troops but also for American manufacturing. It is time to stop relying on goods manufactured in foreign countries to outfit those who wear the uniform of our Nation. It is past time for the Department's circumvention of the Berry amendment to be ended when it comes to athletic footwear.

This bill also provides for investments in our public shipyards, which are strategic assets for our national security. For Portsmouth Naval Shipyard in Kittery, ME, almost \$75 million is authorized for necessary upgrades, including \$18 million for unaccompanied housing, \$30 million for utility improvements for nuclear platforms, and \$27 million to construct a replacement for a medical and dental unit that is in a building that is 100 years old and does not meet current safety standards.

As the senior member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee of the Appropriations Committee, I am pleased these authorizations match the funding included in our Military Construction and VA spending bill that passed the Senate overwhelmingly a few weeks ago. These investments at the Portsmouth Naval Shipyard will result in the high-quality facilities that shipyard personnel deserve as they maintain, repair, and modernize our nuclear submarine fleet.

The bill also provides the resources necessary to help our allies and partners around the world. I am pleased it would authorize \$50 million for the U.S.-Israel Anti-Tunneling Cooperation Program. The terrorist organization Hamas continues to construct tunnels from Gaza to Israel, which have been used by terrorists to sneak across the border and carry out attacks on Israeli citizens.

Meanwhile, we have the problem of Iran, which has continued to defy a U.N. Security Council resolution on its ballistic missile program by conducting flight testing of missiles that are inherently capable of delivering nuclear weapons that could someday reach the United States. They already are capable of reaching Israel, which is why this bill's continued support for the U.S.-Israeli cooperative missile defense programs is so important.

I am pleased to note that the National Defense Authorization Act contains several measures supporting our servicemembers, who perform the important missions we assign them. These provisions include a 1.6-percent pay raise and reauthorization of bo-

nuses and special pay to help encourage retention. I know this has been a real problem, for example, for the Air Force in retaining the pilots it needs, who oftentimes can make so much more money and have far easier missions and hours in the private sector.

I filed an amendment, as I did last year, to strike a provision in this bill that would unfairly discriminate against women servicemembers. The provision mandates that if two or more servicemembers live in the same house, the amount of the basic allowance for housing payable to each member would be divided by the total number of members in the house. That means, in cases where a servicemember resides with his or her Active-Duty spouse or if a member resides with military roommates, each would proportionately lose his or her stipend for housing under this bill. This disproportionately affects female servicemembers because 20 percent of them are married to another servicemember. In contrast, less than 4 percent of Active-Duty men are married to Active-Duty women servicemembers. I hope we can change this provision.

Other provisions of this bill would provide additional protections for survivors of sexual assault to move closer to the goal of translating the military's stated policy of zero tolerance into reality. Specifically, the bill would create a new punitive article in the Uniform Code of Military Justice that criminalizes acts of retaliation. The article would hold servicemembers accountable if they threaten or take adverse personnel action against those who report or plan to report retaliation.

Finally, this bill would direct the Pentagon to rein in unnecessary and wasteful spending by reducing the number of general and flag officers by 25 percent. This is an issue that I have been working on with Chairman MCCAIN since 2012, and I am pleased to see the continued focus on ending the practice of rank inflation.

I should mention that I have the greatest respect for the high-ranking officials as well as for all who serve in our military. But this is an issue that we do need to deal with, and I believe this bill strikes the appropriate balance. We owe it to taxpayers to assess every efficiency and use every cost-saving measure while also ensuring the security of our Nation.

I thank the Presiding Officer for her patience. I know the Senate is soon to adjourn. I urge support of this important bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION AND FEMALE VETERAN SUICIDE PREVENTION BILLS

Mr. MCCONNELL. Mr. President, it was encouraging to see the Senate vote to advance the National Defense Authorization Act this morning. It reflects a recognition by this body of the importance of the bill and the moment. The defense authorization act will promote defense innovation and research, it will modernize retirement benefits for our men and women in uniform, and authorize the pay raises they deserve. It will help prepare our country for the threats of today and the challenges of tomorrow, and it will better enable the next Commander in Chief, regardless of party, to deal with them as well. That is critical given that the next President is about to inherit an array of threats and troubling instability in the Middle East.

Yesterday Senators laid out many ways in which President Obama's foreign policy has fallen short. One was lack of strategic vision. Take for instance his unnecessary threat to veto this very bill. He doesn't like bipartisan prohibitions on transferring hardcore terrorists from Guantanamo's secure facilities to American communities or unstable countries. We include similar bipartisan provisions year after year after year. He makes similar threats year after year after year, but he signs the bill year after year, so it is time to quit that.

This bill just advanced in the Senate by a bipartisan vote of 68 to 23. The funding levels this bill authorizes is exactly the same as what President Obama requested in his budget, and unless the President is actually more concerned about a campaign slogan from back in 2008 than he is about grave threats we face in 2016, he will sign it.

I thank colleagues on both sides for their hard work on this legislation, particularly Chairman MCCAIN. He is always on guard for our men and women in uniform, and he is always standing up for our national security. This bill is a reflection of his commitment. It is an important step for the American people, but it is not the only one we took this past week.

It has been reported that we lose over 20 veterans each day to suicide, and one study has revealed that suicide rates among female veterans grew by 40 percent between 2000 and 2010. This is heartbreaking, and it underlines the importance of the Female Veterans Suicide Prevention Act that the Senate passed earlier this week. This legislation will require the VA to take a closer look at this issue and assess which mental health care and veteran suicide prevention programs are most success-

ful for our female veterans. It builds upon the progress of the Clay Hunt Act, an important law we passed last year that provides more of the suicide prevention and mental health support our veterans deserve.

As Senator ERNST recently reminded us, our servicemembers have selflessly sacrificed in defense of our freedoms, and we should help ensure that they are prepared to transition back to civilian life, which includes access to quality and timely mental health care they deserve. Senator ERNST knows what it means to serve. I thank her for her continued leadership for Iowa and for her work on this bill with Senators BOXER, BLUMENTHAL, and BROWN.

This veterans mental health legislation is another example of what we can accomplish when we work together to find solutions for the American people, and it is another example of a Senate that is back to work.

SOCIAL IMPACT PARTNERSHIP BILL

Mr. CORKER. Mr. President, I am pleased to be a cosponsor of S. 1089, a bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes, known as the Social Impact Partnership Act, SIPA. This legislation would facilitate the creation of public-private partnerships that have the goal of improving the outcomes from our Nation's social services spending in order to benefit both the people intended to be helped by those programs and the U.S. taxpayer. It would do so by creating the Federal Interagency Council on Social Impact Partnerships, which would recommend to the Treasury Secretary that the Federal Government enter into agreements with State and local governments and private investors to pay for successful social improvement programs funded by private investors out of savings those programs create for the Federal Government.

The bill appropriates \$300 million for this purpose and aims to ensure that the savings to the Federal Government from the projects selected will exceed that \$300 million. If a social services program is not successful, the Federal Government will not pay for it. In this way, SIPA helps to reorient Federal social spending towards measurable improvements in the lives of those served.

While I am supportive of the bill, I do want to note for the record that this bill could benefit from further assurances at a committee markup that the funded projects will result in governmental savings.

The appropriations for the legislation should be offset with spending reductions in other areas, as has been done in the companion legislation in the House of Representatives.

There should be a specified role in the legislation for CBO and OMB to certify for taxpayers that the Federal performance payments authorized in the bill for successful projects do not exceed actual programmatic savings and that this bill provides better social outcomes for equal or less total money spent.

Finally, the bill should ensure that there is no way for any program stakeholder, government official, or member of the Federal Interagency Council on Social Impact Partnerships to unduly influence the measured outcome of these funded projects, which is required to receive federal payments. As part of these protections, there should be strict conflict of interest rules in place to prohibit those involved in selecting and measuring the projects from having a financial interest in their outcome.

The purpose of the Social Impact Partnership Act is to establish funding for innovative social service projects that work and ending funding for those that do not. If there is any evidence that such innovation is not occurring and SIPA is becoming yet another wasteful and politically influenced government program, I will work to end it.

I thank Senators HATCH and BENNET for their great work on this bill, and I look forward to its markup in the Finance Committee and passage in the full Senate.

ADDITIONAL STATEMENTS

TRIBUTE TO BILLY COX

• Mr. BOOZMAN. Mr. President, today I pay tribute to Baxter County Sheriff's Deputy Billy Cox, the American Legion Department of Arkansas Law Enforcement Officer of the Year Award recipient.

Deputy Cox has dedicated 13 years to law enforcement and currently serves as the Norfolk school resource officer. He provides a law enforcement presence, but also uses his skills and experiences to help students learn and grow in a safe environment through D.A.R.E. and other youth safety programs. Having worked as a paramedic for two decades, he also teaches CPR to high school students.

Known as Officer Billy to the students and educators around the Norfolk School District, Deputy Cox is a positive role model for the students. Students rely on him to listen to their problems, and he is always patient and willing to listen. Norfolk High School Principal Bobby Hulse says Deputy Cox means a lot to the students and staff.

His dedication to law enforcement has earned Deputy Cox certifications in drug abuse education and gang resistance education. He is a State-certified drug recognition expert.

The American Legion Department of Arkansas Law Enforcement Officer of

the Year Award recognizes law enforcement officers who exceed their responsibilities in uniform and show a commitment to community service. Deputy Cox was nominated for this award by his supervisor, Lt. Ralph Bird, because of the huge impact he has had on students and citizens in the county.

Deputy Cox is well-deserving of this recognition. His dedication, devotion, and commitment to Baxter County and the Norfolk School District are apparent every day.

I offer my congratulations to Deputy Billy Cox for receiving this honor and wish him continued success in his law enforcement career.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3826. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5706. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "D-glucurono-6-deoxy-L-manno-D-glucan, acetate, calcium magnesium potassium sodium salt (diutan gum); Exemption from the Requirement of a Tolerance" (FRL No. 9946-48) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5707. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alpha-2,4,6-Tris[1-(phenyl)ethyl]-Omega-hydroxypoly(oxyethylene) poly(oxypropylene) copolymer; Tolerance Exemption; Technical Correction" (FRL No. 9946-43) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5708. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alcohols, C-14, ethoxylated; Exemption from the Requirement of a Tolerance" (FRL No. 9946-16) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5709. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation" (RIN3052-AD16) received in the Office of the President of the Senate on June 7, 2016; to

the Committee on Agriculture, Nutrition, and Forestry.

EC-5710. A communication from the Board Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation" (RIN3055-AA11) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5711. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants—Cross-Border Application of the Margin Requirements" (RIN3038-AC97) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5712. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the February 2015 Australia Group (AG) Intersectoral Decisions and the June 2015 AG Plenary Understandings" (RIN0694-AG88) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-5713. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps" ((RIN1904-AB94) (Docket No. EERE-2009-BT-TP-0004)) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Energy and Natural Resources.

EC-5714. A communication from the Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Technical Corrections" (RIN1014-AA15) received in the Office of the President of the Senate on June 6, 2016; to the Committee on Energy and Natural Resources.

EC-5715. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units" ((RIN2060-AS11) (FRL No. 9945-72-OAR)) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5716. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production" ((RIN2060-AS94) (FRL No. 9947-30-OAR)) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5717. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Hazardous Chemical Reporting: Community Right-to-Know; Revisions to Hazard Categories and Minor Corrections" ((RIN2050-AG85) (FRL No. 9945-07-OLEM)) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5718. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Completeness Findings for 110(a)(2)(C) State Implementation Plan Pertaining to the Fine Particulate Matter (PM_{2.5}) NAAQS; California; El Dorado County Air Quality Management District and Yolo-Solano Air Quality Management District" (FRL No. 9947-35-Region 9) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5719. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California; California Mobile Source Regulations" (FRL No. 9947-59-Region 9) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5720. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Minnesota; Sulfur Dioxide" (FRL No. 9947-48-Region 5) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5721. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Indiana; Removal of Gasoline Vapor Recovery Requirements" (FRL No. 9947-39-Region 5) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5722. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; NAAQS Updates" (FRL No. 9946-80-Region 5) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Environment and Public Works.

EC-5723. A communication from the Acting Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Zuni Bluehead Sucker" (RIN1018-AZ23) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Environment and Public Works.

EC-5724. A communication from the Chief of the Wildlife Trade and Conservation Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revisions of the Section 4(d) Rule for the African Elephant (*Loxodonta africana*)" (RIN1018-AX84) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Environment and Public Works.

EC-5725. A communication from the Acting Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination That Designation of Critical Habitat is Not Prudent For The Northern Long-Eared Bat" (RIN1018-AZ62) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Environment and Public Works.

EC-5726. A communication from the Acting Chief of the Unified Listing Team, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Oregon Spotted Frog" (RIN1018-AZ56) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Environment and Public Works.

EC-5727. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2016-33) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Finance.

EC-5728. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cosentino v. Commissioner, T.C. Memo 2014-186" (AOD 124337-15) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Finance.

EC-5729. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applying for Certification as a Certified Professional Employer Organization" (Rev. Proc. 2016-33) received during adjournment of the Senate in the Office of the President of the Senate on June 8, 2016; to the Committee on Finance.

EC-5730. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Certain Transfers of Property to Regulated Investment Companies [RICs] and Real Estate Investment Trusts" (RIN1545-BN39) (TD 9770) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Finance.

EC-5731. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Bipartisan Budget Act of 2015, section 701: Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015" (RIN0960-AH99) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Finance.

EC-5732. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Comprehensive Child Welfare Information System" (RIN0970-AB90) received during adjournment of the Senate in the office of the President of the Senate on May 27, 2016; to the Committee on Finance.

EC-5733. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Belarus; to the Committee on Finance.

EC-5734. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Finance.

EC-5735. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Labor Organization Recommendations concerning the Transition from the Informal to the Formal Economy (No. 204), adopted by the 104th session of the International Labor Conference at Geneva; to the Committee on Foreign Relations.

EC-5736. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "International Traffic in Arms: Revisions to Definition of Export and Related Definitions" (RIN1400-AD70) received in the Office of the President of the Senate on May 26, 2016; to the Committee on Foreign Relations.

EC-5737. A communication from the Deputy General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5738. A communication from the Deputy General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Civil Penalties" (RIN1212-AB33) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5739. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Chromium Propionate" (Docket No. FDA-2014-F-0232) received in the Office of the President of the Senate on June 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-5740. A communication from the Inspector General of the General Services Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5741. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5742. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5743. A communication from the Chairman, Federal Maritime Commission, trans-

mitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-292, "Sense of the Council in Support of a 'Statehood or Else' Signature Campaign Resolution of 2015"; to the Committee on Homeland Security and Governmental Affairs.

EC-5745. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5746. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Rewrite of GSAR Part 515, Contracting by Negotiation" (RIN3090-A176) received in the Office of the President of the Senate on June 6, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5747. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Rewrite of GSAR Part 517, Special Contracting Methods" (RIN3090-A151) received in the Office of the President of the Senate on June 6, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5748. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Purchasing by Non-Federal Entities" (RIN3090-AJ43) received in the Office of the President of the Senate on June 6, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-5749. A communication from the Deputy General Counsel, Office of Grants Management, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Government Contracting and National Defense Authorization Act of 2013 Amendments" (RIN3245-AG58) received in the Office of the President of the Senate on June 8, 2016; to the Committee on Small Business and Entrepreneurship.

EC-5750. A communication from the Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning" (RIN2125-AF52) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5751. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning" (RIN2132-AB10) received in

the Office of the President of the Senate on June 7, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5752. A communication from the Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Categorical Exclusions" (RIN2125-AF69) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Commerce, Science, and Transportation.

EC-5753. A communication from the Senior Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Commercial Zones at International Border with Mexico" (RIN2126-AB86) received in the Office of the President of the Senate on June 7, 2016; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3048. A bill to withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, to provide for the conduct of certain economic activities in Malheur County, Oregon, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 3049. A bill to designate the Organ Mountains and other public land as components of the National Wilderness Preservation System in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LANKFORD (for himself, Mr. HATCH, Mr. LEE, Mr. CRUZ, and Mr. CORNYN):

S. 3050. A bill to limit donations made pursuant to settlement agreements in which the United States is a party; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. SHAHEEN):

S. Res. 488. A resolution recognizing the historical significance and the 50th anniversary of the "James H. Meredith March Against Fear", a 220-mile walk down Highway 51 from Memphis, Tennessee, to Jackson, Mississippi; considered and agreed to.

By Mr. HATCH (for himself, Mr. BOOKER, and Mr. MCCONNELL):

S. Res. 489. A resolution honoring the life and achievements of Muhammad Ali; considered and agreed to.

By Mr. THUNE (for himself, Mr. GARDNER, Mr. BENNET, Ms. KLOBUCHAR, Mr. HATCH, and Mr. SULLIVAN):

S. Res. 490. A resolution expressing the sense of the Senate that ambush marketing

adversely affects the United States Olympic and Paralympic teams; considered and agreed to.

By Mr. MARKEY (for himself, Mr. COCHRAN, Mr. WICKER, Mr. BURR, and Mr. GRASSLEY):

S. Res. 491. A resolution designating June 12, 2016, as a national day of racial amity and reconciliation; considered and agreed to.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MERKLEY, and Mr. MCCONNELL):

S. Res. 492. A resolution designating the week of June 6 through June 12, 2016, as "Hemp History Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 386

At the request of Mr. THUNE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 1089

At the request of Mr. CORKER, his name was added as a cosponsor of S. 1089, a bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1779

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1779, a bill to prevent conflicts of interest that stem from executive Government employees receiving bonuses or other compensation arrangements from nongovernment sources, from the revolving door that raises concerns about the independence of financial services regulators, and

from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2904

At the request of Mr. COTTON, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2924

At the request of Mr. REID, the names of the Senator from Montana (Mr. TESTER), the Senator from Oregon (Mr. WYDEN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 2968

At the request of Mr. JOHNSON, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2968, a bill to reauthorize the Office of Special Counsel, and for other purposes.

S. RES. 483

At the request of Mr. ALEXANDER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 483, a resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

S. RES. 486

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 486, a resolution commemorating "Cruise Travel Professional Month" in October 2016.

AMENDMENT NO. 4383

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 4383 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of

the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4417

At the request of Mr. KAINE, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 4417 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4458

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of amendment No. 4458 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4490

At the request of Mrs. MURRAY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 4490 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4550

At the request of Mr. GRAHAM, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of amendment No. 4550 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4629

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4629 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4641

At the request of Mrs. SHAHEEN, the name of the Senator from North Caro-

lina (Mr. TILLIS) was added as a cosponsor of amendment No. 4641 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3048. A bill to withdraw certain Federal land located in Malheur County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing laws, to provide for the conduct of certain economic activities in Malheur County, Oregon, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. WYDEN. Mr. President, today I am introducing the Southeastern Oregon Mineral Withdrawal and Economic Preservation and Development Act to provide a boost to the rural Oregon economy and to protect the world-renowned Southeastern Oregon landscape. I am pleased to introduce this bill with my colleague from Oregon, Senator JEFF MERKLEY.

In Southeastern Oregon, the high desert landscape is home to hundreds of millions of acres of public lands that have hosted cattle ranching and visitors and locals for generations. These lands are supported by Oregonians who grew up there and who rely on them as a long-time linchpin for their local economies. The equation is simple: Healthy public lands mean healthy economies in this part of Oregon. And outside threats to those lands place local economies in peril.

I understand that companies, including foreign companies, want to come into Southeastern Oregon to explore for minerals, including uranium. This is deeply troubling because these mining operations are dangerous—to the existing local economies as well as to the environment, over all. By potentially hamstringing the creation of jobs in agriculture and recreation, and stunting the growth of small businesses, blocking mining in these areas protects this local potential.

Senator MERKLEY and I are introducing this bill because the risks posed by mineral exploration to the communities and their way of life are far too great to roll the dice.

Not only does our bill protect more than 2 million acres from mineral exploration and extraction, it creates and expands programs to support Southeastern Oregon communities so they

can grow their economies and build on their strengths. These programs include grants to develop modern and efficient water storage systems to keep livestock out of rivers and streams and reduce the need to transport water. They also include infrastructure grants to improve roads for farmers and agriculture-related businesses, as well as job training for veterans and young people get started in agriculture. Finally, our bill would address broader economic issues by establishing an Agriculture Center of Excellence to expand local agriculture research, providing additional assistance to local and rural firefighters, improving water and wastewater systems, and deploying broadband service and cellphone towers.

With these investments in Southeastern Oregon, communities can create jobs, train a new generation of workers, and modernize their economies. All those gains can be achieved while protecting Malheur County's natural landscape and ensuring that the historic uses of the land can continue without interruption from harmful mining operations.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 488—RECOGNIZING THE HISTORICAL SIGNIFICANCE AND THE 50TH ANNIVERSARY OF THE "JAMES H. MEREDITH MARCH AGAINST FEAR", A 220-MILE WALK DOWN HIGHWAY 51 FROM MEMPHIS, TENNESSEE, TO JACKSON, MISSISSIPPI

Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. SHAHEEN) submitted the following resolution; which was considered and agreed to:

S. RES. 488

Whereas the Supreme Court of the United States, in *Brown v. Board of Education*, 347 U.S. 483 (1954), ruled that separating children in public schools on the basis of race violates the 14th Amendment to the Constitution of the United States;

Whereas in the years following *Brown v. Board of Education*, 347 U.S. 483 (1954), some Southern States, including the State of Mississippi, continued to uphold racial segregation;

Whereas, in 1962, the first African-American integrated the University of Mississippi (referred to in this preamble as "Ole Miss");

Whereas, in 1965, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), which passed Congress with bipartisan support and was signed by President Lyndon Johnson, prohibited racial discrimination in voting;

Whereas, in 1966, 4 years after integration, the first African-American student at Ole Miss planned a 220-mile march from Memphis, Tennessee, to Jackson, Mississippi (referred to in this preamble as the "Meredith March Against Fear")—

(1) to challenge the fear that dominated the day-to-day lives of African-Americans in the Southern United States, specifically in the State of Mississippi; and

(2) to encourage the 450,000 unregistered African-Americans in the State of Mississippi to register to vote and to go to the polls;

Whereas, on June 5, 1966, the historic Meredith March Against Fear began at the Peabody Hotel in downtown Memphis, Tennessee;

Whereas the self-reliant and determined leader of the Meredith March Against Fear carried no food, clothing, or sleeping bag, and was joined only by a small number of African-American supporters and Whites from the North;

Whereas on reaching the border between the States of Tennessee and Mississippi, the marchers were greeted with hostility;

Whereas, on June 6, 1966, the Meredith March Against Fear continued south along United States Highway 51 through DeSoto County toward the town of Hernando, Mississippi;

Whereas 150 African-American men and women greeted the marchers at the town square in Hernando, Mississippi;

Whereas the visit of the marchers to Hernando, Mississippi, embodied the purpose of the Meredith March Against Fear, "to explain [to African Americans] that the old order was passing, that they should stand up as men with nothing to fear";

Whereas, on June 6, 1966, about 1 mile south of Hernando, Mississippi, the leader of the Meredith March Against Fear was shot 3 times by an attempted assassin;

Whereas, on June 7, 1966, national civil rights leaders, including Dr. Martin Luther King, Jr., Floyd McKissick, and Stokely Carmichael, resumed the Meredith March Against Fear while their leader recovered from the attempted assassination;

Whereas, over the next 3 weeks, the marchers weathered violence and tear gas, but accomplished what the Meredith March Against Fear set out to accomplish;

Whereas voter rallies and drives along United States Highway 51 resulted in more than 4,000 African-Americans registering to vote;

Whereas the Meredith March Against Fear featured many African-Americans defying the intimidation of hostile Whites;

Whereas, on June 25, 1966, the leader of the Meredith March Against Fear, along with 125 allies, resumed the march from the Canton, Mississippi, courthouse, located 15 miles north of Jackson, Mississippi;

Whereas the number of marchers doubled to approximately 250 by the time the Meredith March Against Fear reached the city limits of Canton, Mississippi;

Whereas 1 mile north of Tougaloo College, the marchers were met by Dr. Martin Luther King, Jr., and hundreds of additional followers;

Whereas hundreds of supporters were led through the iron-rod gate at the main entrance to the Tougaloo campus in Jackson, Mississippi;

Whereas, on June 26, 1966, the Meredith March Against Fear concluded with a walk from Tougaloo College to the Mississippi State Capitol building in Jackson, Mississippi;

Whereas approximately 15,000 individuals attended the climactic conclusion of the Meredith March Against Fear, making it the largest civil rights demonstration in the history of the State of Mississippi; and

Whereas the self-sufficiency and resolve that motivated the Meredith March Against Fear made its leader a revolutionary and a powerful figure in the history of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th anniversary of the "James H. Meredith March Against Fear";

(2) recognizes the discipline and focus required to complete the James H. Meredith March Against Fear during the most contentious decade in the Civil Rights Movement to encourage African-Americans to defy intimidation and register voters; and

(3) acknowledges the significance of the James H. Meredith March Against Fear.

SENATE RESOLUTION 489—HONORING THE LIFE AND ACHIEVEMENTS OF MUHAMMAD ALI

Mr. HATCH (for himself, Mr. BOOKER, and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 489

Whereas Muhammad Ali was an Olympic gold medalist;

Whereas the athletic legacy of Muhammad Ali is cemented by a 21-year professional career amid a golden age of boxing, in which he amassed a record of 56-5 with 37 knockouts;

Whereas Muhammad Ali was the first individual ever to capture the World Heavyweight Title 3 times;

Whereas Muhammad Ali memorably recaptured the world title in the "Rumble in the Jungle" on October 30, 1974, when he knocked out then-undefeated World Heavyweight Champion George Foreman;

Whereas Muhammad Ali successfully defended his title 10 times, perhaps most famously during the "Thrilla in Manila" on October 1, 1975;

Whereas Muhammad Ali showed, beyond his impressive fighting prowess in the boxing ring, even greater courage and tenacity as an advocate outside the ring;

Whereas Muhammad Ali was a great philanthropist and a widely recognized advocate of peace, equality, and freedom;

Whereas Muhammad Ali remains an icon of freedom of conscience;

Whereas Muhammad Ali was a prominent African American of the Muslim faith, and was and continues to be a role model to the citizens of the United States of all races, ethnicities, and religions;

Whereas Muhammad Ali used his fame to advocate for humanitarian causes in audiences with world leaders, such as Pope John Paul II, the Dalai Lama, and multiple presidents of the United States; and

Whereas Muhammad Ali inspired people around the globe in displaying the same vibrant and larger-than-life character and dedication in spite of his physical ailments: Now, therefore, be it

Resolved, That the Senate honors the life of Muhammad Ali and his achievements as an athlete, philanthropist, and humanitarian.

SENATE RESOLUTION 490—EXPRESSING THE SENSE OF THE SENATE THAT AMBUSH MARKETING ADVERSELY AFFECTS THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS

Mr. THUNE (for himself, Mr. GARDNER, Mr. BENNET, Ms. KLOBUCHAR, Mr. HATCH, and Mr. SULLIVAN) submitted the following resolution; which was considered and agreed to:

S. RES. 490

Whereas the 2016 Olympic and Paralympic Games will occur on August 5, 2016, through August 21, 2016, and September 7, 2016, through September 18, 2016, respectively, in Rio de Janeiro, Brazil;

Whereas more than 10,500 athletes from 206 nations will compete in 28 Olympic sports and 4,350 Paralympic athletes from 176 nations will compete in 23 Paralympic sports;

Whereas American athletes have spent countless days, months, and years training to earn a spot on the United States Olympic or Paralympic teams;

Whereas the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. 220501 et seq.)—

(1) established the United States Olympic Committee as the coordinating body for all Olympic and Paralympic athletic activity in the United States;

(2) gave the United States Olympic Committee the exclusive right in the United States to use the words "Olympic", "Olympiad", "Paralympic", and "Paralympiad", the emblem of the United States Olympic Committee, and the symbols of the International Olympic Committee and the International Paralympic Committee; and

(3) empowered the United States Olympic Committee to authorize sponsors that contribute to the United States Olympic or Paralympic teams to use any trademark, symbol, insignia, or emblem of the International Olympic Committee, the International Paralympic Committee, the Pan-American Sports Organization, or the United States Olympic Committee;

Whereas Team USA is significantly funded by 36 sponsors who ensure that the United States has the best Olympic and Paralympic teams possible;

Whereas in recent years, a number of entities in the United States have engaged in marketing strategies that appear to affiliate themselves with the Olympic and Paralympic Games without becoming official sponsors of Team USA;

Whereas any ambush marketing in violation of the Lanham Act (15 U.S.C. 1051 et seq.) undermines sponsorship activities and creates consumer confusion around official Olympic and Paralympic sponsors; and

Whereas ambush marketing impedes the goals of the Ted Stevens Olympic and Amateur Sports Act (36 U.S.C. 220501 et seq.) to fund the United States Olympic and Paralympic teams through official sponsorships: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) official sponsor support is critical to the success of Team USA at all international competitions; and

(2) ambush marketing adversely affects the United States Olympic and Paralympic teams and their ability to attract and retain corporate sponsorships.

SENATE RESOLUTION 491—DESIGNATING JUNE 12, 2016, AS A NATIONAL DAY OF RACIAL AMITY AND RECONCILIATION

Mr. MARKEY (for himself, Mr. COCHRAN, Mr. WICKER, Mr. BURR, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 491

Whereas the greatest asset of the United States is the people of the United States;

Whereas the motto on the Great Seal of the United States is E Pluribus Unum, “out of many, one”;

Whereas the United States is comprised of multicultural, multiethnic, and multiracial people;

Whereas friendship, collegiality, civility, respect, and kindness are commonly shared ideals of the people of the United States; and

Whereas organizations and communities across the United States, motivated by the ideals behind the motto of E Pluribus Unum, have joined together in introspection and reflection on how the diversity of the people of the United States has been indispensable in creating the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 12, 2016, as a national day of racial amity and reconciliation;

(2) supports all people of the United States who join in activities in support of the goals and ideals of racial amity; and

(3) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 492—DESIGNATING THE WEEK OF JUNE 6 THROUGH JUNE 12, 2016, AS “HEMP HISTORY WEEK”

Mr. WYDEN (for himself, Mr. PAUL, Mr. MERKLEY, and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 492

Whereas Hemp History Week will be held from June 6 through June 12, 2016;

Whereas the goals of Hemp History Week are to commemorate the historical relevance of industrial hemp in the United States and to promote the full growth potential of the industrial hemp industry;

Whereas industrial hemp is an agricultural commodity that has been used for centuries to produce many innovative industrial and consumer products, including soap, fabric, textiles, construction materials, clothing, paper, cosmetics, food, and beverages;

Whereas the global market for hemp is estimated to consist of more than 25,000 products;

Whereas the value of hemp imported into the United States for use in the production of other retail products is estimated at approximately \$76,000,000 annually;

Whereas the United States hemp industry estimates that the annual market value of hemp retail sales in the United States is more than \$570,000,000;

Whereas despite the legitimate uses of hemp, many agricultural producers of the United States are prohibited under current law from growing hemp;

Whereas because most hemp cannot be grown legally in the United States, raw hemp material and hemp products are imported for sale in the United States;

Whereas the United States is the largest consumer of hemp products in the world, but the United States is the only major industrialized country that restricts hemp farming; and

Whereas industrial hemp holds great potential to bolster the agricultural economy of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of June 6 through June 12, 2016, as “Hemp History Week”;

(2) recognizes the historical relevance of industrial hemp; and

(3) recognizes the growing economic potential of industrial hemp.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4670. Mr. NELSON (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 4607 submitted by Mr. MCCAIN to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4671. Mr. NELSON (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4672. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4673. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 4609 submitted by Mr. ALEXANDER and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4674. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 4608 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4675. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4676. Mr. VITTER (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4677. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4678. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4670. Mr. NELSON (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 4607 submitted by Mr. MCCAIN to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, between lines 3 and 4, insert the following:

SEC. 829B. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) **INEFFECTIVENESS OF SUPERSEDED REQUIREMENTS.**—Sections 1036 and 1037 shall have no force or effect, and the amendments proposed to be made by section 1037 shall not be made.

(b) **IN GENERAL.**—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(c) **AWARD OF CONTRACTS.**—In awarding a contract under subsection (b), the Secretary of Defense—

(1) subject to paragraph (2) and subsection (d), and notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle; and

(2) may only award contracts utilizing an engine designed or manufactured in the Russian Federation for phase 1(a) and phase 2 evolved expendable launch vehicle procurements.

(d) **LIMITATION.**—The total number of rocket engines designed or manufactured in the Russian Federation and used on launch vehicles for the evolved expendable launch vehicle program shall not exceed 18.

SA 4671. Mr. NELSON (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1036 and 1037 and insert the following:

SEC. 1036. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) **IN GENERAL.**—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(b) **AWARD OF CONTRACTS.**—In awarding a contract under subsection (a), the Secretary of Defense—

(1) subject to paragraph (2) and subsection (c), and notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle; and

(2) may only award contracts utilizing an engine designed or manufactured in the Russian Federation for phase 1(a) and phase 2

evolved expendable launch vehicle procurements.

(c) **LIMITATION.**—The total number of rocket engines designed or manufactured in the Russian Federation and used on launch vehicles for the evolved expendable launch vehicle program shall not exceed 18.

SA 4672. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**DIVISION F—SBIR AND STTR
REAUTHORIZATION AND IMPROVEMENTS
SEC. 6001. SHORT TITLE.**

This division may be cited as the “SBIR and STTR Reauthorization and Improvement Act of 2016”.

**TITLE LXI—REAUTHORIZATION OF
PROGRAMS**

**SEC. 6101. PERMANENCY OF SBIR PROGRAM AND
STTR PROGRAM.**

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking “TERMINATION” and inserting “SBIR PROGRAM AUTHORIZATION”; and

(2) by striking “terminate on September 30, 2017” and inserting “be in effect for each fiscal year”.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking “through fiscal year 2017”.

**TITLE LXII—ENHANCED SMALL BUSINESS
ACCESS TO FEDERAL INNOVATION IN-
VESTMENTS**

**SEC. 6201. ALLOCATION INCREASES AND TRANS-
PARENCY IN BASE CALCULATION.**

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “expend” and inserting “obligate for expenditure”; and

(B) in subparagraph (H), by striking “and” at the end;

(C) in subparagraph (I), by striking “in fiscal year 2017 and each fiscal year thereafter,” and inserting “in each of fiscal years 2017 through 2021”; and

(D) by inserting after subparagraph (I) the following:

“(J) for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services—

“(i) not less than 3.4 percent of the extramural budget for research or research and development of the Federal agency in fiscal year 2022;

“(ii) not less than 3.6 percent of such extramural budget in fiscal year 2023;

“(iii) not less than 3.8 percent of such extramural budget in fiscal year 2024;

“(iv) not less than 4 percent of such extramural budget in fiscal year 2025;

“(v) not less than 4.2 percent of such extramural budget in fiscal year 2026;

“(vi) not less than 4.4 percent of such extramural budget in fiscal year 2027; and

“(vii) not less than 4.54 percent of such extramural budget in fiscal year 2028 and each fiscal year thereafter;

“(K) for the Department of Defense—

“(i) not less than 2.6 percent of the budget for research, development, test, and evaluation of the Department of Defense in fiscal year 2022;

“(ii) not less than 2.7 percent of such budget in fiscal year 2023;

“(iii) not less than 2.8 percent of such budget in fiscal year 2024;

“(iv) not less than 2.9 percent of such budget in fiscal year 2025;

“(v) not less than 3 percent of such budget in fiscal year 2026;

“(vi) not less than 3.1 percent of such budget in fiscal year 2027;

“(vii) not less than 3.2 percent of such budget in fiscal year 2028;

“(viii) not less than 3.3 percent of such budget in fiscal year 2029;

“(ix) not less than 3.4 percent of such budget in fiscal year 2030; and

“(x) not less than 3.5 percent of such budget in fiscal year 2031 and each fiscal year thereafter; and

“(L) for the National Science Foundation and the Department of Health and Human Services, for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(i) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(I) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(II)(aa) 0.04 percent; or

“(bb) if the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.2 percent; or

“(ii) 4.5 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively,”;

(2) in paragraph (2)(B), by inserting “(or for the Department of Defense, an amount of the budget for basic research of the Department of Defense)” after “research”; and

(3) in paragraph (4), by inserting “(or for the Department of Defense an amount of the budget for research, development, test, and evaluation of the Department of Defense)” after “of the agency”.

(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking “expend” and inserting “obligate for expenditure”; and

(B) by striking “not less than the percentage of that extramural budget specified in subparagraph (B)” and inserting “for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (B), for the Department of Defense, not less than the percentage of the budget for research, development, test, and evaluation of the Department of Defense specified in subparagraph (B), and for the National

Science Foundation and the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (C)”;

(2) in subparagraph (B)—

(A) in the subparagraph heading, by inserting “OTHER THAN FOR NSF AND HHS” after “AMOUNTS”;

(B) in the matter preceding clause (i), by striking “the extramural budget required to be expended by an agency” and inserting “the extramural budget, for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services, and of the budget for research, development, test, and evaluation, for the Department of Defense, required to be obligated for expenditure with small business concerns”;

(C) in clause (iv), by striking “and” at the end;

(D) in clause (v), by striking “fiscal year 2016 and each fiscal year thereafter.” and inserting “each of fiscal years 2016 through 2021.”; and

(E) by adding at the end the following:

“(vi) 0.5 percent for fiscal year 2022;

“(vii) 0.55 percent for fiscal year 2023;

“(viii) 0.6 percent for fiscal year 2024;

“(ix) 0.65 percent for fiscal year 2025;

“(x) 0.7 percent for fiscal year 2026;

“(xi) 0.75 percent for fiscal year 2027;

“(xii) 0.8 percent for fiscal year 2028;

“(xiii) 0.85 percent for fiscal year 2029;

“(xiv) 0.9 percent for fiscal year 2030; and

“(xv) 0.95 percent for fiscal year 2031 and each fiscal year thereafter.”; and

(3) by adding at the end the following:

“(C) **EXPENDITURE AMOUNTS FOR NSF AND HHS.**—The percentage of the extramural budget required to be expended by the National Science Foundation and the Department of Health and Human Services in accordance with subparagraph (A) shall be—

“(i) for each of fiscal years 2016 through 2021, 0.45 percent; and

“(ii) for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(I) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(aa) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(bb)(AA) 0 percent; or

“(BB) if the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.05 percent; or

“(II) 0.95 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively.”.

**SEC. 6202. REGULAR OVERSIGHT OF AWARD
AMOUNTS.**

(a) **ELIMINATION OF AUTOMATIC INFLATION ADJUSTMENTS.**—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended—

(1) in paragraph (2)(D), by inserting “through fiscal year 2016” after “every year”; and

(2) by adding at the end the following:

“(4) **2016 MODIFICATIONS FOR DOLLAR VALUE OF AWARDS.**—Not later than 120 days after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of

2016, the Administrator shall modify the policy directives issued under this subsection to—

“(A) eliminate the annual adjustments for inflation of the dollar value of awards described in paragraph (2)(D); and

“(B) clarify that Congress intends to review the dollar value of awards every 3 fiscal years.”.

(b) **SENSE OF CONGRESS REGARDING REGULAR REVIEW OF THE AWARD SIZES.**—It is the sense of Congress that for fiscal year 2019, and every third fiscal year thereafter, Congress should evaluate whether the maximum award sizes under the Small Business Innovation Research Program and the Small Business Technology Transfer Program under section 9 of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under subsection (j) of such section.

(c) **CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.**—Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the end the following:

“(3) **CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.**—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (aa).

“(4) **CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.**—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency.”.

TITLE LXIII—COMMERCIALIZATION IMPROVEMENTS

SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking “PILOT PROGRAM” and inserting “COMMERCIALIZATION DEVELOPMENT AWARDS”;

(2) by striking paragraphs (2), (7), and (8);

(3) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively;

(4) by adding at the end the following:

“(6) **DEFINITIONS.**—In this subsection—

“(A) the term ‘commercialization development program’ means a program established by a covered Federal agency under paragraph (1); and

“(B) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense.”; and

(5) by striking “pilot program” each place it appears and inserting “commercialization development program”.

SEC. 6302. ENFORCEMENT OF NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.

Section 9(h) of the Small Business Act (15 U.S.C. 638(h)) is amended to read as follows:

“(h) **NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.**—

“(1) **IN GENERAL.**—The Administrator, in consultation with Federal agencies, shall establish a Governmentwide goal for each fiscal year, which shall be not less than 10 percent, for the percentage of the amounts made available for research or research and development that shall be obligated for funding agreements—

“(A) with small business concerns; or

“(B) that will facilitate the development of research and development small business concerns.

“(2) **AGENCY GOALS.**—

“(A) **IN GENERAL.**—The head of each Federal agency which has a budget for research or research and development in excess of \$20,000,000, in consultation with the Administrator, shall establish a goal for the Federal agency for each fiscal year that is appropriate to the mission of the Federal agency for the percentage of such budget that shall be obligated for funding agreements—

“(i) with small business concerns; or

“(ii) that will facilitate the development of research and development small business concerns.

“(B) **LIMITATION.**—The head of a Federal agency may not establish a percentage goal under subparagraph (A) for a fiscal year that is less than the percentage goal that was established under subparagraph (A) for the Federal agency for the previous fiscal year.”.

SEC. 6303. TRACKING RAPID INNOVATION FUND AWARDS IN ANNUAL CONGRESSIONAL REPORT.

Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended—

(1) in subparagraph (F), by striking “and” at the end;

(2) in subparagraph (G), by adding “and” at the end; and

(3) by adding at the end the following:

“(H) information regarding awards under the Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4366; 10 U.S.C. 2359 note), including—

“(i) the number and dollar amount of awards made under the Rapid Innovation Program to business concerns receiving an award under the SBIR program or the STTR program;

“(ii) the proportion of awards under the Rapid Innovation Program made to business concerns receiving an award under the SBIR program or the STTR program;

“(iii) the proportion of awards under the Rapid Innovation Program made to small business concerns; and

“(iv) a projection of the effect on the number of awards under the Rapid Innovation Program if amounts to carry out the program were made available as a fixed allocation of the amount appropriated to the Department of Defense for research, development, test, and evaluation, excluding amounts appropriated for the defense universities.”.

SEC. 6304. PROTECTING INNOVATIVE TECHNOLOGIES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(tt) **PROTECTING INNOVATIVE TECHNOLOGIES.**—

“(1) **COST-REIMBURSEMENT CONTRACTS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B)(ii), the cost of seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under an STTR award that uses a cost-reimbursement contract or an SBIR award that uses a cost-reimbursement contract is allowable as an indirect cost under that award.

“(B) **CLARIFICATION OF PATENT COSTS.**—

“(i) **IN GENERAL.**—A Federal agency shall not directly or indirectly inhibit, through the policies, directives, or practices of the Federal agency, an otherwise eligible small business concern performing under an award

described in subparagraph (A) from recovering patent costs incurred as requirements under that award, including—

“(I) the costs of preparing—

“(aa) invention disclosures;

“(bb) reports; and

“(cc) other documents;

“(II) the costs for searching the art to the extent necessary to make the invention disclosures;

“(III) other costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is to be conveyed to the Federal Government; and

“(IV) general counseling services relating to patent matters, including advice on patent laws, regulations, clauses, and employee agreements.

“(ii) **RECOVERY LIMITATIONS.**—The patent costs described in clause (i) shall be allowable for technology developed under a—

“(I) Phase I award, as indirect costs in an amount not greater than \$5,000;

“(II) Phase II award, as indirect costs in an amount not greater than \$15,000; and

“(III) Phase III award in which the Federal Government has government purpose rights (as defined in section 227.7103-5 of title 48, Code of Federal Regulations).

“(2) **FIRM FIXED-PRICE CONTRACTS.**—An otherwise eligible small business concern performing under an STTR award that uses a firm fixed-price contract or an SBIR award that uses a firm fixed-price contract may recover fair and reasonable costs arising from seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under that award.”.

SEC. 6305. ANNUAL GAO AUDIT OF COMPLIANCE WITH COMMERCIALIZATION GOALS.

Section 9(nn) of the Small Business Act (15 U.S.C. 638(nn)) is amended to read as follows:

“(nn) **ANNUAL GAO REPORT ON GOVERNMENT COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREFERENCE.**—Not later than 1 year after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, and every year thereafter until the date that is 5 years after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that—

“(1) discusses the status of the compliance of Federal agencies with the requirements or authorities established under—

“(A) subsection (h), relating to the establishment by certain Federal agencies of a goal for funding agreements for research and research and development with small business concerns;

“(B) subsection (y)(5)(A), relating to the requirement for the Department of Defense to establish goals for the transition of Phase III technologies in subcontracting plans;

“(C) subsection (y)(5)(B), relating to the requirement for the Department of Defense to establish procedures for a prime contractor to report the number and dollar amount of contracts with small business concerns for Phase III SBIR projects or STTR projects of the prime contractor; and

“(D) subsection (y)(6), relating to the requirement for the Department of Defense to set a goal to increase the number of Phase II SBIR and STTR contracts that transition into programs of record or fielded systems;

“(2) includes, for a Federal agency that is in compliance with a requirement described

under paragraph (1), a description of how the Federal agency achieved compliance; and

“(3) includes a list, organized by Federal agency, of small business concerns that have asserted that—

“(A) the Government or prime contractor—

“(i) did not protect the intellectual property of the small business concern in accordance with data rights under the SBIR or STTR award; or

“(ii) issued a Phase III SBIR or STTR award conditional on relinquishing data rights;

“(B) the Federal agency solicited bids for a contract, or provided funding to an entity other than the small business concern receiving the SBIR or STTR award, that was for work that derived from, extended, or completed efforts made under prior funding agreements under the SBIR program or STTR program;

“(C) the Government or prime contractor did not comply with the SBIR and STTR policy directives and the small business concern filed a comment or complaint to the Office of the National Ombudsman or appealed to the Administrator for intervention; or

“(D) the Federal agency did not comply with subsection (g)(12) or (o)(16) requiring timely notice to the Administrator of any case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program of the Federal agency.”.

SEC. 6306. CLARIFYING THE PHASE III PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (2) as paragraph (4), and transferring such paragraph to after paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) PHASE III AWARD DIRECTION FOR AGENCIES AND PRIME CONTRACTORS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards and awards under the Defense Research and Development Rapid Innovation Program under section 1073 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4366; 10 U.S.C. 2359 note), to the SBIR and STTR award recipients that developed the technology.”.

SEC. 6307. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in the subsection heading, by inserting “AND BUSINESS” after “TECHNICAL”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a vendor selected under paragraph (2)” and inserting “1 or more vendors selected under paragraph (2)(A)”;

(ii) by inserting “and business” before “assistance services”; and

(iii) by inserting “assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans,” after “technologies.”; and

(B) in subparagraph (D), by inserting “, including intellectual property protections” before the period at the end;

(3) in paragraph (2)—

(A) by striking “Each agency may select a vendor to assist small business concerns to meet” and inserting the following:

“(A) IN GENERAL.—Each agency may select 1 or more vendors from which small business concerns may obtain assistance in meeting”; and

(B) by adding at the end the following:

“(B) SELECTION BY SMALL BUSINESS CONCERN.—A small business concern may, by contract or otherwise, select 1 or more vendors to assist the small business concern in meeting the goals listed in paragraph (1).”; and

(4) in paragraph (3)—

(A) by inserting “(A)” after “paragraph (2)” each place it appears;

(B) in subparagraph (A), by striking “\$5,000 per year” each place it appears and inserting “\$6,500 per project”; and

(C) in subparagraph (B)—

(i) by striking “\$5,000 per year” each place it appears and inserting “\$35,000 per project”; and

(ii) in clause (ii), by striking “which shall be in addition to the amount of the recipient’s award” and inserting “which may, as determined appropriate by the head of the Federal agency, be included as part of the recipient’s award or be in addition to the amount of the recipient’s award”; and

(D) in subparagraph (C)—

(i) by inserting “or business” after “technical”; and

(ii) by striking “the vendor” and inserting “a vendor”; and

(iii) by adding at the end the following:

“Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates or accelerates the commercialization of technologies or assists in the creation and growth of private enterprises that are commercializing technology.”;

(E) in subparagraph (D)—

(i) by inserting “or business” after “technical” each place it appears; and

(ii) in clause (i)—

(I) by striking “the vendor” and inserting “1 or more vendors”; and

(II) by striking “provides” and inserting “provide”; and

(F) by adding at the end the following:

“(E) MULTIPLE AWARD RECIPIENTS.—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.”.

SEC. 6308. EXTENSION OF PHASE 0 PROOF OF CONCEPT PARTNERSHIP PILOT.

Section 9(jj) of the Small Business Act (15 U.S.C. 638(jj)) is amended—

(1) in paragraph (6) by striking “The Director” and inserting “Not later than February 1, 2019, the Director”; and

(2) in paragraph (7), by striking “2017” and inserting “2019”.

TITLE LXIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “2017” and inserting “2021”; and

(ii) in subparagraph (I), by striking “and” at the end;

(iii) in subparagraph (J), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.”; and

(B) by adding at the end the following:

“(7) SBIR AND STTR PROGRAMS; FAST PROGRAM.—

“(A) DEFINITION.—In this paragraph, the term ‘covered Federal agency’ means a Federal agency that—

“(i) is required to conduct an SBIR program; and

“(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

“(B) REQUIREMENT.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

“(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu);

“(ii) for the Federal and State Technology Partnership Program established under section 34; and

“(iii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the programs described in clauses (i) and (ii).

“(8) PILOT PROGRAM.—

“(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than \$5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu) for each fiscal year in which the program is in effect.

“(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out clauses (ii) and (iii) of paragraph (7)(B) after providing written notice to—

“(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.”; and

(2) by adding after subsection (tt), as added by section 6304 of this Act, the following:

“(uu) REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a research institution; and

“(ii) a small business concern;

“(B) the term ‘eligible State’ means—

“(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

“(D) the term ‘FAST program’ means the Federal and State Technology Partnership Program established under section 34;

“(E) the term ‘pilot program’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

“(F) the term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(G) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

“(3) GOALS.—The goals of the pilot program are—

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

“(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) APPLICATION.—

“(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A)—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

“(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

“(5) LEAD ELIGIBLE ENTITY.—

“(A) IN GENERAL.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

“(B) AUTHORIZATION BY GOVERNOR.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

“(C) RESPONSIBILITIES.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

“(6) REGIONAL COLLABORATIVE COORDINATOR.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

“(7) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

“(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

“(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

“(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

“(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

“(E) administer a structured program of training and technical assistance—

“(i) to prepare applicants for an award under the SBIR program or the STTR program—

“(I) to compete more effectively for Phase I and Phase II awards; and

“(II) to develop and implement a successful commercialization plan;

“(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(iv) to assist first-time applicants by providing small grants for proof of concept research; and

“(F) assist applicants for an award under the SBIR program or the STTR program to

identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) AWARD AMOUNT.—

“(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than \$300,000 to carry out the activities described in paragraph (7).

“(B) LIMITATION.—

“(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

“(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

“(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

“(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(A) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

“(B) an assessment of the best practices, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

“(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.”.

SEC. 6402. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking “2001 through 2005” and inserting “2017 through 2021”; and

(B) in paragraph (2), by striking “fiscal years 2001 through 2005” and inserting “each of fiscal years 2017 through 2021”; and

(2) in subsection (i), by striking “September 30, 2005” and inserting “September 30, 2021”.

TITLE LXV—OVERSIGHT AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA REALIGNMENT AND MODERNIZATION.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding after subsection (uu), as added by section 6401 of this Act, the following:

“(vv) SBIR AND STTR INTERAGENCY POLICY COMMITTEE.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Committee’ means the SBIR and STTR Interagency Policy Committee established under paragraph (2);

“(B) the term ‘participating Federal agency’ means a Federal agency with an SBIR program or an STTR program; and

“(C) the term ‘phase’ means Phase I, Phase II, and Phase III.

“(2) ESTABLISHMENT.—There is established an interagency committee to be known as the ‘SBIR and STTR Interagency Policy Committee’.

“(3) MEMBERSHIP.—The Committee shall include—

“(A) 4 representatives from each participating Federal agency, of which—

“(i) 1 shall have expertise with respect to the SBIR program and STTR program of the Federal agency;

“(ii) 1 shall have expertise with respect to the broader research and development missions and programs of the Federal agency;

“(iii) 1 shall have expertise with respect to marketplace commercialization or to the transition of technologies to support the missions of the Federal agency; and

“(iv) 1 shall have expertise with respect to the information technology systems of the Federal agency; and

“(B) 2 representatives from the Administration, of which—

“(i) 1 shall serve as chairperson of the Committee; and

“(ii) 1 shall be from the Information Technology Development Team of the Office of Investment and Innovation of the Administration.

“(4) WORKING GROUPS.—

“(A) IN GENERAL.—The Committee shall establish working groups as necessary to ensure consistency and clarity between the participating Federal agencies.

“(B) DATA REALIGNMENT AND MODERNIZATION WORKING GROUP.—

“(i) IN GENERAL.—The Committee shall establish a data alignment and modernization working group, which shall review the recommendations made in the report to Congress by the Office of Science and Technology of the Administration entitled ‘SBIR/STTR TechNet Public & Government Databases’, dated September 15, 2014, and the practices of participating Federal agencies to—

“(I) determine how to collect data on achievements by small business concerns in each phase of the SBIR program and the STTR program and ensure collection and dissemination of such data in a timely, efficient, and uniform manner;

“(II) establish a uniform baseline for metrics that support improving the solicitation, contracting, funding, and execution of program management in the SBIR program and the STTR program;

“(III) normalize formatting and database usage across participating Federal agencies; and

“(IV) determine the feasibility of developing a common system across all participating Federal agencies and the paperwork requirements under such a common system.

“(ii) MEMBERSHIP.—Each member of the Committee shall serve as a member of the data alignment and modernization working group.

“(5) IMPLEMENTATION.—Not later than September 31, 2018, the Committee shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the solutions identified by the working group under paragraph (4) and resources needed to execute the solutions.”.

SEC. 6502. IMPLEMENTATION OF OUTSTANDING REAUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)), as amended by section 6401(1) of this Act, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (9)”; and

(2) by adding at the end the following:

“(9) SUSPENSION OF FUNDING.—

“(A) FOR FEDERAL AGENCIES.—

“(i) IN GENERAL.—For fiscal years 2018 and 2019, any Federal agency that has not imple-

mented each provision of law described in clause (ii)—

“(I) shall continue to provide amounts to the Administration in accordance with paragraph (7)(B); and

“(II) may not use any additional amounts as described in paragraph (1) until 30 days after the date on which the Federal agency submits to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives documentation demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii).

“(ii) PROVISIONS.—The provisions of law described in this subparagraph are the following:

“(I) Subsection (r)(4), relating to Phase III preferences.

“(II) Paragraphs (5) and (6) of subsection (y), relating to insertion goals.

“(III) Subsection (g)(4)(B), relating to shortening the decision time for SBIR awards.

“(IV) Subsection (o)(4)(B), relating to shortening the decision time for STTR awards.

“(V) Subsection (v), relating to reducing paperwork and compliance burdens.

“(B) FOR ADMINISTRATION.—For fiscal years 2018 and 2019, if the Administration is not in compliance with subsection (b)(7), relating to annual reports to Congress, the Administration may not use amounts received under paragraph (7)(B) of this subsection for a purpose described in clause (iii) of such paragraph (7)(B).”.

(b) CLARIFICATION OF REPORTING REQUIREMENT.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended in the matter preceding subparagraph (A), by striking “not less than annually” and inserting “not later than December 31 of each year”.

SEC. 6503. STRENGTHENING OF THE REQUIREMENT TO SHORTEN THE APPLICATION REVIEW AND DECISION TIME.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the SBIR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);” and

(2) in subsection (o)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the STTR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”.

SEC. 6504. CONTINUED GAO OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS.

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

(1) in the matter preceding paragraph (1), by striking “until the date that is 5 years after the date of enactment of this Act” and insert “until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019”; and

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

“(C) assess whether the change in the base funding for the Department of Defense as required by subparagraphs (J) and (K) of section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1))—

“(i) improves transparency for determining whether the Department is complying with the allocation requirements;

“(ii) reduces the burden of calculating the allocations; and

“(iii) improves the compliance of the Department with the allocation requirements; and”;

(3) in paragraph (2) by striking “under subparagraph (B)” and inserting “under subparagraphs (B) and (C)”.

SEC. 6505. COORDINATION BETWEEN AGENCIES ON COMMERCIALIZATION ASSISTANCE.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (j), as amended by section 6202(a) of this Act, by adding at the end the following:

“(5) COORDINATION OF COMMERCIALIZATION ASSISTANCE.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q).”;

(2) in subsection (p), by adding at the end the following:

“(4) COORDINATION OF COMMERCIALIZATION ASSISTANCE.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q).”.

TITLE LXVI—PARTICIPATION BY WOMEN AND MINORITIES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4).”.

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(13) implement an outreach program to small business concerns for the purpose of enhancing its SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”;

(2) in subsection (o)(14), by striking “SBIR program;” and inserting “SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”.

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)), as amended by section 6505 of this Act, is amended by adding at the end the following:

“(5) **ADDITIONAL MODIFICATIONS.**—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and in STTR programs.”.

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.

Section 5124 of the SBIR/STTR Reauthorization Act of 2011 (Public Law 112-81; 125 Stat. 1837) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) **MEETINGS.**—

“(1) **IN GENERAL.**—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (c).

“(2) **OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.**—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

“(A) a representative of the Minority Business Development Agency; and

“(B) relevant stakeholders that work to advance the interests of—

“(i) small business concerns owned and controlled by women, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

“(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).”.

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section—

(1) the term “Administrator” means the Administrator of the Small Business Administration;

(2) the term “covered STEM intern” means a student at, or recent graduate from, an institution of higher education serving as an intern—

(A) whose course of study studied is focused on the STEM fields; and

(B) who is a woman or a person from an underrepresented population in the STEM fields;

(3) the term “eligible entity” means a small business concern that—

(A) is receiving amounts under an award under the SBIR program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and

(B) provides internships for covered STEM interns;

(4) the terms “Federal agency”, “SBIR”, and “STTR” have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(5) the term “institution of higher education” has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

(6) the term “person from an underrepresented population in the STEM fields” means a person from a group that is underrepresented in the population of STEM students, as determined by the Administrator;

(7) the term “pilot program” means the Diversity and STEM Workforce Development Pilot Program established under subsection (b);

(8) the term “recent graduate”, relating to a woman or a person from an underrepresented population in the STEM fields, means that the woman or person from an underrepresented population in the STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;

(9) the term “small business concern” has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and

(10) the term “STEM fields” means the fields of science, technology, engineering, and math.

(b) **PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.**—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) **AMOUNT AND USE OF GRANTS.**—

(1) **AMOUNT.**—A grant under subsection (b)—

(A) may not be in an amount of more than \$15,000 per fiscal year; and

(B) shall be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) **USE.**—Not less than 90 percent of the amount of a grant under subsection (b) shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) **EVALUATION.**—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns participating in an internship funded under the pilot program and the amount spent on such internships; and

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) **TERMINATION.**—The pilot program shall terminate after the end of the fourth fiscal year during which the Administrator carries out the pilot program.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.

TITLE LXVII—TECHNICAL CHANGES

SEC. 6701. UNIFORM REFERENCE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), by striking “National Institutes of Health” and inserting “Department of Health and Human Services”; and

(2) in subsection (dd)(1)(A), by striking “Director of the National Institutes of Health” and inserting “Secretary of Health and Human Services”.

SEC. 6702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.

Section 9(e)(4)(B) of the Small Business Act (15 U.S.C. 638(e)(4)(B)) is amended in the matter preceding clause (i)—

(1) by striking “, which shall not include any invitation, pre-screening, or pre-selection process for eligibility for Phase II,”; and

(2) by inserting “in which eligibility for an award shall not be based only on an invitation, pre-screening, or pre-selection process and” before “in which awards”.

SA 4673. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 4609 submitted by Mr. ALEXANDER and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike page 1 line 2 through page 15 line 2 and insert:

SEC. 578. BACKGROUND CHECKS FOR EMPLOYEES OF AGENCIES AND SCHOOLS PROVIDING ELEMENTARY AND SECONDARY EDUCATION FOR DEPARTMENT OF DEFENSE DEPENDENTS.

(a) **BACKGROUND CHECKS.**—Commencing not later than two years after the date of the enactment of this Act, each covered local educational agency and each Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code,

shall have in effect policies and procedures that—

(1) require that a criminal background check be conducted for each school employee of the agency or school, respectively, that includes—

(A) a search of the State criminal registry or repository of the State in which the school employee resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

(2) prohibit the employment of a school employee as a school employee at the agency or school, respectively, if such employee—

(A) refuses to consent to a criminal background check under paragraph (1);

(B) makes a false statement in connection with such criminal background check;

(C) has been convicted of a felony consisting of—

(i) murder;

(ii) child abuse or neglect;

(iii) a crime against children, including child pornography;

(iv) spousal abuse;

(v) a crime involving rape or sexual assault;

(vi) kidnapping;

(vii) arson; or

(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is five years before the date of such employee's criminal background check under paragraph (1); or

(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with policies established by the covered local educational agency or the Department of Defense (in the case of a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code);

(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

(5) provide for a timely process, by which a school employee of the school or agency may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected; and

(6) allow the covered local educational agency or school, as the case may be, to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering such school employee for employment as a school employee.

(b) FEES FOR BACKGROUND CHECKS.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

(c) DEFINITIONS.—In this section:

(1) COVERED LOCAL EDUCATIONAL AGENCY.—The term 'covered local educational agency' means a local educational agency that receives funds—

(A) under subsection (b) or (d) of section 8003, or section 8007, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703, 7707), as such sections are in effect before the effective date for title VII of the Every Student Succeeds Act (Public Law 114-95); or

(B) under subsection (b) or (d) of section 7003, or section 7007, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703, 7707), beginning on the effective date of such title VII.

(2) SCHOOL EMPLOYEE.—The term 'school employee' means—

(A) a person who—

(i) is an employee of, or is seeking employment with—

(I) a covered local educational agency; or

(II) a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code, such elementary and secondary school; and

(ii) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

(B)(i) any person, or an employee of any person, who has a contract or agreement to provide services to a covered local educational agency or a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code; and

(ii) such person or employee, as a result of such contract or agreement, has a job duty that results in unsupervised access to elementary school or secondary school students.

SEC. 578A. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

SA 4674. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 4608 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike page 1 line 2 through page 6 line 15 and insert:

SEC. 578. BACKGROUND CHECKS FOR EMPLOYEES OF AGENCIES AND SCHOOLS PROVIDING ELEMENTARY AND SECONDARY EDUCATION FOR DEPARTMENT OF DEFENSE DEPENDENTS.

(a) BACKGROUND CHECKS.—Commencing not later than two years after the date of the enactment of this Act, each covered local educational agency and each Department of Defense domestic dependent elementary and

secondary school established pursuant to section 2164 of title 10, United States Code, shall have in effect policies and procedures that—

(1) require that a criminal background check be conducted for each school employee of the agency or school, respectively, that includes—

(A) a search of the State criminal registry or repository of the State in which the school employee resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

(2) prohibit the employment of a school employee as a school employee at the agency or school, respectively, if such employee—

(A) refuses to consent to a criminal background check under paragraph (1);

(B) makes a false statement in connection with such criminal background check;

(C) has been convicted of a felony consisting of—

(i) murder;

(ii) child abuse or neglect;

(iii) a crime against children, including child pornography;

(iv) spousal abuse;

(v) a crime involving rape or sexual assault;

(vi) kidnapping;

(vii) arson; or

(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is five years before the date of such employee's criminal background check under paragraph (1); or

(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with policies established by the covered local educational agency or the Department of Defense (in the case of a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code);

(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

(5) provide for a timely process, by which a school employee of the school or agency may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected; and

(6) allow the covered local educational agency or school, as the case may be, to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering

such school employee for employment as a school employee.

(b) FEES FOR BACKGROUND CHECKS.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

(c) DEFINITIONS.—In this section:

(1) COVERED LOCAL EDUCATIONAL AGENCY.—The term “covered local educational agency” means a local educational agency that receives funds—

(A) under subsection (b) or (d) of section 8003, or section 8007, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703, 7707), as such sections are in effect before the effective date for title VII of the Every Student Succeeds Act (Public Law 114–95); or

(B) under subsection (b) or (d) of section 7003, or section 7007, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703, 7707), beginning on the effective date of such title VII.

(2) SCHOOL EMPLOYEE.—The term “school employee” means—

(A) a person who—

(i) is an employee of, or is seeking employment with—

(I) a covered local educational agency; or

(II) a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code, such elementary and secondary school; and

(ii) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

(B)(i) any person, or an employee of any person, who has a contract or agreement to provide services to a covered local educational agency or a Department of Defense domestic dependent elementary and secondary school established pursuant to section 2164 of title 10, United States Code; and

(ii) such person or employee, as a result of such contract or agreement, has a job duty that results in unsupervised access to elementary school or secondary school students.

SA 4675. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XVI, add the following:

SEC. 1667. INCREASED FUNDING FOR CERTAIN MISSILE DEFENSE ACTIVITIES.

(a) PROCUREMENT, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 101 is hereby increased by \$290,000,000, with the amount of increase to be available for procurement, Defense-wide, as specified in the funding table in section 4101 and available for procurement for the following:

(1) Iron Dome, \$20,000,000.

(2) David's Sling Weapon System, \$150,000,000.

(3) Arrow 3 Upper Tier, \$120,000,000.

(b) RDT&E, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 201 is hereby increased by \$29,900,000, with the amount of increase to be available for research, development, test, and evaluation, Defense-wide, as specified in the funding table in section 4201 and available for research, development, test, and evaluation for the following:

(1) David's Sling Weapon System, \$19,300,000.

(2) Arrow 3 Upper Tier, \$4,100,000.

(3) Base Arrow, \$6,500,000.

(c) CONSTRUCTION OF INCREASE.—Amounts available under subsection (a) for procurement for items specified in subsection (a), and amounts available under subsection (b) for research, development, test, and evaluation for items specified in subsection (b), are in addition to any other amounts available for such purposes for such items in this Act.

(d) OFFSET.—

(1) O&M, NAVY.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 301 is hereby decreased by \$24,900,000, with the amount of decrease to be applied against amounts available for Operation and Maintenance, Navy, for Enterprise Information as specified in the funding table in section 4301.

(2) O&M, DEFENSE-WIDE.—The amount authorized to be appropriated for fiscal year 2017 for the Department of Defense by section 301 is hereby decreased by \$295,000,000, with the amount of decrease to be applied against savings otherwise available for Operation and Maintenance, Defense-wide, as specified in the funding table in section 4301 for purposes, and in amounts, as follows:

(A) Foreign currency savings, \$200,000,000.

(B) Bulk fuel overestimation, \$95,000,000.

SA 4676. Mr. VITTER (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

DIVISION F—SBIR AND STTR REAUTHORIZATION AND IMPROVEMENTS

SEC. 6001. SHORT TITLE.

This division may be cited as the “SBIR and STTR Reauthorization and Improvement Act of 2016”.

TITLE LXI—REAUTHORIZATION OF PROGRAMS

SEC. 6101. PERMANENCY OF SBIR PROGRAM AND STTR PROGRAM.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking “TERMINATION” and inserting “SBIR PROGRAM AUTHORIZATION”; and

(2) by striking “terminate on September 30, 2017” and inserting “be in effect for each fiscal year”.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is

amended by striking “through fiscal year 2017”.

TITLE LXII—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INNOVATION INVESTMENTS

SEC. 6201. ALLOCATION INCREASES AND TRANSPARENCY IN BASE CALCULATION.

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “expend” and inserting “obligate for expenditure”; and

(B) in subparagraph (H), by striking “and” at the end;

(C) in subparagraph (I), by striking “in fiscal year 2017 and each fiscal year thereafter,” and inserting “in each of fiscal years 2017 through 2021”; and

(D) by inserting after subparagraph (I) the following:

“(J) for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services—

“(i) not less than 3.4 percent of the extramural budget for research or research and development of the Federal agency in fiscal year 2022;

“(ii) not less than 3.6 percent of such extramural budget in fiscal year 2023;

“(iii) not less than 3.8 percent of such extramural budget in fiscal year 2024;

“(iv) not less than 4 percent of such extramural budget in fiscal year 2025;

“(v) not less than 4.2 percent of such extramural budget in fiscal year 2026;

“(vi) not less than 4.4 percent of such extramural budget in fiscal year 2027; and

“(vii) not less than 4.54 percent of such extramural budget in fiscal year 2028 and each fiscal year thereafter;

“(K) for the Department of Defense—

“(i) not less than 2.6 percent of the budget for research, development, test, and evaluation of the Department of Defense in fiscal year 2022;

“(ii) not less than 2.7 percent of such budget in fiscal year 2023;

“(iii) not less than 2.8 percent of such budget in fiscal year 2024;

“(iv) not less than 2.9 percent of such budget in fiscal year 2025;

“(v) not less than 3 percent of such budget in fiscal year 2026;

“(vi) not less than 3.1 percent of such budget in fiscal year 2027;

“(vii) not less than 3.2 percent of such budget in fiscal year 2028;

“(viii) not less than 3.3 percent of such budget in fiscal year 2029;

“(ix) not less than 3.4 percent of such budget in fiscal year 2030; and

“(x) not less than 3.5 percent of such budget in fiscal year 2031 and each fiscal year thereafter; and

“(L) for the National Science Foundation and the Department of Health and Human Services, for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(i) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(I) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(II)(aa) 0.04 percent; or

“(bb) if the extramural budget for research or research and development of the National Science Foundation or the Department of

Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.2 percent; or

“(ii) 4.5 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively.”;

(2) in paragraph (2)(B), by inserting “(or for the Department of Defense, an amount of the budget for basic research of the Department of Defense)” after “research”; and

(3) in paragraph (4), by inserting “(or for the Department of Defense an amount of the budget for research, development, test, and evaluation of the Department of Defense)” after “of the agency”.

(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking “expend” and inserting “obligate for expenditure”; and

(B) by striking “not less than the percentage of that extramural budget specified in subparagraph (B)” and inserting “for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (B), for the Department of Defense, not less than the percentage of the budget for research, development, test, and evaluation of the Department of Defense specified in subparagraph (B), and for the National Science Foundation and the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (C)”;

(2) in subparagraph (B)—

(A) in the subparagraph heading, by inserting “OTHER THAN FOR NSF AND HHS” after “AMOUNTS”;

(B) in the matter preceding clause (i), by striking “the extramural budget required to be expended by an agency” and inserting “the extramural budget, for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services, and of the budget for research, development, test, and evaluation, for the Department of Defense, required to be obligated for expenditure with small business concerns”;

(C) in clause (iv), by striking “and” at the end;

(D) in clause (v), by striking “fiscal year 2016 and each fiscal year thereafter.” and inserting “each of fiscal years 2016 through 2021.”; and

(E) by adding at the end the following:

“(vi) 0.5 percent for fiscal year 2022;
“(vii) 0.55 percent for fiscal year 2023;
“(viii) 0.6 percent for fiscal year 2024;
“(ix) 0.65 percent for fiscal year 2025;
“(x) 0.7 percent for fiscal year 2026;
“(xi) 0.75 percent for fiscal year 2027;
“(xii) 0.8 percent for fiscal year 2028;
“(xiii) 0.85 percent for fiscal year 2029;
“(xiv) 0.9 percent for fiscal year 2030; and
“(xv) 0.95 percent for fiscal year 2031 and each fiscal year thereafter.”; and

(3) by adding at the end the following:

“(C) EXPENDITURE AMOUNTS FOR NSF AND HHS.—The percentage of the extramural budget required to be expended by the National Science Foundation and the Department of Health and Human Services in accordance with subparagraph (A) shall be—

“(i) for each of fiscal years 2016 through 2021, 0.45 percent; and

“(ii) for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(I) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(aa) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(bb)(AA) 0 percent; or

“(BB) if the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.05 percent; or

“(II) 0.95 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively.”.

SEC. 6202. REGULAR OVERSIGHT OF AWARD AMOUNTS.

(a) ELIMINATION OF AUTOMATIC INFLATION ADJUSTMENTS.—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended—

(1) in paragraph (2)(D), by inserting “through fiscal year 2016” after “every year”; and

(2) by adding at the end the following:

“(4) 2016 MODIFICATIONS FOR DOLLAR VALUE OF AWARDS.—Not later than 120 days after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Administrator shall modify the policy directives issued under this subsection to—

“(A) eliminate the annual adjustments for inflation of the dollar value of awards described in paragraph (2)(D); and

“(B) clarify that Congress intends to review the dollar value of awards every 3 fiscal years.”.

(b) SENSE OF CONGRESS REGARDING REGULAR REVIEW OF THE AWARD SIZES.—

(1) IN GENERAL.—It is the sense of Congress that for fiscal year 2019, and every third fiscal year thereafter, Congress should evaluate whether the maximum award sizes under the Small Business Innovation Research Program and the Small Business Technology Transfer Program under section 9 of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under subsection (j) of such section.

(2) POLICY CONSIDERATIONS.—In reviewing adjustments to the maximum award sizes, Congress should take into consideration the balance of number of awards to size of awards, the missions of Federal agencies, and the technology needed to support national goals.

(c) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the end the following:

“(3) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (aa).

“(4) CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency.”.

TITLE LXIII—COMMERCIALIZATION IMPROVEMENTS

SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking “PILOT PROGRAM” and inserting “COMMERCIALIZATION DEVELOPMENT AWARDS”;

(2) by striking paragraphs (2), (7), and (8);

(3) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively;

(4) by adding at the end the following:

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘commercialization development program’ means a program established by a covered Federal agency under paragraph (1); and

“(B) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense.”; and

(5) by striking “pilot program” each place it appears and inserting “commercialization development program”.

SEC. 6302. ENFORCEMENT OF NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.

Section 9(h) of the Small Business Act (15 U.S.C. 638(h)) is amended to read as follows:

“(h) NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Administrator, in consultation with Federal agencies, shall establish a Governmentwide goal for each fiscal year, which shall be not less than 10 percent, for the percentage of the amounts made available for research or research and development that shall be obligated for funding agreements—

“(A) with small business concerns; or

“(B) that will facilitate the development of research and development small business concerns.

“(2) AGENCY GOALS.—

“(A) IN GENERAL.—The head of each Federal agency which has a budget for research or research and development in excess of \$20,000,000, in consultation with the Administrator, shall establish a goal for the Federal agency for each fiscal year that is appropriate to the mission of the Federal agency for the percentage of such budget that shall be obligated for funding agreements—

“(i) with small business concerns; or

“(ii) that will facilitate the development of research and development small business concerns.

“(B) LIMITATION.—The head of a Federal agency may not establish a percentage goal under subparagraph (A) for a fiscal year that is less than the percentage goal that was established under subparagraph (A) for the Federal agency for the previous fiscal year.”.

SEC. 6303. PROTECTING INNOVATIVE TECHNOLOGIES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(tt) PROTECTING INNOVATIVE TECHNOLOGIES.—

“(1) COST-REIMBURSEMENT CONTRACTS.—

“(A) IN GENERAL.—Subject to subparagraph (B)(ii), the cost of seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under an STTR award that uses a cost-reimbursement contract or an SBIR award that uses a cost-reimbursement contract is allowable as an indirect cost under that award.

“(B) CLARIFICATION OF PATENT COSTS.—

“(i) IN GENERAL.—A Federal agency shall not directly or indirectly inhibit, through the policies, directives, or practices of the Federal agency, an otherwise eligible small business concern performing under an award described in subparagraph (A) from recovering patent costs incurred as requirements under that award, including—

“(I) the costs of preparing—

“(aa) invention disclosures;

“(bb) reports; and

“(cc) other documents;

“(II) the costs for searching the art to the extent necessary to make the invention disclosures;

“(III) other costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is to be conveyed to the Federal Government; and

“(IV) general counseling services relating to patent matters, including advice on patent laws, regulations, clauses, and employee agreements.

“(ii) RECOVERY LIMITATIONS.—The patent costs described in clause (i) shall be allowable for technology developed under a—

“(I) Phase I award, as indirect costs in an amount not greater than \$5,000;

“(II) Phase II award, as indirect costs in an amount not greater than \$15,000; and

“(III) Phase III award in which the Federal Government has government purpose rights (as defined in section 227.7103-5 of title 48, Code of Federal Regulations).

“(2) FIRM FIXED-PRICE CONTRACTS.—An otherwise eligible small business concern performing under an STTR award that uses a firm fixed-price contract or an SBIR award that uses a firm fixed-price contract may recover fair and reasonable costs arising from seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under that award.”.

SEC. 6304. ANNUAL GAO AUDIT OF COMPLIANCE WITH COMMERCIALIZATION GOALS.

Section 9(nn) of the Small Business Act (15 U.S.C. 638(nn)) is amended to read as follows:

“(nn) ANNUAL GAO REPORT ON GOVERNMENT COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREFERENCE.—Not later than 1 year after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, and every year thereafter until the date that is 5 years after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that—

“(1) discusses the status of the compliance of Federal agencies with the requirements or authorities established under—

“(A) subsection (h), relating to the establishment by certain Federal agencies of a goal for funding agreements for research and research and development with small business concerns;

“(B) subsection (y)(5)(A), relating to the requirement for the Department of Defense to establish goals for the transition of Phase III technologies in subcontracting plans;

“(C) subsection (y)(5)(B), relating to the requirement for the Department of Defense to establish procedures for a prime contractor to report the number and dollar amount of contracts with small business concerns for Phase III SBIR projects or STTR projects of the prime contractor; and

“(D) subsection (y)(6), relating to the requirement for the Department of Defense to

set a goal to increase the number of Phase II SBIR and STTR contracts that transition into programs of record or fielded systems;

“(2) includes, for a Federal agency that is in compliance with a requirement described under paragraph (1), a description of how the Federal agency achieved compliance; and

“(3) includes a list, organized by Federal agency, of small business concerns that have asserted to an appropriate Federal agency that—

“(A) the Government or prime contractor—

“(i) did not protect the intellectual property of the small business concern in accordance with data rights under the SBIR or STTR award; or

“(ii) issued a Phase III SBIR or STTR award conditional on relinquishing data rights;

“(B) the Federal agency solicited bids for a contract, or provided funding to an entity other than the small business concern receiving the SBIR or STTR award, that was for work that derived from, extended, or completed efforts made under prior funding agreements under the SBIR program or STTR program;

“(C) the Government or prime contractor did not comply with the SBIR and STTR policy directives and the small business concern filed a comment or complaint to the Office of the National Ombudsman or appealed to the Administrator for intervention; or

“(D) the Federal agency did not comply with subsection (g)(12) or (o)(16) requiring timely notice to the Administrator of any case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program of the Federal agency.”.

SEC. 6305. CLARIFYING THE PHASE III PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (2) as paragraph (4), and transferring such paragraph to after paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) PHASE III AWARD DIRECTION FOR AGENCIES AND PRIME CONTRACTORS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards, to the SBIR and STTR award recipients that developed the technology.”.

SEC. 6306. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in the subsection heading, by inserting “AND BUSINESS” after “TECHNICAL”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a vendor selected under paragraph (2)” and inserting “1 or more vendors selected under paragraph (2)(A)”;

(ii) by inserting “and business” before “assistance services”; and

(iii) by inserting “assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans,” after “technologies,”; and

(B) in subparagraph (D), by inserting “, including intellectual property protections” before the period at the end;

(3) in paragraph (2)—

(A) by striking “Each agency may select a vendor to assist small business concerns to meet” and inserting the following:

“(A) IN GENERAL.—Each agency may select 1 or more vendors from which small business concerns may obtain assistance in meeting”; and

(B) by adding at the end the following:

“(B) SELECTION BY SMALL BUSINESS CONCERN.—A small business concern may, by contract or otherwise, select 1 or more vendors to assist the small business concern in meeting the goals listed in paragraph (1).”; and

(4) in paragraph (3)—

(A) by inserting “(A)” after “paragraph (2)” each place it appears;

(B) in subparagraph (A), by striking “\$5,000 per year” each place it appears and inserting “\$6,500 per project”;

(C) in subparagraph (B)—

(i) by striking “\$5,000 per year” each place it appears and inserting “\$35,000 per project”; and

(ii) in clause (ii), by striking “which shall be in addition to the amount of the recipient’s award” and inserting “which may, as determined appropriate by the head of the Federal agency, be included as part of the recipient’s award or be in addition to the amount of the recipient’s award”;

(D) in subparagraph (C)—

(i) by inserting “or business” after “technical”;

(ii) by striking “the vendor” and inserting “a vendor”; and

(iii) by adding at the end the following:

“Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates or accelerates the commercialization of technologies or assists in the creation and growth of private enterprises that are commercializing technology.”;

(E) in subparagraph (D)—

(i) by inserting “or business” after “technical” each place it appears; and

(ii) in clause (i)—

(I) by striking “the vendor” and inserting “1 or more vendors”; and

(II) by striking “provides” and inserting “provide”; and

(F) by adding at the end the following:

“(E) MULTIPLE AWARD RECIPIENTS.—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.”.

SEC. 6307. EXTENSION OF PHASE 0 PROOF OF CONCEPT PARTNERSHIP PILOT.

Section 9(jj) of the Small Business Act (15 U.S.C. 638(jj)) is amended—

(1) in paragraph (6) by striking “The Director” and inserting “Not later than February 1, 2019, the Director”; and

(2) in paragraph (7), by striking “2017” and inserting “2019”.

TITLE LXIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “2017” and inserting “2021”;

(ii) in subparagraph (I), by striking “and” at the end;

(iii) in subparagraph (J), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.”; and

(B) by adding at the end the following:

“(7) SBIR AND STTR PROGRAMS; FAST PROGRAM.—

“(A) DEFINITION.—In this paragraph, the term ‘covered Federal agency’ means a Federal agency that—

“(i) is required to conduct an SBIR program; and

“(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).

“(B) REQUIREMENT.—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

“(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu);

“(ii) for the Federal and State Technology Partnership Program established under section 34; and

“(iii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those programs and the programs described in clauses (i) and (ii).

“(8) PILOT PROGRAM.—

“(A) IN GENERAL.—Of amounts provided to the Administration under paragraph (7), not less than \$5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu) for each fiscal year in which the program is in effect.

“(B) DISBURSEMENT FLEXIBILITY.—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out clauses (ii) and (iii) of paragraph (7)(B) after providing written notice to—

“(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.”; and

(2) by adding after subsection (tt), as added by section 6303 of this Act, the following:

“(uu) REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a research institution; and

“(ii) a small business concern;

“(B) the term ‘eligible State’ means—

“(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative;

“(C) the term ‘EPSCoR State’ means a State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

“(D) the term ‘FAST program’ means the Federal and State Technology Partnership Program established under section 34;

“(E) the term ‘pilot program’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

“(F) the term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(G) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

“(3) GOALS.—The goals of the pilot program are—

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

“(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) APPLICATION.—

“(A) IN GENERAL.—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.—A regional collaborative shall include in an application submitted under subparagraph (A)—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

“(C) AVOIDANCE OF DUPLICATION.—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

“(5) LEAD ELIGIBLE ENTITY.—

“(A) IN GENERAL.—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

“(B) AUTHORIZATION BY GOVERNOR.—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

“(C) RESPONSIBILITIES.—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

“(6) REGIONAL COLLABORATIVE COORDINATOR.—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

“(7) USE OF FUNDS.—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

“(A) establish an initiative under which first-time applicants for an award under the SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

“(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

“(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

“(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

“(E) administer a structured program of training and technical assistance—

“(i) to prepare applicants for an award under the SBIR program or the STTR program—

“(I) to compete more effectively for Phase I and Phase II awards; and

“(II) to develop and implement a successful commercialization plan;

“(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(iv) to assist first-time applicants by providing small grants for proof of concept research; and

“(F) assist applicants for an award under the SBIR program or the STTR program to

identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) AWARD AMOUNT.—

“(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than \$300,000 to carry out the activities described in paragraph (7).

“(B) LIMITATION.—

“(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

“(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

“(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

“(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(A) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

“(B) an assessment of the best practices, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

“(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.”.

SEC. 6402. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking “2001 through 2005” and inserting “2017 through 2021”; and

(B) in paragraph (2), by striking “fiscal years 2001 through 2005” and inserting “each of fiscal years 2017 through 2021”; and

(2) in subsection (i), by striking “September 30, 2005” and inserting “September 30, 2021”.

TITLE LXV—OVERSIGHT AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA REALIGNMENT AND MODERNIZATION.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding after subsection (uu), as added by section 6401 of this Act, the following:

“(vv) SBIR AND STTR INTERAGENCY POLICY COMMITTEE.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Committee’ means the SBIR and STTR Interagency Policy Committee established under paragraph (2);

“(B) the term ‘participating Federal agency’ means a Federal agency with an SBIR program or an STTR program; and

“(C) the term ‘phase’ means Phase I, Phase II, and Phase III.

“(2) ESTABLISHMENT.—There is established an interagency committee to be known as the ‘SBIR and STTR Interagency Policy Committee’.

“(3) MEMBERSHIP.—The Committee shall include—

“(A) 4 representatives from each participating Federal agency, of which—

“(i) 1 shall have expertise with respect to the SBIR program and STTR program of the Federal agency;

“(ii) 1 shall have expertise with respect to the broader research and development missions and programs of the Federal agency;

“(iii) 1 shall have expertise with respect to marketplace commercialization or to the transition of technologies to support the missions of the Federal agency; and

“(iv) 1 shall have expertise with respect to the information technology systems of the Federal agency; and

“(B) 2 representatives from the Administration, of which—

“(i) 1 shall serve as chairperson of the Committee; and

“(ii) 1 shall be from the Information Technology Development Team of the Office of Investment and Innovation of the Administration.

“(4) WORKING GROUPS.—

“(A) IN GENERAL.—The Committee shall establish working groups as necessary to ensure consistency and clarity between the participating Federal agencies.

“(B) DATA REALIGNMENT AND MODERNIZATION WORKING GROUP.—

“(i) IN GENERAL.—The Committee shall establish a data alignment and modernization working group, which shall review the recommendations made in the report to Congress by the Office of Science and Technology of the Administration entitled ‘SBIR/STTR TechNet Public & Government Databases’, dated September 15, 2014, and the practices of participating Federal agencies to—

“(I) determine how to collect data on achievements by small business concerns in each phase of the SBIR program and the STTR program and ensure collection and dissemination of such data in a timely, efficient, and uniform manner;

“(II) establish a uniform baseline for metrics that support improving the solicitation, contracting, funding, and execution of program management in the SBIR program and the STTR program;

“(III) normalize formatting and database usage across participating Federal agencies; and

“(IV) determine the feasibility of developing a common system across all participating Federal agencies and the paperwork requirements under such a common system.

“(ii) MEMBERSHIP.—Each member of the Committee shall serve as a member of the data alignment and modernization working group.

“(5) IMPLEMENTATION.—Not later than September 31, 2018, the Committee shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the solutions identified by the working group under paragraph (4) and resources needed to execute the solutions.”.

SEC. 6502. IMPLEMENTATION OF OUTSTANDING REAUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)), as amended by section 6401(1) of this Act, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (9)”; and

(2) by adding at the end the following:

“(9) SUSPENSION OF FUNDING.—

“(A) FOR FEDERAL AGENCIES.—

“(i) IN GENERAL.—For fiscal years 2018 and 2019, any Federal agency that has not imple-

mented each provision of law described in clause (ii)—

“(I) shall continue to provide amounts to the Administration in accordance with paragraph (7)(B); and

“(II) may not use any additional amounts as described in paragraph (1) until 30 days after the date on which the Federal agency submits to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives documentation demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii).

“(ii) PROVISIONS.—The provisions of law described in this subparagraph are the following:

“(I) Subsection (r)(4), relating to Phase III preferences.

“(II) Paragraphs (5) and (6) of subsection (y), relating to insertion goals.

“(III) Subsection (g)(4)(B), relating to shortening the decision time for SBIR awards.

“(IV) Subsection (o)(4)(B), relating to shortening the decision time for STTR awards.

“(V) Subsection (v), relating to reducing paperwork and compliance burdens.

“(B) FOR ADMINISTRATION.—For fiscal years 2018 and 2019, if the Administration is not in compliance with subsection (b)(7), relating to annual reports to Congress, the Administration may not use amounts received under paragraph (7)(B) of this subsection for a purpose described in clause (iii) of such paragraph (7)(B).”.

(b) CLARIFICATION OF REPORTING REQUIREMENT.—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended in the matter preceding subparagraph (A), by striking “not less than annually” and inserting “not later than December 31 of each year”.

SEC. 6503. STRENGTHENING OF THE REQUIREMENT TO SHORTEN THE APPLICATION REVIEW AND DECISION TIME.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the SBIR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”;

(2) in subsection (o)(4), by striking subparagraph (B) and inserting the following:

“(B) make a final decision on each proposal submitted under the STTR program—

“(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

“(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

“(iii) for any other Federal agency—

“(I) not later than 90 days after the date on which the applicable solicitation closes; or

“(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);”.

SEC. 6504. CONTINUED GAO OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS.

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

(1) in the matter preceding paragraph (1), by striking “until the date that is 5 years after the date of enactment of this Act” and insert “until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019”;

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

“(C) assess whether the change in the base funding for the Department of Defense as required by subparagraphs (J) and (K) of section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1))—

“(i) improves transparency for determining whether the Department is complying with the allocation requirements;

“(ii) reduces the burden of calculating the allocations; and

“(iii) improves the compliance of the Department with the allocation requirements; and”;

(3) in paragraph (2) by striking “under subparagraph (B)” and inserting “under subparagraphs (B) and (C)”.

SEC. 6505. COORDINATION BETWEEN AGENCIES ON COMMERCIALIZATION ASSISTANCE.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (j), as amended by section 6202(a) of this Act, by adding at the end the following:

“(5) COORDINATION OF COMMERCIALIZATION ASSISTANCE.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q).”;

(2) in subsection (p), by adding at the end the following:

“(4) COORDINATION OF COMMERCIALIZATION ASSISTANCE.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q).”.

TITLE LXVI—PARTICIPATION BY WOMEN AND MINORITIES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4).”.

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(13) implement an outreach program to small business concerns for the purpose of enhancing its SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”;

(2) in subsection (o)(14), by striking “SBIR program;” and inserting “SBIR program, under which the Federal agency shall—

“(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

“(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A).”.

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)), as amended by section 6505 of this Act, is amended by adding at the end the following:

“(5) ADDITIONAL MODIFICATIONS.—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and in STTR programs.”.

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.

Section 5124 of the SBIR/STTR Reauthorization Act of 2011 (Public Law 112-81; 125 Stat. 1837) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) MEETINGS.—

“(1) IN GENERAL.—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (c).

“(2) OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

“(A) a representative of the Minority Business Development Agency; and

“(B) relevant stakeholders that work to advance the interests of—

“(i) small business concerns owned and controlled by women, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

“(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4)).”.

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Small Business Administration;

(2) the term “covered STEM intern” means a student at, or recent graduate from, an institution of higher education serving as an intern—

(A) whose course of study studied is focused on the STEM fields; and

(B) who is a woman or a person from an underrepresented population in the STEM fields;

(3) the term “eligible entity” means a small business concern that—

(A) is receiving amounts under an award under the SBIR program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and

(B) provides internships for covered STEM interns;

(4) the terms “Federal agency”, “SBIR”, and “STTR” have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(5) the term “institution of higher education” has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

(6) the term “person from an underrepresented population in the STEM fields” means a person from a group that is underrepresented in the population of STEM students, as determined by the Administrator;

(7) the term “pilot program” means the Diversity and STEM Workforce Development Pilot Program established under subsection (b);

(8) the term “recent graduate”, relating to a woman or a person from an underrepresented population in the STEM fields, means that the woman or person from an underrepresented population in the STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;

(9) the term “small business concern” has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and

(10) the term “STEM fields” means the fields of science, technology, engineering, and math.

(b) PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) AMOUNT AND USE OF GRANTS.—

(1) AMOUNT.—A grant under subsection (b)—

(A) may not be in an amount of more than \$15,000 per fiscal year; and

(B) shall be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) USE.—Not less than 90 percent of the amount of a grant under subsection (b) shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) EVALUATION.—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns participating in an internship funded under the pilot program and the amount spent on such internships; and

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) TERMINATION.—The pilot program shall terminate after the end of the fourth fiscal year during which the Administrator carries out the pilot program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.

TITLE LXVII—TECHNICAL CHANGES

SEC. 6701. UNIFORM REFERENCE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), by striking “National Institutes of Health” and inserting “Department of Health and Human Services”; and

(2) in subsection (dd)(1)(A), by striking “Director of the National Institutes of Health” and inserting “Secretary of Health and Human Services”.

SEC. 6702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.

Section 9(e)(4)(B) of the Small Business Act (15 U.S.C. 638(e)(4)(B)) is amended in the matter preceding clause (i)—

(1) by striking “, which shall not include any invitation, pre-screening, or pre-selection process for eligibility for Phase II,”; and

(2) by inserting “in which eligibility for an award shall not be based only on an invitation, pre-screening, or pre-selection process and” before “in which awards”.

SA 4677. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 508, strike line 10 and all that follows through “(d) TRAINING.—” on line 15 and insert the following:

Section 2332 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) TRAINING.—

On page 901, strike lines 8 and 9.

On page 1018, strike line 13 and all that follows through “(e) REPEAL.—” on line 24 and insert the following:

(d) REPEAL.—

On page 1064, line 23, strike “conducting one or more of the following” and insert “building the capacity of such country or countries to conduct one or more of the following”.

On page 1124, beginning on line 14, strike “GENERALLY.—” and all that follows through “Subject” on line 15 and insert the following: “GENERALLY.—Subject”.

On page 1124, strike lines 19 through 21.

On page 1129, line 11, insert “available” before “unobligated”.

On page 1129, line 15, insert “Such funds transferred in to the fund shall retain its original period of availability.” after “subsection (a).”.

On page 1129, line 20, insert “available” before “unobligated”.

Strike section 2812.

SA 4678. Mr. REID (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1097. REPORT.

(a) DEFINITIONS.—In this section:

(1) CLASS III GAMING.—The term “class III gaming” has the meaning given the term in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703).

(2) EXCLUSIVITY CLAUSE.—The term “exclusivity clause” means a provision that requires a Tribe to pay to a State a percentage of gross gaming revenue only if the State does not change the law of the State to permit commercial gaming activity by any other person.

(b) REPORT.—Not later than 120 calendar days after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report on—

(1) the number of Tribal-State compacts, and amendments to such compacts, that contain exclusivity clauses that may be impacted by a determination of the Secretary of the Interior to approve a compact or compact amendment that could have the effect of advancing commercial gaming activity on non-Indian land where such activity is owned or operated, directly or indirectly, by 1 or more Indian tribe; and

(2) the extent to which gaming regulations and laws in States where class III gaming occurs on Indian land pursuant to a Tribal-State compact, approved under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), meets or exceeds standards established in that Act or regulations issued by the National Indian Gaming Commission.

(c) CONSULTATION.—The Secretary of the Interior shall consult with Indian tribes, State governments, and commercial gaming enterprises before issuing the report required under subsection (b).

FEDERAL LAW ENFORCEMENT SELF-DEFENSE AND PROTECTION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2137, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2137) to ensure Federal law enforcement officers remain able to ensure their own safety, and the safety of their families, during a covered furlough.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2137) was ordered to a third reading, was read the third time, and passed.

TO TAKE CERTAIN FEDERAL LANDS INTO TRUST FOR THE BENEFIT OF THE SUSANVILLE INDIAN RANCHERIA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be discharged from further consideration of H.R. 2212 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2212) to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2212) was ordered to a third reading, was read the third time, and passed.

INDIAN TRUST ASSET REFORM ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 812, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 812) to provide for Indian trust asset management reform, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 812) was ordered to a third reading, was read the third time, and passed.

LOREN R. KAUFMAN VA CLINIC

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1762 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1762) to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the "Loren R. Kaufman VA Clinic."

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1762) was ordered to a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 489, S. Res. 490, S. Res. 491, S. Res. 492.

The PRESIDING OFFICER. The clerk will report the resolutions by title en bloc.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 489) honoring the life and achievements of Muhammad Ali.

A resolution (S. Res. 490) expressing the sense of the Senate that ambush marketing adversely affects the United States Olympic and Paralympic teams.

A resolution (S. Res. 491) designating June 12, 2016, as a national day of racial amity and reconciliation.

A resolution (S. Res. 492) designating the week of June 6 through June 12, 2016, as "Hemp History Week."

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, JUNE 13, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, June 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate resume consideration of S. 2943; further, that all postcloture time on S. 2943 expire at 11 a.m., Tuesday, June 14; finally, that if cloture is invoked on the motion to proceed to H.R. 2578, it be considered to have been invoked at 10 p.m., Monday, June 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JUNE 13, 2016, AT 4 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:09 p.m., adjourned until Monday, June 13, 2016, at 4 p.m.

HOUSE OF REPRESENTATIVES—Friday, June 10, 2016

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 10, 2016.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Merciful God, we give You thanks for giving us another day.

We thank You once again that we, Your creatures, can come before You and ask guidance for the men and women of this assembly.

Bless the people of this great Nation with wisdom, knowledge, and understanding, that they might responsibly participate in our American democracy as both political parties anticipate their conventions.

Help us all to be good citizens, respectful in our disagreements, and generous in our behavior toward one another.

Bless us this day and every day. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Washington (Ms. DELBENE) come forward and lead the House in the Pledge of Allegiance.

Ms. DELBENE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests

for 1-minute speeches on each side of the aisle.

STATE EFFORTS TO CRACK DOWN ON OPIOID EPIDEMIC

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, recently I was proud to vote for a package of bills here on the floor of the United States House intended to help crack down on the terrible epidemic of prescription opioid abuse and heroin abuse across our Nation.

Today, I want to recognize the efforts in the Pennsylvania General Assembly to assist in the goal of fighting back against all drug use. Specifically, a new law authored by State Representative Matt Baker, who represents a portion of Pennsylvania's Fifth Congressional District, would go after designer drugs in which different chemicals are combined to create new drugs.

This new law will speed up the process in adding these drugs to the State's list of banned drugs, enabling law enforcement to arrest and prosecute the individuals responsible. Giving members of our law enforcement community the tools that they need to thwart illegal drug manufacturers will save lives.

Mr. Speaker, if you want to successfully fight back against a problem, you surround it. I am proud to see great lifesaving solutions coming from both the Federal and the State levels, with additional community action in the form of local roundtables and townhall meetings.

LGBT EQUALITY DAY

(Ms. DELBENE asked and was given permission to address the House for 1 minute.)

Ms. DELBENE. Mr. Speaker, this is Pride Month, and we have much to celebrate.

In the last two decades, our Nation has seen the Defense of Marriage Act overturned, an end to the criminalization of same-sex conduct, and nationwide marriage equality, all through Supreme Court decisions that were handed down on June 26. But even with these incredible strides, we cannot forget that LGBT Americans continue to face inequality and discrimination simply for who they are and who they love.

That is why I have introduced legislation to designate June 26 as LGBT

Equality Day, not only to celebrate how far we have come, but also to acknowledge how much work remains to be done.

I urge my colleagues and all Americans to join me in celebrating the first LGBT Equality Day on June 26.

As opponents of equality double down in their attempts to legalize discrimination, we must keep fighting until all Americans have equal rights and protections under the law.

HONORING THE BICENTENNIAL OF THE AUBURN CITIZEN

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to recognize an important milestone in my congressional district: the bicentennial of the Auburn Citizen.

Two hundred years ago today, this daily publication began serving the people of Cayuga County by providing news and community announcements. Born in 1816 as the Auburn Gazette, this community newspaper has been known by many names over the years.

In an editorial placed this past weekend, publisher Rob Forcey noted that the Auburn Citizen began publishing just 40 years after the birth of our country.

The history of accomplished journalists at this publication includes William Dapping, a community hero who was awarded the very first special Pulitzer in 1930 for his esteemed work in covering the bloody 1929 Auburn State Prison riots.

Today, the Citizen has evolved to cover a wide area of central New York, with web-based access to local and national news, weather, and community events. What is more, the publication has expanded into western Onondaga County, with the Skaneateles Journal and West Onondaga County Journal.

Congratulations again to this community-based publication on two centuries of being the voice of the Auburn community.

REMEMBERING DAVID GILKEY

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, last Sunday, David Gilkey, an NPR photojournalist from Portland, Oregon, was killed with his Afghani translator in a Taliban ambush in Afghanistan.

I cannot fully express my gratitude for David's tireless commitment to his profession. His evocative, beautiful work, and many contributions to NPR will be remembered for generations.

He covered conflict areas around the globe. Since 2001, he extensively covered the wars in Iraq and Afghanistan.

He was one of the most decorated of photo journalists, including an Emmy, and the first multimedia journalist to be awarded the Corporation for Public Broadcasting's prestigious Edward R. Murrow Award for Journalism.

David played an essential role in helping us understand the global events. He was one of those who put themselves in harm's way to open the world's window for the rest of us. They are true heroes.

Our hearts go out to the Gilkey family and to his NPR family for their loss.

APPRECIATING PRIME MINISTER NARENDRA MODI

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Wednesday, I was grateful to serve on the escort committee for Prime Minister Narendra Modi of India, due to my former co-chairmanship of the Caucus on India and Indian Americans, with my father having served in India during World War II.

The Prime Minister was warmly received with his positive presentation:

As a representative of the world's largest democracy, it is indeed a privilege to speak with the leaders of its oldest.

Connecting our two nations is also a unique and dynamic bridge of 3 million Indian Americans. Threats of terror are expanding, and new challenges are emerging in cyber and outer space. India is undergoing a profound social and economic change.

A commitment to rebuild a peaceful and stable and prosperous Afghanistan is our shared objective. In every sector of India's forward march, I see the U.S. as an indispensable partner.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

South Carolina especially recognizes the success of Indian Americans, with their Governor, Nikki Haley, the second Indian American Governor elected in history.

CONGRATULATING TWIN SCHOLARS

(Mr. VEASEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VEASEY. Mr. Speaker, I rise today to tell you a really cool story about two smart sisters, Estrella and Perla Ortiz, identical twins who earned

the valedictorian and salutatorian status at their high school in Fort Worth.

Estrella and Perla are the two youngest of seven siblings in the Ortiz family. The sisters worked hard and excelled academically at North Side High School, the home of the Steers.

In their spare time, the Ortiz sisters participated in the National Honor Society, Health Occupations Students of America, tutored their peers, and even helped adults obtain their GED.

Their hard work paid off in academia when they were awarded scholarships at Texas Christian University, where the sisters will receive a full ride to TCU to continue their studies in biology and premed.

The Ortiz sisters demonstrate that anything is possible with dedication and perseverance. And, oh, I want to also mention that their sister, Maria, was also valedictorian in 2014 at the same school.

I ask my colleagues to join me in congratulating Estrella and Perla on their extraordinary academic achievement.

CHEROKEE TRAIL BOYS BASEBALL TEAM

(Mr. COFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COFFMAN. Mr. Speaker, I rise today to recognize the boys baseball team of Cherokee Trail High School on winning the 2016 Colorado 5A State championship game on May 29, 2016.

The students and staff who were a part of the title-winning Cougars team deserve to be honored for winning the State championship for the first time since they won the 4A State championship in 2007. The Cougars beat Rocky Mountain High School 5-1 in the series, and ended the season with a winning 22-5 record.

Throughout the season, the boys of the Cherokee Trail baseball team were dedicated, worked hard, and persevered. These traits were a key factor in their endeavor to win the championship, but winning could not have been possible without the tireless leadership of their head coach, Allan Dyer, and his commendable staff.

It is with great pride that I join all of the residents of Aurora, Colorado, in congratulating the Cherokee Trail Cougars on their State championship.

EXPAND ECONOMIC OPPORTUNITIES

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise today on behalf of the families who are still struggling to make ends meet.

Our economy has made great strides since the end of the recession. Like my

colleagues, I have watched the unemployment rate tick down each month from 10 percent in 2009 to 5 percent today.

According to the story that these numbers tell, our economy has recovered. But for nearly 8 million Americans still looking for work, our economy is still in a state of crisis.

In my home district, more than 16 percent live in poverty, and the unemployment rate is three times the national rate, at 15 percent. I have met hundreds of these unemployed constituents at my annual job fair. They aren't looking for a handout; they are looking for a hand up, an opportunity to work, a chance to live a better life, a shot at the American Dream.

As we enter the second half of 2016, I urge my colleagues to stand with me and take action to expand economic opportunities and to ensure that all Americans who want to work have the chance to do so.

RECOGNIZING COACH LORI BLADE

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize someone who has a lot of heart, who carries herself with class and humility, and who pushes her players to be better on and off the court.

Coach Lori Blade's incredible success has produced 624 wins, dozens of conference titles, and two State championships.

On April 30, Coach Blade was enshrined into the Illinois Basketball Coaches Association Hall of Fame. Her 22 seasons of accomplishments have vaulted both Edwardsville and Carrollton High Schools' programs to statewide dominance.

Beyond the victories, Coach Blade has made a profound impact on countless lives, teaching players to take pride not just in the game, but in everything they do. Pushing her players never to be satisfied or content, Coach Blade has had a phenomenal career on the court and on the softball diamond, being the only coach in IHSA history to have over 600 wins in two sports.

Congratulations, Coach Blade, on all of your accomplishments. Thank you for your commitment to our students, and I wish you all the best in your future seasons, unless you play my hometown Taylorville Tornadoes.

□ 0915

LYNN WOOLSEY'S VISIT

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUFFMAN. Mr. Speaker, 444. That is the number of times Lynn

Woolsey came to this floor, stood at that podium right over there, and addressed this House during Special Orders, speaking against war and in support of peace.

Lynn Woolsey, for 20 years, represented much of my congressional district. My colleagues here in Congress will remember her as a passionate and outspoken advocate—a leader—in the effort to strengthen our national security without war. One of the ways that she did that was through her hundreds of Special Order hour speeches. In the final one of these, No. 444, she said the following:

“Sometimes I’ve been accused of wanting a ‘perfect world.’ But I consider that a compliment. Our Founders strove to form a ‘more perfect Union.’ Why shouldn’t we aim for a perfect world? You see, I’m absolutely certain that if we don’t work toward a perfect world, we won’t ever come close to providing a safe, healthy, and secure world for our grandchildren and their grandchildren.”

She is with her grandchildren Carlo and Luca here today.

Let us thank Lynn Woolsey for her service, and let’s urge all Members of Congress to approach our work with the same tenacity and resolve to work together toward peace, health, and security for all.

EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY

Mrs. BLACK. Mr. Speaker, pursuant to House Resolution 767, I call up the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 89

Whereas a carbon tax is a Federal tax on carbon released from fossil fuels;

Whereas a carbon tax will increase energy prices, including the price of gasoline, electricity, natural gas, and home heating oil;

Whereas a carbon tax will mean that families and consumers will pay more for essentials like food, gasoline, and electricity;

Whereas a carbon tax will fall hardest on the poor, the elderly, and those on fixed incomes;

Whereas a carbon tax will lead to more jobs and businesses moving overseas;

Whereas a carbon tax will lead to less economic growth;

Whereas American families will be harmed the most from a carbon tax;

Whereas, according to the Energy Information Administration, in 2011, fossil fuels share of energy consumption was 82 percent;

Whereas a carbon tax will increase the cost of every good manufactured in the United States;

Whereas a carbon tax will impose disproportionate burdens on certain industries, jobs, States, and geographic regions and would further restrict the global competitiveness of the United States;

Whereas American ingenuity has led to innovations in energy exploration and development and has increased production of domestic energy resources on private and State-owned land which has created significant job growth and private capital investment;

Whereas United States energy policy should encourage continued private sector innovation and development and not increase the existing tax burden on manufacturers;

Whereas the production of American energy resources increases the United States ability to maintain a competitive advantage in today’s global economy;

Whereas a carbon tax would reduce America’s global competitiveness and would encourage development abroad in countries that do not impose this exorbitant tax burden; and

Whereas the Congress and the President should focus on pro-growth solutions that encourage increased development of domestic resources: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that a carbon tax would be detrimental to American families and businesses, and is not in the best interest of the United States.

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentlewoman from Tennessee (Mrs. BLACK) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H. Con. Res. 89, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACK. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H. Con. Res. 89, which takes a strong stand against the carbon tax that would hurt American families, workers, and job creators.

As the President closes out his time in office, he would like nothing more than to ram through more of his harmful energy agenda. Just look at the President’s budget this year. Among the \$3.4 trillion in tax hikes he proposed, the President included a \$10 per barrel tax on oil. This tax alone would cause gas prices to increase by an estimated 25 cents per gallon. With a carbon tax, there would be a tax hike on production, distribution, and the use of not only oil but also of natural gas and any other form of energy that emits

carbon. Such a tax would have many serious impacts on our economy by making day-to-day life more expensive for families throughout this country.

First, a carbon tax could drive up the cost of energy for both the producers and the consumers. This translates to larger energy bills that eat up even more of Americans’ take-home pay, especially during the hottest and coldest months of the year.

Second, a carbon tax would destroy well-paying jobs throughout the American energy sector—a sector that has fueled significant job growth throughout the country.

Third, a carbon tax would deliver a direct hit to working families and have compound effects that would reach all corners of the economy. In fact, a carbon tax would increase the cost of, virtually, every good manufactured or service performed in the United States, including everyday necessities. If a good requires energy to make or transport, which most do, taxes on that energy are, essentially, a tax on that good. As a result, Americans would have to pay more for everything—from milk to clothing to school supplies.

Finally, to make this bad idea even worse, we know that a carbon tax would hurt those who are living in poverty and those who are on fixed incomes more than anyone else.

Put simply, a carbon tax would make it harder for us to grow our economy and help working families and small businesses succeed.

We all want an all-of-the-above energy approach that supports new innovations, not a targeted tax hike on specific industries. Thanks to the leadership of Whip SCALISE, Congress will pass this bill today and send it to the Senate, and we will send a clear message to the people in our districts, as well as to the Obama White House, that we do not support this extreme tax.

Instead, we will continue to pass legislation that grows our economy and that helps more Americans get back to work. After all, last week, we received the worst jobs report in almost 6 years. It is more important than ever that we move forward with a bold, pro-growth agenda, not another expensive Washington tax.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

What is happening today is further evidence that the Republicans are simply not doing their job. There is real work to be done. It is simply inexcusable that action has not yet happened to prepare for the Zika virus. That would be real action. Helping the people of Flint get clean drinking water, in my home State, would be something real. There is no budget resolution that has been considered here on the House floor. Raising the minimum wage would also be real, and it would help

lift many families out of poverty. Closing tax loopholes and making the Tax Code fairer would be real.

Instead, today, we are voting on two senses of Congress resolutions. Doing so provides further evidence that the Republicans not only are not acting on those real problems mentioned earlier but are in denial on another real issue that needs action—climate change. The scientific evidence of climate change is overwhelming, and the consensus is clear, and we have seen the impacts of climate change, virtually, every day in our country and around the world.

This week, the CBO, led by a Director appointed by the majority here, released a report that identified the effects of climate change as a potential risk to the Federal budget. According to that report, the cost of hurricane damage is projected to be \$35 billion more than it is today because of climate change.

The report stated:

“Human activities around the world, primarily the burning of fossil fuels and widespread changes in land use, are producing growing emissions of greenhouse gases.”

Climate change requires all of us, including the Republicans here who are in total denial, to come to our senses and to act on the challenge of climate change.

This sense of Congress resolution, like the second one, completely fails to meet that challenge. I urge its rejection.

I reserve the balance of my time.

Mr. Speaker, I ask unanimous consent that the distinguished gentleman from Oregon (Mr. BLUMENAUER) control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. BLACK. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a member of the Ways and Means Committee and the chairman of the Tax Policy Subcommittee.

Mr. BOUSTANY. I thank my colleague and friend on the Ways and Means Committee, Mrs. BLACK, for yielding time.

Mr. Speaker, I rise in strong support of H. Con. Res. 89, a resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy.

At a time when 80 percent of domestic energy consumption comes from natural gas, from oil, from coal, it is, clearly, counterproductive to make these necessary resources more expensive by imposing an indirect tax on these fuels. A carbon tax means higher utility bills for families, more expensive goods and services for consumers, decreased economic activity, and it would really hurt job creation. We already heard about the dismal numbers

last week that were released—38,000 non-farm-related jobs.

Let me just be clear. When we were in the recession, one of the prime drivers economically that took us out of the recession was the shale revolution—a real energy renaissance in this country.

Mr. Speaker, this type of tax is not just a tax on carbon—it is a tax on working families; it is a tax on the American economy; it is a tax on American competitiveness; it is a tax on our energy security. It strikes right at the foundation of our national security. It is the wrong thing to do. It is a regressive tax. It hurts the people who are most dependent on fixed incomes—seniors. It hurts them most.

Why would we even consider doing this?

There are better ways to set up taxation for this country that meet our needs. I just don't understand why one would propose this type of tax, other than the fact that there is a radical environmental agenda, which would hurt manufacturing and American competitiveness. We can't do this. We need to grow this economy. We need growth around 3 to 4 percent minimum to create jobs, to let American business create value, to assert American leadership globally. We are not going to do this with a carbon tax. We won't do it. We need pro-growth policies.

Mr. Speaker, the American people understand this. A recent study by the Institute for Energy Policy found that over 60 percent of Americans oppose this type of idea.

I applaud Whip SCALISE for offering this sensible resolution because it then puts forth a very strong, affirmative statement that we are not going to disarm the American economy, that we are not going to strike a blow at American competitiveness when we are struggling already as it is.

I am sick and tired of the fact that American leadership is eroding around the world. I am sick and tired of the fact that we are walking around with timidity. We ought to be embracing the concept of American leadership. This gives us an opportunity, based on American innovation and energy—the clearest example of which I know of American exceptionalism—to rewrite the rules of energy security based on open markets, transparent pricing, and diversity of supply source.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to hear my friend from Louisiana with his impassioned presentation today; but his presentation, coming on the heels of what we all heard from the Prime Minister of India—calling for a low carbon, sustainable, innovative future—makes me sad.

If we would have had our economy take these issues seriously—maybe

have a week of hearings—we would have been able to demonstrate to the gentleman with an impartial panel of independent experts all across the political spectrum—Conservative, Liberal, Republican, and Democrat—that a carbon tax, revenue neutral, is, actually, the key to the innovative future they want.

There are all sorts of ways to design a carbon tax, to, actually, enhance the role—the economic status—of low- and moderate-income people, but we never had a hearing on that. It is just simply dismissed as something that we can't do, but they have done it elsewhere in the world. If the committee had done its job, we would be dealing with facts, not hyperbole.

□ 0930

If the committee had done its job, we would have heard that we have very real challenges today to American security, which our Department of Defense has pointed out.

Climate change, despite denial from some of my friends on the other side of the aisle, is a threat today to the American military posture. Climate change is disrupting industries like fishing. It is producing unprecedented flooding, forest fires, and a wildly unpredictable weather future. The reduction of arctic ice at unprecedented levels ought to be of concern to my friends on the other side of the aisle. Maybe if we had some open, honest hearings that were balanced and independent, that case would have been made and they may support it.

But whether or not they care about climate change and global warming, a carbon tax makes sense for American innovation, the economy, and our competitiveness. It is the areas of low-carbon energy that have seen the job growth. There are now more people working in wind and solar than the coal industry by far. That is where the job growth has been undertaken.

A carbon tax would enhance America's global competitiveness. And if we had hearings, listening to independent experts across the board, that case would be made, and I don't think we would have this foolish resolution on the floor.

These are elements that would inject into our energy policy an even, balanced approach using market forces, which are much easier than some of the incentives that we have, which are important, which people on both sides of the aisle have supported in the past. But a carbon tax is a more effective way of achieving those objectives.

Now, Mr. Speaker, I am sad that we didn't have that debate in committee. I am sad that we didn't hear from independent experts. I think of our friend Bob Inglis, former Congressperson, who is on a personal crusade working with the evangelical community about the merits of a carbon tax. It would have

been great to have heard from Bob and others like him to be able to present a balanced picture and be able to deal with meaningful policy.

I still hope that someday, that time will come that our Ways and Means Committee actually takes the time to dive into one of the most important issues of the day and to examine one of the tools that independent experts all across the spectrum agree would be a solid addition and actually simplify the Tax Code while we can help people in low income and small business and provide incentives for America's global competitiveness, like we heard from the Prime Minister of India from that very rostrum just 2 days ago.

I reserve the balance of my time.

Mrs. BLACK. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. KELLY), a colleague of mine and a member of the Ways and Means Committee.

Mr. KELLY of Pennsylvania. Mr. Speaker, I thank the gentlewoman from Tennessee (Mrs. BLACK). We see eye to eye on almost everything in our lives, and it is really good to be able to stand here today and speak so strongly in favor of H. Con. Res. 89. I really do appreciate the passion and sincerity of my colleagues across the aisle.

What we are talking today is about policy. What we are talking about today is the all-important, unintended consequences that so often are put to blame for bad things that happen to American people. They are well intended, yes, at their conception, but very harmful.

We are talking about a carbon tax, \$10 a barrel on oil. And we are saying: Well, don't worry about that because that is going to be charged upstream. That is going to be charged when it is taken out of the ground.

But we all know that every single tax, every single cost is paid downstream.

What do I mean by that?

Every day hardworking Americans get up in the morning and want to put a roof over the heads of their families, food on the table, clothes on their back, and a little bit of money put away for their future. But every day we continue to come up with policies that somehow, although well intended, make it harder for them to make a living, make it harder for them to live the American Dream, make it harder for them to get ready for the future.

Now, I know there are always going to be existential threats. I get that. My grandson is afraid to get out of bed at night because he thinks there is a monster under it. He thinks that if you get up in the middle of the night, maybe there is somebody in the closet or maybe there is something else.

Now, I am not a climate change denier. Of course, the climate changes. I have seen it happen in my life. I have seen it where people say it is getting

too cold and now it is getting too warm.

Well, you know what?

It just changes. I get that.

What doesn't change is the assault on the American people to pick up the tab on all of these costs. There is nothing that makes less sense to me than what we are doing. And back home where I come from, there is an old saying that goes something like this: Measure twice and cut once.

Why?

Because once you do that cut, it is permanent. That is why you want to measure twice to make sure that the cut you make is the right cut. That is why you need to take the policies that affect everyday American people and make sure that you are not hurting them.

Well intended, I get it. I know it is well intended. I just don't think the American people have to pay the brunt of this.

I am very aware of the Prime Minister of India being here Wednesday. And I also know that between India and China, that is where the greatest pollution comes from. I get it. I get it.

Putting \$10 a barrel on oil coming out of the ground just doesn't make sense. I would just like my friends on both sides of the aisle to think about somebody named Steven Jobs. Steven Jobs did not invent the PC because we taxed typewriters too high and caused the cost of that. Innovation, of course, is the answer. And we have seen great innovation.

I know where I am from in western Pennsylvania, that clean coal is real. But the President promised, when he was running as a candidate, that he would put those who chose to make electricity by burning coal out of business. So we regulate them to the point where it is no longer cost efficient to do that, but we keep moving that way.

The fact that 40,000 Pennsylvanians make a living that way, well, don't worry about that, they will have to find something else to do. You can go down to West Virginia and you can hear where candidates told them: Listen, you are going to be out of business, but we will find something else for you to do and we will just get to that later.

Look, we have an opportunity today. This is a sense of Congress to tell the American people what it is that we think goes on with this policy. For far too long we have turned a deaf ear and a blind eye to the people who sent us here to represent them. We talk very loftily about what it is that we would like to see, how it is that we would like it to go, our dream for the future. But we forget that every day, hardworking American taxpayers get up, throw their feet out over the side of the bed, and go to work for a very particular reason: their families, their churches, their schools, their communities and, more importantly, all of America.

Well intended, yes. But the results would be devastating.

And who would pay this carbon tax? Who would pay this \$10 a barrel?

It would be any man or woman who has to go out and buy anything for his or her family. It would be reflected in the cost of everything we put on our backs and everything we put in our mouths. It would affect everything we do when we travel from one point to another, but we say it is necessary. It is necessary because we have to tax this so high that we drive people away from it.

I would hope that we could come together in America's House and do what is right for America's people, to do what is right for the people who sent us here to represent them because they are working so hard to make sure that there is a future for their children.

In the last month when we created one job for every 8,000 Americans—one job for every 8,000 Americans, are you kidding me?—in the greatest country the world has ever known, in a Nation that leads the world in defending freedom and liberty, in a Nation that knows that the best way to help others is through American participation—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BLACK. Mr. Speaker, I yield an additional 1 minute to the gentleman from Pennsylvania.

Mr. KELLY of Pennsylvania. Mr. Speaker, I do want to make sure that this final point comes across: We can work together for solutions. We can work together to do the same things for the same people that we all came here to represent. I do not think that there are ill-intended ideas on the other side. I think they are well-intended. I just think they are wrong. I think they are wrong for the times, and I think they are wrong for the American people.

As I said earlier, where I am from, there are a lot of old adages. And one of them is: don't worry about the mule, just load the wagon.

I will tell you right now that the mule is trying to find a way to unhook itself from the wagon because that load has gotten too heavy to pay. I know that the people who are loading the wagon think it is okay because at some point, that is going to have to be delivered somewhere. The truth of the matter is it is not.

We have put too heavy a burden on American taxpayers, hardworking American taxpayers, hardworking Americans. 1.4 million American lives have been sacrificed for the freedom and liberty not just of this country—our country and our Nation—but for the whole world. So I say let's be careful before we do these well-intended but careless things. Let's be careful before we turn our backs on the people who we actually represent here, and that is hardworking American people.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

I couldn't agree more with my good friend from Butler, Pennsylvania, that we can actually come together and fashion solutions. That is why it is such a tragedy that this resolution comes to the floor without ever having our committee work on it, because we could have had hearings that could have narrowed those gaps.

I include in the RECORD a letter from six conservative advocates for climate change action.

JUNE 7, 2016.

DEAR REPRESENTATIVE: Later this week Congress will take up a resolution sponsored by Congressman Scalise (R-LA1) that expresses the sense of Congress that a carbon tax would be detrimental to the economy of the United States. We are concerned that this resolution offers a limited perspective on carbon taxes and is blind to the potential benefits of market-based climate policy. Legislation that incorporates a carbon tax could include regulatory and tax reforms to make the United States economy more competitive, innovative, and robust, benefiting both present and future generations.

We recognize that a carbon tax, like any tax, will impose economic costs. But climate change is also imposing economic costs. This resolution falls short by recognizing the cost of action without considering the cost of staying on our present policy course. There are, of course, uncertainties about the future cost of climate change and, likewise, the cost associated with a carbon tax (much would depend on program design and the pace and nature of technological progress). The need for action, however, is clear. A recent survey of economists who publish in leading peer-reviewed journals on these matters found that 93% believe that a meaningful policy response to climate change is warranted.

The least burdensome, most straightforward, and most market-friendly means of addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax. This would harness price signals, rather than regulations, to guide market response. That is why carbon pricing has the support of free market economists, a majority of the global business community, and a large number of the largest multinational private oil and gas companies in the world (the corporate entities among the most directly affected by climate policy).

In reaching a conclusion, this resolution neglects the fact that the United States already has a multiplicity of carbon taxes. They are imposed, however, via dozens of federal and state regulations, are invisible to consumers, unevenly imposed across industrial sectors, unnecessarily costly, and growing in size and scope. The policy choice is not if we should price carbon emissions, but how.

Unfortunately, this resolution also fails to differentiate between proposals that would impose carbon taxes on top of existing regulations (chiefly the Obama Administration's Clean Power Plan), and proposals that would impose carbon taxes in place of those existing regulations. Conservatives and free market advocates should embrace the latter, regardless of how they view climate risks.

An economy-wide carbon tax that replaces existing regulatory interventions could reduce the cost of climate policy and deregulate the economy. It could also provide revenue

to support pro-growth tax reform, including corporate income or payroll tax cuts, which could dramatically reduce overall costs on the economy. Revenues could be applied to compensate those who suffer the most from higher energy costs; the poor, the elderly, and individuals and families living on fixed incomes.

Unfortunately, none of those options are presently available because Members of Congress have neglected opportunities to design and debate market-friendly climate policies in legislation. Instead, they have yielded authority in climate policy design to the Executive Branch. By discouraging a long-overdue discussion about sensible carbon pricing, this resolution frustrates the development of better policy.

Sincerely,

JERRY TAYLOR,
President, Niskanen Center.

BOB INGLIS,
Executive Director, RepublicEn.

APARNA MATHUR,
Resident Scholar, American Enterprise Institute.

ELI LEHRER,
President, R Street Institute.

THE REV. MITCHELL C. HESCOX,
President, Evangelical Environmental Network.

ALAN VIARD,
Resident Scholar, American Enterprise Institute.

Mr. BLUMENAUER. Mr. Speaker, my friend from Pennsylvania could have heard them talk about the need for action and how you can design a carbon tax that meets the objectives he is talking about, but we never did that. We didn't listen to experts across the spectrum—Republican, Democrat, conservative, liberal, economists, and scientists—to be able to examine the facts.

Instead, we have a cartoon proposal that they are arguing against as opposed to something that we could have worked on together that is promoted by most of the independent experts in the field. And someday within our lifetime this Congress will consider and, I think, probably approve.

I yield 3 minutes to the gentleman from Seattle, Washington (Mr. McDERMOTT), who has looked at some of these challenges around the globe.

Mr. McDERMOTT. Mr. Speaker, as I come to speak on the floor, I think I am in the House of the deniers. Now, in 2007, that liberal journal, National Geographic, had an article called "The Big Thaw." And it says:

"It's no surprise that a warming climate is melting the world's glaciers and polar ice. But no one expected it to happen this fast."

That was in 2007. That was 9 years ago.

I was taken, along with GERRY CONNOLLY, up to the Arctic with the Norwegian Government. They are worried about what is happening.

This resolution is just burying your head in the sand. I think you are thinking that if you put your head in the sand long enough, it will go away and, when you pull your head out, it won't be there.

The CBO just put a report out: Texas, Louisiana, and Florida are going to have hurricane damage that is unbelievable. FEMA already accounts for 45 percent of money spent on hurricane damage, \$95 billion since 2000.

Now, if you think the insurance companies are going to keep insuring against hurricanes, you have another thing coming. At some point, they are going to say: We are not doing hurricane insurance in Florida, Louisiana, Texas, and a whole bunch of other places. That is the economics.

You say: Let's not pay anything right now, let's not change anything, let's not work on it.

But if we don't work on it, we are going to pay later. I am old enough to remember a FRAM commercial on the television. It was an air cleaner on your car, and it said: Pay me now or pay me later. And this is what this is about today.

Now, there are things going on in this country which just absolutely boggle my mind. In North Carolina, the assembly got together and they said: You know what? We are not going to spend any money to measure the sea levels.

Now, you have hundreds of miles of coastline in North Carolina where the sea is rising and property values are going to be lost. We are talking money here. We are not talking soft, liberal stuff. This is real, and people don't want to even look at it.

In Florida and Wisconsin, they took a novel approach and they said: We are not even going to use the words "climate change" in anything.

Now, here in Congress, the climate deniers take many forms, from blocking the words "social cost of carbon" to directing the Department of Defense to ignore climate change. All the while, the DOD itself highlights the threat of climate change to national security. Republicans like to talk about national security.

□ 0945

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLUMENAUER. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. McDERMOTT. If you are serious about talking about national security, you better start talking about the climate change that is going on in the world. Sea lanes across the North Pole are coming, boats are already coming, we are building the Panama Canal wider, and it is opening up on the north end of the globe.

Now, this absurdity cannot last, and we have got to begin to do what Mr. BLUMENAUER suggested. There have to

be hearings. Bob Inglis, I knew him when he was here. God, he was a wild-eyed liberal. I couldn't believe what a wild-eyed liberal he was. He came down here talking about a carbon tax. I had a carbon tax. Mr. LARSON had a carbon tax.

This is not a partisan issue, Democrat versus Republican; it is whether or not you are going to look at the science of what is happening on the globe. I urge people to vote "no" on this. You will come back and do it in a couple of years.

Mrs. BLACK. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), our majority whip.

Mr. SCALISE. Mr. Speaker, I thank the gentlewoman from Tennessee for yielding. I am proud to bring forward this legislation, Mr. Speaker, that expresses the strong sense of Congress that a carbon tax would be detrimental to the United States economy.

If you look at what this administration has done through radical rules and regulations, through all of its agencies, starting with the EPA, with the IRS, with the NLRB, the whole alphabet soup of Federal agencies that every morning wake up trying to figure out how to make it harder for our economy to get moving again, how to make it harder for people to create jobs in America, frankly, the results of these radical regulations are shifting and running jobs away, out of our country to foreign countries like China, like India, and they want to keep it going.

This is not a new concept, Mr. Speaker. They tried this years ago when they brought through the cap-and-trade bill. Passed out of the House, it couldn't even pass in the Senate when they had a supermajority in the Senate with 60 votes because it was such a detrimental idea that would devastate our economy. Yet even with that defeat, President Obama still tries to come back with a carbon tax through other means, whether it is regulations or whether it is superimposed carbon taxes through the EPA and some of the other things they are doing.

We have had hearings on this, Mr. Speaker. There is data all around that confirms how devastating a carbon tax would be to the United States economy. You can just look at what some of the outside groups that look at this said. The National Association of Manufacturers, the people that make things in America, have confirmed we would lose more than a million jobs in America if a carbon tax was imposed.

Where would those jobs go? They would go to countries, ironically, that don't have the good environmental standards we already have. So they would go to countries like China and India where, if you are concerned about carbon going into the atmosphere, the things that they do to produce the same things we produce here in Amer-

ica, it creates more than five times the amount of carbon in those countries. So you are shifting jobs out of America to send it to countries where you would actually create more carbon.

They talk about somehow being able to create policy that will stop hurricanes and change the sea level rising, for goodness sake, as if some policy is going to do that.

By the way, the result of their policies will increase carbon in the Earth's atmosphere. But let's not even talk about that. Let's actually talk about the track record of this administration that now wants to control the Earth's temperature.

They spent over \$500 million and couldn't even create a Web site to take your health insurance requests, healthcare.gov. Remember that? Well, this same group now thinks they can control the Earth's temperature through radical policies.

Again, let's look at the devastating impact these policies would have. They wouldn't work, first of all, but they would have a devastating impact on the middle class of this country. The Congressional Budget Office, our own Congressional Budget Office that looked at this, said a carbon tax would actually hit low-income people the hardest, even harder than high-income people.

It would have a devastating impact on those people who are least able to afford it because it would increase the cost of everything they do. It would increase your food costs at the grocery store. It would increase, of course, what you pay at the pump. It would increase your electricity prices.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BLACK. Mr. Speaker, I yield an additional 2 minutes to the gentleman.

Mr. SCALISE. The Heritage Foundation looked at this and said that this kind of carbon tax would actually increase the cost of everything that families buy by over \$1,400 per family. Families are going to pay \$1,400 more every year for the cost of a carbon tax that the other side wants to defend. And to yield what? To just yield an opportunity for countries like China and India to grow their economies at the expense of ours.

So, Mr. Speaker, if you look at what they are trying to do—and, again, if you want to do this, bring it forward as an idea in legislation. They tried it with cap-and-trade, and it got defeated when Democrats controlled everything. There is bipartisanship on this issue, and the bipartisanship is in opposition to a carbon tax.

So why don't we go on record and be very clear about it, not just that it is bad policy, but also to reaffirm how devastating it would be for the United States economy.

It shouldn't move forward. The President needs to stop this radical agenda

and instead focus on reversing the depressing economic activity that we have seen in this country since he has been President because of these kinds of policies.

Let's get real economic growth. Let's bring those jobs back to the United States. Let's reject a carbon tax.

I urge adoption of this resolution.

Mr. BLUMENAUER. I yield myself such time as I may consume.

Mr. Speaker, I enjoyed my friend from Louisiana's impassioned presentation. It is too bad that the Committee on Ways and Means didn't actually sit down and go through the elements that would be in a balanced carbon tax. He is debating a cartoon version, not one that we worked on.

I am going to yield, in a moment, to one of the gentlemen who, earlier in this carbon debate several Congresses ago, has been involved with crafting a realistic carbon tax.

We had the reference to the inability to move the cap-and-trade, which I don't think is as good as a carbon tax. It failed because there were a minority of the Senate who were opposed to allowing it to go forward. It wasn't that we didn't have a majority that were interested. In the Senate, you can have a veto with 41 people who are decided that they are not going to allow things to move forward.

Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. LARSON). He has been a student of a carbon tax, who has listened to those people across the political spectrum and has been a champion of a reasonable, thoughtful approach to promote American innovation.

I would just point out the areas where we have had the greatest job growth in the energy sector have not been petroleum or coal. It has been solar and wind. A carbon tax would help accelerate that by leveling the playing field and allowing the forces of economics to dictate the next steps.

Mr. LARSON of Connecticut. Mr. Speaker, I am delighted to be on the floor and join in this debate.

I must, along with my colleague from Oregon, express frustration. This body should be about the vitality of ideas. Whatever those ideas are, in a democracy, there ought to be the willingness to express them.

Mr. BLUMENAUER has detailed, at length, the lack of public hearings. Listen, I get it. This is a messaging opportunity. This has no force of law. All this does is say what the sensibilities are of the Congress.

Now, what does the public think of the sensibilities of the Congress? What the public thinks is that we are all bluster and no solution and that we never take the time to sit down and measure twice and then cut. We just simply don't do that in our committees.

And so the vitality of ideas, a very noble idea expressed by a Republican,

Mr. Inglis, many sessions ago and embraced by many conservative economists in the Reagan, in the Nixon, and in the Bush administrations about providing certainty in terms of what we need to do and a revenue stream that has this at its core: tax pollution—tax pollution—at its source, and pass the savings on to the consumers.

We know the volumes that are produced. We know the science behind this. There should be an open and clear-eyed debate on this; but not only a debate about the pros and cons, but how about something refreshing for the American people—a solution. It may not be the bill that I proposed or that Bob Inglis proposed or that any number of people have embraced, but you have major companies, including major oil companies that will be taxed, say, no, this is a sensible way for us to embrace this, and we are enjoined by the very people who this would tax and by conservative economists who say, yeah, we ought to take a look at this not only from the standpoint of the certainty that it will provide, but the known certainty of what pollution does. And it is not just about climate change. It is about the health of the air that we breathe, what we are poisoning in the atmosphere for our children, what happens with respect to the effects of asthma and what happens in terms of the people in coal mines from black lung disease.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLUMENAUER. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. LARSON of Connecticut. These debilitating diseases scream out for the Congress not to have a message opportunity that may or may not advantage one side or the other in the realm of politics, but how about a solution?

How about us doing what MIKE KELLY suggested, to work together in the committee to come up with a positive solution as to how to address this? Pass the savings along to the consumer. Develop a revenue system that will, in fact, allow us to rebuild our country that is crumbling around us.

Let's take those steps and the responsibility that we all have to the citizens to provide them with solutions, not bluster.

Mrs. BLACK. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. LAMALFA), a member of the Committee on Agriculture and Committee on Natural Resources.

Mr. LAMALFA. Mr. Speaker, I thank Mrs. BLACK and Mr. BOUSTANY on these two concurrent resolutions that are being offered today. I appreciate the time.

I recall in this debate here that there was a whole movie back in the 1960s called "If It's Tuesday, This Must Be Belgium." Well, if it is tax-raising time, this must be Washington, D.C.,

because there are more schemes all the time to come hit not just big, evil corporations and big energy producers; this always ends up hitting the bottom line of American working families and the economy.

The President's plan to raise a tax on each and every barrel of oil produced by \$10 translates out to 25 cents at the pump. We heard earlier some of my colleagues talk about what the carbon tax would mean to working families—much more than they can afford in this bad economy and a time where the jobless rate is higher than is even measurable by this administration.

This continues the antidomestically produced energy narrative of this administration. It only hurts U.S. energy jobs and takes productive U.S. fields, such as what we have in California, out of production that are on the margins of being profitable. Instead of having domestically produced energy, we are going to shift more of that burden to other sources: foreign energy or the need for exploring more here or offshore.

Why don't we allow the profitable energy and oilfields we have in California and this country to continue to be productive and not hamper them with another additional tax that will take them out of production and rely more on foreign oil?

Now, how popular is this amongst regular people? In my own district, we conducted a survey recently where people actually took time to send postcards back into my office that came in at approximately a 90 percent rate in opposition to this \$10-per-barrel oil tax, which they understand means 25 cents, again, per gallon at the gas pump.

This really, really hurts all Americans. It hurts working families, people on the lower end of the income scale, but even more so, districts like mine that are very rural and all the other rural districts around this country where people have to travel farther to get to their work, to take their kids to school or to healthcare appointments, their ball games, maybe even save up occasionally in this economy for a travel vacation they might like to take and visit the beauty of America.

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So the rural economy is even more devastated by this—the rural economy that also would be productive with energy—with these schemes that are being pondered.

Additionally, there are other ideas, like a tax on every mile driven, which is being contemplated at some level here federally as well as in my own State. Tax people for every mile they drive, tax them at the gas pump, tax them for carbon. Again, this hits real people in America, not just some idea of a big, evil corporation.

The answer in Washington always seems to be more government and tax-

ation that hurts working families. Perhaps first, these dollars should be channeled into projects that people can use. Not more environmental projects, but more highways, more bridges, more water storage. Not boondoggles like we have in California, such as the high-speed rail money pit, or the cost of frivolous environmental measures that drive up the costs of construction projects and sometimes even completely eliminate them.

We talk about a green economy a lot, especially on that side of the floor over there. Why don't we focus on a green economy that is not based on importing solar panels from China or wind machines from Europe? How about we get out and do the forestry that is needed to be done to thin the forests?

We are talking about the air we breathe. Each summer, for months, the air is brown in northern California—lots of California—and lots of the Western States from forests that are burning because they are not managed, because they are not thinned. Instead, they are overgrown.

That would be a green economy. We could turn this into biomass if you want to have real energy that works for the equation of renewable energy. Channel that effort into that instead of chasing these wind machines and solar panels.

Mr. Speaker, this is why I support H. Con. Res. 112 and H. Con. Res. 89, to send a message that this is more job-killing taxes and schemes that will fix our economy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BLACK. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. LAMALFA. It is the freedom to explore for and produce low-cost domestic energy that will help Americans and our economy to recover once again.

Mr. BLUMENAUER. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. DELANEY), a gentleman who brings his private sector business success to commonsense solutions in policy.

Mr. DELANEY. I want to thank my friend from Oregon for yielding.

Mr. Speaker, today, my friends on the other side of the aisle are making four points.

The first point they are making is that they don't believe in science, because the science around climate change is unassailable.

The second point they are making is that they don't worry about American prosperity, because from an economic perspective and national security, the military, we should be reminded, has called climate change a threat multiplier. This is a very significant risk to long-term American prosperity.

The third point they are making is that they don't believe in the power of markets to change behavior at its core.

They are not acknowledging the power of a capitalistic economic model to change people's behavior.

And the fourth thing they are saying is that they don't trust U.S. businesses to innovate into opportunities and around challenges.

These are extraordinary statements. And contrast that with our approach. I have a piece of legislation called the Tax Pollution, Not Profits Act, which puts in place a carbon pricing mechanism, which has been proven to be the most effective way—more effective than a regulatory approach—to change behavior and reverse some of the trends and bend the curve on climate change.

We take the revenues that are generated by that bill and we use it to offset all of the costs that my colleagues on the other side of the aisle say exist through tax credits to individuals. We set aside money to take care of the retirement of all the coal workers in the United States of America for the rest of their lives, and then we take the remaining revenues and we pay for a significant and substantial cut to business taxes.

So this piece of legislation, unlike what my colleagues are proposing, has a double bottom line. It will reverse the negative effects of climate change and the threat to our prosperity, and it is a pro-growth policy because it puts money back in the economy and it makes a bet on U.S. businesses that they can innovate and grow into opportunities and around challenges. It is reflective of the view of businesses in 2016, not the view of businesses from the 1950s.

Mrs. BLACK. Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, may I ask how much time is remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 9½ minutes remaining. The gentlewoman from Tennessee has 9 minutes remaining.

Mr. BLUMENAUER. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. HUFFMAN), my friend, who has spent a lot of time thinking about these environmental issues and acting on them.

Mr. HUFFMAN. Mr. Speaker, I rise in opposition to these two resolutions.

The first one, H. Con. Res. 89, says that a carbon tax would necessarily be detrimental to the United States economy. This is false. Plain and simple.

The truth is that we can and we must design carbon pollution reduction strategies to spur advancements in clean energy technology, reduce carbon pollution, and fight climate change.

These strategies, including a carbon tax or a fee, can easily be designed to be revenue-neutral, and we know from long experience at the State and Federal level that fighting pollution is good for jobs and good for the econ-

omy. California is a perfect example. If anyone has questions about this, come to California, where you will see that climate leadership is actually also good economics.

It doesn't seem to matter to my colleagues who have offered these resolutions. In the year 2016, they continue to deny the reality of climate change. Literally, our friends across the aisle are the last policymakers on the planet Earth to hold this view. Even in other oil-producing countries, the conservative parties in those countries acknowledge climate change, and they have positions in their party platforms that acknowledge we need to do something about it.

Now, the other resolution, H. Con. Res. 112, similarly demonstrates a lack of leadership by opposing President Obama's proposal to finance infrastructure investments. Those who don't support the President's infrastructure financing mechanism, I think, have a responsibility to offer their own solutions for our infrastructure crisis. This bill doesn't do that. Instead, it simply describes a desire to support Big Oil.

So here we have it: climate denial; the party that doesn't want to fill vacancies on the Supreme Court; a party that doesn't want to do its job to respond to public health crises, like Zika; a party that prefers not to offer any solutions on our critical infrastructure funding needs.

Is this how we are going to make America great again?

I don't think so. Let's move forward in the 21st century and not let our energy and infrastructure policies be driven by 18th century thinking.

Mr. Speaker, I urge my colleagues to oppose both of these bills.

Mrs. BLACK. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Speaker, we are here debating H. Con. Res. 89, which purports to express the sense of Congress. But really, nothing could be further from the truth, because what it does is express the nonsense of Congress.

We are here witnessing the latest example of climate denial brought to the floor by the majority. The entire world agrees that climate change is a pressing problem, except this extreme wing of the Republican Party.

Climate change is already affecting people across the globe. As Dr. McDERMOTT from Washington pointed out already, the nonpartisan CBO recently noted the increasing and enormous budgetary impact future storms will have on our Nation, and attributed the majority of this problem to climate change. And I am here to tell you these costs will fall disproportionately on low-income people, low-income communities, and people of color in our country.

Are we here on the floor debating a real solution brought forward by the majority? Are we here having hearings?

No, we are not. We are here debating a resolution cutting off a solution that economists from all corners of the Earth believe is the most efficient way to address climate change.

A properly designed price on carbon can improve the overall performance of the U.S. economy, protect competitiveness, create jobs, promote investment, and lead us toward American energy independence.

The gentleman from Oregon is right: instead of debating this resolution, we should be having hearings discussing ways that we can sensibly lead the transition to renewable fuels and clean energy sources.

Even big oil companies like Royal Dutch Shell and BP have voiced support for carbon taxes in recent years, acknowledging that climate change is real and that we should be doing something about it.

And I say, Mr. Speaker, vote "no" on H. Con. Res. 89, and let's start a real debate, a sensible debate on this existential threat to our Nation and to the globe.

Mr. BLUMENAUER. Mr. Speaker, I yield myself the balance of my time.

I really appreciate this little window of an opportunity to talk about a carbon tax. I hope that the day will come when we will have an opportunity to have that discussion in a robust and thoughtful way in our Ways and Means Committee. Heaven knows it is important.

Lots of people have opinions and ideas. I think we would benefit from it, but I hope that we will have that discussion after we hear from a balanced, wide-ranging group of independent experts across the spectrum to be able to give us meaningful information about it.

I include in the RECORD a letter from Greg Dotson, who is the Vice President for Energy Policy at the Center for American Progress.

CENTER FOR AMERICAN PROGRESS,

Washington, DC, June 8, 2016.

DEAR REPRESENTATIVE: Later this week, the U.S. House of Representatives will consider H. Con. Res. 89, a resolution that rejects the pricing of carbon pollution. On behalf of the Center for American Progress, I am writing to urge you to oppose this resolution. It is time for Congress to develop sensible policies that address the serious and potentially catastrophic impacts of climate change. Science informs us that we need an urgent solution to this problem. Although the current Administration has made historic progress on climate change, it is clear that we need to do more to achieve additional carbon pollution reductions and lead the world in responding to this global challenge.

Top economic advisors to both Democratic and Republican Presidents have expressed their support for putting a price on carbon as an effective and efficient approach for reducing pollution. Joseph Stiglitz, former Chairman of the Council of Economic Advisors

(CEA) under President Bill Clinton, has stated, "Economic efficiency requires that those who generate emissions pay the cost, and the simplest way of forcing them to do so is through a carbon tax." Gregory Mankiw, former Chairman of the CEA under President George W. Bush, has stated, "Basic economics tells us that when you tax something, you normally get less of it. So if we want to reduce global emissions of carbon, we need a global carbon tax."

In fact, carbon pollution is already priced in a significant portion of the world. In total, about 40 national jurisdictions and more than 20 cities, states, and regions on five continents—representing almost a quarter of global greenhouse gas emissions—have placed a price on carbon. In the United States, 25 percent of the population lives in a jurisdiction where carbon pollution is currently priced and where one-third of the country's economic activity takes place. The price on carbon in California is the highest of any state in the country at almost \$13 per ton of carbon dioxide equivalent, and yet the California economy is projected to grow at a faster pace than the rest of the United States over the next two years.

In recent years, momentum to expand the adoption of carbon pricing policies has been growing. More than 400 investors with more than \$24 trillion in assets have called on governments to establish "stable, economically meaningful carbon pricing." Already, more than 1,000 businesses apply a price on carbon to inform their investments and operations or plan to do so in the next two years. In addition, at the United Nations climate talks in Paris last December, governments, businesses, and nongovernmental organizations announced the new Carbon Pricing Leadership Coalition to accelerate and expand the adoption of carbon pricing worldwide.

In order to mitigate the worst impacts of climate change, the United States needs to consider all possible tools at its disposal, including the effective market-based mechanisms of carbon pricing. Members of Congress need to work together on a bipartisan basis to find ways to cut carbon pollution rather than advance polarizing measures that take useful tools off the table. I urge you to reject this ill-advised resolution.

Sincerely,

GREG DOTSON,
Vice President for Energy Policy,
Center for American Progress.

Mr. BLUMENAUER. Let me just read a couple of items from Mr. Dotson's letter.

He points out that "top economic advisors to both Democratic and Republican Presidents have expressed their support for putting a price on carbon as an effective and efficient approach for reducing pollution."

He cites Gregory Mankiw, former chairman of the Council of Economic Advisers under President George W. Bush, who says: "Basic economics tells us that when you tax something, you normally get less of it. So if we want to reduce global emissions of carbon, we need a global carbon tax."

"In fact, carbon pollution is already priced in a significant portion of the world. In total, about 40 national jurisdictions and more than 20 cities, states, and regions on five continents—representing almost a quarter of global greenhouse gas emissions—have placed

a price on carbon. In the United States, 25 percent of the population lives in jurisdictions where carbon pollution is currently priced and where one-third of the country's economic activity takes place."

That is in America right now. There is no acknowledgment of that in this debate. We could have talked about that in the committee.

"The price on carbon in California," referenced by my friend, Mr. HUFFMAN, "is the highest of any state in the country at almost \$13 per ton . . . yet the California economy is projected to grow at a faster pace than the rest of the United States over the next two years."

They reference the fact that "more than 400 investors with more than \$24 trillion in assets have called on governments to establish 'stable, economically meaningful carbon pricing.' Already, more than 1,000 businesses apply a price on carbon to inform their investments and operations or plan to do so in the next two years. In addition, at the United Nations climate talks in Paris last December, governments, business, nongovernmental organizations announced the new Carbon Pricing Leadership Coalition to accelerate and expand the adoption of carbon pricing worldwide," in keeping with what we heard from Prime Minister Modi in this Chamber just 2 days ago.

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Yet my friends on the other side of the aisle are not involved with our being able to discuss this in depth, being able to bring in the experts, being able to work together to design a pricing mechanism that avoids some of the cartoon characteristics that they establish here. We had that chance, and we haven't done it.

But this will not be the last word. This meaningless resolution will undoubtedly pass today. It is not going to have any impact in terms of the long term. The long term, we are on a path to price carbon, and we have the capacity to do so in a thoughtful and an effective way, like the conservative leaders, whose correspondence I put into the RECORD earlier, suggest.

It can be revenue neutral. It can be effective. It can help reverse the more damaging effects of climate change, and it is a way to promote economic opportunity and global competitiveness.

I appreciate the opportunity to express my views on this.

I yield back the balance of my time. Mrs. BLACK. Mr. Speaker, I yield myself the balance of my time.

You know, although my colleagues on the other side of the aisle have made this a conversation about climate change—which I agree that we can have and we should have in another venue, and that is in the committee structure—this is about a President

who decided on his own, without coming to Congress to discuss this tax, this \$10 tax on a barrel of gasoline, because he was unable to get this carbon tax, when, by the way, the House and the Senate were both in his own party, he couldn't even get this passed. So this is a discussion for another day about climate change, which we can all have, and have in a very gentle way.

However, let me sum up what this would do if this were to pass, the impact that this carbon tax would have on the American people:

It would drive up the cost of energy, which would most affect those at the lower income.

It would destroy well-paying jobs in the energy industry, well-paying jobs. Right now, when we look at what our loss of jobs are here in this country, we have the lowest rate of jobs in 6 years.

Number three, it would directly hit working families the most, those at the very lowest income, and especially those who are elderly.

None of these help to grow our economy and get our economy moving or people back to work or raise their incomes. Therefore, I urge a "yes" vote on H. Con. Res. 89.

Mr. Speaker, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I include the following letter from opponents of H. Con. Res. 89:

JUNE 7, 2016.

DEAR REPRESENTATIVE: On behalf of our millions of members and supporters, the undersigned organizations urge you to oppose H. Con. Res. 89. This resolution is the latest example of climate action denial being advanced by extreme members of the House of Representatives. Instead of listening to the national security experts, faith leaders, scientists, energy innovators, health professionals and many others who are sounding the alarm on climate change and have implored our nation's elected officials to support action, Rep. Scalise and the co-sponsors of H. Con. Res. 89 appear to be looking for another way to say "no." The sponsors of the resolution have no plan to address climate change and have opposed every proposal to do something about the planet's gravest environmental problem. Many of them don't even accept the scientific fact that climate change is occurring.

H. Con. Res. 89 ignores the huge costs that our country is already experiencing due to climate change—costs that fall disproportionately on low-income communities and communities of color. It is clear this resolution is meant to put the interests of the polluting fossil fuel companies ahead of the American public's best interest.

Instead of holding another just-for-show vote against climate action, the U.S. House of Representatives should be debating how it can best position our country to lead the global transition to clean energy sources. Last year more than half of the world's new energy came from renewable energy sources and the landmark Paris climate agreement sends a powerful signal to investors that this trend toward low-carbon energy will accelerate. More and more countries and hundreds of forward-looking companies are adopting policies to limit carbon pollution and correct the markets failure to capture the health

and environmental costs of burning fossil fuels.

At a time when the American taxpayer is already paying to move vulnerable American communities to higher ground because of climate-driven sea level rise, we have no time to waste on empty resolutions that seek to take potential climate solutions off the table.

Sincerely,

Center for Biological Diversity, Clean Water Action, Earthjustice, Environment America, Environmental Defense Action Fund, Fresh Energy, League of Conservation Voters, League of Women Voters, Natural Resources Defense Council, Public Citizen, Sierra Club, Southern Environmental Law Center, Union of Concerned Scientists.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 767, the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. BLACK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

EXPRESSING THE SENSE OF CONGRESS OPPOSING THE PRESIDENT'S PROPOSED \$10 TAX ON EVERY BARREL OF OIL

Mr. BOUSTANY. Mr. Speaker, pursuant to House Resolution 767, I call up the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the concurrent resolution is considered read.

The text of the concurrent resolution is as follows:

H. CON. RES. 112

Whereas raising revenue and spending money are powers reserved to Congress by the Constitution;

Whereas according to global economists, the United States oil and gas industry is currently experiencing the worst industry decline since similar commodity price collapses in the 1980s and 1990s forced oil companies to slash payrolls and dividends;

Whereas global oil production exceeds demand by more than one million barrels a day, and Iran has promised to provide an additional 500,000 barrels a day to the world market, now that several sanctions have been lifted after the recent implementation of the Joint Comprehensive Plan of Action;

Whereas the price of a barrel of oil is currently around \$30, less than a third of the \$90-plus it was selling for 18 months ago; which would mean the President's proposal would be equivalent to a 33.3 percent tax, making the United States Federal excise tax on oil the highest of any domestic product;

Whereas this tax could translate into as much as an additional 25 cents on a gallon of gas, when the Federal tax on gasoline is currently 18.40 cents per gallon;

Whereas the oil and gas industry accounts for significant employment and is an even more significant driver of investment spending and growth along the supply chain, ranging from aggregates to steelmaking and specialist equipment;

Whereas more than 258,000 people employed in oil and gas extraction and support activities globally, including more than 100,000 across the United States, have lost their jobs since October 2014;

Whereas every lost oil and gas job leads to an additional 3.43 jobs cut in other sectors;

Whereas that means the 114,000 job losses in the oil and gas sector wiped out an additional 391,000 jobs in other sectors last year and sliced economic growth to about 2.1 percent from 2.6 percent;

Whereas more layoffs are virtually certain in the months ahead in oil and gas production, as well as along the supply chain and in petroleum-dependent economies, as the continued price slump filters through to even less drilling activity;

Whereas the number of rigs drilling for oil and gas has fallen from over 1,900 in October 2014, to 744 at the end of November 2015, and just 619 at the end of January 2016, according to oilfield services firm Baker Hughes;

Whereas manufacturers, for example, announced 37,221 layoffs in the past 12 months;

Whereas shipments of steel in the United States—used to make oil and gas pipelines—were down 11.4 percent through the first 11 months of 2015 and the industry announced more than 12,000 layoffs during the past year, according to the American Steel and Iron Institute;

Whereas believing that oil companies will pay the fee with no effect on consumer prices requires also believing that the producers won't pass their increased cost on to refiners, who won't in turn pass their costs on to the public; in other words, requires suspending belief in basic economics;

Whereas this tax could also put American oil companies, at a competitive disadvantage with foreign oil companies, as imported oil may not face the same treatment;

Whereas the domestic midstream and downstream stages of oil and gas production will be at a competitive disadvantage to their global competitors due to a \$10 higher cost for every barrel of oil;

Whereas in combination with a stronger dollar, slowing growth in international markets, and an overaccumulation of inventories through much of the economy, the oil slump is creating headwinds for manufacturers, freight firms, and the wider economy; and

Whereas the oil and natural gas industry anchors our economy in terms of jobs, economic activity, and even State and local tax revenue in a challenging price environment: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress finds that—

(1) any new tax placed on the struggling oil and gas industry will further prevent growth and development throughout the sector and encourage additional layoffs; and

(2) the effect of a \$10 tax on each barrel of oil sold in the United States—

(A) would raise the price of oil, and by extension gasoline; and

(B) would result in a decrease in the consumption of oil.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) a new tax should not be placed on oil, and

(2) in considering future policy, Congress should carefully review the detrimental impacts of placing any new taxes on any industry that has seen a slash in jobs, revenue, and production.

The SPEAKER pro tempore. The concurrent resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H. Con. Res. 112, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOUSTANY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, earlier this year, the Obama administration, in its budget proposal, proposed a \$10.25 tax on each barrel of oil. This will severely harm America's already struggling energy industry, but it will have a very detrimental impact throughout the American economy, and that is why I introduced H. Con. Res. 112, sending a very clear message that Congress and the American people refuse to allow this administration to fund an environmental agenda on the backs of working families.

It is pretty simple. At \$10.25 per barrel of oil, this increase would not only add significantly to the cost of a gallon of gasoline at the pump, certainly disproportionately hurting fixed-income families, seniors, and so forth, it would also have a detrimental impact on job creation, on wages, and on the Nation's overall economic health.

This also would effectively act as an export tax on oil, just as we opened up the door to export crude oil to allow American producers to have market access worldwide, just like our Iranian opponents worldwide currently have the luxury to do.

Why would we tie up the hands of American energy producers and allow the Iranians and OPEC to dominate world markets? Wrong.

Secondly, at a time when, in Louisiana and Texas and other States on the coast, we understand how important our environment, our economy and energy policies are, we are looking to use revenue sharing to help us rebuild coastline and marsh and replenish our beaches, the administration opposes this. They have listed that in their budget proposal.

This tax is a tax on hardworking American families. It is a tax on American competitiveness; it is a tax on American innovation; it is a tax on our energy security; and it is a tax on the very foundation of our national security.

Now, the oil and gas industry has watched as market conditions have changed because of slow growth globally—low demand and abundant supply thanks to American innovation, largely. We have seen the oil price drop from \$115 a barrel in November of 2014 to as low as \$27 a barrel in January 2016. Right now, prices are hovering around \$48, \$49, \$50 a barrel. This industry is struggling. This is the industry that took us out of recession with job creation and economic growth.

Now, I know in my home State of Louisiana, just last year, we lost 11,700 jobs alone in Louisiana in the oil and gas sector, 5,500 in my hometown of Lafayette alone. Even worse, globally, over 250,000 people have lost their jobs.

Of course, if you look at what happened in the first quarter of this year, the revised statistics on economic growth, 0.8 percent. How is American business going to create value and jobs with that kind of growth, that kind of private sector growth?

Not only that, just last week, the Bureau of Labor Statistics release showed 38,000 jobs created last month, the worst number since 2010. That is a terrible statistic, with real human dimensions.

This tax will make it worse if it were to go forward. In fact, the Tax Foundation created an economic model to show the impact of a \$10.25-per-barrel tax over 10 years; and what this would do, if implemented, an estimated 137,000 Americans in full-time employment in this sector would lose their jobs.

It is important to remember that oil is used for a lot more than just gasoline in our automobiles. The U.S. Energy Information Administration points out that a quarter of a barrel of crude—a quarter of each barrel of crude oil—is used for nonfuel goods such as plastic, asphalt, dyes, lubricants, power plants, home heating, and other nontransportation uses. In fact, products throughout the American economy have, as their base ingredient, these fossil fuel ingredients. This tax, \$10.25, will be passed on to those industries and consumers across this country.

The oil and gas industry supports more than 9 million American jobs, and what happens through this industry and within this industry reverberates throughout our entire U.S. economy.

But it is also important to look at what this proposal would do as we view it through a national security lens.

American innovation, the energy renaissance we saw with shale exploration and hydraulic fracturing, horizontal

drilling, as well as new deepwater technology and better assessments of our reserves, has given us this tremendous opportunity to change global energy security away from an OPEC- or Russian-driven model, where state-owned enterprises control pricing and control supply, to an American view of energy security, which our allies desperately want. It is a view of energy security with diversity of supply sources, transparent pricing, open markets, a view of energy security globally, uniquely American, that would help economic growth globally and help so many countries that are struggling today, many currently in recession.

But energy security is linked to our national security, and we have an opportunity to create a Western Hemisphere energy trading bloc based on these principles rather than an OPEC or a Russian model. This is an opportunity for America to change not only energy security, but the entire national security environment in a more pro-American way. This tax would really be a stab in the heart of that. It is the wrong thing to do.

And, of course, this tax would increase the cost of domestic production, translating into higher prices for oil and all petroleum products, potentially eroding America's price competitiveness in the global marketplace.

If the purpose of this proposal was to increase revenue, then I would say that the President should be, instead, pursuing sound energy policies consisting of embracing this energy sector, American energy production, one of the clearest examples of American exceptionalism, not an unfettered drastic tax increase.

If you want to build roads, we need economic growth and sensible tax policies that will help us build out our transportation.

According to a report released by the American Petroleum Institute, our energy producers could create 1 million new jobs in just 7 years and increase revenue to Federal and State governments by \$800 billion by 2030 if we allow this energy sector to do its work responsibly.

It is time for our Nation to fully embrace the vast opportunities unleashed by this U.S. energy renaissance. Let's embrace this new era of abundance. Let's embrace this new era of energy diplomacy that puts America in a strong position.

It is time for the President to stop his relentless tax and regulatory assault on the oil and gas industry that is only worsening our economic problems. This resolution shows very clearly that Congress stands for job creation over a radical political agenda, and I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Republicans don't like the President's budget proposal. They have never been able to bring their own to the floor—never.

They talk about economic growth and jobs. This administration has a proud record of creating jobs. They haven't done all we want, but they are successful in important respects.

This administration has had an energy policy that has really been working well, as can be seen by what has happened. There remain problems with it, and we will have some debate about where we go in the future.

The problem is that the Republicans start from a premise that is grievously wrong. They are in denial of climate change, and everything they do relating to energy stems from that. They are out of step with the American people.

A recent Gallup Poll showed this: 64 percent of Americans are worried a great deal or a fair amount about global warming. Fifty-nine percent of Americans say the effects of global warming have already begun. Only 10 percent of Americans say the effects of global warming will never happen—only 10 percent. Sixty-five percent of Americans, according to this Gallup Poll of recent times, say our planet's temperature increases over the last 100 years are primarily caused by human activities rather than natural causes.

□ 1030

But what do we hear from the now-leading Republican?

Well, going back a few years, this is what he had to say: "The concept of global warming was created by and for the Chinese in order to make U.S. manufacturing noncompetitive."

That was 4 years ago, more or less.

Now the same person, who is now leading the Republican Party, says this: "I am not a great believer in man-made climate change." "If you look, they had global cooling in the 1920s, and now they have global warming, although now they don't know if they have global warming."

So we have today, from the Republican majority, our two sense of Congress resolutions. What is really needed instead is for the Republican Party to come to their senses on climate change, like the vast majority of the American people.

Mr. Speaker, it is my privilege to yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER), one of our many Members—but this person in particular—who has devoted so much of his deep intelligence and his energy to this issue, and I ask unanimous consent that the gentleman be allowed to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. BOUSTANY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. KELLY), a very important member of the House Ways and Means Committee and someone who has extensive private sector experience.

Mr. KELLY of Pennsylvania. I thank my colleague, Dr. BOUSTANY.

Mr. Speaker, again, before we came on to the floor, we were in the Cloakroom talking about what the debate was going to be. And I thought the debate was going to be about what was actually happening today, and not a scientific debate, not a debate about what people believe or what they don't believe, but on the reality that the President proposed a \$10 tax on a barrel of oil. That comes out to 25 cents per gallon at the pump.

Now, what do I mean by that? What I am talking about is, when hard-working American taxpayers go to fill up their car or their truck, it is going to cost them 25 cents more per gallon. It also translates into everything that they put on their backs, that they put in their mouths. Every aspect of life is going to be increased.

Now, keep in mind that, while there may be some kind of science that we want to turn this debate into, here are the facts: middle-income Americans and lower-income Americans have seen a drop in their wages—a significant drop in their wages. Last month, we saw that we have created one job for every 8,000 Americans.

So we talk about today how we need to talk about climate change. No. Here is what we need to talk about: we need to talk about real change in the marketplace. We need to talk about how we are hurting the American economy. We need to talk about how we are eliminating the ability of America to compete in a global economy—an economy that I just don't want to participate in but I think America should dominate.

America is so blessed with so many assets. And while we worry about all the energy above, let's not forget all the energy below. Let's not forget what America's strongest card is to play, and that is energy self-sustainability. We are able to do that.

Why in the world would anybody think that by adding \$10 on a barrel of oil, somehow that is going to help the climate worldwide, when we know that we are the only ones proposing this? Other people around the world are looking and saying: I can't agree more with the President's ideas because we compete against the United States, and I would love to be on the shelf with a product that costs more than the one we are putting on the shelf.

So America is hurting America. America's policies are hurting everyday Americans. And if we truly want to make America great again, let's make America great again for every single

American. That is not a political aspiration; that is a responsibility in America's House, and that is the House of Representatives.

Our sense that somehow this would be positive is absolutely wrongheaded and wrong thinking. It just doesn't work that way.

Why would we sit here and debate this today? Because we know it is going to hurt every single hard-working American taxpayer. It is going to add to our cost of living. It is going to increase the cost of everything we consume. We are going to do it with the idea that somehow, the rest of the world will follow suit, and we know that they won't.

What they will do is look at us and say: You know what? Let's take advantage of America's wrong-headedness. Let's make sure that we are able to buy up more of the market, the global market, because America continues to hurt itself and hurt its everyday citizens.

My goodness. This is America's House of Representatives. We do not come here representing ourselves—we come here representing 705,687 Americans who live back in our districts. We do not come here just representing Republican policy and Republican agenda. We do not just come here representing Democrat policy and Democrat agenda. We come here representing America. And if we cannot get it through our heads that, at the end of the day, the policy that comes out of this town—a town that is a wash in prosperity, good jobs, great restaurants.

I have never seen a town with more cranes in it. I am talking about industrial cranes. I would love some of my colleagues to walk back home with me and go into the cities, the towns, and the little villages that I represent. And you tell those people: things are really getting good; we are on the right stage; we are on the right trajectory; that we are going to become good again. But the question is: When?

I would just suggest that—and I said this earlier—you cannot continue to put the burden of these policies—well-intended, though they may be—on the backs of hardworking American taxpayers, men and women who get up every day with one resolve and one resolve only, and that is to take care of their families, to build a better community, and to build a better life.

Why in the world do we have to waste time debating something today that could be debated elsewhere? But we come here today with a resolution expressing the sense of Congress that the President's ideas in his budget are absolutely wrong for every single American.

We can debate these things later. But we have to come to agreement at some point here, that we just don't represent our parties—we represent people. That is far more important than any party that we represent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BOUSTANY. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. KELLY of Pennsylvania. I thank the gentleman.

Look, I have only been here 5 years. But I come out of the private sector. I never, ever thought I would be serving in Congress because I never, ever thought I would have to. I thought people would come here representing me and my family; my community, my State, and my Nation; and that they would do the right thing. And I don't say that they don't think they are doing the right thing. But at the end of the day, the final results don't look very good.

In a Nation that is quickly approaching \$20 trillion in debt and burdening every single American taxpayer with more and more cost of being here while not increasing their opportunity, I think we need to take a hard look, take a look in the mirror and understand that it all changes, it all starts with each of us. We can change this. We can make it better. But we can't make it better by putting a heavy burden on our taxpayers. It just doesn't make sense.

As I said earlier, America can dominate a global economy. Just participating isn't enough. I would just suggest that that is all possible in a land that has been so graced by gifts from God that make it possible for us to do that. The only thing that can keep it from happening are policies coming out of Washington, D.C.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

I always enjoy sharing the debate with my good friend from Butler, Pennsylvania, who cares passionately about this country. He has some, I think, great ideas. We often find areas that we can agree. I think even the issue that we are debating today could be an area where we could find agreement, because what the President is proposing is not to levy a fee and have the money burned up. The President is proposing a fee to fix America's damaged infrastructure.

I know my friend from Butler cares passionately about the people who he represents. They are paying a tax today for poor infrastructure. The average American pays three times with annual damage to their cars than what this fee would be, if it were translated directly to a gas tax increase.

I note that his State of Pennsylvania actually has imposed an oil franchise fee which is the equivalent of about another 9.5 cent increase. Pennsylvania did that because their infrastructure is damaged.

Well, that is what we should have as part of this discussion today. Again, we have a cartoon proposal that assumes that there is just a barrel fee that is

just a burden on the American public and not look at what the fee is for, what benefits would accrue if, again, we had actually had the Ways and Means Committee meet and discuss the legislation that was referred to us. We didn't have a hearing on this.

One of the things I have pleaded with Ways and Means leadership for as long as I have been on the committee: Let's sit down and actually have meaningful discussions with the men and women who manage, design, build, and operate America's infrastructure. If we would have had that debate in this Congress, we could have had arrayed before us the president of the AFL-CIO, the president of the U.S. Chamber of Commerce, the president—actually, we did have the president of the American Trucking Association, the one witness the Democrats were allowed, who said: Raise the tax on my people, along with everybody else, to rebuild and renew America.

But we never had a robust, broad debate before our committee. If we did, we would have had the broadest coalition of any major issue that we considered: the people who design roads, the people who come forward with the asphalt, and the people who are the delivery services.

We are paying a tremendous price today because America is falling apart and falling behind. You don't have to go very far to ask people in Louisiana; Portland, Oregon; or Houston, Texas, if we have got a problem. This is an investment that more than pays for itself. Again, this isn't money down some rat hole. This is money that would be invested to rebuild and renew America.

If we would have had a real hearing on this proposal—which we didn't—we could have had the people from Standard & Poor's research come in and review their report. Every \$1.2 billion we spend on infrastructure creates \$2 billion of economic activity. These are the people who would have family-wage jobs from coast to coast who would help revitalize local economies, while we make our infrastructure safer and more effective.

And it isn't just economic activity. That Standard & Poor's report would have revealed that that \$1.2 billion in infrastructure would have reduced the deficit by \$200 million, but we didn't have that debate. So we have people coming up here on the floor somehow claiming that the President's responsible proposal to fund infrastructure would be an economic disaster, ignoring the fact that we have an infrastructure crisis in this country right now.

The American Society of Civil Engineers points out that our failure to deal with this is a tax of over \$3,000 per family.

If we would be honest, have independent experts, if the committee would do its job, we wouldn't be having

bizarre debates like this that suggest that the President's proposal would hurt the economy or would be costly. To the contrary, it would strengthen the economy, put millions of people to work at family-wage jobs, and improve the conditions of families from coast to coast.

We are going to have, I hope, more heard about this in the future. But I hope that we don't have proposals that are rushed to the floor without thoughtful committee action and making strange assertions that simply are not supported by facts.

□ 1045

If we impose the fee that the President is talking about to rebuild and renew America, it will create more economic activity, it will put people to work, and it will give Americans the infrastructure they deserve and enhance our economic security at home and abroad.

I reserve the balance of my time.

Mr. BOUSTANY. Mr. Speaker, I yield myself 1 minute to respond to something before I yield to my colleague.

Let me just say that I appreciate the gentleman's passion for transportation infrastructure. I share it. We have had many conversations. But he well knows that the ideal way to solve this is with a specific user fee for that purpose.

This particular tax, \$10.25 on a barrel of oil, has such a huge detrimental economic impact across all sectors of our economy. That is not the way to go. That is why I don't think this is something we should entertain as the President has proposed. I think we need thoughtful discussion about this, and that will come in due time.

Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana (Mr. GRAVES), a member of the Transportation and Infrastructure Committee and someone I have great respect for.

Mr. GRAVES of Louisiana. Mr. Speaker, I appreciate the gentleman yielding, and I appreciate him bringing this up.

Mr. Speaker, I really regret the fact that this has devolved into a big partisan debate or a big partisan discussion.

Everyone in this Chamber supports the concept of infrastructure investment. That is not what this is about. That is not what this is about. All of us support infrastructure investment, and all of us agree that we have underfunded infrastructure, that we need more investment in infrastructure.

In my home State, in Baton Rouge, in the capital region, we have the worst traffic in the Nation for a midsize city. Our people sit in traffic an average of 47 hours above the national average at home. It is ridiculous.

Here is what is going on right now. Here is what is going on. The gas tax was set up to be a user fee. It was set

up to be a user fee that the more you drove, the more you used the roads, the more you paid for it. That is the way that this is supposed to work.

What has happened is that the President has come out and offered a proposal that disconnects the user fee. We support a user fee model. We support lock-boxing the dollars and making sure that they are dedicated to infrastructure as opposed to what has happened, for example, another issue that the sponsor of this legislation has worked on—the harbor maintenance trust fund—where billions of dollars have been charged on the auspices of one thing and diverted to something else. We support infrastructure investment.

Now, what is going on right now is we are seeing this continuation of policies out of this administration that is contrary to American interests, and I want to explain that.

You see, Mr. Speaker, the gentleman from Oregon State probably—and I haven't verified this—but probably depended upon the State of Louisiana, one of the top producers of oil and gas in this country, to power their cars, to power their vehicles, and to power their airplanes that they fly back and forth from Washington, D.C., to the West Coast. We provide that. But at home, in our State of Louisiana, we have lost one-third of our oil and gas jobs. We are killing this industry because of overregulation.

Something that just shocks me is, last year, we listened to the Secretary of State, John Kerry, stand up and say: We need to allow Iran to export their oil so their economy can recover. Our Secretary of State said that. Yet, at the same time, at home, in Louisiana, we were prohibited from exporting our oil.

Why in the world would we treat Iran better than Louisiana, better than Texas, better than Oklahoma, and all of these energy-producing States across the United States?

So do you know what we did? After opposition from the White House, we finally lifted the 40-year-old oil export ban. So what happens? Within a month and a half, we get a proposal from the President to put a \$10.25-a-barrel tax on American oil.

What does that do? If we try and take our oil out to global markets, we are immediately met with a premium of 30 to 40 percent over global prices. It further kills our industry. It further kills our domestic production that we have lost one-third of the jobs on. And I know everybody wants to see us fly solar airplanes. It is not happening right now. We need to continue to rely on these fuels moving forward.

This should not be a partisan debate. We support infrastructure investment. It needs to continue to be a user fee. We should not divorce it from a user fee, and we should not do it in a way

that is going to kill our energy industry in the United States to further increase our reliance upon foreign energy sources.

It is a flawed policy. This is consistent with what we saw last year when the President of the United States was standing up and saying, "Give us free trade authority. We need the ability to engage in free trade because we can outcompete other countries," and, at the exact same time, standing up and overregulating our economy to where we send American workers out there in the workforce trying to compete with these other countries with our arms tied behind our back. These policies aren't consistent, and they are not in the interest of the United States.

I agree with the gentleman from Oregon; we need to work together. We need to work together in a bipartisan manner to come up with a new user fee concept to get us additional dollars for infrastructure.

This was a unilateral proposal. This was not subject to hearings, and it is not appropriate. It is contrary to our economy; it is contrary to American interests; and it is going to increase our trade deficit.

Mr. Speaker, I strongly urge that we support this legislation and that we move forward in a bipartisan manner to fix the user fee concept to increase the investment in infrastructure to where we can improve our roadways.

Mr. BLUMENAUER. Mr. Speaker, I appreciate my friend from Louisiana and his assessment. Actually, I agree with him. We should have a different mechanism.

I have had proposals to have different approaches to funding infrastructure. Some of them have been embedded in the more recent transportation reauthorization, but this is something that we never took up in our Ways and Means Committee. I have had legislation there for several Congresses. It is time for people to stop saying that they support infrastructure and then not work with us to figure out ways to fund it going forward.

Mr. Speaker, there is nobody in Congress in my tenure who has done more to think about what we do for America's infrastructure. He has had many innovative proposals to fund infrastructure. He has been a tireless champion of it. He is the ranking Democrat on the House Transportation and Infrastructure Committee.

Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank my colleague for yielding.

Those watching or listening might be a little confused what this is about. It is about a meaningless piece of paper. It is called House Concurrent Resolution 112. It is expressing the sense of Congress that something that the President proposed is bad and they don't like it.

Well, he proposed it and they are not going to take it up. Why are we wasting time debating something that they are not going to put on the schedule and isn't a reality? I don't know. Because they are trying to fill up time? It is not clear to me.

What they are doing is continuing to avoid the discussion of how we are going to pay for America's infrastructure. Dwight David Eisenhower said, Let's have a user fee, a gas tax. The last time we increased the gas tax federally was 1993—18.4 cents a gallon. That figured out to be about 15 percent of every gallon you bought. I paid \$2.50 a gallon in Oregon last weekend. The Federal tax is still 18.4 cents. That is about 7 percent per gallon, and those dollars are worth less.

We are talking about what it is going to do to jobs if we have some sort of tax on oil that we use to pay for infrastructure. Let's talk about the other side where we can create one heck of a lot of jobs. Every penny for a gas tax, every penny, raises about \$1.7 billion for the Federal trust fund. \$1.7 billion, under the most conservative estimates, most conservative, is more than 25,000 jobs. So one penny, 25,000 jobs. But, no, we can't go there.

I proposed we index the existing gas tax to inflation. No, we can't do that. All right. Didn't want to do that.

I proposed that we tax the fraction of a barrel of oil that goes into taxable transportation uses, not manufacturing, not agriculture, not any of this other stuff that they are talking about. I put that proposal forward 7 years ago. I put it forward to my colleagues and to the White House. Now, the White House has burped out something different here—this more indiscriminate tax—which would go to other uses.

The point is that there are thoughtful ways to approach this and pay for what we need. America is falling apart. 140,000 bridges nationwide—including the highest proportion in the State of Pennsylvania, by the way, which we heard from earlier—are in need of replacement or significant repair. Trucks are detouring around them. People are being detoured around them.

There are potholed roads. Forty percent of the national highway system needs not just to be resurfaced, it needs to be dug up it has failed so badly. People are breaking their rims, blowing out tires, and damaging their cars. It is costing Americans a lot. People are locked in congestion because we are not dealing with the growth in traffic.

And, oh, let's just look out just a little way outside the capital here to the worst example. We are killing people, killing people, on our transit systems unnecessarily because Congress has failed to partner with the cities of America and the rural areas who have transit. We have an \$84 billion backlog to bring transit up to a state of good repair, not new transit options to get

people out of their cars and help them deal with congestion to get around. \$84 billion just so we are not killing people.

And we are talking about, oh, we can't be competitive. Yeah, we are not competitive in the world economy. I go around talking about how we are now degraded. We used to have an infrastructure that was the envy of the world.

And I talked about how we are becoming Third World. My colleague from Oregon (Mr. BLUMENAUER) criticized me very, very adamantly about that one day. I said, What do you mean, EARL, you know how bad it is? He said, No, no, that is insulting to Third World countries. They are investing a larger percentage of their gross domestic product in infrastructure than we are here in the United States of America. And that is true. So now I have taken to calling us Fourth World.

We used to be the world's leader in infrastructure, and now we are vaulting over everybody, including places like Zimbabwe, to the back of the pack. Give me a break.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLUMENAUER. I yield an additional 1 minute to the gentleman from Oregon.

Mr. DEFAZIO. And where is the discussion? It is no, no, no. No, can't have a barrel tax. No, can't increase the gas tax. No, can't index the gas tax.

Oh, but we want to talk about a user fee. What user fee? Why are we wasting time on this? You are not going to bring it up. You are in charge. You set the agenda. Why are we passing a bill to say we are not going to take something up?

I would be kind of embarrassed if I was in the majority and that is what I was wasting time on while people are trapped in traffic, while people are dying, because we can't maintain our transit systems. People are blowing out tires because we can't repair the roads.

And, oh, we are all for infrastructure until it comes to paying for it. We passed a 5-year bill. We paid for it with phony money. We pretended that when we have private tax collection, that it will make money—private tax collection. Republicans have passed that twice before. It kind of pissed off the American people. And guess what, it lost money each time, and then we put it back in the IRS.

But, no, this time it is going to make money and we are going to use it and pay for infrastructure. Give me a break. And the Federal Reserve makes that money and puts it in a reserve account with a computer. Let's take that money and spend it.

Basically, you are just averting the real problem here, which is we need to have a serious discussion about how we

are going to pay to build America's infrastructure and become a world leader again and be the envy of the world again.

The SPEAKER pro tempore. The Chair will remind Members of the House to refrain from vulgarity in debate.

Mr. BOUSTANY. Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. BEYER), my friend and colleague from across the Potomac River, who cares a great deal about environmental policy and infrastructure.

Mr. BEYER. Mr. Speaker, I rise in strong opposition to this resolution and add my strong opposition to the resolution before, also.

As I read the text of H. Con. Res. 89, whereas by whereas, I found myself in disagreement with virtually every alleged predictive statement. This resolution is framed as long-term economic wisdom, yet exemplifies short-term thinking and economic folly.

A carbon tax should, in fact, increase the cost of fossil fuels, but will also accelerate the rapidly falling cost of all other fuels: solar, wind, geothermal, hydro, and perhaps even nuclear.

A carbon tax absolutely must not fall hardest on the poor, the elderly, and those with fixed incomes. The best of the carbon tax plans, Representative VAN HOLLEN's carbon cap and economic dividend, returns every dollar gathered by a carbon cap to every U.S. citizen with a Social Security number.

This carbon cap is actually progressive, with a net increase in the disposable income for most Americans, and certainly our neediest citizens. This will be a net job creator.

□ 1100

The resolution suggests that jobs and businesses will move overseas and that a carbon tax will restrain economic growth. British Columbia instituted a carbon tax in July 2008, and over the following 5-year period, its GDP growth actually outpaced the rest of non-carbon-priced Canada.

In one "whereas," it states that U.S. energy policy should encourage private sector innovation and development, but nothing would stimulate and sustain such innovation as powerfully as would appropriate carbon pricing. Every manufacturer, perhaps every family, would continue to search out the best ways to minimize the costs of production and to maximize family welfare. We are resilient, creative, and adaptive.

For a long time, conservative and liberal economists have agreed that a carbon tax is the most efficient and effective way to deal with climate change. Let me quote from a recent letter from four conservative and libertarian leaders to Members of Congress:

The least burdensome, most straightforward, and most market friendly means of

addressing climate change is to price the risks imposed by greenhouse gas emissions via a tax. This would harness price signals, rather than regulations, to guide a market response. That is why carbon pricing has the support of free market economists, a majority of the global business community, and a large number of the largest multinational private oil and gas companies in the world.

One of the policy issues that most divides our Congress is the debate on the appropriate level of governmental regulation. But to quote again from the same letter:

An economy-wide carbon tax that replaces existing regulatory interventions could reduce the cost of climate policy and deregulate the economy.

Jerry Taylor of the Niskanen Center wrote a paper called "The Conservative Case for a Carbon Tax." He argues that, if conservative denial of climate science is grounded in ideological aversion to command-and-control regulation, as proposed in the EPA's proposed Clean Power Plan, conservatives should embrace and promote a revenue-neutral carbon tax as a more efficient, less burdensome, free market alternative.

Mr. Speaker, I urge my colleagues to oppose both resolutions as they are unwise, unnecessary, and of backward thinking.

Mr. BOUSTANY. Mr. Speaker, as I have no further requests for time, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

In closing, I appreciate the opportunity for us to visit on this proposal today. I don't agree with the resolution by any stretch of the imagination, but at least it is an opportunity for us to have a little bit of the conversation that we should have been having all along.

I enjoy debating with my good friend from Louisiana. I respect his intellect and his humor, and it is fun to do a little bit of this today. It would have been far better if we would have been able to do so in the context of a full committee hearing where we would have been able to dig deeply into these issues. For example, we could have had the Transportation Construction Coalition.

I include in the RECORD a letter on this resolution, a letter which is dated June 9 of this year.

JUNE 9, 2016.

DEAR REPRESENTATIVE: The House is scheduled to consider later this week a resolution opposing President Obama's proposal for a \$10.25 per barrel of oil tax. While H. Con. Res. 112 makes many statements regarding an oil barrel tax, the resolution fails to mention the intent of the President's proposal is to generate resources to stabilize and grow federal surface transportation investment. The resolution also does not remind members that recurring Highway Trust Fund revenue shortfalls caused repeated disruptions to their state's transportation program over the past eight years.

Since 2008, Congress has approved seven pieces of legislation transferring a total \$143

billion in borrowed or General Fund revenue into the Highway Trust Fund to prevent cuts in federal highway and transit investment. Over that same period, the trust fund's permanent revenue deficit has led to 14 temporary extensions of the surface transportation programs and one short-term reauthorization bill. Furthermore, upon the expiration of the Fixing America's Surface Transportation (FAST) Act at the end of FY 2020, the Congressional Budget Office projects the trust fund's average annual shortfall will grow to \$18 billion.

While the sincerity of the Obama Administration's proposal for a Highway Trust Fund solution is dubious given its release three months after the President signed the FAST Act into law, a per barrel oil tax of that magnitude would be a real and permanent solution. And its nexus to highway users as a revenue mechanism is far more honest than the budget gimmicks, deficit spending and burdens placed on non-transportation sectors of the economy that the Congress has deployed since 2008 to keep investment in the surface transportation programs essentially static.

We certainly respect the right of members of Congress to disagree with the President's proposal, but it is incumbent upon anyone who does so to bring forward an alternative way to achieve the same objective. We strongly believe all potential revenue options should be on the table. Preliminarily disparaging one significant solution just makes it more difficult to resolve a problem that has plagued Congress for nearly a decade.

Rather than making rhetorical statements about taxes five months before an election, Congress should be working in a bipartisan manner to ensure that a permanent mechanism to preserve and grow federal highway and public transportation investment is in place well before the U.S. Department of Transportation starts warning states of the next highway program shutdown.

Sincerely,

THE TRANSPORTATION
CONSTRUCTION COALITION.

Mr. BLUMENAUER. Mr. Speaker, they point out that the resolution fails to mention that the intent of the President's proposal is to generate resources to stabilize and grow Federal surface transportation investment. The resolution does not remind Members that the recurring Highway Trust Fund revenue shortfalls caused repeated disruptions to their States' transportation programs over the past eight years.

We have had to have 14 temporary extensions of the Surface Transportation Act, and the only way we got the FAST Act passed, as my friend Congressman DEFAZIO pointed out, was with a series of budget gimmicks, not real solutions. At the end of 2020, when that legislation expires, we are going to face a \$20 billion annual deficit.

The per barrel oil tax of this magnitude, according to the Transportation Construction Coalition, would be a real and a permanent solution. We wouldn't be chasing our tails all the time. And its nexus to highway users as a revenue mechanism is far more honest than the budget gimmicks, deficit spending, and burdens placed on

non-transportation sectors of the economy that Congress has deployed since 2008 to keep investment, essentially, static.

They state that they believe all potential revenue options should be on the table, that it is incumbent upon anybody who wants to disagree with the President to bring forward an alternative way to meet the same objective, which, sadly, has not happened. We haven't even been able to discuss it in the Ways and Means Committee.

They write:

Preliminarily disparaging one significant solution just makes it more difficult to resolve a problem that has plagued Congress for more than a decade.

Rather than making rhetorical statements about taxes 5 months before an election, Congress should be working in a bipartisan manner to ensure that a permanent mechanism to preserve and grow Federal highway and public transportation investment is in place well before the Department of Transportation starts warning States about the next program shutdown.

I seldom read statements from other groups on the floor, but I couldn't have said it better myself.

That is what we should be doing rather than this exercise today, which completely misses the point. This oil barrel fee may not be perfect, but it would go a long way toward solving the problem. It will put millions of Americans to work at family-wage jobs. It will create more economic activity than the cost of the program. For every \$1.2 billion that it generates, it will generate \$2 billion of economic activity, and it will reduce the deficit \$200 million. If we had actually had the committee do a deep dive and spend a week in working on it, this would have been on the table, and I think we would have found wide areas of agreement.

Rather than engaging in this exercise regarding H. Con. Res. 112, I would like to think of what Ronald Reagan did in 1982. The economy was pretty rocky in 1982. There were some contentious politics in Congress. Ronald Reagan, in his Thanksgiving Day speech on November 29, 1982, called on Congress to come back from their Thanksgiving recess and work together to more than double the Federal gas tax, because in one of the best speeches, frankly, I have ever heard anybody give, he pointed out the little cost to the American consumer would be more than offset by damage, for example, for a couple pair of shock absorbers.

Congress reacted to President Reagan's call for a gas tax increase on a bipartisan basis. It more than doubled it. It added hundreds of thousands of jobs, and it improved the quality of life for Americans. It did so in keeping the bipartisan tradition surrounding infrastructure. Rather than this partisan partial debate, we ought to go back to the basics, follow Ronald Reagan's example, and have a spirited, comprehensive approach to solving the problem rather than tilting at straw men.

I strongly urge the rejection of the resolution, but, more important, the rejection of this approach to continue to stick our heads in the sand and avoid our responsibility to fund American infrastructure and to rebuild and renew this great country.

Madam Speaker, I yield back the balance of my time.

Mr. BOUSTANY. Madam Speaker, I yield myself the balance of my time.

I appreciate the gentleman's passion and intellect, and we have had many conversations. We do agree that we have to fix our deplorable infrastructure, and he and I have worked on some of these things together; but I have to say this: When I was in medical school—and I am a heart surgeon and I have had years of medical training—one of the things we learned a long time ago in medicine was to avoid iatrogenic treatment, which is a fancy, Greek-derived word which means to avoid a treatment that makes the problem worse. That is what this \$10.25 tax would do on a barrel of oil.

I have often referred to that plaque above the Speaker's desk. It is a quote from Daniel Webster. The very first line of that reads: "Let us develop the resources of our land." I think it goes beyond simple concepts of highway transportation. It is all the resources of our land.

We should be embracing the energy revolution that has been unleashed by American innovation, not taxing it into oblivion, not overregulating it into oblivion. This has offered tremendous hope not only for Americans, but for the world over, to offer a new view of energy security, taking us away from the Iranian approach or the OPEC approach or a Russian view by which they hoard resources and use this for their own political purposes. America can reshape it by embracing this energy revolution, and we can grow the economy, create jobs, improve wages, and have the revenues to take care of our infrastructure.

As the gentleman well knows, Ronald Reagan believed that a user fee was important, a specific user fee. I think he and I would both agree that a specific user fee is important for infrastructure. This is not a user fee. This is a detrimental tax on American competitiveness, on American jobs, on American wages, on American energy security, and it hits at the very foundation of our national security. It is the wrong way to go. It is an iatrogenic solution, a harmful solution. It is not pro-growth. We are not proud of the economic performance we have seen in recent months: 0.8 percent economic growth in the first quarter, only 38,000 non-farm jobs created last month, according to the U.S. Bureau of Labor. That is deplorable.

America must lead, and America can lead by embracing the energy revolution. Let's look at all of the impacts it

will have across our entire economy, and then we can fashion specific solutions for transportation and infrastructure and for the other things we need to do.

This is why I stand here. That is why I oppose this tax. That is why I think this debate was important, and that is why I think it is very important to go on record as opposing this very detrimental tax.

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise this morning in opposition to H. Con. Res. 112, expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil.

During my time in Congress, I have represented all five major refineries and countless energy production firms in East Harris County.

I know the importance of the domestically produced and refined oil to the U.S. economy.

I also know the importance of a well-funded transportation system. Houston is growing rapidly and our transportation system needs to expand with our population.

I stand in opposition to today's Sense of Congress because of this knowledge and experience.

But to clarify, we shouldn't make things tougher on American companies and domestically-produced crude.

I do not support a \$10 dollar tax on our natural resources.

I do not support a \$10 dollar tax on wildcaters in West Texas, North Dakota or any other areas in the U.S. that supply crude to the Texas Gulf Coast.

It is these companies that are responsible for the energy renaissance in the U.S.

These entrepreneurs lowered our gas prices, reduced our foreign dependence and made the U.S. the largest producer of oil in the world.

I do support a \$10 dollar tax on imported oil from foreign sources.

Imported oil from countries that may or may not be our friends does not benefit our national security or domestic economy.

We should sharpen our competitive edge and expand our 21st century transportation system by taxing imported oil.

I stand with our domestic companies, we should continue to produce and refine U.S. crude for the benefit of U.S. consumers and workers.

But I stand in opposition of this overly expansive Sense of Congress and I ask my colleagues to do the same.

Mr. MARCHANT. Mr. Speaker, putting a regressive tax on hardworking Americans is not the way to strengthen the economy, balance the budget, or create jobs.

The President's proposed \$10.25 per barrel tax on crude oil is an administrative grab to increase spending and tax a targeted industry.

Thousands of jobs have been lost in these uncertain times for the oil and gas industry and impacted communities.

Now is not the time to make matters worse for an important economic engine and slow an already weak economic recovery.

The Obama Administration knows this tax would be passed down to American families.

The non-partisan Congressional Research Service reported that this tax could increase

the price of a gallon of gasoline by 25 cents—which is a 10 percent hike on today's prices.

That would increase the cost of a wide range of goods for all consumers.

The resolution before us takes a strong stand and makes perfectly clear that Congress will not allow the President's harmful tax to go forward.

It also pushes for a tough review of the effects of ill-conceived tax proposals that target specific industries, as the President's tax does.

We must ensure that tax policy decisions are made in a reasoned way that protects working families—rather than harms them in a single-minded hunt for revenue.

Mr. Speaker, I encourage my colleagues to join me in supporting House Concurrent Resolution 112 and voting for its passage.

Mr. CASTRO of Texas. Mr. Speaker, today, the House of Representatives will consider H. Con. Res. 112—Expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil. This unserious, non-binding resolution is simply nothing more than a cynical Republican political messaging bill. Indeed, the resolution purposely fails to include that the proposal was a serious attempt by the President to finance the critical infrastructure needs our country most certainly requires. The energy industry is critical to the global economy. Unfortunately, the manner in which the majority has decided to have this discussion leaves little room for thought or earnest debate. For these reasons, I will vote Present, and will encourage my colleagues to continue to work in earnest to find a long-term, sustainable solution to move forward with putting Americans to work in building out our transportation needs.

The SPEAKER pro tempore (Mr. WOODALL). All time for debate has expired.

Pursuant to House Resolution 767, the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOUSTANY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. GRAVES of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the further consideration of H.R. 5325 and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 771 and rule

XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5325.

Will the gentlewoman from North Carolina (Ms. FOXX) kindly take the chair.

□ 1114

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with Ms. FOXX (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 9, 2016, the Chair had announced that it was in order to consider amendment No. 7, printed in House Report 114-611.

□ 1115

AMENDMENT NO. 8 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-611.

Mr. GOSAR. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to deliver a printed copy of the United States House of Representatives Telephone Directory to the office of any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chairman, I rise today to offer a commonsense amendment that will prevent wasteful spending in this bill and the unsolicited delivery of printed copies of the House telephone directory to 435 House congressional offices.

I hold here the United States House of Representatives Telephone Directory for 2016. This book, printed by the Government Publishing Office, contains 378 pages of names, addresses, and the contact information for Members of Congress and their staffs. While the Clerk of the House does get a deal from the GPO on these printing costs, this directory is sold to the public online at a cost of \$52 per book. GPO stated that 14,080 copies of this directory were sent this year to the House Postal Operations for delivery.

This year, all 435 House Member offices received this stack—this whole

stack right here—unsolicited from the Office of the Clerk, 20 copies, total, for each office.

Each year we get this directory and, to be frank, it is not needed. All the information contained within these pages is readily available online, both publicly and through House Web sites.

To make matters worse, often, the information contained is out of date by the time we receive these bound copies. For example, by the time I received my 20 copies of this directory, the information listed for my staff was no longer current.

According to a CRS report from 2011, approximately 97 percent of all government documents originate in digital form and are distributed electronically but are not printed. This same CRS report estimated that it costs Congress about \$134 per page for prepress costs for miscellaneous publications, of which this directory is one.

Madam Chairman, I don't think I need to remind anyone here that we are currently \$19 trillion-plus in debt as a result of excessive and unnecessary spending. I will be the first to admit that this amendment will not be saving millions of dollars this year alone, but in a time of such financial crisis, we should remain vigilant and save every penny we can.

This book is unnecessary, and its unsolicited distribution en masse is excessive. Why does each D.C. office get 20 unsolicited copies? My D.C. office only has eight employees, none of which utilize these wasteful directories.

I ask my colleagues to support this commonsense amendment that will save precious taxpayer money and prevent future unsolicited deliveries of this directory in every single House office on the Hill.

I thank the distinguished chair and ranking member for their work on this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. GOSAR

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114-611.

Mr. GOSAR. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available by this Act may be used to deliver a printed copy of the Budget of the United States Government; Analytical Perspectives, Budget of the United States Government; or the Appendix, Budget of the United States Government, to the office of any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Arizona (Mr. GOSAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Madam Chairman, I rise today to offer another commonsense amendment that will prevent wasteful spending in this bill by preventing the delivery of this packet of nearly 2,000 pages containing the President's budget request to 435 House congressional offices.

In its 2017 budget justification, the Government Publishing Office states: "Since 2012, GPO has made the annual Budget of the U.S. Government available as a mobile app. The FY 2016 Budget app, released in January of 2015, provided users with access to the text and images of the Budget, including the Budget Message of the President, information on the President's priorities, and budget overviews organized by agency. This app provides links to GPO's FDsys where summary tables and additional books of the Budget, including the Analytical Perspectives, Appendix, and Historical Tables, are available."

This package, which contains the President's budget, analytical perspectives of the budget, and the appendix of the budget are all available on an app for your phone for free. Furthermore, all three are available in their entirety online at www.whitehouse.gov/omb/, where they are more easily searchable.

While the Office of Management and Budget does get a great deal from GPO on printing costs, each individual copy sells online for \$38, \$56, and \$79, respectively. These documents comprise 170 pages, 409 pages, and 1,413 pages, respectively. OMB orders one copy of the budget for all 435 Members of the House, and this publication is then printed by the Government Publishing Office and delivered by House Postal Operations.

In a time when our Nation is facing a fiscal crisis and has a \$19 trillion-plus debt as a result of excessive and unnecessary spending, we should not be squandering more money printing nearly 2,000 pages of the President's budget that most Members throw in the trash, recycle, or don't even open.

Furthermore, this massive document is not even a serious proposal and has been routinely rejected with strong bipartisan support. The Senate defeated President Obama's budget by a vote of 97-0 for fiscal year 2011, 99-0 in fiscal year 2012, and 98-1 last year.

Again, I will be the first one to admit that this amendment will not save millions of dollars this year alone, but, in a time of such fiscal crisis, we should remember the old adage that a penny saved is a penny earned.

The printing and distribution of the President's budget to 435 House offices

is excessive. I ask my colleagues to support this commonsense amendment, and we will save precious taxpayer money and prevent future mass deliveries. Again, all these publications are online in their entirety, where they are more easily searchable, and they are also on a free mobile app.

I thank the distinguished chair and ranking member for their work on this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. GRAYSON

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114-611.

Mr. GRAYSON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, as required by Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding the offer, has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated above in paragraph (1); or

(3) within a three-year period preceding the offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Florida (Mr. GRAYSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Madam Chair, this is an amendment that is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses. I extend my thanks to the Rules Committee for ruling this amendment in order.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part

of the contractors. I hope that this amendment remains noncontroversial, as it has been, and will again be passed unanimously by the House.

I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Chair, I support the gentleman's amendment.

This is a commonsense amendment which would prohibit funding in this bill from being used to pay contractors engaged in fraud or tax evasion. As the gentleman said, similar amendments have been adopted on other appropriations bills.

I urge Members to vote "aye."

Mr. GRAYSON. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114-611.

Mr. TAKANO. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. There is appropriated, for salaries and expenses of the Office of Technology Assessment as authorized by the Technology Assessment Act of 1972 (2 U.S.C. 471 et seq.) \$2,500,000, to be derived from a reduction of \$2,500,000 in the amount provided in this Act for the item for "Architect of the Capitol, Capital Construction and Operations".

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Madam Chair, I yield myself such time as I may consume.

I rise today in support of my amendment, which would restore funding to the Office of Technology Assessment, or OTA. The foundation for good policy is accurate and objective analysis; and for more than two decades, the OTA set that foundation by providing relevant, unbiased technical and scientific assessments for Members of Congress and staff.

In 1995, the OTA was defunded, stripping Congress of a valuable resource to understand both emerging technologies as well as the nuances of the legislative process. In its absence, the need for OTA has only grown. Many of the issues OTA studied 20 years ago are even more pressing today: antibiotic-resistant bacteria, electronic surveillance in the digital age, and testing in America's schools. These are the complex challenges our Nation will continue to face, and Congress should have access to the thorough and insightful analysis OTA can provide.

Investing in the OTA now will actually save us money in the future. In the last year it operated, OTA's budget was \$23 million, but its studies on the Synthetics Fuels Corporation saved taxpayers tens of billions of dollars.

Our amendment restores a modest \$2.5 million to the OTA account for salaries and expenses to begin rebuilding the office. The cost is offset by a reduction of the same amount to the AOC's capital construction and operations account, which is an administrative account. So this will not take resources from specific construction projects.

Madam Chair, a great surgeon does not operate without modern tools, a master chef does not cook without fresh ingredients, and Members of Congress should not make policy decisions without relevant and unbiased information.

I urge Members to vote "yes" on this amendment to restore funding to the Office of Technology Assessment.

I reserve the balance of my time.

Mr. GRAVES of Georgia. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. GRAVES of Georgia. Madam Chair, I want to thank the gentleman from California. I know he has great intentions with this amendment.

As we discuss the Legislative Branch Appropriations bill, we are really discussing what is important to the House of Representatives, because that is what this bill reflects.

I know that this office was created in 1972 and was eliminated years later, but in 1972, I was 2 years old. Technology was very different. I see no need to re-create something that was started dealing with technology when I was 2 years old, almost two decades prior to the first Web site.

Currently, these tasks are being handled by GAO. They are being handled sufficiently. They are being handled with the \$2.5 million already, and we have yet to receive any complaints.

Now, if there is a more comprehensive need for technology assessment, I think that is a bigger discussion for cyber policy in general, and that is a conversation that should take place outside of the Legislative Branch Subcommittee's jurisdiction.

I reserve the balance of my time.

Mr. TAKANO. Madam Chair, I yield 1 minute to the gentleman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. I rise in support of the amendment to revive the Office of Technology Assessment.

When I was chair of the subcommittee, we tried to restart it within the Government Accountability Office. In fiscal years 2008 to 2010, I included \$2.5 million in this bill with GAO to support that initiative. However, the supporters of the amendment make an impassioned case that the Office of Technology Assessment should

be a part of Congress itself, rather than GAO, in order to provide objective analysis of complex, scientific, and technical issues which certainly, I think we can all agree, actually exist today.

We are not trying to go back to 20th century technology. We have important issues that need to be reviewed, and we don't always have the expertise in Congress necessary to be able to make sure we can get that cogent analysis, particularly when we are still at funding levels back to 2010 in the Legislative Branch Appropriations bill.

This is a bill in which we are tackling copyright modernization, specifically dealing with technology challenges, and an OTA would add to the rigor of our analysis on that topic and others.

I urge support of the amendment.

Mr. GRAVES of Georgia. Madam Chair, I will just point out that one of our focuses in the Legislative Branch Appropriations bill is to be very responsible with taxpayer dollars. During these lean times when we are \$19 trillion in debt, we have really led the charge when it comes to reducing spending from our operations, down 13.2 percent. We have eliminated some agencies and programs and even, in this bill, eliminate the Open World Center.

□ 1130

I don't see this as the time that we need to restart a new program that was eliminated 20 years ago.

Madam Chair, I reserve the balance of my time.

Mr. TAKANO. Madam Chair, how much time is remaining on my side?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. TAKANO. Madam Chair, I yield 1½ minutes to the gentleman from Illinois (Mr. FOSTER), a member of the Committee on Science, Space, and Technology and a respected physicist.

Mr. FOSTER. Madam Chair, thank you to the gentleman from California (Mr. TAKANO) and to my colleagues, the gentlewoman from Connecticut (Ms. ESTY) and the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for helping to bring this amendment to the floor.

This amendment would provide \$2.5 million to resurrect the Office of Technology Assessment to revive this crucial service of providing Congress with unbiased, nonpartisan reports on a wide range of issues in science and technology.

This office is no less necessary today than when it first started in 1972. As technology continues to advance at an increasingly rapid pace and our partisan divide seems to grow deeper, Congress needs this now more than ever.

I ask my colleagues to consider just one single one of the recommendations

from the Office of Technology Assessment, that the United States rapidly adopt a standardized electronic medical record format. Had this been done, we would have been able to save hundreds of millions of dollars in medical costs over the last decades and hundreds of thousands of lives of Americans through prevention of preventable medical accidents.

I urge my colleagues to join me in supporting this amendment to restore this vital source of credible and nonpartisan scientific expertise in Congress.

Mr. TAKANO. Madam Chair, I reiterate my support for the Office of Technology Assessment. Congress does not suffer from a lack of information, but it suffers from a lack of trusted information to help make wise policy decisions. We need information that is not spun even by our own agencies, the FBI or other agencies. We need information that is not spun from particular sectors. This agency, this Office of Technology Assessment, will be overseen by a bipartisan group of lawmakers who will vet the experts that work for it.

Madam Chair, I yield back the balance of my time.

Mr. GRAVES of Georgia. Madam Chair, I will just again thank my colleague from California for his thoughtful and well-debated argument here for the need, as he sees it. I will again reiterate that the GAO provides a valuable service which I believe can continue doing the job that is necessary.

In these lean times, I would encourage our colleagues to oppose this amendment not because of the gentleman from California, but just because of the lean times and the concept in which it is just not the right time to adopt that. I will oppose the amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. TAKANO. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. RUSSELL

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114-611.

Mr. RUSSELL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to deliver a printed copy of the Federal Register to a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from Oklahoma (Mr. RUSSELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. RUSSELL. Madam Chair, the fiscal year 2017 Legislative Branch Appropriations Act contains several excellent provisions to cut down on unnecessary printing of paper documents in the House of Representatives. Section 102 of the act, for example, prohibits printed copies of bills from being sent to Members of Congress unless they specifically request them. This amendment is very similar. It prohibits the Federal Register from being sent to Members unless they specifically request it. It uses the exact same terminology as section 102.

The Federal Register, while important because it contains rules, proposals, and various other publications released by Federal agencies, unfortunately every business day Members of Congress receive paper copies of this Register, while it is available online and queryable. Sadly, most of these hundreds of pages in length end up in the waste bin.

The Federal Register, being available online, is a better way to go with this measure. The Government Printing Office sends 617 copies of the Register every single day to House Members alone. This includes subscriptions for personal offices, committees, archival offices, and others. Each annual subscription costs the Government Printing Office \$750 a year to produce in paper and ink alone. These costs are charged to Federal agencies that publish in the Federal Register.

Among all the Members of Congress and six nonvoting Members in the House, paying for an annual subscription for all of these costs and other estimated delivery costs exceeds \$400,000 annually. To put that into perspective, that could pay for the annual salaries of a dozen Special Forces sergeants who are defending our country abroad.

None of the funds made available by this act may be used to deliver a printed copy of the Federal Register to a Member of the House of Representatives, including a Delegate or Resident Commissioner to Congress, unless the Members request specifically a copy.

This simple amendment will build on the reforms of the congressional printing of sections 102, 103, and 105, allowing Federal agencies to better use precious taxpayer dollars. I encourage support for this amendment, Madam Chair, because, once again, we will never win the war on our national debt

in some giant spending measure that will only divide us within our respective parties and within the Chamber. Instead, we will win it by combating waste one agency at a time.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. RUSSELL).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114-611.

Mr. PEARCE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 12, after the dollar amount, insert "(reduced by \$190,970)".

Page 5, line 14, after the dollar amount, insert "(reduced by \$190,970)".

Page 6, line 1, after the dollar amount, insert "(reduced by \$190,970)".

Page 42, line 17, after the dollar amount, insert "(increased by \$190,970)".

The Acting CHAIR. Pursuant to House Resolution 771, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Madam Chair, I yield myself such time as I may consume.

Madam Chair, despite what has been said about this amendment, it is very simple. There are two bodies that are funded through the appropriations process in the U.S. Congress. One is the House Committee on Ethics. That is the one that we all know as Members of Congress. But there is another body called the Office of Congressional Ethics that works pretty well outside of this body.

Now, my amendment is simply taking this year's increase away from that outside body. Again, no change to the ethical process inside the body, the one that we are all familiar with and feel accountable to. But we are deducting \$191,000 from this outside group because in this time of budget constraints, when I look at my office and all the other offices, our spending has been reduced. Our budgets have been reduced by approximately \$200,000 since 2008.

Now, we have to deal with 750,000 to 900,000 constituents. I have five field offices. Generally we drive, as a staff, somewhere between 50,000 and 100,000 miles per year to deal with our constituents. Our budgets have gone down \$200,000, with a small increase this year of \$12,000.

Then, on the other hand, I see a \$191,000 increase on this outside group. I just feel like that is extraordinary and would suggest that the appropriations bill, H.R. 5325, be reduced in that amount in this budget area.

Madam Chair, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Madam Chair, the Office of Congressional Ethics is crucial to ensuring accountability and transparency in this body. Any attempts to cut its budget would only serve to erode our constituents' trust and faith in Congress, which certainly has already suffered a significant amount of erosion.

As many of my colleagues will recall, the House created the Office of Congressional Ethics nearly a decade ago to improve the integrity of the ethics process in the House. The House was recovering from the Mark Foley scandal, and it was clear that we needed to do something to rebuild the American people's trust in their elected Representatives. That is why OCE's core "mission is to assist the U.S. House in upholding high ethical standards with an eye toward increasing transparency and providing information to the public."

I acknowledge that there are proposals to improve the operations of the Office of Congressional Ethics, and we should certainly take a look at those, Madam Chair, but it is common sense that these improvements can't be made by cutting funding for the office that we are actually seeking to improve.

Moreover, the issue of congressional ethics is far too important to reduce to a 10-minute debate on the House floor. For these reasons, I urge my colleagues to oppose this misguided amendment.

Madam Chair, I reserve the balance of my time.

Mr. PEARCE. Madam Chair, I find it odd that we received the words today on the House floor that we are going to increase transparency through the Office of Congressional Ethics. That is exactly what they do not do.

The Sixth Amendment of the Constitution gives the accused the right to be confronted with the witnesses against him. I will quote from a letter, a legal letter that was given to the OCE:

This investigation has again revealed due process deficiencies within the OCE rules. While the Sixth Amendment of the United States provides for the fundamental right to confront one's accusers, the OCE rules do not allow to confront the accused with the accusers.

Secondly, the Sixth Amendment gives us the right to a lawyer. I will again quote from PAUL SOLIS, an employee of the OCE, in an email to my chief of staff:

I forgot to mention on our call that should you retain a lawyer for the office, that lawyer would most likely be prohibited under our rules from representing a subject of this review to the extent that subject is a current staff member.

So the OCE, in their email to our office, says you don't have the right to legal counsel, even though the Sixth Amendment of the Constitution says that you do.

The third thing that I see is that we should be able to find out the nature of the charges under the Sixth Amendment. Again, our experience and the experience of others who have confronted OCE realizes you do not know what the charges are, you are not going to get to get a lawyer, and you cannot know who is accusing you. This hardly meets the word "transparency" that my good friend alluded to.

Madam Chair, I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Chair, while I can appreciate the gentleman's concerns, he has listed a number of substantive differences of opinion with the way the Office of Congressional Ethics handles their work. This appropriations bill is not the appropriate place to address those.

The Office of Congressional Ethics was created through legislation. It is a substantive issue, and it is one that should be debated and discussed on an authorizing bill, not on the funding of the legislative branch. You don't just cut the budget of an office with whose decisions you disagree. We can debate and discuss these concerns, but cutting \$190,000 out of the OCE's budget is not the way to address that.

For those reasons and the fact that the public already has some pretty significant concerns with the way we do business here, this would send the wrong message. If we are going to have this discussion, we should do it in a forum that allows for more robust discussion and debate over how to address those challenges long term.

Madam Chair, I reserve the balance of my time.

□ 1145

Mr. PEARCE. Madam Chair, I would remind my friend and colleague that this amendment only addresses the funding. I simply used my time in order to advertise for this agency and the way that they operate.

I would like to quote from an email that I got this morning:

I cried when I saw what your boss did last night on the Leg Branch.

This is referring to my amendment.

I was unfairly targeted by OCE in 2013, for an action in 2008, which had been approved by the Ethics Committee. OCE even admitted there was no evidence. I complied with every provision of the policy, without exception. One of the staffers that was being investigated in this same circumstance left the Hill early on. I considered doing the same thing. I certainly had to endure all the phases of the OCE process, including referral to the Ethics Committee.

The Ethics Committee dismissed the case against us, but it is, by far, the worst thing that has ever happened to me in my 21 years on the Hill. I am a strong person with re-

sources, and was an emotional wreck over the thought of losing my credibility over an ethics investigation. I cried virtually every day for several months. And the prolonged process over many, many months took a toll on my life.

And we are asking to give this agency another \$191,000 to continue this kind of action? I think this debate is exactly called for at this moment on this bill and on this spending.

Madam Chair, I urge Members to support the amendment to give notice to the OCE that we are watching what they are doing.

Madam Chair, I yield back the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentlewoman from Florida has 3 minutes remaining.

Ms. WASSERMAN SCHULTZ. Madam Chair, I have tremendous respect for the gentleman from New Mexico and his concerns for the operation of the Office of Congressional Ethics. However, all that we would be doing here, if his amendment were to pass, is to send a \$190,000 message to the Office of Congressional Ethics. It would not achieve any of the gentleman's goals.

If we do need to take a look at the way the office functions, then there is a process for doing that. The only thing we achieve here by adopting this amendment is cutting their budget by \$190,000.

So, if the majority believes that it is important to take a look at the function of this office, then there is a process for doing that and to take up legislation to change the way they do business. That is certainly appropriate. But we don't accomplish any of the gentleman's goals by cutting \$190,000.

In fact, the public has certainly already sent multiple messages to the United States Congress that they don't have a whole lot of confidence in the business that we are doing here. This would send the absolute wrong message back to them—that we don't get it.

So I urge Members to oppose the amendment because it would not achieve the gentleman's goals and because we have a more appropriate place to actually achieve those goals in the authorizing committee.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WASSERMAN SCHULTZ. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-611 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. ELLISON of Minnesota.

Amendment No. 6 by Mrs. BLACKBURN of Tennessee.

Amendment No. 11 by Mr. TAKANO of California.

Amendment No. 13 by Mr. PEARCE of New Mexico.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 241, not voting 36, as follows:

[Roll No. 289]

AYES—157

Ashford	Doggett	Lowey
Beatty	Doyle, Michael	Lujan Grisham
Becerra	F.	(NM)
Bera	Duckworth	Lujan, Ben Ray
Beyer	Edwards	(NM)
Bishop (GA)	Ellison	Lynch
Blumenauer	Eshoo	Maloney
Bonamici	Esty	Carolyn
Boyle, Brendan	Frankel (FL)	Maloney, Sean
F.	Gabbard	Matsui
Brady (PA)	Gallego	McCollum
Brown (FL)	Garamendi	McDermott
Brownley (CA)	Graham	McGovern
Bustos	Grayson	McNerney
Butterfield	Green, Al	Meng
Capps	Green, Gene	Moore
Capuano	Grijalva	Moulton
Cárdenas	Gutiérrez	Murphy (FL)
Carney	Hahn	Nadler
Carson (IN)	Hastings	Napolitano
Cartwright	Heck (WA)	Nolan
Castor (FL)	Higgins	Norcross
Castro (TX)	Honda	O'Rourke
Chu, Judy	Hoyer	Pallone
Ciçilline	Huffman	Pascarell
Clark (MA)	Israel	Pelosi
Clarke (NY)	Johnson (GA)	Perlmutter
Clay	Johnson, E. B.	Peters
Cleaver	Kaptur	Pingree
Connolly	Keating	Pocan
Conyers	Kelly (IL)	Price (NC)
Courtney	Kennedy	Quigley
Crowley	Kildee	Rangel
Cuellar	Kilmer	Rice (NY)
Cummings	Kind	Richmond
Davis (CA)	Kirkpatrick	Roybal-Allard
DeFazio	Kuster	Ruiz
DeGette	Langevin	Ruppersberger
Delaney	Larsen (WA)	Rush
DeLauro	Lawrence	Ryan (OH)
DelBene	Levin	Sánchez, Linda
DeSaulnier	Loeb	T.
Deutch	Lofgren	Sanchez, Loretta
Dingell	Lowenthal	Sarbanes

Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier

NOES—241

Abraham
Aderholt
Aguilar
Allen
Amash
Babin
Barr
Barton
Benishkek
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Fox
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta

Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas

Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)

Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Nunes
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—36

Adams
Amodel
Barletta
Bass
Black
Brat
Brooks (IN)
Clyburn
Cohen
Davis, Danny
Duffy
Engel
Farr
Fattah
Fincher
Franks (AZ)
Fudge
Gosar
Hardy
Herrera Beutler
Hinojosa
Hunter
Jackson Lee
Jeffries
Larson (CT)
Lee
Lewis
Lieu, Ted
Luetkemeyer
Meeks
Miller (MI)
Neal
Payne
Sires
Waters, Maxine
Yarmuth

□ 1208

Messrs. DIAZ-BALART, WITTMAN, and COLLINS of New York changed their vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. BLACK. Madam Chair, on rollcall No. 289 on agreeing to the Ellison Amendment for H.R. 5325, I am not recorded because I was unavoidable detained. Had I been present, I would have voted “nay.”

AMENDMENT NO. 6 OFFERED BY MRS.

BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 165, noes 237, not voting 32, as follows:

[Roll No. 290]

AYES—165

Abraham
Allen
Amash
Babin
Barton
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Cramer
Crawford
Culberson
Davidson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fitzpatrick
Fleming
Flores
Forbes
Foxy
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Harris
Hartzer
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurd (TX)
Johnson (OH)
Johnson, Sam
Jones
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lummis
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
McMorris
McNulty
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Lummi
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison

McSally
Meadows
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Olson
Palazzo
Palmer
Pearce
Perry
Pitts
Poliquin
Polis
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble

Aderholt
Aguilar
Ashford
Barr
Bass
Beatty
Becerra
Benishkek
Bera
Beyer
Bishop (GA)
Bishop (UT)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cole
Connolly
Conyers
Costello (PA)
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Lummi
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Emmer (MN)
Eshoo
Esty
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hoyer
Huffman
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaHood
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
MacArthur

NOES—237

Upton
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

Maloney,
Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meng
Mica
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Hanna
Nolan
Norcross
Nugent
Nunes
O'Rourke
Pallone
Pascarell
Paulsen
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Levin
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman

Shimkus	Thompson (PA)	Visclosky	Gallego	Lowey	Russell	Pompeo	Scalise	Wagner
Simpson	Thornberry	Walz	Garamendi	Lujan Grisham	Ryan (OH)	Posey	Schrader	Walberg
Slaughter	Tiberi	Wasserman	Graham	(NM)	Salmon	Price, Tom	Schweikert	Walden
Smith (NJ)	Titus	Schultz	Grayson	Luján, Ben Ray	Sánchez, Linda	Ratcliffe	Scott, Austin	Walker
Smith (WA)	Tonko	Watson Coleman	Green, Al	(NM)	T.	Reed	Sensenbrenner	Walorski
Speier	Torres	Welch	Grothman	Lynch	Sanchez, Loretta	Reichert	Sessions	Walters, Mimi
Stefanik	Tsongas	Westmoreland	Hahn	Maloney,	Sarbanes	Renacci	Shimkus	Weber (TX)
Stivers	Turner	Whitfield	Hastings	Carolyn	Schakowsky	Ribble	Shuster	Webster (FL)
Swalwell (CA)	Valadao	Wilson (FL)	Heck (WA)	Maloney, Sean	Schiff	Rice (SC)	Simpson	Wenstrup
Takai	Van Hollen	Womack	Higgins	Matsui	Scott (VA)	Rigell	Smith (MO)	Westerman
Takano	Vargas	Young (AK)	Himes	McCollum	Scott, David	Roby	Smith (NE)	Westmoreland
Thompson (CA)	Veasey		Honda	McDermott	Serrano	Roe (TN)	Smith (NJ)	Whitfield
Thompson (MS)	Velázquez		Hoyer	McGovern	Sewell (AL)	Rogers (AL)	Smith (TX)	Williams

NOT VOTING—32

Adams	Fudge	Lieu, Ted
Amodel	Gosar	Luetkemeyer
Barletta	Hardy	Meeks
Cohen	Herrera Beutler	Miller (MI)
Costa	Hinojosa	Neal
Davis, Danny	Honda	Payne
Duffy	Hunter	Rush
Engel	Hurt (VA)	Sires
Farr	Jackson Lee	Waters, Maxine
Fattah	Jordan	Yarmuth
Fincher	Lee	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1212

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated for:

Mr. HURT of Virginia. Madam Chair, I was
not present for rollcall vote No. 290 on the
Blackburn of Tennessee Amendment No. 6.
Had I been present, I would have voted “yes.”

AMENDMENT NO. 11 OFFERED BY MR. TAKANO

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from California (Mr.
TAKANO) on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 179, noes 223,
not voting 32, as follows:

[Roll No. 291]

AYES—179

Aguilar	Carney	Davis (CA)
Amash	Carson (IN)	DeFazio
Ashford	Cartwright	DeGette
Bass	Castor (FL)	Delaney
Beatty	Castro (TX)	DeLauro
Becerra	Chaffetz	DeBene
Bera	Chu, Judy	DeSaulnier
Beyer	Clark (MA)	Deutch
Bishop (GA)	Clarke (NY)	Dingell
Blumenauer	Clay	Doggett
Bonomici	Cleaver	Dold
Boyle, Brendan	Clyburn	Doyle, Michael
F.	Connolly	F.
Brady (PA)	Conyers	Duckworth
Brown (FL)	Cooper	Edwards
Brownley (CA)	Costa	Ellison
Bustos	Courtney	Eshoo
Butterfield	Crowley	Esty
Cappers	Cuellar	Farenthold
Capuano	Cummings	Foster
Cárdenas	Curbelo (FL)	Frankel (FL)

Abraham	Ellmers (NC)	King (IA)
Aderholt	Emmer (MN)	King (NY)
Allen	Fitzpatrick	Kinzinger (IL)
Babin	Fleischmann	Kline
Barr	Fleming	Knight
Barton	Flores	Labrador
Benishek	Forbes	LaHood
Bilirakis	Fortenberry	LaMalfa
Bishop (MI)	Fox	Lamborn
Bishop (UT)	Franks (AZ)	Latta
Black	Frelinghuysen	Long
Blackburn	Gabbard	Loudermilk
Blum	Garrett	Love
Bost	Gibbs	Lucas
Boustany	Gibson	Lummis
Brady (TX)	Gohmert	MacArthur
Brat	Goodlatte	Marino
Bridenstine	Gowdy	Massie
Brooks (AL)	Granger	McCarthy
Brooks (IN)	Graves (GA)	McCaul
Buchanan	Graves (LA)	McClintock
Buck	Graves (MO)	McHenry
Bucshon	Green, Gene	McKinley
Burgess	Griffith	McMorris
Byrne	Guinta	Rodgers
Calvert	Guthrie	McSally
Carter (GA)	Hanna	Meadows
Carter (TX)	Harper	Meehan
Chabot	Harris	Messer
Clawson (FL)	Hartzler	Mica
Coffman	Heck (NV)	Miller (FL)
Cole	Hensarling	Moolenaar
Collins (GA)	Hice, Jody B.	Mooney (WV)
Collins (NY)	Hill	Mullin
Comstock	Holding	Mulvaney
Conaway	Hudson	Murphy (PA)
Cook	Huelskamp	Neugebauer
Costello (PA)	Huizenga (MI)	Newhouse
Cramer	Hunter	Noem
Crawford	Hurd (TX)	Nugent
Crenshaw	Hurt (VA)	Nunes
Culberson	Issa	Olson
Davidson	Jenkins (KS)	Palazzo
Davis, Rodney	Jenkins (WV)	Palmer
Denham	Johnson (OH)	Paulsen
Dent	Johnson, Sam	Pearce
DeSantis	Jolly	Perry
DesJarlais	Jordan	Peterson
Diaz-Balart	Joyce	Pittenger
Donovan	Katko	Pitts
Duncan (SC)	Kelly (MS)	Poe (TX)
Duncan (TN)	Kelly (PA)	Poliquin

NOES—223

Abraham	Ellmers (NC)	King (IA)
Aderholt	Emmer (MN)	King (NY)
Allen	Fitzpatrick	Kinzinger (IL)
Babin	Fleischmann	Kline
Barr	Fleming	Knight
Barton	Flores	Labrador
Benishek	Forbes	LaHood
Bilirakis	Fortenberry	LaMalfa
Bishop (MI)	Fox	Lamborn
Bishop (UT)	Franks (AZ)	Latta
Black	Frelinghuysen	Long
Blackburn	Gabbard	Loudermilk
Blum	Garrett	Love
Bost	Gibbs	Lucas
Boustany	Gibson	Lummis
Brady (TX)	Gohmert	MacArthur
Brat	Goodlatte	Marino
Bridenstine	Gowdy	Massie
Brooks (AL)	Granger	McCarthy
Brooks (IN)	Graves (GA)	McCaul
Buchanan	Graves (LA)	McClintock
Buck	Graves (MO)	McHenry
Bucshon	Green, Gene	McKinley
Burgess	Griffith	McMorris
Byrne	Guinta	Rodgers
Calvert	Guthrie	McSally
Carter (GA)	Hanna	Meadows
Carter (TX)	Harper	Meehan
Chabot	Harris	Messer
Clawson (FL)	Hartzler	Mica
Coffman	Heck (NV)	Miller (FL)
Cole	Hensarling	Moolenaar
Collins (GA)	Hice, Jody B.	Mooney (WV)
Collins (NY)	Hill	Mullin
Comstock	Holding	Mulvaney
Conaway	Hudson	Murphy (PA)
Cook	Huelskamp	Neugebauer
Costello (PA)	Huizenga (MI)	Newhouse
Cramer	Hunter	Noem
Crawford	Hurd (TX)	Nugent
Crenshaw	Hurt (VA)	Nunes
Culberson	Issa	Olson
Davidson	Jenkins (KS)	Palazzo
Davis, Rodney	Jenkins (WV)	Palmer
Denham	Johnson (OH)	Paulsen
Dent	Johnson, Sam	Pearce
DeSantis	Jolly	Perry
DesJarlais	Jordan	Peterson
Diaz-Balart	Joyce	Pittenger
Donovan	Katko	Pitts
Duncan (SC)	Kelly (MS)	Poe (TX)
Duncan (TN)	Kelly (PA)	Poliquin

Pompeo	Scalise	Wagner
Posey	Schrader	Walberg
Price, Tom	Schweikert	Walden
Ratcliffe	Scott, Austin	Walker
Reed	Sensenbrenner	Walorski
Reichert	Sessions	Walters, Mimi
Renacci	Shimkus	Weber (TX)
Ribble	Shuster	Webster (FL)
Rice (SC)	Simpson	Wenstrup
Rigell	Smith (MO)	Westerman
Roby	Smith (NE)	Westmoreland
Roe (TN)	Smith (NJ)	Whitfield
Rogers (AL)	Smith (TX)	Williams
Rogers (KY)	Stewart	Wilson (SC)
Rohrabacher	Stutzman	Womack
Rokita	Thompson (PA)	Woodall
Rooney (FL)	Thornberry	Yoder
Roskam	Tiberi	Yoho
Ross	Tipton	Young (AK)
Rothfus	Trott	Young (IA)
Rouzer	Turner	Young (IN)
Royce	Upton	Zeldin
Sanford	Valadao	

NOT VOTING—32

Adams	Fudge	Marchant
Amodel	Gosar	Meeks
Barletta	Grijalva	Miller (MI)
Cicilline	Gutiérrez	Neal
Cohen	Hardy	Payne
Davis, Danny	Herrera Beutler	Sires
Duffy	Hinojosa	Stivers
Engel	Jackson Lee	Waters, Maxine
Farr	Lee	Wittman
Fattah	Lieu, Ted	Yarmuth
Fincher	Luetkemeyer	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1216

So the amendment was rejected.

The result of the vote was announced
as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. PEARCE

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from New Mexico (Mr.
PEARCE) on which further proceedings
were postponed and on which the ayes
prevailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 137, noes 270,
not voting 27, as follows:

[Roll No. 292]

AYES—137

Abraham	Clawson (FL)	Gohmert
Allen	Collins (GA)	Goodlatte
Amash	Conaway	Gowdy
Babin	Crawford	Granger
Barton	Crenshaw	Graves (GA)
Benishek	Culberson	Graves (MO)
Bilirakis	Davidson	Griffith
Bishop (UT)	DesJarlais	Grothman
Black	Diaz-Balart	Harper
Blackburn	Duncan (SC)	Harris
Boustany	Duncan (TN)	Hastings
Brat	Farenthold	Hensarling
Brooks (AL)	Fleischmann	Hice, Jody B.
Burgess	Flores	Hill
Carter (GA)	Fox	Holding
Carter (TX)	Franks (AZ)	Huizenga (MI)
Chabot	Frelinghuysen	Hultgren
Chaffetz	Gibbs	Hunter

Johnson, Sam
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Long
Loudermilk
Lucas
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
Meadows
Messer
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer

NOES—270

Aderholt
Aguilar
Ashford
Barr
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney

DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Fitzpatrick
Fleming
Forbes
Fortenberry
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Garrett
Gibson
Graham
Graves (LA)
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hartzler
Heck (NV)
Heck (WA)
Higgins
Himes
Honda
Hoyer
Hudson
Huelskamp
Huffman
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jolly
Jones
Joyce

Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Upton
Walberg
Walcliff
Reichert
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Womack
Woodall
Yoho
Young (AK)

Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Knight
Kuster
LaHood
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Love
Lowenthal
Lowe
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McKinley
McMorris
Rodgers
McNerney
McSally
Meehan
Meng
Mica
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Pelosi
Perlmutter

Peters
Pingree
Pittenger
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Rigell
Roby
Rooney (FL)
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sanford

Adams
Amodei
Barletta
Brady (TX)
Cohen
Davis, Danny
Duffy
Engel
Farr

Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres

NOT VOTING—27

Fattah
Fincher
Fudge
Gosar
Hardy
Herrera Beutler
Hinojosa
Jackson Lee
Lee

Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)
Wittman
Yoder
Young (IA)
Young (IN)
Zeldin
Zinke

□ 1220

Mr. DELANEY changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, and, pursuant to House Resolution 771, she reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CASTRO of Texas. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CASTRO of Texas. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Castro of Texas moves to recommit the bill H.R. 5325 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

In the “Capital Construction and Operations” account, on page 17, line 6, after the dollar amount, insert “(reduced by \$200,000)”.

In the “Library of Congress—Salaries and Expenses” account, on page 25, line 24, after the first dollar amount, insert “(increased by \$200,000)”.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. CASTRO of Texas. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, before I speak on this amendment, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who has been a strong advocate and leader on this issue, for an opportunity to say a few words.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to join my colleague, Congressman JOAQUIN CASTRO, to urge the majority to finally allow the House to strike a destructive political provision that has made its way into the Legislative Branch Appropriations bill.

If those listening are wondering why we are talking about the pejorative term “illegal aliens” on the bill that funds the legislative branch, then you are not alone. This legislation’s accompanying report includes language that would have the Library continue to use the term “illegal aliens,” “to the extent practicable”—even though the Library itself has said that there is no practicable means to continue to use the term “illegal aliens.”

The Library changes thousands of subject headings each year without interference from Congress. Why this one? Why now?

The Library once used the subject heading “Negro,” then moved to “Afro-American,” and now “African American.” They didn’t wait until the entire U.S. Code was free of the pejorative term “Negro” before they changed their subject heading. As a matter of fact, Congress only recently removed the last vestiges of the terms “Negro” and “Oriental” from the U.S. Code in May of 2016.

That bill passed with a unanimous vote, including the “yes” vote of the chairman of the Legislative Branch Subcommittee. If we removed “Negro” and “Oriental” in the subject headings of the Library of Congress before we changed the U.S. Code, then we should do the same for the now-pejorative term, “illegal alien.”

The Library of Congress is our Nation's first established cultural institution, and it is hard to fathom why my colleagues on the other side of the aisle would try to tie its hands to the slow-moving wheels of the U.S. Code.

Entering into an immigration debate on the Legislative Branch Appropriations bill is a terrible precedent. If the majority is really serious about debating the U.S. Code, then let's have the Republican Rules Committee bring up the Castro bill that would remove the hurtful and inaccurate term "illegal aliens" once and for all from the U.S. Code.

We are Members of Congress, not captains of the word police. Free the card catalog and depoliticize this bill.

Mr. CASTRO of Texas. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Texas has 2 minutes and 35 seconds remaining.

Mr. CASTRO of Texas. Mr. Speaker, in 1922, the only grandparent I would come to know came from Mexico to the United States. She was not a rapist or a murderer or an alien. She was a 6-year-old girl whose parents had died around the time of the Mexican Revolution, and the closest relatives who could take her and her sister in were in Texas.

I bet if we went around this Chamber, I know there would be beautiful stories, similar stories, of ancestors who came from Italy, Germany, Ireland, Africa, Asia, and every corner of the world. They are the immigrants to this country. They are the strength of this country.

Language matters. Recently, the Library of Congress decided to retire the term "illegal alien" because it is dehumanizing. For the first time in American history, today, the Congress is ready to interfere with the business of the Library of Congress.

In the years of the Congress and the Library, language has evolved. That is why we have done away with terms like "Negro," "Oriental," "lunatic," and "retarded," because we understand that even words that start off as neutral descriptors can, over time, become used as verbal weapons and knives to inflict pain and disrespect and sow division. That is the case today.

There are times in our country's history where our politics have also been a race to the bottom. Those Irish ancestors were greeted by signs that read "no Irish need apply" in cities like New York and Boston. The Japanese, German, and Italian Americans even were interned during World War II. Chinese were excluded from this country for decades. During the Eisenhower administration, many Hispanics in this country were rounded up and deported to Mexico even if they were American.

□ 1230

What I am asking is for us not to fuel the flames of this season and for us to

take a better course and do the right thing. I am asking you to support this motion to recommit because the words "illegal alien" will be retired. This will change, whether it is now or 6 months from now or 10 years from now. The question for all of us is whether we, today, will do the right thing or whether a few years from now we apologize for doing the wrong thing.

Please support this motion to recommit and do the right thing.

I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. GRAVES of Georgia. Mr. Speaker, I want to make this quick because I want to make sure the House knows what offensive language is in this bill. It is so offensive that I am going to read it.

To the extent practicable, the committee instructs the Library to maintain certain subject headings that reflect terminology used in title 8, United States Code.

That is what is so offensive to the minority party.

For 7½ years, we have had a President who wants to ignore the intent of the laws of our land. We will not allow this body, this House, to ignore the definitions nor the words of the laws that have been voted on in this body, passed by the Senate, and signed into law by the President.

I am asking this body to vote "no" on this motion to recommit, vote "yes" to uphold the laws of this land, vote "yes" for your constituents on final passage, and have a good weekend.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CASTRO of Texas. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, adoption of House Concurrent Resolution 89, and adoption of House Concurrent Resolution 112.

The vote was taken by electronic device, and there were—ayes 170, noes 237, not voting 27, as follows:

[Roll No. 293]

AYES—170

Aguilar
Ashford

Bass
Beatty

Becerra
Bera

Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham

Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebach
Lofgren
Lowenthal
Lowe
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Nolan
Norcross

O'Rourke
Pallone
Pascarella
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)

NOES—237

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Billakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)

Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert

Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko

Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaHood
 LaMalfa
 Lamborn
 Lance
 Latta
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Lummis
 MacArthur
 Marchant
 Marino
 Massie
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse
 Noem

NOT VOTING—27

Adams
 Amodei
 Barletta
 Cohen
 Davis, Danny
 Duffy
 Engel
 Farr
 Fattah

Fincher
 Fudge
 Gosar
 Hardy
 Herrera Beutler
 Hinojosa
 Jackson Lee
 Lee
 Lieu, Ted

Luetkemeyer
 Meeks
 Miller (MI)
 Napolitano
 Neal
 Payne
 Sires
 Waters, Maxine
 Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1237

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. NAPOLITANO. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “aye” on rollcall No. 293.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 233, nays 175, not voting 26, as follows:

[Roll No. 294]

YEAS—233

Abraham
 Aderholt
 Aguilar
 Allen
 Ashford
 Babin
 Barr
 Barton

Benishak
 Bera
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Bost

Boustany
 Brady (TX)
 Brat
 Bridenstine
 Brooks (IN)
 Carney
 Buck
 Bucshon

Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stefanik
 Stewart
 Stivers
 Stutzman
 Thompson (PA)
 Thornberry
 Tiberi
 Posey
 Price, Tom
 Ratcliffe
 Reed
 Reichert
 Renacci
 Ribble
 Rice (SC)
 Rigell
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Rooney (FL)
 Ros-Lehtinen
 Roskam
 Ross
 Rothfus
 Rouzer
 Royce
 Russell
 Salmon
 Sanford
 Scalise
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus

Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot
 Chaffetz
 Clawson (FL)
 Coffman
 Cole
 Collins (GA)
 Collins (NY)
 Comstock
 Conaway
 Cook
 Cooper
 Costa
 Costello (PA)
 Cramer
 Crawford
 Crenshaw
 Cuellar
 Culberson
 Curbelo (FL)
 Davis, Rodney
 Denham
 Love
 Sessions
 Lucas
 Lummis
 MacArthur
 Marchant
 Marino
 McCarthy
 McCaul
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse
 Noem
 Nugent
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peters
 Peterson
 Pittenger
 Pitts
 Poe (TX)
 Poliquin
 Pompeo
 Posey
 Price, Tom
 Ratcliffe

NAYS—175

Amash
 Bass
 Beatty
 Becerra
 Beyer
 Bishop (GA)
 Blum
 Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brooks (AL)
 Brown (FL)
 Brownley (CA)
 Bustos
 Butterfield
 Capps
 Capuano
 Cardenas
 Carney
 Carson (IN)
 Cartwright

Hurd (TX)
 Hurt (VA)
 Issa
 Jenkins (KS)
 Jenkins (WV)
 Johnson (OH)
 Johnson, Sam
 Jolly
 Jordan
 Joyce
 Katko
 Kelly (MS)
 Kelly (PA)
 King (NY)
 Kinzinger (IL)
 Kline
 Knight
 Labrador
 LaHood
 LaMalfa
 Ruiz
 Lamborn
 LANCE
 Latta
 LoBiondo
 Long
 Loudermilk
 Love
 Sessions
 Lucas
 Lummis
 MacArthur
 Marchant
 Marino
 McCarthy
 McCaul
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer
 Mica
 Miller (FL)
 Moolenaar
 Mooney (WV)
 Mullin
 Mulvaney
 Murphy (PA)
 Neugebauer
 Newhouse
 Noem
 Nugent
 Nunes
 Olson
 Palazzo
 Palmer
 Paulsen
 Pearce
 Perry
 Peters
 Peterson
 Pittenger
 Pitts
 Poe (TX)
 Poliquin
 Pompeo
 Posey
 Price, Tom
 Ratcliffe

Gutiérrez
 Hahn
 Hastings
 Heck (WA)
 Higgins
 Himes
 Honda
 Hoyer
 Huffman
 Israel
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Jones
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 King (IA)
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Levin
 Lewis
 Lipinski
 Loebsack
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)

NOT VOTING—26

Adams
 Amodei
 Barletta
 Cohen
 Davis, Danny
 Duffy
 Engel
 Farr
 Fattah

Fincher
 Fudge
 Gosar
 Hardy
 Herrera Beutler
 Hinojosa
 Jackson Lee
 Lee
 Lieu, Ted

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1244

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the concurrent resolution (H. Con. Res. 89) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 237, nays 163, answered “present” 2, not voting 32, as follows:

[Roll No. 295]

YEAS—237

Abraham
Aderholt
Allen
Amash
Ashford
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman

Guinta
Guthrie
Hanna
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Renacci
Ribble
Holding
Hudson
Huelskamp
Rigell
Huiheng (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Lucas
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger

Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Rice (SC)
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—163

Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cardenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Connolly

Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur

Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)

Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)

ANSWERED "PRESENT"—2

Jolly
Lujan Grisham
(NM)

NOT VOTING—32

Adams
Amodei
Barletta
Blackburn
Clawson (FL)
Clyburn
Cohen
Davis, Danny
Duffy
Ellmers (NC)
Engel
Farr
Fattah
Fincher
Fudge
Gosar
Hardy
Herrera Beutler
Hurt (VA)
Jackson Lee
Lee
Lieue, Ted
Love
Luetkemeyer
Meeks
Miller (MI)
Neal
Payne
Sires
Waters, Maxine
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1250

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote No. 295 on H. Con. Res. 89. Had I been present, I would have voted "yes."

EXPRESSING THE SENSE OF CONGRESS OPPOSING THE PRESIDENT'S PROPOSED \$10 TAX ON EVERY BARREL OF OIL

The SPEAKER pro tempore. The unfinished business is the vote on adop-

tion of the concurrent resolution (H. Con. Res. 112) expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 253, nays 144, answered "present" 2, not voting 35, as follows:

[Roll No. 296]

YEAS—253

Abraham
Aderholt
Aguilar
Allen
Amash
Ashford
Babin
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duckworth
Duncan (SC)
Duncan (TN)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Garrett

Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Harper
Harris
Hartzer
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Lujan Grisham
(NM)
Lujan, Ben Ray
(NM)
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock

McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik

Stewart
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela

NAYS—144

Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Ciilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Edwards
Ellison
Eshoo
Esty
Foster
Frankel (FL)
Gabbard

ANSWERED "PRESENT"—2

Castro (TX) DeFazio

NOT VOTING—35

Adams
Amodei
Barletta
Blackburn
Clawson (FL)
Clyburn
Cohen
Davis, Danny
Duffy
Ellmers (NC)
Engel
Farr

□ 1258

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote No. 296 on H.

Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

Norcross
O'Rourke
Pallone
Pascarell
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Wilson (FL)

Con. Res. 112. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

Mr. HARDY. Mr. Speaker, on rollcall No. 289—I would have voted "no." On rollcall No. 290—I would have voted "yes." On rollcall No. 291—I would have voted "no." On rollcall No. 292—I would have voted "yes." On rollcall No. 293—I would have voted "no." On rollcall No. 294—I would have voted "no." On rollcall No. 295—I would have voted "yes." On rollcall No. 296—I would have voted "yes."

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY), the majority leader, for the purpose of inquiring of the schedule of the week to come.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Members are advised that later votes than normal are possible on Thursday and to keep their travel plans flexible.

No votes are expected in the House on Friday.

□ 1300

Madam Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business today.

The House will consider H.R. 5053, the Preventing the IRS Abuse and Protecting Free Speech Act, sponsored by Representative RODNEY FRELINGHUYSEN. We expect a large number of amendments to be considered on this bill. So, again, Members are reminded to keep their travel schedules flexible at the end of next week.

Finally, Madam Speaker, the House will consider H.R. 5293, the FY17 Defense appropriations bill, sponsored by Representative RODNEY FRELINGHUYSEN. We expect a large number of amendments to be considered on this bill. So, again, Members are reminded to keep their travel schedules flexible at the end of next week.

Mr. HOYER. Madam Speaker, I thank the gentleman for that information.

Today, we considered a third appropriations bill. It was a structured rule, which is not uncommon on both sides of the aisle to have a structured rule.

But next week, the gentleman has announced the Defense appropriations bill, and I am wondering whether or not that will be an open rule so that amendments will be able to be offered by Members without constraint of being limited?

I yield to the gentleman from California.

Mr. MCCARTHY. Madam Speaker, to answer the gentleman's question, yes, that will come under a structured rule. So Members will be able to offer amendments but before the Rules Committee and then have the debate on the floor prior to passage of the bill.

Mr. HOYER. Madam Speaker, does the gentleman mean by "structured rule" that we will simply require amendments to be filed as of a certain time, but that there will be no restriction on amendments that will be in order?

I yield to the gentleman from California.

Mr. MCCARTHY. Madam Speaker, it will be a structured rule exactly the same as we have used a structured rule before. Amendments will be presented to the Rules Committee, be debated, and then brought to the floor for a vote.

Mr. HOYER. Madam Speaker, to further clarify, my understanding, therefore, is that the majority leader expects the Rules Committee to choose which amendments will be made in order on the bill. Is that accurate?

I yield to the gentleman from California.

Mr. MCCARTHY. Madam Speaker, yes, it will be a very fair, wide open process in the Rules Committee looking at amendments—those that have not been able to be offered already in committee, where these bills have gone through subcommittee and full committee with amendments being offered, and then they will be brought to the floor so we can get the work done and move the bill forward.

Mr. HOYER. Madam Speaker, I understand what the gentleman is saying.

And it appears to me that it is an abandonment of the Speaker and others' representations that when appropriations bills are brought to the floor that they will be brought to the floor with an open rule or a rule that will allow any and all amendments that seek to be offered by Members on both sides of the aisle to be offered.

From the gentleman's explanation, I believe that is not the case and a deviation from the announced policy at the beginning of the year. It seems to me, Madam Speaker, that it is a pragmatic judgment that some amendments are making it difficult on the gentleman's side of the aisle.

As someone who has been here for some period of time, that has been my experience when we were in the majority that the gentleman's side, under open rules, offered a lot of very difficult amendments that we had to confront. The Maloney amendment obviously was a difficult amendment for Members to confront on the gentleman's side and led to the defeat of apparently one of the bills, the Energy and Water bill, which failed on this floor.

Would I not be correct in saying that this is a policy that is now being pursued that is different from that which was represented at the beginning of the year where the floor would be open to any and all amendments and would be considered by the House on their merits?

I yield to the gentleman from California.

Mr. MCCARTHY. Madam Speaker, the gentleman has sat in this position that I have today as majority leader in the past, and the gentleman knows the history of bills he brought to the floor and the manner in which they did.

But if I could be frank with my friend, I am a little disappointed. This is not a place to play politics. This is not about one amendment. We have a process for amendments for Members that are serious about making a passionate argument for a bill, not to kill a bill and not to have an amendment pass and then an entire side of the aisle vote against it.

What we are bringing forth is a process that the American people want to see. They want to see ideas get brought here, debated, and moved forward. If we look at the appropriations process in the Senate, they have amendments that go through. If the gentleman wants to go back and recite a history of the number of bills that were open here under his leadership, I more than welcome him to do that.

But we should be honest with one another. If Members want to offer an amendment and want to debate the amendment and want to make the bill, in their view, better, I would suspect that, if they win an amendment, they would vote for the bill. The gentleman has a long history here, and that is really probably the history that he remembers as well.

I want to see the work get done. So any ideas that get brought forth in committee, they are debated, they are offered, and they are voted on. Ideas will get brought forth further as the bill comes forward. If it is an amendment and someone wants to move it to the floor, so be it. But we are not going to sit back with the idea of people who want to play politics on the outside and play politics on the inside. I just expect more.

Mr. HOYER. Madam Speaker, I thank the gentleman for his comments. Of course, 130 of his Members voted against that bill; 130 of his Members rejected that bill. I am hard pressed to think that the majority leader believes that our "no" votes were political and his "no" votes were principled. That defies logic from my standpoint. The fact of the matter is that bill lost because the gentleman's Members didn't support it. The gentleman has 247 Members.

I do remember being majority leader. Very frankly, I remember getting 218 Democrats for almost every bill we

brought to the floor. So we passed them with our votes.

If 130 of the gentleman's Members had not voted against their own bill, it would have passed. And there should be no, Madam Speaker, misrepresentation or misinformation about how seriously Mr. MALONEY cared about his amendment. There should be none whatsoever. In point of fact, it enjoyed ultimately the majority of support here on this floor.

I will tell the gentleman, I have been here for sometime. He is correct on that, and I do offer amendments from time to time to improve bills that, even as improved, I don't like. So, in the final analysis, although I have improved them and been successful in adopting an amendment, I still do not think the bills are appropriate to pass and go into law.

This conversation started with the fact that we need to be able to offer ideas. Very frankly, I understand the gentleman's position.

Today, we just voted on two bills that aren't going anywhere, a sense of Congress that you are not going to bring to the floor. They have no chance of passage. What did you want to do? You wanted to play politics. I don't mean you personally, Madam Speaker, but it was a political effort solely to bring two bills to the floor to express some sense of Congress, both of which I voted against because I thought they were playing politics.

So the accusation somehow that we are playing politics because we offer amendments that we care deeply about, that we want to see no discrimination allowed in our bills and that we want to defeat those constraints on an executive order that says to people who do business with the Federal Government, you can't discriminate against people, I will tell my friend, yes, we are going to continue to try to do that. Now, of course, on this last bill, we were not allowed to do that. We were shut down and shut up and precluded from voting on that particular piece of legislation.

So, when I tell my friend that this session started with a pledge for open rules on appropriations bills, I understand the gentleman's problem. Frankly, we had structured rules when we were in charge as well. We had not made any great representation about open rules; therefore, we, too, wanted to get the business of the House done.

Yes, I remember well 2007 when we were confronted with a filibuster by amendment. At some point in time, after 10 bills had been very difficult to pass, on the last two bills, we did have structured rules.

I tell my friend that I hope that he will accord to Mr. MALONEY or others the sincerity of their objectives, notwithstanding the fact that their amendment is adopted and articulates what I think is proper policy for our

country, that is, not to discriminate. Everybody in our country apparently doesn't believe that, but Mr. MALONEY does. And I want to make it very clear that he was very sincere in that amendment. Those of us who voted for it were very sincere in that amendment. It was not politics; it was values.

Moving on, I want to congratulate the majority leader on his work on Puerto Rico. That was a difficult issue for us both, a difficult issue for our caucuses, a difficult issue for the executive department. We worked together. We got a bill done that certainly was not our favorite.

The bill included a lot of stuff in there that we didn't like, but I will tell the gentleman that we didn't play politics on that. We only lost 24 votes on a bill that was largely constructed by the gentleman's side of the aisle in terms of some of the issues unrelated, per se, to restructuring of the debt, which was the intent of the bill.

So I want the majority leader to know—he and I have a good relationship. I have great respect for him—we are going to intend to try to work together on issues like that that are difficult but are necessary for the American people.

Toward that end, can the gentleman tell me what the status of the Zika issue is with reference to getting resources as quickly as possible to confront this challenge to our country's health?

I yield to the gentleman from California.

Mr. MCCARTHY. Madam Speaker, I thank the gentleman for his work on the Puerto Rico crisis. It is something that we worked on together very early from all leaders' sides, making sure that we protected the taxpayers from a bailout, and I think we met all the criteria for helping Puerto Rico move forward and protecting the taxpayer.

The gentleman is correct on Zika. We want to make sure the funding is there. As the gentleman knows, there is currently funding, and, as the gentleman knows, we have passed a bill on Zika and we have named our conferees. It is my understanding that the Senate is just now naming their conferees, so I am very hopeful that we can get that conference done very quickly and a bill brought back to the floor.

As of now, I had met with the Director of the CDC the week when we departed before the district work period. There are enough resources currently, but we need to get our work done as rapidly as possible.

Mr. HOYER. Madam Speaker, I thank the gentleman for his comments. Obviously, this is an emergency confronting our country. Dr. Frieden of the CDC, Dr. Fauci of the NIH, and so many others have raised this as a critically important issue for us to confront and confront now.

So I would join the majority leader in whatever efforts are necessary to accelerate this process and give to the

administration and our health officials the resources they need to protect the American people.

Madam Speaker, in closing, I rise to say that we have lost a great American, perhaps one of the most famous Americans in the world in Muhammad Ali.

Muhammad Ali was, for a portion of his life, reviled for the decisions he took. But through his life, he reflected a commitment to principle that all of us could well follow, an example of even in the light of extraordinary opprobrium from his fellow citizens who said, This is what I believe, this is where I stand, and I am prepared to take the consequences.

Many of us believe he was probably the greatest fighter that ever lived. As he fought so successfully in the ring, he fought successfully for his principles and his convictions.

□ 1315

I know that the American people and the House of Representatives would reflect the respect and affection for a great athlete and a great human being and a great American. If my friend wanted to make a comment, I will yield to him.

Mr. MCCARTHY. I thank the gentleman for yielding.

I thank him for recognizing the life of Muhammad Ali. He touched so many of those who met him and those who did not, and there are so many stories out there of what he was able to do even privately on helping change people's lives and actually stand up for what he believed. I think so many times when you look at his life from where he rose and where he stayed rooted in his belief in this country, his belief in the courage to fight for what he believed in.

There was a quote he made. I just read it today. It was put up by Forbes as the quote of the week, but Muhammad Ali once said: "He who is not courageous enough to take risks will accomplish nothing in life."

I know they are going to honor his life today. He was one who took risks and had the courage to stand up when others didn't believe the same as he did.

One great foundation of this country provides the individuals the right to do that, to challenge others and to live a life that is very full. He lived his life to the fullest and reached many. In the athletic world, he reached the heights, and in reaching others, he did the same in his personal life as well.

Mr. HOYER. I thank the gentleman for his comments.

Madam Speaker, I yield back the balance of my time.

ADJOURNMENT FROM FRIDAY, JUNE 10, 2016, TO MONDAY, JUNE 13, 2016

Mr. MCCARTHY. Madam Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet on Monday, June 13, 2016, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ENDING THE INSANITY OF THE OBAMA-CLINTON-KERRY IRAN POLICY

(Mr. BABIN asked and was given permission to address the House for 1 minute.)

Mr. BABIN. Madam Speaker, sadly, insanity is the only word that I can use to describe the foolishness of the Obama-Clinton-Kerry engagement with the Islamic Republic of Iran.

In January, the Obama administration cut a \$1.7 billion check to the Government of Iran. On May 18, Iran's Guardian Council voted to send all of this money to Iran's military. Secretary of State Kerry was asked in January whether this money would be used to fund terrorism. He responded:

I think that some of it will wind up in the hands of the Iranian Revolutionary Guard Corps or other entities, some of which are labeled terrorists.

This week, we can sadly confirm that this has indeed come to pass, that the entire \$1.7 billion from the U.S. taxpayers will now be used to fund Iran's military and terrorism apparatus. This is the same Iran that routinely chants "Death to America," threatens to wipe Israel off of the map, captures and humiliates our U.S. sailors, and brazenly fires missiles in close proximity to America's naval vessels, and is responsible for the killing of hundreds of American troops.

Madam Speaker, this is utter foolishness, and these policies must end.

ISRAEL'S EFFORTS IN CYBERSECURITY

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Madam Speaker, last month I had the opportunity to join my colleague on the Committee on Homeland Security, the gentleman from Texas (Mr. RATCLIFFE), on a trip to Israel to learn about their efforts in cybersecurity.

As we all know, the security threats Israel faces are enormous, and they extend well into the cyber domain. Israel's response to attacks on her networks has been truly extraordinary, as Israel is now the second largest exporter of cybersecurity products and services, second only behind the United States. The development of this industry, led in large part by the Prime Minister, has been catalyzed by public-private

partnerships such as the CyberSpark initiative, which brings together public servants, academic innovators, and business leaders in Be'er Sheva in the Negev Desert, their version of the Silicon Valley.

The United States and Israel already collaborate very closely on so many issues, and I strongly believe that the United States and Israel can learn from each other in this emerging field, both in terms of cutting-edge technologies and novel policy approaches. I look forward to working to develop these partnerships. I thank the Prime Minister and the government for a wonderful learning experience.

CONGRATULATIONS TO SERVICE ACADEMY STUDENT NOMINEES

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Madam Speaker, I would like to extend heartfelt congratulations to Benjamin Wiggins of El Dorado, Kimberly Monterosso of Camden, Parker Ross of Hot Springs, Nicholas Amerson of Percy, and Krisanna Reynolds of Smackover. These star students from the Fourth District of Arkansas will have the honor of attending the service academies this fall. Benjamin, Kimberly, and Parker will be headed to West Point; Nicholas and Krisanna to the Air Force Academy.

Arkansas has a history of academy alumni. These include General Douglas MacArthur, Supreme Allied Commander in the Pacific during World War II, and Brigadier General William O. Darby, leader of what would later become the Army Rangers. Their example is one of courage and excellence under any circumstances. With this rich tradition before them and through their own accomplishments, there is no doubt these students will do their very best, bringing honor to themselves, their families, and their State.

I wish them well in their service careers and success in whatever they pursue.

PLAYING GAMES WITH WOMEN'S HEALTH

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Madam Speaker, at what point do we stop playing games with women's health?

Zika is becoming an epidemic, and American women across the country are helplessly watching as Congress refuses to act. Every day this disease spreads faster and impacts more men, women, and especially newborn babies.

It is unbelievable that so far the best response to stop the spread of this dangerous infection is to tell American women: Don't get pregnant.

That is unacceptable. We can do better.

Have Republicans learned nothing from the response of the Flint water crisis, where they focused on the price tag instead of on protecting Michigan's children from getting lead poisoning?

We cannot wait one more minute for Congress to act. We must do something now to prevent further spreading of the Zika virus. I am outraged we do not have a solution to something that can hurt an entire generation of our children.

Because of Zika's serious debilitating impacts, Americans are afraid to travel, Americans are afraid to go outside, and Americans are now terrified to grow their families.

I urge leadership to schedule a vote on H.R. 3299. This bill incentivizes the development of a vaccine to protect us from this disease.

CONGRATULATIONS TO DARLA SIDLES

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Madam Speaker, I rise to congratulate Darla Sidles, superintendent of Saguaro National Park, on her recent appointment to oversee the Rocky Mountain National Park in Colorado, and I thank her for her 7 years of service to the people of Arizona.

Under Darla's leadership, Saguaro National Park set record highs for attendance, attracting over 750,000 people last year. Her tenure saw the complete refurbishment of the Rincon Mountain Visitor Center and successful application of key resilient landscapes grants. She also spearheaded efforts to connect the park with local young and urban populations, helping expose them to the many treasures the park offers.

In addition to her role as director of one of southern Arizona's largest parks, she is a valued leader in our community who served for 4 years on the January 8 Memorial Foundation board.

I had the privilege to hike Saguaro National Park with Darla, pictured here, to talk about its value. We continue to work together on efforts to protect and improve this Tucson gem. We will be sad to lose her in August, and no doubt Darla's standout leadership of our park contributed to her appointment to oversee the third-most-visited national park in the country. I thank her for her service, and I wish her well in Colorado.

ILLEGAL ALIEN PROVISION IN LEGISLATIVE BRANCH APPROPRIATIONS BILL

(Ms. LORETTA SANCHEZ asked and was given permission to address the

House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to express my fierce opposition to the "illegal alien" provision that has been inserted into the legislative branch appropriations bill.

This partisan language will force the Library of Congress to keep using the term "illegal alien" even though the Library of Congress decided to remove that derogatory and totally inaccurate term from the Library's subject heading system.

"Illegal alien" is a form of dehumanizing rhetoric. The term has been used to justify continued discrimination against vulnerable migrants and minority communities.

The provision is politicizing what is supposed to be a bipartisan budget bill. This unprecedented interference by Congress will have huge ramifications. The Library of Congress sets the standard for subject headings used across America and internationally.

"Illegal alien" is inaccurate. The Library of Congress contains our most important records, and they should be accurate and reflect reality.

ALZHEIMER'S AND BRAIN AWARENESS MONTH

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Mr. Speaker, June is Alzheimer's and Brain Awareness Month. This month is set aside as a time for us to raise awareness of what Alzheimer's disease is, the devastating impact that this disease has on millions of people throughout our Nation, and what we can do to help fight this condition.

In Michigan alone, over 180,000 of our seniors are currently facing Alzheimer's disease. Alzheimer's is the sixth leading cause of death in the State. These numbers are only expected to go up over the coming years. As a doctor from northern Michigan, I have seen firsthand the struggle that those living with Alzheimer's face.

Here in Congress, I have supported numerous efforts to increase Federal funding for Alzheimer's research as well as plans to offer a higher quality of care for Alzheimer's patients.

While we have made great progress in the research and treatment of Alzheimer's disease, it is my hope that we will all continue to work together toward ending this plight.

21ST CENTURY STEM FOR GIRLS AND UNDERREPRESENTED MINORITIES ACT

(Mrs. BEATTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BEATTY. Mr. Speaker, I rise today in support of STEM education and the critical role science, technology, engineering, and mathematics play in our Nation's economic prosperity.

As our economy shifts toward STEM-oriented careers, we must ensure students have the opportunity to learn and succeed in these fields. That is why I introduced the 21st Century STEM For Girls and Underrepresented Minorities Act, H.R. 2773. I ask my colleagues, Mr. Speaker, to support this bill.

This legislation would help create programs and curriculum for girls and underrepresented minorities to pursue STEM careers. Just last week, I was reminded of the importance of STEM education while delivering the commencement address at Metro Early College High School, a STEM-focused high school in my Third Congressional District of Ohio.

I salute the graduates of the Metro Early College High School who achieved a 100 percent acceptance rate to college, and I commend their parents as well as the dedicated teachers and staff, including Principal Anthony Alston.

Mr. Speaker, I include in the RECORD the names of the 106 graduates of the Metro Early College High School graduating class.

METRO EARLY COLLEGE HIGH SCHOOL CLASS OF
2016, JUNE 10, 2016

Sundari Vudatala, Camryn Walker, Christopher Warren, Christian Wiget, Silas Young, Banan Zangana, Sophia Brown, Simone Burden, Nicholas Burgett, De'Ciana Burnette, Seth Cabalquinto, Sydney Carroll, Anna Chin, Joseph Chiu, Spencer Churchill, Griffin Patterson, Ja'Nai Rakes, Kennedy Reissland-Woods, Gus Roussi.

Michael Ruland, Mario Segovia, Sefora Seyoum, Riley Shaw, Wyatt Sheline, Adam Gill, Sarah Golding, Raquan Goss, Alexander Granato, Montgomery Gray, Connor Guarino, Kailyn Gullatt, McKenzie Hartman, Kelly Haubert, Jonah McKind, Eduardo Medina, Jen Miller, Jared Moehrman, Khalid Mohamed, Qiukui Moutvic, Yulia Mulugeta, Aida Ndiaye, Lan Nguyen.

Jennifer Kentner, Nathaniel Kolli, Renee Krajnak, Maria Krantz, Ethan Laver, Caleb Lehman, Rebecca Lipster, Samantha Loefler, Karsten Look, Justin Loring, Matthew Lowe, Anna Lowery, Miles Marchese, Hannah Martin, Sara McClaskey, Maya McGeachy, Madison McGraw, Lila Henninger, Elaff Hounsee, Grant Hughes, Nathaniel Huller, Christopher Hulse, Ally Hutchison.

Hamdan Ismail, Cherie Johnson, Cierre Johnson, Aaron Joseph, Meghan O'Bryan, Robert O'Shaughnessy, Armando Olvera, Igbinsola Oriakhi, Muwahib Osman, Xzavier Pace, Teja Parasa, Grant Parks, Autumn Patterson, Emma Clark, Tamara Cole, Amina Cusmaan, Angela Dang, Timothy Davis, Rebecca Dye, Nimco Essa, Nahom Eyassu, Charles Gauthier, Aarti Singhal.

David Spies, Curtis Snead, Pauline Sohn, Sally Squires, Kate Swigert, Abigail Thompson, Devon Tinker, Alicia Tong, Jolene Tran, Hafsa Abdullahi, Mohamed Abdullahi, Zahra Abu-Rayyan, Saido Ahmed, Maxim

Antonyuk, Gary Augustin, Keevyn Baden-Winterwood, Kaila Berry, Silas Birdsell.

□ 1330

SAVANNAH PURPLE HEART VETERAN GETS HUMANITARIAN AWARD

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize a very special constituent of mine, Tech Sergeant Enos Garvin.

On May 2, at a Chatham County Veterans Council meeting, Sergeant Garvin received a long overdue Humanitarian Service Medal for his service in Rwanda.

In 1994, Reverend Garvin, turned tech sergeant, volunteered with the Georgia Air National Guard and worked on flying missions to help Rwandan refugees, called Operation Support Hope. In these missions, Reverend Garvin flew supplies and food to many refugees in Rwanda who were staying in makeshift tent villages during one of the worst conflicts in Africa's history.

Sergeant Garvin's service to our Nation and for a better world do not end with his involvement in Rwanda. He is also a Purple Heart recipient because of his courageous service in Vietnam. He was shot three times in the leg while Viet Cong troops killed his guards in the middle of the night and launched a surprise attack on his unit.

I want to thank Tech Sergeant Garvin for his service and the United States Department of Defense for recognizing the remarkable service of Sergeant Garvin and the 156th Airlift Wing.

STUDENT LOAN DEBT

The SPEAKER pro tempore (Mr. LOUDERMILK). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, it is good to be back on the House floor to pick up on an issue that concerns most every American that has gone to college, who is now in school, or beyond.

I remember a day 3 weeks ago at the Calaveras County Fair. The security guard at the gate greeted me.

He said: Congressman.

I said: Yes.

He said: I need your help.

I said: What can I do for you?

He said: Well, I had to go back to school to get the license and the education for this job. I now run the security program here. I will be over 70 years of age before I am able to pay off my student loan.

He was probably in his early fifties at that time.

I said: How can that be?

He said: The interest rate is killing me.

And, indeed, not only killing him, but all across this Nation, the issue of student debt is harming families, holding back the formation of families—not getting married because you have to pay off the debt, and who would want to marry that person with all that debt? I don't think so—buying houses, getting a car, carrying on in your life.

Student debt is an incredible burden on the American public. And not just the students but, in many cases, the parents of students.

Here is what has happened with student debt:

It is now over \$2.2 trillion. Probably today it is much larger than the debt on credit cards. The growth has been almost exponential. And we are continuing to see this rise. It is not over. Continuing the debt is part of America's reality.

Here are some astonishing facts about student debt:

Not only is it \$1.2 trillion, but it is continuing to increase at \$2,726.27 every second. So we are going to see this go way beyond \$1.2 trillion to, and probably approaching, nearly \$1.5 trillion by the end of this decade.

The number of borrowers and the average balance of their debt has grown by 70 percent between 2004 and 2012. That is more than 7 percent per year.

And finally, down here, we can say that the average student loan debt for graduate students is now over \$35,000 per student. This is an extraordinary burden.

Now, tell me, what family in America has not refinanced their home? I think we all have. Certainly, Patti and I have refinanced our home. And I suspect most Americans, if they haven't yet refinanced, are watching the interest rates and looking for that moment when they, too, will refinance their home.

So the question for us today is: Why not refinance student loans just the same as we refinance our homes?

Well, the loans are owned by the Federal Government. So this is a question for us in Congress to say: Yes, let's do something to give the American economy a boost. Let's give something to those families, those young students that are out of school and those that are still in school—an opportunity to refinance their loans and to recalculate the interest on loans that they will be taking out in the months and years ahead.

Take a look at this. Undergraduate loans from the Federal Government are now 4.29 percent. If you are in the other programs, it may be 5 percent. And if you are in the graduate program, it is 6.84 percent.

The Federal Government can borrow money somewhere less than 2 percent,

or right around 2 percent for 10 years. If you add another percent for administrative costs, we could refinance all that \$1.2 trillion of student loans down to 3.23 percent.

What a break that would give to students in school and out of school and those that are going to be borrowing money for the next school year, 3.2 percent versus 4.29 percent. Or, if you are a graduate student, 3.2 percent versus 6.84 percent—less than half the interest rate.

We can do it. We can do this. And when we do it, we can help those students that are now carrying that incredible burden of having to pay these extraordinary interest rates to the Federal Government, which is actually making a \$138 billion profit on the backs of students.

So I go back to that gentleman there at the Calaveras County Fair who now has a business, but also has a student loan that he took out to get the education he needed to start that business. I would go back to him and say: I will tell you what. Instead of a 6 percent or 7 percent loan, we can refinance your loan down to 3.23 percent.

And what does it mean to the individual student? It means a great deal.

So we have introduced H.R. 5274, the Student Loan Refinancing and Recalculation Act. It will do the following. It would set all student loan interest rates at 3.25 percent—new ones that come up, existing ones, graduate loans, low-income family loans, and the like.

If you happen to be a low-income family, and many of these students are—in fact, the great majority of low-income students are, in fact, taking out loans. For those borrowers, it will be thousands of dollars of interest saved, because we also calculate that the interest will not begin to accrue until after graduation.

Also, we know that the average savings for students will be over \$2,000 on their loans.

It also eliminates the origination fee. Why is the Federal Government charging an origination fee when a student actually goes to the financial office at the university and the paperwork is done by the university? Yet the Federal Government—your Federal Government—is sticking it one more way to the students by charging an origination fee.

So the new piece of legislation, H.R. 5274, the Student Loan Refinancing and Recalculation Act, is an enormous advantage to the American economy by allowing these students to hang on to a little bit more of their money and to engage in the economy: get married, get a car, buy a house.

I had an interesting conversation with the bankers that came into my office a while back. They said: The interest rate is not the only problem.

I said: Really? What is the rest of it?

They said: These students are carrying these loans on their assets or

their liabilities, and when we look at their asset-liability, we see this enormous debt, and we cannot even offer them a loan.

He said: If you are able to reduce that—the interest rate and, therefore, the payments that are required—we will be better able to offer them a loan for a car or a house.

So let's do it. The Federal Government ought not be making \$138 billion profit on the backs of students. We can borrow money at less than 2 percent or right around 2 percent for 10 years. Let's refinance all of those \$1.2 trillion of loans down to 3.2 percent. And for the new loans that the students are going to be taking up this coming year, let's give them a break. Instead of 4, 5, or 6 percent, let's do 3.2 percent. It is just 1 percent more than the Federal Government can borrow money.

So keep in mind H.R. 5274, the Student Loan Refinancing and Recalculation Act. My colleagues, let's do it. Let's do it for the students—both new and existing students—and families that have taken out loans so that their children can get ahead, so that those students that have taken out that loan can have the burden reduced. Refinance your house, refinance your student loan.

Mr. Speaker, I yield back the balance of my time.

GUANTANAMO BAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, there is an issue we have been talking about on the Republican side for quite a bit, and I think some of my Democratic friends realize how serious an issue this is because they care about our military members.

The President of the United States promised, ill-advisedly, before he was ever elected, that he was going to close the Guantanamo Bay facility that housed the worst of the worst terrorists wanting to kill Americans and destroy our way of life. Well, he found out right after he took office that you just can't do that because it is going to put American lives at risk. There is a reason they are being held there. And it violates no rules of law when it comes to war, because war is a little different.

Since civilized society came along in the history of mankind, things improved for prisoners of war. Before there was a civilized society, when one group warred against another, they would either kill them or make them slaves. What occurred was pretty gruesome.

In civilized history, when one group says, "We are at war with this other

group," then the other group either responds by defending themselves or they are overtaken by the evildoers—in this case, radical Islamists.

Since the history of more civilized warfare—if we can call it such, because war is truly hell—noble nations played by rules that said, if you capture someone who is part of the group at war with you, then you hold them as prisoners in a humane fashion until such time as the group of which they are a part agrees that they are no longer at war. If the war drags on 15, 20, 30, 50 years, it is not the fault of the country that captures people at war with them, because that country did not start the war.

In this case, the radical Islamists have had this small part of Islam since its beginning and felt like the way to be truly religiously Islamic is to kill anybody that stands in your way of having an international caliphate and forcing everyone in the world to bow before Allah and Islam, in the name of Islam.

□ 1345

It is not our fault if they will not say we are no longer at war with you, because once that happens, then you release those prisoners who were part of the group that was at war with you. And if some of them can be proven to be guilty of actual war crimes against humanity, then you take them to trial, and you try to convict them. And if you do, as we saw after World War II, if they are convicted and sentenced to death, that occurs. If they are sentenced to prison, that is on top of the years that we waited while their group continued to be at war with us. That is under the civilized rules of warfare.

Guantanamo Bay, I can say, having been there more than once, and also having toured many State and Federal prisons, has provided the most humane treatment I have ever seen a group of prisoners get.

For example, in a Texas prison, if you throw urine or feces on a guard, you will suffer consequences for that decision. I found out on one of my trips to Guantanamo Bay prison that when, as often happens, an inmate figures out a way to throw urine or feces on one of our military member guards, that because we don't want to be perceived as having some mean-spirited prison, we take away a couple of their movie-watching hours during some day to teach them a lesson.

And there have been instances where, when they didn't like the movies being presented, perhaps they hadn't been screened properly enough, maybe some woman exposed a bare arm and that offended somebody, well, there was uproar, problems. But if somebody committed a really egregious crime of assaulting one of our guards, then they might actually lose some of their time outside for a day or two.

It bothered me greatly to find out that the guards were not allowed to even say anything when someone threw urine or feces on them who was an inmate at Guantanamo Bay; because one such United States military member, I think they said he was a minority member of our United States military, had feces thrown on him, and he angrily said a name, and he received an article 15 non-judicial punishment, and he was punished for simply saying something back after he had feces thrown on him.

Well, that ought to be the least of the problems. And I couldn't believe one of our military members who had been assaulted in such a despicable manner was the one punished for saying something back to the inmate that threw feces on him.

But the President is determined to follow through with this same kind of policy idea that he has had since the beginning, when he had his apology tour going throughout the Middle East, apologizing in Egypt, apologizing around the world for America, who has been the only country that I can find in history that has shed so much precious American blood, so much blood of our Americans for other people's freedom. We didn't owe anybody an apology, not for that.

And there is this mentality among some liberals like our President that the world will be so much safer and a so much better place to live if America were brought down and were not a superpower and you let other countries be superpowers, like, for example, Iran.

Let's give Iran \$100 billion, \$150 billion access to that, and let's let them become a superpower, and we will negotiate a deal that, hopefully, will prevent them from getting a nuclear weapon while President Obama is in office. And then who cares what happens after that; right?

But the deal that was negotiated pretty well assures that Iran will have nuclear weapons. It is just a matter of when. And now we know that Iran has repeatedly broken their agreement and we know that this administration, as we found out, this administration actually manipulated video to try to cover up just how bad the deal was that this State Department was negotiating.

I didn't really need to see the story to know this kind of stuff was going on. When I saw that Wendy Sherman was maybe chief negotiator, working with the Secretary of State, who was also part of the glorious deal that the Clinton administration, along with Madeleine Albright, negotiated with North Korea, basically—and this is my translation of the deal—but, okay.

We are going to make sure that you have nuclear power, and we will make sure you have got nuclear fuel, you have got everything you need to make a nuclear weapon so long as you will sign an agreement saying that you are

not going to use it to create a nuclear weapon.

You can't help but think of all the snickering that went on in North Korea, especially by Kim Jong-il: Wow, all they want is my signature and they will give us what we need to make a nuclear weapon? Sure. Where do I sign?

I mean, it really reminded me of the story Jeff Foxworthy told about, before he made money as a comedian, he was down on his luck.

A guy shows up at the door, says, "I'm here to repossess your car."

"Oh, please don't take my car. If you take my car, I can't make it to any of my gigs. I can't make money, and then I have no chance of paying for the car. So please, don't take my car."

"I'm sorry, Mr. Foxworthy. I'm here, and I'm supposed to either leave with your car or with cash payment or with a check."

And Foxworthy basically said, "A check? You'll take a check? I didn't know you'd take a check."

"Yeah, how much do you want me to make it out for?"

"I'm glad to write you a check. Sure, you just tell me." And then he signs and gives the check and he keeps his car.

That had to be the kind of mentality.

You mean, you will give us everything we need in North Korea to have nuclear weapons, and all we have to do is sign and you're good with that? Wow. Okay. Let us sign.

So they signed. We make sure they have what they need for nuclear weapons in the name of giving them nuclear power, and sure enough—very expectedly by some of us because it was such a stupid thing to do, the Clinton administration, with Wendy Sherman right there in the negotiations—we gave them the ability to create nuclear weapons, which they have done.

The same way with Iran. Their leaders must have been laughing behind our backs, because we know what they were saying publicly while they were still continuing to say "death to America," still calling us the "Great Satan," still saying they weren't going to abide by any agreement, that the United States would never get them to do what we wanted them to.

Oh, so while we are telling the public we are not going to go along with any deal we sign, you are still willing to accept our signature on a deal? For sure, we will sign, because even Allah allows us to sign something that is a lie if, in the end, it furthers his kingdom, in their way of thinking.

So if we had strong enough leadership in the United States Senate, what would happen would be there would be a call for a vote on the Iran treaty, which it is. It modifies other treaty provisions and, therefore, you can't do that unless it is a treaty, so it is a treaty. The Constitution says that requires two-thirds of the Senate to vote

for the treaty in order for it to be ratified.

The Senate took up this Corker bill, that turned the Constitution upside down, and said, no, we are going to say it takes two-thirds to vote against a deal; otherwise, it goes forward. BOB CORKER is a really nice guy, but, my word, the damage that was done to the Middle East and to the world by the Senate taking an approach to the Iran treaty as if it wasn't really a treaty.

There is still time. Take the vote in the Senate. I know that 60 votes are required for cloture; but when HARRY REID felt like getting very liberal judges into Federal courts was more important than the cloture rule, he had 51 Democrats vote to set aside the cloture rule, and they put in the liberal judges they wanted over the Republican objection.

This Iran treaty is going to eventually bring so much death and destruction to not only the Middle East, but, as Netanyahu has warned us, they are not preparing those intercontinental ballistic missiles for Israel. Those are for us. They can already hit Israel. They are for us.

So what do we see in the news now, other than the fact that Iran—well, this article says: "Iran Spends \$1.7 Billion in U.S. Taxpayer Funds to Boost Its Military." And it says in this June 9 article from Free Beacon, by Adam Kredo:

"The State Department is staying silent after Iranian officials disclosed that the Islamic Republic spent a recent payment by the United States of \$1.7 billion in taxpayer funds to expand and build-up its military, according to comments provided to the Washington Free Beacon.

"The Obama administration earlier this year paid Iran \$1.7 billion from a U.S. taxpayer-funded account in order to settle decades-old legal disputes with the Islamic Republic."

Never mind that our American citizens that were taken hostage have never been allowed to collect properly on the damages done by this regime in Iran. Yes, it was Ayatollah Khomeini instead of Khamenei, but these same hoodlums that are running Iran, same type of thinking, were the ones this administration provided \$1.7 billion. Instead of taking care of the American citizens that this radical Islamist regime in Iran, after they attacked our Embassy, took our hostages, held them for over a year, and we pay them?

It is consistent, I understand, with the apology mentality that leaders in this country have. Maybe the world will be so much better if we are not a superpower, we cut our military to pre-World War II levels, which is happening, and then we give Iran, that hates us, says very clearly they are going to destroy us and our way of life and our freedoms, we give them \$1.7 billion to build up their military while we are breaking down ours.

I keep going back to the comment by a gentleman, African, named Ebenezer from Togo, when I was over there with the Mercy Ship, provided incredible health care to the people of Togo, Lome, there in West Africa. And at the end of my week there, he and other Africans—these were not African Americans. These were Africans. But they also happened to be fellow Christians.

After a lovely meeting with them, Ebenezer spoke, and he said: Look. Basically, he said: We were so excited when you elected your first African American—or "Black President," I believe he said—but since then, we have seen America get weaker and weaker. And the reason we all wanted to meet with you is because, you know, we're Christians. We know where we're going when we die. But our only hope in this life for a peaceful life is if America is strong, because as America gets weaker, we suffer more.

We have seen that around the world. I have been to Nigeria and wept with mothers whose children were kidnapped by radical Islamists. They know that, as America has not responded to the radical Islam in Nigeria and helped them as we could, they have suffered mightily.

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Yet, this administration, from what has come out of Nigeria, has said: Look, we will help you a little more. We will really be able to help you with Boko Haram, but you have to start paying for abortions, and you have to start having same-sex marriage. We don't care if it violates your religious convictions because that is what we want you to do.

They are suffering there. They are suffering in all parts of Africa, many parts of Africa, because this administration has not been the force for good; it has been a force for weakness.

Now this story from The Washington Post, Adam Goldman and Missy Ryan, June 8: "At least 12 released Guantanamo detainees implicated in attacks on Americans."

The article says: "The Obama administration believes that at least 12 detainees"—and this is the Obama administration themselves. This isn't LOUIE GOHMERT. This is "the Obama administration believes that at least 12 detainees released from the prison at Guantanamo Bay, Cuba, have launched attacks against U.S. or allied forces in Afghanistan, killing about a half-dozen Americans, according to current and former U.S. officials."

It goes on to explain how these former Guantanamo Bay detainees have been killing Americans in Afghanistan. This is no surprise to some of us who have been saying—when these people were involved in plotting and killing Americans before they were detained, and they have even made statements in detention that they

can't wait to get out so they can kill more Americans, at some point even if they say, Okay, I will sign where you want me to, just let me go, who is surprised when they go back on their word like North Korea, go back on their word like the radical Islamist leaders in Iran as distinguished with so many Iranians who want to be rid of the radical Islamist leaders? But who can be surprised that they would actually go back to killing Americans?

That is why so many of us have been saying—a majority in this House—we are not going to let you close Guantanamo. We have made it against the law for him to release people unless certain things were done. And he violated that—the President did—when he made the deal for what is apparently a United States Army deserter, it certainly appears, and he let five of the worst murderers go without following the law that was set out for the President. Now it has been substantiated. We know people that have been released from Guantanamo have been killing Americans.

So one thing we know also is when a nation's enemies see that that nation's strongest ally is pulling away from that enemy, it is provocative. They act against that nation. So when that nation is Israel, and the appearance to the world is that the United States is pulling back from our close alliance and friendship with Israel, is it any wonder that Israel's biggest and most hateful enemies would be moving against Israel?

Terrorists have, once again, been inspired to go on killing sprees in Israel despite the Israelis doing everything they can to stop the carnage. As Prime Minister Netanyahu has said, I believe he even said it in this Chamber as he stood here facing Moses, our greatest known lawgiver of all time, standing, by the way—and I mentioned this to Prime Minister Netanyahu as he came down the aisle in May of 2011: Don't forget, while you are standing, speaking to us, our national motto will be right above your head.

He started to look up, and then he didn't even have to look up because he obviously knew what was up there. He looked me in the eye and said: I had already thought about that.

So as he stood here, In God We Trust above his head, looking at the greatest lawgiver in the history of mankind, Moses—most of us think he had 10 good commandments. I think our Supreme Court would probably say maybe five or six. But he warned us what was happening in the realm of radical Islam, what would be happening to Israel, and what would be happening to what they call the Great Satan, America. People in this administration did not listen.

Americans have spoken out loudly during the primary season about this idea of refugees who cannot be properly vetted, because we don't know really

who they are and where they are coming from. As FBI Director Comey testified in front of our Judiciary Committee:

We will vet them, but we have got nothing to vet with. At least in Iraq, we had Iraq's records on who had criminal convictions, who had arrests, and who had things in their record. We got no records from Syria and some of these other places. We don't know who they are. We don't know how criminal they are. We don't know how radical Islamist they are.

So many have been warning, and the American people have been warning through the primary season, and this article substantiates, from June 10, "Refugees Angry Over Skimp Ramadan Meals Set Shelter on Fire, Police Say."

This is from FOX News. It says: "A pair of North African refugees reportedly set a German shelter on fire Tuesday because they were angry the special Ramadan meals there weren't up to snuff.

"Investigators told the BBC that the men—who were not fasting at the shelter in Dusseldorf—had complained their lunch portions were too small."

Since they weren't observing the fast, they wanted more food.

"The fire burned the facility to the ground, causing \$11 million in damages."

The 26-year-old North African told reporters:

We had to do it. We had to burn it down so things would change.

So the question remains as more and more refugees are brought into this country against the will of the majority of the American people: How many facilities are going to be burned in America? How many more Americans are going to be killed on our own soil because the State Department and the Homeland Security Department are not properly vetting?

Our friend—and, in my mind, hero—Phil Haney, who worked for the Department of Homeland Security, had thousands of entries that Janet Napolitano said: We tried to connect the dots.

They deleted thousands of those dots. Why? Because this administration apparently doesn't want the public to know or the next administration to find out that many of the people they consult with and consort with have ties to terrorists. They deleted so many thousands of the dots in our system.

We are at risk, and the FBI director—I respect him—James Comey, said Tuesday: "The Islamic State group is currently the main threat facing the United States, both in its efforts to recruit fighters to join its members overseas and to have others carry out violence in America."

He said: "The Islamic State group poses a third potential threat: a 'terrorist diaspora' that he said will eventually flow out of Syria and Iraq and end up in Western Europe, where mem-

bers will have easy access to the United States.

"There's three prongs to this ISIL threat," Comey said. "The recruitment to travel, the recruitment to violence in place, and then what you saw a preview of in Brussels and in Paris—hardened fighters coming out, looking to kill people."

"He said officials are 'laser-focused on that.'"

We know some officials like him are focused on that, but we also know there are others in the administration who are meeting with people that the Justice Department under President Bush made very clear in their pleadings were coconspirators in support for terrorism. That included the Council on American-Islamic Relations, CAIR.

Then we hear about our friends at the Council on American-Islamic Relations when we see the article that just this week CAIR is joking around about medicating Americans against Islamophobia.

So that article from Virginia Hale, 9 June, Breitbart, talks about the jokes by the "Muslim Brotherhood-linked Council on American-Islamic Relations advises that anyone who harbors 'intolerance' towards Muslims, or who believes large numbers of the religion's adherents could pose a danger to the U.S., to take anti-Islamophobia medication for their 'unthinking bigotry.'"

Is it really bigotry when you are not prejudiced against Muslims, you have many Muslim friends, but you know there is a part of Islamists and there is a part of Muslims who are radical Islamists who want to kill you, destroy your country, destroy Christianity, and destroy Jews—kill all of them?

Is it really bigotry to say that we would really like to stop them before they destroy America, kill all Americans, kill all Christians in the world, and kill all Jews in the world, that we would really like to stop that? Is that really bigotry?

Because I would submit, Mr. Speaker, that what that is—if you are an American—is love of country. We have had Americans—and I hope and pray still—well, no. I know we have Americans who still have what Jesus, who laid down His life for us, said is the greatest love anyone could ever have, that someone would lay down their life for others. He knew what that was. He did it. We have had so many Americans do that.

But because of the lunacy that is occurring now in the administration, in the State Department, in homeland security, and in our military, Americans are being killed and are going to be killed.

If that is not enough, this article from TownHall, Matt Vespa, June 3: "Syrian Refugees Pushed Sweden's Welfare State to the Brink of Collapse."

Very interesting. Osama bin Laden had an interesting statement at one

time about how very cheaply they were able to kill 3,000 Americans on 9/11, but that the best part even beyond killing 3,000 Americans was that they cost us billions and maybe trillions of dollars with a very, very small investment to killing Americans on 9/11, and that if they will keep having projects like that, they can break us financially.

It appears that with decisions in this administration, they are on their way to doing that.

If that is not enough, this administration had the VA announce that the Department of Veterans Affairs has now proposed covering transition-related surgeries for transgender veterans in the near future under a proposed rule change. I know that the people making this decision don't want more veterans killing themselves. But as Dr. Paul McHugh, the former head of psychiatry at Johns Hopkins, now retired, was still working with them—but one transgender gentleman that had had the sex change in his forties had told me Dr. McHugh knows more about transgender than anybody.

Dr. McHugh has not made that claim. He is a very humble gentleman. He is a brilliant man. He cites in his article printed in *The Wall Street Journal* about a 2011 study at the Karolinska Institutet in Sweden produced the most illuminating results yet regarding the transgendered evidence that should give advocates pause. He is talking about advocates for transgender agenda that is even being pushed here in Congress.

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And he says: "The long-term study—up to 30 years—followed 324 people who had sex-reassignment surgery. The study revealed that beginning about 10 years after having the surgery, the transgendered began to experience increasing mental difficulties. Most shockingly, their suicide mortality rose almost 20-fold above the comparable nontransgender population. This disturbing result has as yet no explanation but probably reflects the growing sense of isolation reported by the aging transgendered after surgery. The high suicide rate certainly challenges the surgery prescription."

So for those in the VA who think a sex change operation is a good idea, Mr. Speaker, I hope they will look at the number of veterans that are killing themselves—higher rates than any time in previous eras of American history—and they will look at how many veterans are dying without the treatment they need, the veterans that are in long timelines to get the treatment they need to stay alive, and those who are dying waiting for the treatment they need.

Do you really want to have 20 times more veterans killing themselves? Is that where you want the VA money being spent, so that we can have 20

times the suicide rate that we currently have?

"Forbid it, Almighty God," as Patrick Henry once said.

And now the administration wants to take away parents' choices of decisions for their kids, wants to take our choices away that the First Amendment assures us that we have the right to freedom of religion. There is no right to freedom from religion, but there is a right of freedom of religion; and those rights are being taken away, even as they were from the Little Sisters of the Poor.

Do we want to allow these rights to continue to be taken at the cost of American lives, as we have seen resulting from people released at Guantanamo Bay, resulting from the ridiculous rules that are given to our military members? They are told they can't fire on people unless they are fired at and they can be assured no civilian will get hit.

The rules of engagement are ridiculous under this administration. So many rules are costing American lives. It is time to bring it all home and to understand the words of Ebenezer in Africa that, when America gets weaker, people around the world suffer. They understand that around the world. Freedom-loving people understand around the world when America gets weaker, they suffer.

America has been a gift to the world. Mr. Speaker, you know it, I know it, and I hope and pray more in the administration will realize it before it is too late.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DUFFY (at the request of Mr. MCCARTHY) for today through June 14 on account of the birth of his child.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until Monday, June 13, 2016, at noon for morning-hour debate.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Ralph Lee Abraham, Alma S. Adams, Robert B. Aderholt, Pete Aguilar, Rick W. Allen, Justin Amash, Mark E. Amodei, Brad Ashford, Brian Babin, Lou Barletta, Andy Barr, Joe Barton, Karen Bass, Joyce Beatty, Xavier Becerra, Dan Benishek, Ami Bera, Donald S. Beyer, Jr., Gus M. Bilirakis, Mike

Bishop, Rob Bishop, Sanford D. Bishop, Jr., Diane Black, Marsha Blackburn, Rod Blum, Earl Blumenauer, John A. Boehner*, Suzanne Bonamici, Madeleine Z. Bordallo, Mike Bost, Charles W. Boustany, Jr., Brendan F. Boyle, Kevin Brady, Robert A. Brady, Dave Brat, Jim Bridenstine, Mo Brooks, Susan W. Brooks, Corrine Brown, Julia Brownley, Vern Buchanan, Ken Buck, Larry Bucshon, Michael C. Burgess, Cheri Bustos, G. K. Butterfield, Bradley Byrne, Ken Calvert, Lois Capps, Michael E. Capuano, Tony Cardenas, John C. Carney, Jr., André Carson, Earl L. "Buddy" Carter, John R. Carter, Matt Cartwright, Kathy Castor, Joaquin Castro, Steve Chabot, Jason Chaffetz, Judy Chu, David N. Cicilline, Katherine M. Clark, Yvette D. Clarke, Curt Clawson, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Mike Coffman, Steve Cohen, Tom Cole, Chris Collins.

Doug Collins, Barbara Comstock, K. Michael Conaway, Gerald E. Connolly, John Conyers, Jr., Paul Cook, Jim Cooper, Jim Costa, Ryan A. Costello, Joe Courtney, Kevin Cramer, Eric A. "Rick" Crawford, Ander Crenshaw, Joseph Crowley, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Carlos Curbelo, Warren Davidson, Danny K. Davis, Rodney Davis, Susan A. Davis, Peter A. DeFazio, Diana DeGette, John K. Delaney, Rosa L. DeLauro, Susan K. DelBene, Jeff Denham, Charles W. Dent, Ron DeSantis, Mark DeSaulnier, Scott DesJarlais, Theodore E. Deutch, Mario Diaz-Balart, Debbie Dingell, Lloyd Doggett, Robert J. Dold, Daniel M. Donovan, Jr., Michael F. Doyle, Tammy Duckworth, Sean P. Duffy, Jeff Duncan, John J. Duncan, Jr., Donna F. Edwards, Keith Ellison, Renee L. Ellmers, Tom Emmer, Eliot L. Engel, Anna G. Eshoo, Elizabeth H. Esty, Blake Farenthold, Sam Farr, Chaka Fattah, Stephen Lee Fincher, Michael G. Fitzpatrick, Charles J. "Chuck" Fleischmann, John Fleming, Bill Flores, J. Randy Forbes, Jeff Fortenberry.

Bill Foster, Virginia Foxx, Lois Frankel, Trent Franks, Rodney P. Frelinghuysen, Marcia L. Fudge, Tulsi Gabbard, Ruben Gallego, John Garamendi, Scott Garrett, Bob Gibbs, Christopher P. Gibson, Louie Gohmert, Bob Goodlatte, Paul A. Gosar, Trey Gowdy, Gwen Graham, Kay Granger, Garret Graves, Sam Graves, Tom Graves, Alan Grayson, Al Green, Gene Green, H. Morgan Griffith, Raúl M. Grijalva, Glenn Grothman, Frank C. Guinta, Brett Guthrie, Luis V. Gutiérrez, Janice Hahn, Richard L. Hanna, Cresent Hardy, Gregg Harper, Andy Harris, Vicky Hartzler, Alcee L. Hastings, Denny Heck, Joseph J. Heck, Jeb Hensarling, Jaime Herrera Beutler, Jody B. Hice, Brian Higgins, J. French Hill, James A. Himes, Rubén Hinojosa, George Holding, Michael M. Honda, Steny H. Hoyer, Richard Hudson, Tim Huelskamp, Jared Huffman, Bill Huizenga, Randy Hultgren, Duncan Hunter, Will Hurd, Robert Hurt, Steve Israel, Darrell E. Issa, Sheila Jackson Lee, Hakeem S. Jeffries, Evan H. Jenkins, Lynn Jenkins, Bill Johnson, Eddie Bernice Johnson, Henry C. "Hank" Johnson, Jr., Sam Johnson, David W. Jolly, Walter B. Jones, Jim Jordan, David P. Joyce, Marcy Kaptur, John Katko, William R. Keating, Mike Kelly, Robin L. Kelly, Trent Kelly, Joseph P. Kennedy III, Daniel T. Kildee, Derek Kilmer, Ron Kind, Peter T. King, Steve King, Adam Kinzinger.

Ann Kirkpatrick, John Kline, Stephen Knight, Ann M. Kuster, Raúl R. Labrador, Darin LaHood, Doug LaMalfa, Doug Lamborn, Leonard Lance, James R. Langevin, Rick Larsen, John B. Larson, Robert E. Latta, Brenda L. Lawrence, Barbara Lee,

Sander M. Levin, John Lewis, Ted Lieu, Daniel Lipinski, Frank A. LoBiondo, David Loebsack, Zoe Lofgren, Billy Long, Barry Loudermilk, Mia B. Love, Alan S. Lowenthal, Nita M. Lowey, Frank D. Lucas, Blaine Luetkemeyer, Ben Ray Lujan, Michelle Lujan Grisham, Cynthia M. Lummis, Stephen F. Lynch, Thomas MacArthur, Carolyn B. Maloney, Sean Patrick Maloney, Kenny Marchant, Tom Marino, Thomas Massie, Doris O. Matsui, Kevin McCarthy, Michael T. McCaul, Tom McClintock, Betty McCollum, James P. McGovern, Patrick T. McHenry, David B. McKinley, Cathy McMorris Rodgers, Jerry McNerney, Martha McSally, Mark Meadows, Patrick Meehan, Gregory W. Meeks, Grace Meng, Luke Messer, John L. Mica, Candice S. Miller, Jeff Miller, John R. Moolenaar, Alexander X. Mooney, Gwen Moore, Seth Moulton, Markwayne Mullin, Mick Mulvaney, Patrick Murphy, Tim Murphy, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Dan Newhouse.

Kristi L. Noem, Richard M. Nolan, Donald Norcross, Eleanor Holmes Norton, Richard B. Nugent, Devin Nunes, Alan Nunnelee*, Pete Olson, Beto O'Rourke, Steven M. Palazzo, Frank Pallone, Jr., Gary J. Palmer, Bill Pascrell, Jr., Erik Paulsen, Donald M. Payne, Jr., Stevan Pearce, Nancy Pelosi, Ed Perlmutter, Scott Perry, Scott H. Peters, Collin C. Peterson, Pedro R. Pierluisi, Chellie Pingree, Robert Pittenger, Joseph R. Pitts, Stacey E. Plaskett, Mark Pocan, Ted Poe, Bruce Poliquin, Jared Polis, Mike Pompeo, Bill Posey, David E. Price, Tom Price, Mike Quigley, Amata Coleman Radewagen, Charles B. Rangel, John Ratcliffe, Tom Reed, David G. Reichert, James B. Renacci, Reid J. Ribble, Kathleen M. Rice, Tom Rice, Cedric L. Richmond, E. Scott Rigell, Martha Roby, David P. Roe, Harold Rogers, Mike Rogers, Dana Rohrabacher, Todd Rokita, Thomas J. Rooney, Peter J. Roskam, Ileana Ros-Lehtinen, Dennis A. Ross, Keith J. Rothfus, David Rouzer, Lucille Roybal-Allard, Edward R. Royce, Raul Ruiz, C. A. Dutch Ruppersberger, Bobby L. Rush, Steve Russell, Paul Ryan, Tim Ryan, Gregorio Kilili Camacho Sablan, Matt Salmon, Linda T. Sánchez, Loretta Sanchez, Mark Sanford, John P. Sarbanes, Steve Scalise, Janice D. Schakowsky, Adam B. Schiff.

Aaron Schock*, Kurt Schrader, David Schweikert, Austin Scott, David Scott, Robert C. "Bobby" Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, Terri A. Sewell, Brad Sherman, John Shimkus, Bill Shuster, Michael K. Simpson, Kyrsten Sinema, Albio Sires, Louise McIntosh Slaughter, Adam Smith, Adrian Smith, Christopher H. Smith, Jason Smith, Lamar Smith, Jackie Speier, Elise M. Stefanik, Chris Stewart, Steve Stivers, Marlin A. Stutzman, Eric Swalwell, Mark Takai, Mark Takano, Bennie G. Thompson, Glenn Thompson, Mike Thompson, Mac Thornberry, Patrick J. Tiberi, Scott R. Tipton, Dina Titus, Paul Tonko, Norma J. Torres, David A. Trott, Niki Tsongas, Michael R. Turner, Fred Upton, David G. Valadao, Chris Van Hollen, Juan Vargas, Marc A. Veasey, Filemon Vela, Nydia M. Velázquez, Peter J. Visclosky, Ann Wagner, Tim Walberg, Greg Walden, Mark Walker, Jackie Walorski, Mimi Walters, Timothy J. Walz, Debbie Wasserman Schultz, Maxine Waters, Bonnie Watson Coleman, Randy K. Weber, Sr., Daniel Webster, Peter Welch, Brad R. Wenstrup, Bruce Westerman, Lynn A. Westmoreland, Ed Whitfield, Roger Williams, Frederica S. Wilson, Joe Wilson, Robert J. Wittman, Steve Womack, Rob Woodall, John A. Yar-

muth, Kevin Yoder, Ted S. Yoho, David Young, Don Young, Todd C. Young, Lee M. Zeldin, Ryan K. Zinke.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5658. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's Major final rule — Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants — Cross-Border Application of the Margin Requirements (RIN: 3038-AC97) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5659. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's Major final rule — Risk-Based Capital (RIN: 3133-AD77) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5660. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification of the Arms Export Control Act, Transmittal No.: DDTC 16-015, pursuant to 22 U.S.C. 2776(c)(2)(C); Public Law 90-629, Sec. 36(c) (as added by Public Law 94-329, Sec. 211(a)); (82 Stat. 1326); and 22 U.S.C. 2776(d)(1); Public Law 90-629, Sec. 36(d) (as added by Public Law 94-329, Sec. 211(a)); (90 Stat. 740); to the Committee on Foreign Affairs.

5661. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report entitled, "Country Reports on Terrorism 2015", pursuant to 22 U.S.C. 2656f; to the Committee on Foreign Affairs.

5662. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's Semiannual Report to Congress for the period ending March 31, 2016, pursuant to 5 U.S.C. app. (Insp. Gen. Act) Sec. 5(b); Public Law 95-452, Sec. 5(b); (92 Stat. 1103); to the Committee on Oversight and Government Reform.

5663. A letter from the Chairman, Capitol Police Board, transmitting the Board's 2015 Year in Review which provides a synopsis of the Board's many short- and long-term initiatives and highlights the achievements of the Board, pursuant to 2 U.S.C. 1901 note; Public Law 108-7, Sec. 1014(d)(1); (117 Stat. 361); to the Committee on House Administration.

5664. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB — Cosentino v. Commissioner [T.C. Memo. 2014-186] received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5665. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final and temporary regulations — Certain Transfers of Property to Regulated Investment Companies [RICs] and Real Estate Investment Trusts [REITs] [TD 9770] (RIN: 1545-BN39) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 3636. A bill to amend the Immigration and Nationality Act to allow labor organizations and management organizations to receive the results of visa petitions about which such organizations have submitted advisory opinions, and for other purposes; with amendments (Rept. 114-614). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5169. A bill to strengthen welfare research and evaluation, and for other purposes; with an amendment (Rept. 114-615, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 5170. A bill to encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes; with an amendment (Rept. 114-616). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON. Committee on Energy and Commerce. H.R. 5050. A bill to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes; with an amendment (Rept. 114-617, Pt. 1). Ordered to be printed.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 4612. A bill to ensure economic stability, accountability, and efficiency of Federal Government operations by establishing a moratorium on midnight rules during a President's final days in office, and for other purposes (Rept. 114-618, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 4612 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 5169 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PAULSEN (for himself and Mr. BURGESS):

H.R. 5445. A bill to amend the Internal Revenue Code of 1986 to improve the rules with respect to health savings accounts; to the Committee on Ways and Means.

By Mr. VEASEY (for himself, Mr. MCGOVERN, and Mr. POLIS):

H.R. 5446. A bill to require the Attorney General to review foreign forms of identification, including consular identification cards and foreign passports without a valid visa, to establish a valid and secure form of identification, and for other purposes; to the Committee on the Judiciary.

By Mr. BOUSTANY (for himself and Mr. THOMPSON of California):

H.R. 5447. A bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BROWN of Florida:

H.R. 5448. A bill to expand the Yellow Ribbon Reintegration Program to include members of the Armed Forces serving on active duty and the families of such members; to the Committee on Armed Services.

By Mr. DEUTCH (for himself and Mr. KENNEDY):

H.R. 5449. A bill to amend title 18, United States Code, to create a commission to provide adequate representation to defendants in Federal criminal cases, and for other purposes; to the Committee on the Judiciary.

By Mr. HUFFMAN (for himself and Ms. BONAMICI):

H.R. 5450. A bill to establish an American Savings Account Fund and create a retirement savings plan available to all employees, and for other purposes; to the Committee on Ways and Means.

By Ms. KUSTER (for herself and Mr. CRAWFORD):

H.R. 5451. A bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOOLENAAR (for himself, Mr. PAULSEN, Mrs. NOEM, and Mr. BLUMENAUER):

H.R. 5452. A bill to amend the Internal Revenue Code of 1986 to permit individuals eligible for Indian Health Service assistance to qualify for health savings accounts; to the Committee on Ways and Means.

By Mr. POSEY (for himself and Mr. HECK of Washington):

H.R. 5453. A bill to amend the Consumer Financial Protection Act of 2010 to establish an advisory opinion process for the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Financial Services.

By Mr. SMITH of Washington (for himself and Mr. FRANKS of Arizona):

H.R. 5454. A bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. WESTMORELAND:

H.R. 5455. A bill to amend the Consumer Financial Protection Act of 2010 to separate the market monitoring functions of the Bureau of Consumer Financial Protection from the Bureau's supervisory functions; to the Committee on Financial Services.

By Mr. GOSAR (for himself, Mr. FLEMING, Mr. BYRNE, Mr. ABRAHAM, Mr. BABIN, Mr. BOUSTANY, Mr. BROOKS of Alabama, Mr. FRANKS of Arizona, Mr. HARPER, Mr. KELLY of Mississippi, Mr. PALAZZO, and Mrs. ROBY):

H. Con. Res. 136. Concurrent resolution expressing the sense of Congress opposing the President's proposed Coastal Climate Resil-

ience Program; to the Committee on Natural Resources.

By Mr. PETERS (for himself, Mr. SCOTT of Virginia, Mr. KILMER, Mr. FORBES, Mr. CONNOLLY, Mr. RYAN of Ohio, Mr. HUNTER, Mr. GRIFFITH, Mr. WITTMAN, Mr. BEYER, Mrs. BEATTY, Mr. CRENSHAW, Mr. RIGELL, Mr. LARSEN of Washington, Mr. NUNES, Mrs. DAVIS of California, Mrs. COMSTOCK, Mr. FARENTHOLD, Mr. BRAT, Mr. HURT of Virginia, Mr. VEASEY, and Mr. GOODLATTE):

H. Res. 776. A resolution expressing support for designation of the month of November as "U.S. Navy Aircraft Carrier Month", in celebration of the accomplishments and contributions of United States Navy aircraft carriers in defending the freedom of the United States, protecting the security of the Nation and its allies, responding to crisis and spurring technological innovation; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PAULSEN:

H.R. 5445.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—power to lay and collect taxes

By Mr. VEASEY:

H.R. 5446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BOUSTANY:

H.R. 5447.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—Business/Labor Regulation—The Congress shall have Power—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. BROWN of Florida:

H.R. 5448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. DEUTCH:

H.R. 5449.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. HUFFMAN:

H.R. 5450.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Ms. KUSTER:

H.R. 5451.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the

foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MOOLENAAR:

H.R. 5452.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

By Mr. POSEY:

H.R. 5453.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. SMITH of Washington:

H.R. 5454.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WESTMORELAND:

H.R. 5455.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8, Clause 3 of the Constitution states that Congress shall have power to regulate the regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 228: Mr. TED LIEU of California.

H.R. 239: Ms. JUDY CHU of California.

H.R. 335: Mr. PETERS.

H.R. 379: Mr. MEEHAN and Ms. TSONGAS.

H.R. 499: Mr. ROUZER.

H.R. 670: Mr. FITZPATRICK, Mr. COSTELLO of Pennsylvania, Mrs. COMSTOCK, Mr. AMODEI, Mr. GIBSON, Mr. YOUNG of Alaska, Mr. BENISHEK, Mr. GIBBS, and Mr. SESSIONS.

H.R. 704: Mr. AUSTIN SCOTT of Georgia.

H.R. 759: Mr. LARSEN of Washington.

H.R. 836: Mr. RICHMOND and Mr. MOONEY of West Virginia.

H.R. 842: Mr. BISHOP of Michigan.

H.R. 923: Mr. AUSTIN SCOTT of Georgia.

H.R. 953: Mr. HECK of Washington.

H.R. 1062: Mr. COFFMAN.

H.R. 1192: Mr. BEYER.

H.R. 1211: Mrs. BUSTOS.

H.R. 1221: Mr. VAN HOLLEN.

H.R. 1391: Mr. HIGGINS, Ms. SPEIER, and Mrs. CAPPS.

H.R. 1603: Mr. ISSA.

H.R. 1608: Mr. VAN HOLLEN, Mr. TED LIEU of California, Ms. HAHN, Mr. LUCAS, Mr. GOHMERT, and Mr. MCKINLEY.

H.R. 1784: Mr. BLUM.

H.R. 1877: Mrs. BUSTOS.

H.R. 1958: Mr. KILMER, Mr. QUIGLEY, and Ms. NORTON.

H.R. 1959: Mr. AGUILAR, Mrs. KIRKPATRICK, Mr. TAKAI, and Mr. KILMER.

H.R. 1988: Ms. KUSTER.

H.R. 2016: Mr. AGUILAR.

H.R. 2058: Mr. COLLINS of Georgia, Mr. ROHRBACHER, and Mr. THOMPSON of Pennsylvania.

H.R. 2090: Mr. KIND and Mr. AGUILAR.

H.R. 2114: Mr. LOWENTHAL.

H.R. 2205: Mr. MCKINLEY.

H.R. 2254: Mr. TED LIEU of California.

H.R. 2290: Mr. HUIZENGA of Michigan.

H.R. 2315: Mr. HURD of Texas, Mr. YOUNG of Indiana, and Mr. BUCSHON.

H.R. 2327: Mr. BEYER.

H.R. 2450: Mr. TONKO and Mr. LARSEN of Washington.

H.R. 2726: Mr. BISHOP of Utah and Mr. ROUZER.

H.R. 2799: Ms. ESTY and Ms. BROWNLEY of California.

H.R. 2804: Ms. LOFGREN.

H.R. 2867: Mr. SHERMAN.

H.R. 2903: Mr. MOONEY of West Virginia.

H.R. 2911: Mr. SHIMKUS, Mrs. NOEM, and Mr. KINZINGER of Illinois.

H.R. 2980: Mr. REED.

H.R. 2992: Mr. WEBSTER of Florida, Mr. YOHO, Mr. BABIN, Mr. GRAVES of Georgia, Mr. LOUDERMILK, Mr. CALVERT, Mr. COOK, Mr. SMITH of Nebraska, Mrs. COMSTOCK, Mrs. NOEM, Mr. STUTZMAN, Mr. ALLEN, Mr. WESTERMAN, Mrs. MILLER of Michigan, Mrs. BLACKBURN, Mr. HURD of Texas, Mr. MCCAUL, Mr. COHEN, and Mrs. ROBY.

H.R. 3065: Ms. GABBARD.

H.R. 3094: Mr. DENHAM, Mr. CLAY, Mr. THOMPSON of Pennsylvania, Mr. LAHOOD, and Mr. LABRADOR.

H.R. 3099: Ms. WILSON of Florida, Mr. THOMPSON of Mississippi, and Mr. KING of New York.

H.R. 3159: Mr. AGUILAR.

H.R. 3185: Mr. COSTA.

H.R. 3229: Mr. TIPTON and Ms. CASTOR of Florida.

H.R. 3308: Mr. CURBELO of Florida and Ms. KUSTER.

H.R. 3323: Ms. BROWNLEY of California and Mr. BISHOP of Michigan.

H.R. 3384: Mr. LOWENTHAL.

H.R. 3471: Mr. BUCSHON.

H.R. 3643: Mr. YOUNG of Alaska.

H.R. 3666: Mr. TED LIEU of California and Ms. WILSON of Florida.

H.R. 3683: Mr. GRAVES of Louisiana.

H.R. 3684: Mr. SWALWELL of California.

H.R. 3706: Mr. CONYERS, Mrs. DINGELL, Mr. PAULSEN, Mr. MCNERNEY, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 3742: Mr. MARINO and Ms. CASTOR of Florida.

H.R. 3765: Mr. GOHMERT.

H.R. 3884: Mr. ISSA and Mr. FORBES.

H.R. 3885: Mr. ISSA and Mr. FORBES.

H.R. 3929: Mr. HANNA, Mr. TONKO, Mr. SMITH of Washington, Mr. CASTRO of Texas, Mr. BROOKS of Alabama, Mr. LOUDERMILK, Mr. GOODLATTE, Mr. BRIDENSTINE, Mr. KILMER, Mr. BRADY of Pennsylvania, Mr. TAKAI, Mr. SHUSTER, Mr. RIGELL, Mr. GARAMENDI, Mr. LARSEN of Washington, and Mrs. BROOKS of Indiana.

H.R. 3964: Mr. DELANEY.

H.R. 3965: Mr. LOWENTHAL.

H.R. 4006: Mr. BLUM.

H.R. 4007: Mr. BURGESS.

H.R. 4087: Mr. PAYNE, Mr. THOMPSON of Mississippi, Mr. CLEAVER, and Mr. SCOTT of Virginia.

H.R. 4150: Mr. SCHRADER.

H.R. 4184: Mrs. KIRKPATRICK.

H.R. 4247: Mr. REED, Mr. TAKAI, and Mr. TIBERI.

H.R. 4257: Mr. ROTHFUS.

H.R. 4352: Mr. FORBES, Mr. LARSON of Connecticut, Mr. LOWENTHAL, Ms. DEGETTE, and Ms. LORETTA SANCHEZ of California.

H.R. 4365: Ms. CASTOR of Florida and Mr. BISHOP of Michigan.

H.R. 4452: Ms. ROS-LEHTINEN.

H.R. 4514: Mr. TIPTON, Mr. CLAWSON of Florida, Mr. ROTHFUS, and Mr. RENACCI.

H.R. 4538: Mr. CURBELO of Florida.

H.R. 4542: Mr. RUSH, Ms. NORTON, and Mr. THOMPSON of Mississippi.

H.R. 4592: Mr. COLE and Mrs. LAWRENCE.

H.R. 4616: Ms. CASTOR of Florida.

H.R. 4625: Mr. SERRANO, Mr. CROWLEY, and Mr. KATKO.

H.R. 4632: Ms. JUDY CHU of California.

H.R. 4640: Ms. DUCKWORTH, Mr. HUNTER, and Mr. CARTER of Georgia.

H.R. 4681: Mr. PASCRELL and Ms. WILSON of Florida.

H.R. 4715: Mr. BISHOP of Michigan.

H.R. 4731: Mr. AUSTIN SCOTT of Georgia.

H.R. 4764: Mr. KINZINGER of Illinois.

H.R. 4773: Mr. GUTHRIE.

H.R. 4816: Mr. PETERSON and Mr. CARTER of Texas.

H.R. 4817: Mr. HASTINGS.

H.R. 4829: Mr. POLIS.

H.R. 4887: Mrs. WALORSKI, Mr. STUTZMAN, Mr. ROKITA, Mrs. BROOKS of Indiana, Mr. MESSER, Mr. CARSON of Indiana, Mr. BUCSHON, and Mr. YOUNG of Indiana.

H.R. 4956: Mr. SENSENBRENNER and Mr. BURGESS.

H.R. 5025: Mr. GALLEGO, Mrs. KIRKPATRICK, Mr. PALLONE, and Mr. SMITH of New Jersey.

H.R. 5044: Mr. LIPINSKI and Ms. MAXINE WATERS of California.

H.R. 5047: Mr. SMITH of Washington and Mr. BLUM.

H.R. 5082: Mr. FARR.

H.R. 5091: Mr. COSTA.

H.R. 5137: Mr. BOUSTANY and Mr. GARAMENDI.

H.R. 5143: Mr. DUFFY, Mr. GARRETT, Mr. HILL, Mr. SCHWEIKERT, Mr. HURT of Virginia, and Mr. POLIQUIN.

H.R. 5165: Ms. WILSON of Florida.

H.R. 5166: Mr. MEEKS, Mr. BUCSHON, Mr. DENT, Mr. FRANKS of Arizona, Mr. NOLAN, Mr. CARTER of Georgia, Mr. VARGAS, Mr. RICHMOND, Mr. THOMPSON of Mississippi, and Mr. ZINKE.

H.R. 5168: Ms. SLAUGHTER, Mr. RYAN of Ohio, Ms. PINGREE, Mr. KILDEE, and Mr. THOMPSON of Mississippi.

H.R. 5172: Mr. MCHENRY.

H.R. 5182: Mr. VEASEY, Mr. PASCRELL, and Mr. POLIQUIN.

H.R. 5183: Mr. FORTENBERRY, Mr. DEFazio, Mr. WALZ, Mr. MCGOVERN, Ms. DELBENE, Ms. BROWNLEY of California, Mr. GARAMENDI, and Mr. CONYERS.

H.R. 5210: Mrs. MILLER of Michigan, Mr. PALAZZO, Ms. KUSTER, Mrs. KIRKPATRICK, Mr. EMMER of Minnesota, and Mr. COLE.

H.R. 5230: Mr. BUCSHON and Mr. CÁRDENAS.

H.R. 5254: Ms. KUSTER and Mr. GARAMENDI.

H.R. 5259: Mr. NEWHOUSE.

H.R. 5275: Mr. GRIFFITH.

H.R. 5276: Mr. POSEY and Mr. CARTER of Georgia.

H.R. 5283: Mr. SCOTT of Virginia and Mr. BISHOP of Michigan.

H.R. 5292: Mr. ROE of Tennessee, Mr. BURGESS, Mr. ABRAHAM, Ms. BROWNLEY of California, Mr. AUSTIN SCOTT of Georgia, Mr. WOODALL, Mr. MOONEY of West Virginia, and Mrs. BROOKS of Indiana.

H.R. 5312: Mr. RODNEY DAVIS of Illinois.

H.R. 5334: Mr. POCAN.

H.R. 5364: Mr. DESAULNIER.

H.R. 5386: Ms. BROWNLEY of California and Mr. DESAULNIER.

H.R. 5408: Ms. JUDY CHU of California.

H.R. 5423: Mr. GARAMENDI.

H.R. 5425: Ms. BROWNLEY of California.

H.R. 5426: Mr. JOHNSON of Georgia.

H.J. Res. 48: Mr. DESAULNIER.

H. Con. Res. 33: Mr. WILLIAMS.

H. Con. Res. 40: Mr. SCHWEIKERT, Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, and Mr. SWALWELL of California.

H. Con. Res. 50: Mr. GROTHMAN.

H. Res. 14: Mr. CRAMER, Ms. BROWN of Florida, and Ms. ESHOO.

H. Res. 220: Mr. CALVERT and Mr. COFFMAN.

H. Res. 494: Mr. GRAVES of Louisiana and Mr. AUSTIN SCOTT of Georgia.

H. Res. 549: Mr. DEFazio, Ms. KELLY of Illinois, Mr. VARGAS, Mrs. CAROLYN B. MALONEY of New York, Ms. GABBARD, Mr. WALZ, and Mr. LARSON of Connecticut.

H. Res. 591: Mr. ROGERS of Kentucky, Mr. DELANEY, and Mr. CARTWRIGHT.

H. Res. 642: Mr. HARPER and Mrs. BLACKBURN.

H. Res. 729: Mr. ALLEN, Mrs. MILLER of Michigan, Mr. CONNOLLY, Ms. DUCKWORTH, Mr. BISHOP of Utah, Mr. NORCROSS, Mr. FRANKS of Arizona, Mr. BEYER, Mr. HUNTER, Mr. BOST, Mr. LOWENTHAL, Ms. CASTOR of Florida, Mr. MARCHANT, Mr. BURGESS, Mr. CUELLAR, Mr. ROUZER, Mr. FLEISCHMANN, Mr. DELANEY, Mr. LIPINSKI, and Mr. ADERHOLT.

H. Res. 740: Mr. RENACCI and Mr. GIBBS.

H. Res. 750: Mr. JOYCE and Mrs. LOWEY.

H. Res. 754: Mr. POCAN.

H. Res. 766: Mr. FARR, Mr. NOLAN, Mr. COSTA, Mr. UPTON, Mr. PETERS, Ms. DEGETTE, and Mr. HUFFMAN.

H. Res. 769: Mr. NOLAN, Mr. DOGGETT, Ms. TSONGAS, Mr. COURTNEY, Mr. SCOTT of Virginia, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. SCHIFF, Mr. AGUILAR, Mr. BUTTERFIELD, Ms. FUDGE, Mr. WALZ, Mr. SERRANO, Ms. CASTOR of Florida, Mr. DEUTCH, Mr. CARNEY, Ms. WILSON of Florida, Mr. ISRAEL, Mr. SCHRADER, and Mr. HASTINGS.

EXTENSIONS OF REMARKS

LOOKING BACK OVER THE PAST 13 YEARS OF THE CATALINA ISLAND CONSERVANCY

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. LOWENTHAL. Mr. Speaker, as Tony Budrovich readies to take the reins as president and CEO of the Catalina Island Conservancy, it is important to step back and look over the successful tenure of Ann M. Muscat, who announced her June 25 retirement last year. She has served as president and CEO for more than 13 years—the second longest tenure of any previous Conservancy president.

Ann will continue to serve the Conservancy as its president emeritus until October 7, 2016. She will focus on serving as a resource to Tony, transitioning donor relationships, continuing fundraising for the Conservancy's first ever capital campaign, IMAGINE CATALINA, and completing design of the new visitors' center, The Trailhead.

"Ann and the Conservancy have achieved a lot," Los Angeles County Supervisor Don Knabe said. "I've had the great pleasure of working with Ann and her team, all of them consummate professionals who are dedicated to getting things done."

"Under Ann's leadership, the Conservancy has become a living laboratory of innovation in conservation, education and financial sustainability for nonprofit organizations," Catalina Island Conservancy Board of Directors Chair Stephen Chazen said. "The Conservancy has significantly improved the Island's ecological health, greatly increased access to Catalina's wildlands and expanded and enhanced its educational programs to better serve students living in Avalon and visitors from the mainland."

Here is a look back at how the Conservancy and its stewardship of Catalina Island have flourished since Muscat joined the organization in 2003.

During Ann's 13-year tenure, and through its Catalina Habitat Improvement and Restoration Program (CHIRP), the Conservancy staff has completed vegetation mapping of the entire Island, including non-native and invasive plant species. It has controlled and eradicated numerous invasive plant species that were eliminating native and rare biodiversity. It also expanded the native plant nursery's scope to include landscaping initiatives on the Island, along with restoration, and significantly expanded the native seed collection.

The Conservancy has been a leader in removing non-native and highly destructive animal species from the Island, leading to the rediscovery of native plants previously believed to be extinct. It also brought the Catalina Island fox back from the brink of extinction and supported the successful recovery of the bald eagle.

Its wildlife biologists have implemented innovative social (repatriation) and scientific methodologies (contraception) for managing the bison herd. They also have conducted bird and small mammal surveys, discovering nesting sea birds on cliffs and nearby rocks, and implementing protective measures for bat populations.

In addition, the Conservancy has pursued research partnerships with universities and museums from across the country, including a multi-institution collaboration that resulted in a comprehensive look at the Island's oak woodlands.

Working with the Long Beach Unified School District, the community and philanthropic organizations, the Conservancy has greatly increased access to natural and intellectual resources over the past 13 years. It implemented extensive educational enrichment and internship programs for the local school population through the establishment of the K–12 NatureWorks workforce development and STEM education initiative.

In its continuing service to the local community, the Conservancy provided free access to the wildlands of Catalina for Island families without vehicles. It implemented a free of charge Naturalist Training Program for tour operators and local businesses, as well as Conservancy front line staff.

To ensure visitors to the Island could access the wildlands and learn about Catalina's ecosystem, the Conservancy created the 37.5 mile Trans-Catalina Trail. It also has secured funding and developed plans for further trail improvements and expansions.

It significantly expanded and improved the Jeep Eco-Tour program and developed a signage and way finding system across the Island. It added new running and biking events, an Island Ecology Travel Program and Wild Side Art Program to increase access and awareness. In addition, it increased volunteer program initiatives to include AmeriCorps, American Conservation Experience and numerous university-level spring break programs.

So that visitors and others had more information about Catalina Island and the Conservancy, it added a Nature Center in Avalon and a Mobile Nature Station that has served Avalon and Two Harbors, along with interpretive panels in the Garden and at campgrounds and trailheads. The Conservancy also expanded and revamped its outreach and marketing materials, including maps, field guides, monthly e-newsletters, videos, an extensive photo library and expanded web site.

To serve a greater good beyond Catalina's shores, the Conservancy launched a successful radio show and web site, Isla Earth, on environmental issues that aired for 10 years on over 320 radio stations across the country.

To provide the needed programs and ensure the organization's long-term financial health, the Conservancy has focused on raising revenues and creating a sustainable busi-

ness model that will ensure the Island will continue to be restored and protected for future generations.

In the past 13 years, the Conservancy has increased its operating budget nearly three times through an increase in philanthropic giving and mission-based earned income. It has significantly expanded its donor base and created a reserve fund to address deferred maintenance projects across its 42,000 acres. Projects have included improvements at Airport in the Sky, across its road and bridge system, a new pier, replacement and expansion of its vehicle fleet and upgrades to its numerous buildings.

The Conservancy also revamped its organizational structure, adding new departments and expanding existing functions while providing professional development and training for all staff. The Conservancy's staff has doubled in size and moved to a more customer service/community orientation. The Conservancy also expanded and updated employee housing, adding 14 new units, to support recruitment and retention of staff.

The Board of Directors and the Conservancy's staff have worked together to develop a strategic vision for the organization's future, called IMAGINE CATALINA. They worked with nationally recognized sustainability architect William McDonough and landscape architect Thomas Woltz to develop a long-term strategic vision.

It imagines an Island that represents California as it can be, demonstrating how nature and humans can thrive together. It envisions Catalina and the Conservancy serving as models for science-based conservation, for training tomorrow's stewards of the natural world, for connecting people to nature and for creating sustainable finances and operations.

To implement IMAGINE CATALINA, the Board and staff launched the Conservancy's first-ever capital campaign, and they are more than three-fourths of the way to fully funding the first phase. They plan to celebrate the groundbreaking for the campaign's flagship project, The Trailhead Visitor Center, on June 24. Another groundbreaking is scheduled on October 14 for the next major project, improvement and expansion of Catalina's trail system, and planning is well underway for a major ecological restoration effort on the Island's West End.

"Ann and her team's excellent stewardship work at the Catalina Island Conservancy is leading edge and has served as a model for many other land trusts," said California Council of Land Trusts Executive Director Darla Guenzler.

Ann has also been a leader beyond Catalina. She was a founding Board member of the California Council of Land Trusts and served as its Chair of the Board. She is also a member of the Steering Committee for the Southern California Open Space Council and an Advisory Board member of USC's Wrigley Institute for Environmental Studies.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

COMMENDING THE PACIFICA
INSTITUTE FOR ITS WORK

HON. SUZAN K. DELBENE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Ms. DELBENE. Mr. Speaker, I rise today to commend the Pacifica Institute in Bellevue for their work to generate interfaith dialogue and promote cross-cultural ties. Pacifica Institute has built up ties of mutual understanding and strengthened communities throughout the state of Washington.

Pacifica Institute has continually engaged the community in activities to foster shared experiences. Their efforts have helped remove barriers, building confidence and trust to create a peaceful society through newfound relationships.

Through their vision of promoting social justice through shared networks, Pacifica Institute has provided our district with the opportunity to foster mutual appreciation in a respectful environment.

I'm pleased to join Pacifica Institute in their annual Ramadan Interfaith Friendship Iftar in Redmond this weekend. I am looking forward to coming together with members of our community to celebrate various religious backgrounds.

As President John F. Kennedy said, "If we cannot end now our differences, at least we can help make the world safe for diversity." Pacifica Institute works to do just that. Its commitment to educating communities serves as a positive voice bringing people together to combat prejudice and intolerance.

TIBET AND THE VISIT OF HIS HO-
LINESS THE DALAI LAMA TO
WASHINGTON, D.C.

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. SMITH of New Jersey. Mr. Speaker, His Holiness the Dalai Lama will be in Washington, DC next week. As the spiritual leader of Tibetans, the Dalai Lama is an energetic and unfailing ambassador for human rights and the rights of the Tibetan people. Sadly, his visit reminds us again about the dire situation of the Tibetan people inside China.

The Tibetan people have a right to practice their religion, preserve their culture, and speak their language. They have a right to do so without restriction or interference. The Chinese government does not agree. To them, the Tibetans are a people to be pacified. Their faith and culture are problems to be solved, not a heritage to be preserved, honored, and protected. To them, the Dalai Lama is an agitator and revolutionary, not a world-renowned and respected voice for peace and harmony.

The recent State Department Human Rights Report offered a withering criticism of the Chinese government's oversight of Tibetan and Tibetan areas of China. It said the "government engaged in severe repression of Tibet's

religious, cultural and religious heritage by, among other means, strictly curtailing the civil rights of China's ethnic Tibetan population, including the rights to the freedom of speech, religion, association, assembly, and movement."

I am the Chair of the Congressional-Executive Commission on China. Our reporting on Tibet draws similar conclusions about China's rough oversight of Tibetans. Over the past several years, the Chinese government has constructed more obstacles to efforts by Tibetans to preserve their culture and religion.

Sadly, we know that Tibetans have used self-immolations as a protest against the religious and political oversight of the Chinese government.

It is difficult to fathom the despair and desperation felt by Tibetans who take this last act of defiance. The Chinese government has blamed the Dalai Lama and "foreign forces" for self-immolations instead of looking at how their own policies created such deep grievances.

The Chinese government also expanded its efforts last year to transform Tibetan Buddhism into a state-managed institution. They sought to undermine the devotion of the Tibetan people to the Dalai Lama and control the process of selecting Buddhist leaders.

One Chinese government official admitted that control over the selection of Tibetan Buddhist leaders, including the next Dalai Lama, was "an important political matter" and a critical part of the Chinese government's "sovereignty over Tibet."

The Chinese government wants a Tibetan Buddhism that is attractive to tourists, but which allows the Communist Party to completely manage its affairs.

The UN Special Rapporteur on Religion said recently criticized China's efforts to control Tibetan Buddhism and the process of selecting leaders. He said "the Chinese government is destroying the autonomy of religious communities . . . creating schisms, and pitting people against each other in order to exercise control."

This is exactly what the Chinese government has done to other religious groups, including Catholics, Protestants, Muslims, and Falun Gong. When the faithful don't fall in line, they are jailed, harassed and bribed until they do.

Religious freedom is an essential part of dealing with the grievances of the Tibetan people, but China's answer is always the same—control, manage, and repress. It is counterproductive and it violates China's international obligations.

The China Commission has a prisoner database that contains records on 643 known Tibetan political and religious prisoners. 43 percent of those detained are monks, nuns, and religious teachers. Almost all were imprisoned since 2008.

Substantive dialogue between the Dalai Lama's representatives and the Chinese government and Communist Party have not occurred in the past five years. This is the longest break since the dialogue started in 2002.

A government "White Paper" on Tibet, published this April, states that China will "only talk with private representatives of the Dalai Lama" to discuss "the future of the Dalai

Lama" and how he can "gain the forgiveness of the central government and the Chinese people."

Instead of asking for the Dalai Lama's forgiveness for the decades of brutal repression, the Chinese government asks for his. This is the state of affairs in Xi Jinping's China.

This is unfortunate and counterproductive. If China's goal is to build a "harmonious society" in Tibet, it cannot be done without the Dalai Lama.

He is the spiritual leader of the Tibetan people. His views are widely shared by those in Tibetan society, he can be a constructive partner for China in addressing continuing tensions, and deep-seated grievance, in Tibetan areas.

In our dealings with Chinese government and officials, Members of Congress and the Administration should affirm the peaceful desires of the Tibetan people for greater autonomy and freedoms within China.

We should stress that China's policies are counterproductive, they are brutal, and they hurt China's international prestige.

We also need to speak with a unified voice to end the repression of the Tibetan people. U.S. leadership on this issue is critical, because our allies in Europe and Asia can be bullied by Chinese threats of economic boycotts.

U.S. officials must demonstrate that Tibet matters, human rights matter, and religious freedom matters to U.S.-China relations and China's future stability and prosperity.

RECOGNIZING DELEGATES AT THE
CONGRESS FOR FUTURE MED-
ICAL LEADERS

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize five high school students from the fourth district of Colorado, who were selected to represent the state of Colorado as delegates at the Congress for Future Medical Leaders. The students are Carter Goodard of Frederick Senior High School, Alexandria Rivera of Sky View Academy, Victoria Rubio of Silver Creek High School, Anna Schulhoff of Legend High School, and Megan Weigand of Erie High School.

The Congress of Future Medical Leaders is an honors program that recognizes exceptional high school students who are pursuing careers as a physician or in medical research.

These students are the future leaders of the medical field and our country. Through their studies, they have embodied the meaning of hard work and perseverance to achieve their goals, and will better the health of future generations.

Mr. Speaker, I am delighted to recognize these five students for their hard work and service to their community. I wish them luck in their future endeavors.

RHODE ISLAND VETERANS OF
FOREIGN WARS 97TH ANNUAL
STATE CONVENTION

HON. DAVID N. CICILLINE

OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, June 10, 2016

Mr. CICILLINE. Mr. Speaker, I rise today to honor the men and women of the Rhode Island Veterans of Foreign Wars, which is holding its 97th Annual State Convention this Saturday.

All of us are fortunate to live in a free and safe society because of the brave actions and extraordinary sacrifices of the men and women who have worn the uniform of the United States Armed Forces.

We owe our troops, veterans and their families our gratitude and deep respect, in addition to the exceptional care and benefits they have earned while serving our great nation.

The Rhode Island VFW has been the leading voice for veterans and their families in my home state for decades.

I am proud to work with them to strengthen mental health services, expand job training opportunities, and ensure that all of Rhode Island's veterans have the tools and resources they need to get ahead.

Rhode Island is home to more than 70,000 veterans today. They are all our heroes.

I congratulate the Rhode Island Veterans of Foreign Wars on their 97th Annual State Convention, and I look forward to joining them this Saturday.

HONORING MR. MARK DELLINGER

HON. MIKE THOMPSON

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 10, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Mark Dellinger who will retire after 31 years of public service with Lake County in California.

After growing up in New York and the Midwest, Mr. Dellinger moved west to pursue higher education. He earned his Bachelor of Science from Northern Arizona University and then earned his Master's Degree in Geography from the University of Idaho.

Mr. Dellinger joined the Lake County Planning Department's Resource Management Division as a Geothermal Coordinator in 1984 and joined the Special Districts office in 1992 as a Resource Manager. Mr. Dellinger joined Calpine in the private sector to manage compliance for geothermal power plants in 2001, but returned to Lake County as the Administrator of Special Districts in 2002. In this position, he was responsible for fiscal, personnel, and project management.

For his work on the Southeast Geysers Effluent Pipeline Project, or "Flush to Flash," Mr. Dellinger received the Geothermal Resources Council Special Achievement Award in 1997. This project, co-led by Mr. Dellinger and Eliot Allen, used treated wastewater to recharge the geothermal steam field in Lake County. The Special District Leadership Foundation also

awarded Mr. Dellinger the Special District Administrator Certification in 2011 after he completed a rigorous examination demonstrating his expertise in management and governance.

Mr. Speaker, Mr. Dellinger dedicated his career to ensuring that the residents of Lake County, California had access to high quality public services. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement and many happy memories to come with Carol, his wife, and their sons Jared and Quinn.

RECOGNIZING DELEGATES AT THE
CONGRESS OF FUTURE SCIENCE
AND TECHNOLOGY LEADERS

HON. KEN BUCK

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 10, 2016

Mr. BUCK. Mr. Speaker, I rise today to recognize six high school students from the fourth district of Colorado, who have been chosen to represent the state of Colorado as delegates at the Congress of Future Science and Technology Leaders. The students are Jamison Cavanagh of Ponderosa High School, Tanner Cavanagh of Ponderosa High School, Victoria Messmore of Legend High School, Dominic Plaia of Chaparral High School, Amber Storch of Fort Morgan High School, and Caleb Vannest of Greeley West High School.

The Congress of Future Science and Technology Leaders is an honors program that recognizes exceptional high school students who are pursuing careers as engineers, scientists, or technologists.

These students are the future leaders of the STEM fields and our country. Through their studies, they have embodied the meaning of hard work and perseverance to achieve their goals, and will advance science and technology for future generations.

Mr. Speaker, I am delighted to recognize these six students for their hard work and service to their community. I wish them luck in their future endeavors.

OUR UNCONSCIONABLE NATIONAL
DEBT

HON. MIKE COFFMAN

OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 10, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,230,270,048,404.99. We've added \$8,603,392,999,491.91 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING DR. ELLA WHITE
CAMPBELL

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Friday, June 10, 2016

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to recognize Dr. Ella White Campbell—a passionate educator who devoted her life to improving the lives of her neighbors.

A South Carolina native, Dr. Campbell moved to Maryland at a young age and graduated at the top of her class from the historic Wiley H. Bates High School in Annapolis while helping to care for her siblings. She later earned three degrees—including one Doctoral Degree—from Morgan State University, Johns Hopkins University and the University of Maryland.

Dr. Campbell began her teaching career at a middle school in the Cherry Hill neighborhood of Baltimore City, where residents were so impressed with her leadership abilities, they asked her to take over the local recreation center. She eventually chaired the city's English Department and was promoted to Assistant Principal. She helped design a curriculum that increased test scores of hundreds of students.

You would be hard pressed to find a community organization that Dr. Campbell did not, at some point, belong to or lead. While too numerous to mention in their entirety, Dr. Campbell was President of the Gwynnvale Civic Association, President of the Liberty Road Community Council, President of the Liberty Randallstown Coalition, President of the Stevenswood Improvement Association and Founder of the Randallstown NAACP chapter.

Dr. Campbell advocated tirelessly for better schools, recreation facilities, libraries and public transportation in her community. I had the privilege of working with Dr. Campbell for many years. Believe me, you did not want to find yourself on the wrong side of Dr. Campbell because you can bet she had already briefed the community on her position—and convinced them to agree. She was instrumental in securing \$1 million to implement the Liberty Road Streetscape Project, helped to stop area flooding through the Red Run Dam project and established the Liberty Assistance Center for county residents in need.

A decorated member of the Delta Sigma Theta Sorority, Dr. Campbell is listed in the Who's Who in The East, Who's Who in America and Community Leaders of the World. Perhaps most importantly, she was a devoted wife, mother, grandmother and great-grandmother.

Mr. Speaker, I ask that you join with me today to honor the life and legacy of Dr. Ella White Campbell. Although she will be sorely missed, Dr. Campbell's impact on Baltimore County and people's lives—including my own—will last forever. She was a true inspiration.

TRIBUTE TO TIM CADDELL, GOVERNMENT RELATIONS ADMINISTRATOR

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Tim Caddell, a member of our local government who is retiring after 15 years of public relations work in Pinellas Park.

Mr. Caddell joined the Pinellas Park staff in 2001. He initially served as Public Events Director, planning events such as the Harvest Moon Festival and Country in the Park. Towards the end of his first year, he took on the role of Public Information Officer cultivating and maintaining vital relationships with the local media outlets. Additionally, he led an important effort in Tallahassee lobbying on behalf of Pinellas Park when the city was in need of funds for drainage improvements at Park Boulevard.

Finally, in 2008, he was promoted to Government Relations Administrator where he thrived. In this role, Mr. Caddell was responsible for establishing the Pinellas Park Performing Arts Center after the city had purchased the space. He recalls this event as one of the brightest moments in his career.

In addition to his official role, Mr. Caddell demonstrated his commitment to Pinellas County through his service in various charitable organizations. He served as executive director for the group "Girls Inc." which focuses on programs for girls that enrich their studies in a variety of academic and professional fields. He also served the St. Petersburg Police Department as a Private Investigator and was an assistant to the publisher for Pinellas Park News.

Mr. Speaker, I want to recognize and thank Tim Caddell for his dedication to Pinellas County throughout his career. He will be truly missed for his innovative ideas and strong work ethic. I ask that this body join me in thanking Mr. Caddell for the work he did for our community and in wishing him all the best in his next chapter of his life.

PURPLE HEART DISTRICT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of California. Mr. Speaker, it is my great pleasure to rise today to pay tribute to California's Fifth Congressional District as home to recipients of the Purple Heart. So many of our residents have honorably served our nation in its time of need. As a reflection of Northern California's role in war efforts past and present and the deep personal sacrifice of so many of our residents, I stand to assert that California's Fifth Congressional District should be recognized as a "Purple Heart District."

The Purple Heart is one of the oldest and most recognized American military medals,

awarded to service members who were killed or wounded by enemy action. In 1782, George Washington created the Badge of Military Merit to reward "any singularly meritorious action" displayed by a soldier, non-commissioned officer, or officer in the Continental Army. This award was intended to encourage gallantry and fidelity among soldiers. General Douglas MacArthur (then Army Chief of Staff) revived the award on February 22, 1932, the 200th anniversary of George Washington's birth. Since its inception and through several wars and conflicts, the Purple Heart has been given to an estimated 1.8 million military members wounded or killed while serving our nation. I received my Purple Heart while serving in the 173rd Airborne Brigade in Vietnam.

California has a strong military tradition, home to many significant installations and countless remarkable individuals. Our district includes the former Mare Island Naval Shipyard—the first U.S. Navy base on the Pacific coast—and is adjacent to Travis Air Force Base, which handles more cargo and passengers than any other military air terminal in the United States. Many notable veterans have called our district home, including pioneering pilot and General of the Army and Air Force Henry "Hap" Arnold. Over 45,000 veterans currently reside in our district, including thousands from the wars in Iraq and Afghanistan, who are living with the wounds of war at higher rates than any other conflict in our history. I am honored to represent all of these valiant men and women.

Mr. Speaker, California has dispatched thousands of its sons and daughters to fight the enemy. Many have sacrificed their health, and many have sacrificed their lives. We will never forget their sacrifices and are grateful for the brave men and women who have been harmed defending our country and our freedom.

I ask my colleagues to join me in recognition and appreciation of California's Purple Heart recipients past and present. Now, in the spirit of that appreciation, let it be known that California's Fifth Congressional District should be recognized as a "Purple Heart District."

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mrs. BLACK. Mr. Speaker, on Roll Call Number 269 for passage of H. Con. Res. 129, Roll Call Number 270 for passage of H.R. 4906, Roll Call Number 271 for passage of H.R. 4904, Roll Call Number 272 for passage of H.R. 1815 which took place Tuesday, June 7, 2016, I am not recorded because I was unavoidably detained.

Had I been present, I would have voted Aye on Roll Call Number 269 for passage of H. Con. Res. 129, on Roll Call Number 270 for passage of H.R. 4906, on Roll Call Number 271 for passage of H.R. 4904, and on Roll Call Number 272 for passage of H.R. 1815.

TRIBUTE TO FLORIDA CHAMBER OF COMMERCE

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize the Florida Chamber of Commerce on their 100th anniversary and for their tireless efforts to secure Florida's future.

On April 29th, 1916, The Florida Chamber was founded to help support the Florida business community. At the time, many businesses were faltering and the agriculture industry, the state's leading economic source, was struggling with a cattle tick that was threatening livestock. The chamber was created with the goal of securing that state's future by preserving our vital agriculture industry and creating jobs and economic opportunities. Today, Florida's economic challenges have changed, but the Chamber's mission has always remained the same: securing Florida's economic future.

In the past 100 years, Florida has developed into an economic powerhouse with the support of the Florida Chamber of Commerce. Today, Florida's economy accounts for 1 in 12 jobs being created in the United States and independently the Floridian economy is the 18th largest market in the world. As the population continues to grow and diversify Florida's economy and population of roughly 19 million residents to continue to enrich our nation's economy.

The primary goal of the Chamber has been to promote a business-friendly atmosphere in order to attract employees with highly specialized skills and continue to aid our economy. The Chamber has done that and more for Florida and our community of Pinellas as well. It has strengthened our agriculture industry, embraced the military and defense industry, promoted technology and innovation, advanced education, and strengthened our infrastructure.

Even though the main industries in our community and state are agriculture, tourism, and construction, the Chamber is helping ensure that we are looking towards a more diverse economy with life sciences and biotech, energy, international trade, and advanced manufacturing and space technologies. With our state ever increasing in population, we can feel secure that the Florida Chamber will continue to create jobs and opportunities.

Mr. Speaker, I want to thank our Florida Chamber for maintaining their goal of nurturing and supporting business within Florida. I ask that this body join me in recognizing what the Florida Chamber has done for the Florida economy in the past 100 years and will continue to do in the future.

HONORING THE EXTRAORDINARY
LIFE OF PATRICK OROSZKO**HON. JAMES P. McGOVERN**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. McGOVERN. Mr. Speaker, I rise today to honor the extraordinary life of Patrick Oroszko of Worcester, Massachusetts.

Pat passed away on Sunday following a brave and inspirational battle with esophageal cancer. He was just 34 years old.

I first met Pat several years ago when he interned in my Washington, DC office. He was exceptional. He was whip smart and detailed oriented. Pat made you feel comfortable the moment you started talking to him. He was easy-going and unassuming, despite his height. And above all, he was kind.

Born and raised in Worcester, Pat graduated from St. John's High School in Shrewsbury where he excelled in basketball. He went on to receive degrees from Clark University and Anna Maria College.

It was at Clark University that Pat truly felt at home. While at Clark, he was a member of the school's basketball team which qualified for the postseason in all four of his years and made it to the Elite Eight of the NCAA Division III tournament two years. He served as team captain his junior and senior years.

Most recently, Pat served as Director of Student Recruitment for Clark's Graduate School and, for the past seven years, as an Assistant Men's Basketball Coach.

And Clark is where Pat met the love of his life and best friend, Courtney.

Today, it's the Clark University basketball gymnasium—the Kneller Athletic Center—where family and friends will gather to celebrate his life. It was one of Pat's favorite places. And at his request, the gym will be set up just as it would be for a game day, with the bleachers pulled out, home and visitor benches, the scoring table and the scoreboard on.

Mr. Speaker, I want to extend my deepest sympathy to Pat's wife Courtney; his young children, Allison and Ryan; his parents, Charlie and Linda; his brother, Chris and all of his extended family and friends and the entire Clark University family.

Mr. Speaker, Pat Oroszko was a wonderful person who touched so many lives. And we're all going to miss him immensely.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call vote 283 on Thursday, June 9, 2016. Had I been present, I would have voted "nay" on roll call vote 283.

OPPOSITION TO H. CON. RES. 89
AND H. CON. RES. 112**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to the two resolutions brought to the floor today, H. Con. Res. 89 and H. Con. Res. 112. These resolutions are a time-wasting distraction from the real work that this Congress should be doing—finding ways to invest in America, grow paychecks and create good jobs for the middle class and those struggling to get by.

The oil fee and carbon tax are two proposals to address the problem of climate change and, in the case of the oil fee, provide needed funds for infrastructure reform. While we can debate the merits of these particular approaches, at least they are efforts to take on real challenges facing our country and the world.

Instead, the majority simply wants to stick their heads in the sand and wish these challenges away. That may appease their Trump Tea Party base, but it represents a total lack of leadership.

And make no mistake, inaction on climate change does not just risk our future—it is costing us today. The increase in extreme weather events is hitting Americans in the pocketbook, through higher insurance rates and home repair costs, and this will only get worse from our failure to act. The greater harm is through the missed opportunity to create high-paying jobs for American workers. We can be the world's green-economy leader, supporting millions of new jobs in research and manufacturing in the process, but it requires Congress to act. Republicans would rather we sit on the sidelines while other countries seek the mantle of climate-change leader, and those countries reap the benefit of high-paying technology jobs that will come with it.

Now, we should have a discussion on the best ways to boost our economy by combating climate change, reducing our reliance on fossil fuels, and finding ways to properly invest in our nation's infrastructure. In that vein, I've introduced the Healthy Climate and Family Security Act, a cap-and-dividend plan that would help us combat climate change and support economic growth and a thriving middle class. It boosts the purchasing power of families in Maryland and across the country while achieving the reductions in greenhouse gas emissions necessary to address the economic and health risks of climate change, using a market-based approach.

Similarly, last year I introduced the GROW AMERICA Act, a bill which would boost infrastructure spending and help pay for it by closing the egregious inversions loophole which allows corporations to shift their tax obligations onto hard-working Americans just by changing their mailing address. My Democratic colleagues have many other thoughtful ideas on how we can address these important issues.

But today's resolutions are not a thoughtful discussion on addressing climate change or funding our infrastructure—in the text of these resolutions, the terms "climate change" and

"infrastructure" are nowhere to be seen. In fact, these resolutions are a waste of time meant to appease the Trump Tea Party base. The American people need us to do our job, so let's get to the real work of creating broadly shared prosperity. I urge my colleagues to vote no.

TRIBUTE TO PRINCIPAL MICHAEL
FEENEY**HON. DAVID W. JOLLY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Principal Michael Feeney for his efforts in improving one of our local schools, Oldsmar Elementary. On May 17th 2016, Mr. Feeney received an award from the Oldsmar City Council for his exemplary work.

Mr. Feeney began his career in education at Oldsmar Elementary as a teacher, but soon after starting he realized that school administration was his calling. He assumed the role of Assistant Principal for two years and was promoted to Principal for another four years. Under Mr. Feeney's guidance, Oldsmar Elementary has gone from a "C" to an "A" grade school and his efforts have changed the lives of so many children and families throughout our community.

Although Mr. Feeney will be leaving Oldsmar Elementary to serve at another school, his dedication to excellence and commitment to his students has left a lasting legacy at Oldsmar Elementary. I ask that this body join me in recognizing Mr. Feeney's accomplishments and wish him the best of luck as he begins the next chapter of his life.

IN MEMORY OF HELEN CHÁVEZ

HON. TONY CÁRDENAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. CÁRDENAS. Mr. Speaker, it is with great sadness that I rise to honor the life and legacy of Helen Chávez, who passed away on Monday, June 6, 2016. Helen was a civil rights icon in her own right, and the widow of one of my heroes, César Chávez.

Throughout her life, Helen Chávez faced many challenges, yet she had a fierce determination and always kept moving forward.

When she was just 12 years old, Helen's father passed away. In order to help her mother support her five siblings, Helen began working in the California fields. Later, Helen went on to meet the love of her life, César, and became a caring mother to their eight children in East Los Angeles. However, it was her passion for César's initiative to bring justice to farm workers that inspired her to return to Delano to work in the fields.

Helen devoted her life to civil rights by bringing awareness to the cause. She inspired people to join the initiative to fight for farmworker rights. Helen and César formed the United Farmworkers Union where Helen

worked tirelessly running the credit union put in place for the workers. And when times were tough, Helen did not back down. She turned to her faith for words of encouragement. She never gave up.

With Helen's encouragement and unconditional support, César went on to inspire a labor movement of farmworkers that would go on to level the playing field in the conflict over the right to form a union. This led to the most powerful and significant alliance between unions and communities in the modern day labor movement.

It is clear that Helen was more than a mother and a wife. She had an essential part in the accomplishments of her husband. Helen Chávez is one of this country's greatest advocates. She helped bring human rights to the forefront. Her quiet resiliency drove the heart of this movement.

As the son of farmworkers from the Central Valley, her work and César's initiative have made it possible for me to become a Congressman. The outcome of my life and the lives of millions of Americans who come from farmworkers and families in the labor industry are forever changed because of their fearless pursuit of justice.

Mr. Speaker, I ask my colleagues to join me in commemorating the life of Helen Chávez. Her legacy is a testament to the greatness that is these United States of America.

HONORING MS. FIONA BULLOCK

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Fiona Bullock for her 26 years of service as an educator and institutional leader at Pacific Union College.

Ms. Bullock completed her Bachelor of Arts in Social Work at Pacific Union College in 1983, before going on to earn her Master's of Social Welfare at the University of California, Berkeley in 1990.

After completing her degree, Ms. Bullock spent 26 years in the Social Work Program at her alma mater, Pacific Union College. During her time at Pacific Union College she has held positions including Associate Professor, Field Supervisor, Forum Sponsor, and Program Director. Ms. Bullock has also contributed to the field of social work through her research and the numerous articles she has authored. Throughout her career, Ms. Bullock dedicated her time and energy to supporting students' success, including connecting her students with invaluable internships and work experiences.

A long-standing member of the National Association of Social Workers, Ms. Bullock has earned certifications in Critical Incident Stress Management and is a Board Certified Expert in War Trauma and Bereavement Trauma. Ms. Bullock earned recognition from both the National Association of Social Workers of California and the California Assembly for her support of academic freedom in higher education.

Mr. Speaker, Ms. Bullock has dedicated her career to serving her students and community

through the study, teaching, and practice of social work. Therefore, it is fitting and proper that we honor her here today.

MS. DOT CASE

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. MEADOWS. Mr. Speaker, I rise today to recognize Ms. Dot Case of Henderson County, North Carolina. On behalf of the people of Western North Carolina, I would like to thank Ms. Case for her dedication to the students of Henderson County, and congratulate her on her retirement after 47 years working towards the betterment of Henderson County Public Schools.

After finishing high school, Ms. Case left Henderson County to complete a degree in History at Appalachian State University, where she graduated in 1969. Later that year, she returned to Edneyville to begin the first of her many years as an educator and role model for so many. In her first job, Ms. Case taught 7th grade physical education and English at Edneyville High School, which later moved to a new campus to become North Henderson High. She soon began to teach 9th grade History, and took on the responsibility of imparting to students an understanding of our past and an appreciation for the history our state, nation, and world. Outside of the classroom, Ms. Case coached basketball, cheerleading, and track and has been a reliable presence at North Henderson's sports events for decades. Among Ms. Case's many experiences and accolades, she has sponsored Student Council programs since 1970 at Edneyville and then at North Henderson, taught AP classes since 1994, received a Social Studies Economic Teacher Award for her work, was named a Presidential Scholars Teacher in 1983, has been teacher of the year twice, and was the Regional teacher of the year in 2010.

Over her 47 years teaching, Ms. Case has shown an exceptional interest in the success of her students. By pushing them to achieve what they might not have thought possible, Dot Case has made an unparalleled impression on generations of Henderson County students and on the community at large. More than an expert educator, Ms. Case has devoted herself to improving the lives of her students in areas beyond the classroom, and has continued to embolden and assist her graduates for years after they leave North Henderson.

Ms. Dot Case is an invaluable and unforgettable member of her community. She has earned the admiration of many students for the devotion she has given them all, and deserves the respect and gratitude of Western North Carolina. I am proud to honor Ms. Dot Case for her long service to Henderson County and sincerely express the gratitude and best wishes of the people of North Carolina as she enters retirement.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF IBEW LOCAL 252

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the 100th anniversary of the International Brotherhood of Electrical Workers (IBEW) Local 252 in Ann Arbor, Michigan. It is an honor to highlight their commitment to brotherhood and the working families of Washtenaw County and Mid-Michigan.

On June 6th, 1916, twelve men, agreeing to the principles and objectives of the IBEW, received their official charter for IBEW Local 252. At the time, working conditions for laborers and trades workers were deplorable. In that era, the death rate for an electrician was more than twice the death rate for trades workers in other industries. It was commonplace that workers in many trades toiled under twelve hour work days for six or seven days a week, with substandard wages and few if any benefits, not to mention training or workplace safety rules. One hundred years later, we have workplace rules, training, safety, fair wages and benefits, and this would not be the case if not for the vision and courage of these original founders, which is why we celebrate this very important milestone. What those founders were fighting for then, and what these union members are fighting for now is a shot at the American dream, a dream that we all must continue to protect for future generations.

Today, under the leadership of Business Manager Tim Hutchens, IBEW Local 252 has grown to a membership of over 800 men and women and continues to grow. Local 252 provides the best trained and most experienced electricians for many of the most important construction projects in the area. Whether the projects are at the University of Michigan, Eastern Michigan University, or elsewhere, if the job needs to get done right and done right the first time, you call on Local 252 members. With this high level of commitment to quality and skill, it is no wonder that this local has grown over the years to become what it is today.

Mr. Speaker, I ask my colleagues to join me today to celebrate the 100th anniversary of IBEW Local 252, and I know we will be celebrating the accomplishments of this local for many years to come.

TRIBUTE TO TARPON SPRINGS LIBRARY

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize the Tarpon Springs Public Library for its 100 years of service to Pinellas County.

In 1916, Julia Inness started the library in the original City Hall inviting Pinellas residents to explore the exciting world that books provide and engage in meaningful literary dialogue. The library became even more popular

than Ms. Inness had predicted, and in 1920, it was moved for the first time to a private home that had more space. As the library expanded, it moved again to the Shaw Arcade and then again to the Tarpon Hotel. In 1964, the "Friends of the Tarpon Springs Public Library" organization, which continues to support the library today, was formed with the intention of helping fund special enhancements to the library. Finally in 1997, the Library's current location, a twenty-thousand square foot building on East Lemon Street, was constructed.

In 1989, the Library joined the Pinellas Public Library Cooperative. The co-op helped equip the library with the necessary materials to serve the diverse population that used the library's services. While there are still local regulars who frequent the library, it has evolved into a very busy and multi-purpose space thanks to the help of the co-op.

The Library also hosts a variety of programs for Pinellas residents including the Public Arts Program and the Cultural and Civic Services program. Additionally, due to the contributions from the Friends of the Tarpon Springs Public Library organization, the Library has been updated with a new audio visual system, new computers, and resources for genealogy research. The Library has also been improving its digital correspondence, providing an online catalog allowing people out of county and state to access the Library.

Mr. Speaker, I want to congratulate the Tarpon Springs Library on an impressive 100 years and thank them for continuing to provide a valuable service to our community. I am very excited to see what future the Library has in store for us in the next 100 years and ask this body to join me in recognizing the Tarpon Springs Library as a cornerstone of the Pinellas County community.

HONORING RABBI MICHAEL ZEDEK

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Ms. SCHAKOWSKY. Mr. Speaker, I rise to recognize Rabbi Michael Zedek, who has retired after being the spiritual leader since 2004 at Emanuel Congregation in the 9th Congressional District of Illinois. He will be missed. Rabbi Zedek is a true community leader and has brought neighbors together, fostered open-mindedness and embraced the incredible diversity of our community.

Ordained in June 1974, Rabbi Zedek was chosen to be alumnus-in-residence at the Cincinnati and Los Angeles campuses of Hebrew Union College. Rabbi Zedek is the youngest man to receive this honor.

He served as CEO of the Jewish Federation of Cincinnati and as the spiritual leader of Congregation B'nai Jehudah in Kansas City, Missouri for 26 years, where he holds the title of Rabbi Emeritus. During his tenure, the Jewish Federation of Cincinnati received national awards for innovative fundraising and programming. Prior to his service at the Jewish Federation of Cincinnati, Rabbi Zedek was the senior rabbi of Temple B'nai Jehudah in Kansas City, Missouri where he served for many years.

Rabbi Zedek is a truly dedicated community activist, scholar, and teacher. He is deeply involved in civic affairs having served on a number of national and international boards. He has also had numerous teaching and speaking appointments around the world on a wide range of topics, especially focusing on spirituality and folklore. He has taught and lectured in South Africa, Russia, China, the former Yugoslavia, and Israel and in many other countries.

He received a Danforth Graduate Fellowship for outstanding teaching, a Fulbright-Hays Grant for advanced study in the United Kingdom, and is a Phi Beta Kappa graduate of Hamilton College, Clinton, New York. He will still speak internationally on spirituality and folklore and remain a regular presenter at Rancho La Puerta, a spirituality and retreat center, in Tecate, Mexico. He also serves as the host of a radio show, "Religion on the Line," which has been on the air for more than 20 years. I thank Rabbi Zedek for his leadership and service.

I invite my colleagues to join me in honoring Rabbi Zedek for the work he has done for his congregation, the community, the 9th Congressional District and beyond. We thank him for his invaluable service, and wish him well in all future endeavors.

HONORING TOUGALOO COLLEGE/ DELTA HEALTHPARTNERS HEALTHY START INITIATIVE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public health program designed to reduce infant mortality in the Mississippi Delta, the Tougaloo College/Delta HealthPartners Healthy Start Initiative.

This initiative is one of the 100 Healthy Start Initiatives throughout the nation working endlessly to give every child a healthy start in life. The Delta HealthPartners' Healthy Start program is housed under the auspices of Tougaloo College within the George A. and Ruth B. Owens Health and Wellness Center, under the direction of Dr. Sandra Carr Hayes, the executive director. The program serves a rural population in a seven county area in the Mississippi Delta (Tunica, Coahoma, Quitman, Tallahatchie, Sunflower, Bolivar, and Washington counties). These counties are among the poorest and most medically underserved in Mississippi and the nation.

The Healthy Start Initiative was implemented in 1999 with funding from the Health Resources and Services Administration under the leadership of Dr. Beverly W. Hogan, who now serves as President of Tougaloo College. Today, Ms. Arletha Howard serves as the project director. Ms. Howard is a registered nurse with over 28 years of experience in oncology, burn trauma, intensive care unit, pediatrics, home health, maternal and child health. She has worked with the Healthy Start Initiative for 16 years. In 2014, under Mrs. Howard's leadership, the Healthy Start Initiative

was upgraded from a Level I individual based program to a Level II community based program.

Since its inception, the Healthy Start Initiative has provided case management services through a home visiting model to (1) high-risk pregnant women of childbearing age 10-44 years, (2) their infants; and (3) fathers/co-parents.

Over the past 16 years, the program has achieved several major accomplishments: The Healthy Start Initiative has case managed over 900 mothers and infants just this past calendar year (January 1, 2015 to December 31, 2015).

The Healthy Start Initiative has created the Coahoma County Community Action Network responsible for opening the first Diaper Bank in the state of Mississippi funded by charitable donations and Northwest Mississippi Foundation.

The Healthy Start Initiative serves as the lead agency in partnership with the Mississippi State Department of Health in the Mississippi Delta Regional Fetal Infant Mortality Review program.

The Healthy Start Initiative has created Memorandums of Understandings (MOU) with 22 partnering schools in the Mississippi Delta to provide peer support groups to pregnant/parenting teens and co-parents.

The Healthy Start Initiative has been featured in numerous publications and articles (USA Today, Hechinger Report, Huffington Post, Clarksdale Press Register, Tunica Times, and WABG TV Interview) highlighting the comprehensive services of the project.

The Healthy Start Initiative has partnered with Parents for Public Schools to provide trainings for project parents on advocacy skills and educating and mobilizing parents to strengthen public schools.

The Healthy Start Initiative promotes breastfeeding in two (2) clinic sites by providing health education by project's Certified Lactation Counselors (Women's Clinic-Clarksdale, MS and Gamble Clinic-Greenville, MS).

The Healthy Start Initiative hosts a Community Baby Shower in partnership with local hospitals, Federally Qualified Community Health Centers (FQHC), other health care providers and key stakeholders each year in September to promote awareness of infant mortality during National Infant Mortality Awareness Month.

The Healthy Start Initiative has implemented a male outreach initiative to address parenting issues among male co-parents and hosts an Annual 5k Walk in June to promote Men's Health Awareness.

Mr. Speaker, I ask my colleagues to join me in recognizing The Tougaloo College Delta HealthPartners Healthy Start Initiative for its continued efforts to reduce infant mortality in the Mississippi Delta.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mrs. BLACK. Mr. Speaker, on Roll Call Number 273 on Ordering the Previous Question for H. Res 767, Roll Call Number 274 on

Agreeing to the Resolution of H. Res 767, Roll Call Number 275 on Motion to Suspend the Rules and Pass, as Amended H.R. 3826, Roll Call Number 276 On Agreeing to the Amendment of H.R. 4775, Roll Call Number 277 On Agreeing to the Amendment of H.R. 4775, Roll Call Number 278 On Agreeing to the Amendment of H.R. 4775, Roll Call Number 279 On Agreeing to the Amendment of H.R. 4775, Roll Call Number 280 On Agreeing to the Amendment of H.R. 4775, Roll Call Number 281 On Motion to Recommit with Instructions for H.R. 4775, Roll Call Number 282 On Passage of H.R. 4775 which took place Wednesday, June 8, 2016, I am not recorded because I was unavoidably detained.

Had I been present, I would have voted Aye on Roll Call Number 273 on Ordering the Previous Question for H. Res 767, on Roll Call Number 274 on Agreeing to the Resolution of H. Res 767, on Roll Call Number 275 on Motion to Suspend the Rules and Pass, as Amended H.R. 3826 and on Roll Call Number 282 for passage of H.R. 4775.

I would have voted Nay on Roll Call Number 276 On Agreeing to the Amendment of H.R. 4775, on Roll Call Number 277 On Agreeing to the Amendment of H.R. 4775, on Roll Call Number 278 On Agreeing to the Amendment of H.R. 4775, on Roll Call Number 279 On Agreeing to the Amendment of H.R. 4775, on Roll Call Number 280 On Agreeing to the Amendment of H.R. 4775.

IN REMEMBRANCE OF
MARC STEPP

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. CONYERS. Mr. Speaker, I rise today in remembrance of Marc Stepp, who passed away on June 3rd, 2016, at the age of 93. Our thoughts and prayers are with his family and friends.

Born on January 31st, 1923, in Versailles, Kentucky, he grew up in Evansville, Indiana before coming to Detroit. He was a graduate of the University of Detroit and a U.S. Army veteran.

Marc now rests as a legend of the labor movement—one of the greatest friends to working people that our nation has ever known. I speak here for Detroit, for the members of the United Automobile Workers Union, and the people whose lives he has touched, when I say that we will miss him dearly.

I stand before you today as the Dean of the Congress because when I was a young man, Marc Stepp stood up for me. He provided me crucial guidance, support, and advice as I sought elected office, and throughout my career he has inspired me to fight harder with his own dedication to securing jobs, justice, and peace for all people.

The first African American to lead negotiations with a major Detroit automaker, the second African American member of the United Automobile Workers International Board, and an organizer who fought alongside my father to secure collective bargaining at the major

automakers, Marc helped create the reality of an American middle class. Countless workers owed their jobs and the lives and families those jobs made possible to his efforts. His work to save Chrysler in the late 1970s and early 1980s preserved a proud American manufacturer who might have otherwise faded away.

Marc's legacy of advocacy though was not limited to collective bargaining alone. He helped shape movements to secure healthcare for the disadvantaged by establishing the Community Health Association, to elevate our discourse on race as part of the NAACP, and to end apartheid in South Africa. Indeed, some twenty years after helping me get elected to Congress, he helped get me arrested protesting apartheid in front of South Africa's Washington, D.C. embassy—a fight that would be won ten years later when Nelson Mandela became President of South Africa.

The legacy Marc Stepp leaves us goes beyond the wages and conditions he secured and the rights he helped ensure for all. He will remain an example of how to live our lives for generations. He will continue to influence the fight for jobs, justice, and peace through those who he inspired and influenced. He may be gone but he will not be forgotten. I am thankful for his service and his friendship, as are all who knew him and called him friend.

TRIBUTE TO SHERRIE MORTON
TETRICK

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I want to recognize and express my condolences in mourning the loss of Mrs. Sherrie Morton Tetrick, a distinguished member of our community.

Mrs. Sherrie Morton Tetrick was a member of the Belleair Women's Republican Club for 16 years and held a variety of posts throughout her membership. She began as an assistant treasurer and then, in 2007, was elected to the treasurer position. For eight years she served in this position, managing the club's financial affairs, monitoring and updating the membership roster, reporting to the State of Florida, and planning arrangements for the Belleair Country Club for luncheons.

Sherrie was a well-known and respected member of our community who was known for being willing to help anyone in any way she can. She was strong, courageous, determined, and she will be deeply missed among her family, friends, and all who knew her.

Mr. Speaker, I want to extend my most heartfelt wishes and thoughts to Sherrie's husband Rick, and her friends and family. Sherrie was an amazing individual that will be sorely missed in Pinellas County. I ask that this body recognize Sherrie Morton Tetrick for her dedication to our community. May God bless Sherrie, Rick, and all those who knew her.

HONORING PASTOR CASEY D.
FISHER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a God-fearing and impressionistic man, Pastor Casey D. Fisher. Pastor Fisher has shown what can be done through tenacity, dedication and a desire to serve God.

A Spirit-fed and Spirit-led minister of the Gospel of Jesus Christ, Pastor Casey D. Fisher was born in Utica, Mississippi, on July 8, 1966. He is the son of Sharkey and Katie Fisher. He received his formal education from the Hinds County School system and graduated from Utica High School in 1984. He attended the University of Southern Mississippi, where he majored in Business Administration. He later received a Bachelor in Religious Education, a Masters of Divinity and a Doctorate of Ministry from Living Word Bible Institution in Tyler, Texas.

Pastor Fisher is married to the former Michele Chambers. They were married on September 17, 1988. He is the father of three lovely children: twin sons, Bryan and Ryan and a daughter, Casey Michele. Pastor Fisher finds time to love and care for his family as Christ does the church. He is devoted to strengthening them and helping them to grow in their everyday walk with the Lord, just as he does with the church.

Pastor Fisher has served his country as a soldier in the United States Army. During this time, he truly accepted Jesus Christ as his personal savior on October 23, 1993 in Livorno, Italy. He served eight years in the U.S. Army, where he was part of two tours in Southwest Asia. He departed military service in July 1997. Afterwards, he was employed with the U.S. Postal Service in Vicksburg, Mississippi, where he recently retired in December, 2010.

He is currently a Life Member of the Vicksburg Alumni Chapter of Kappa Alpha Psi Fraternity, Inc. and serves as the Guide Right Chairman. His purpose is Achievement, in which he mentors young men, twelve through eighteen years of age, providing them with tutoring, community involvement and religious principles. He is also a member of Masonic Order of Prince Hall Free and Accepted Mason.

In 1984, Pastor Fisher became the first known athlete in Mississippi to be selected All-State in four sports. While attending University of Southern Mississippi, he was a member of the basketball team, in which he led the Golden Eagles to the NIT championship in 1987 and later was inducted into the USM hall of fame. Although he loves basketball, he also has a passion for golfing. Dr. Fisher is a die-hard fan of the Los Angeles Lakers and the Dallas Cowboys.

Pastor Fisher's motto is "If you don't take it personal, it will make you a better person". He is inspired by one of the Greatest Ministers, Dr. Martin Luther King, Jr., because of his willingness to serve and his willingness to give up his life for humanity. Greater Grove Street M.

B. Church has stood the test of time through dedication, faith, stewardship, and commitment from this soldier on the battlefield for the Lord. He is a man of integrity, loyalty, dignity, and honesty leading his people to do the will of God.

Mr. Speaker, I ask my colleagues to join me in recognizing Pastor Casey D. Fisher for his dedication to God, family, community and country.

INTRODUCTION OF LEGISLATION EXPANDING THE YELLOW RIBBON PROGRAM

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Ms. BROWN of Florida. Mr. Speaker, I rise today in support of the Yellow Ribbon Reintegration Program. For too long, through too many wars and too many deployments, we have treated our active duty servicemembers and their families as expendable once their usefulness on the battlefield has ended.

We hear too many stories of members of the military who do not have the right tools to adapt back into civilian life. The Yellow Ribbon Reintegration Program was aimed at helping address the unique challenges facing the National Guard and Reserve Component community during this transition.

The Yellow Ribbon Reintegration Program has helped these Guard and Reserve servicemembers with: accessing benefits, geographic isolation, lack of access to military family support groups in local communities, continued and repeated deployments, and unemployment and underemployment.

The Yellow Ribbon program has also helped to educate servicemembers on the rigors of deployment, implement reintegration curriculum throughout the deployment cycle, and inform servicemembers and their families about the resources available and connect members to service providers who can assist them in overcoming the challenges of reintegration.

The Yellow Ribbon program has been successful in making sure the backbone of our society, those men and women who pursue their chosen profession, but also choose the military as an obligation to secure the liberties and freedoms we hold most dear.

It is only right that we help speed the transition of those active duty servicemembers who have essentially put their lives on hold while they serve in the military full time. They need to have the same access to services and information.

My legislation will expand this successful program to all active-duty servicemembers and their families. This will give these young men and women the ability and information to transition successfully to civilian life after protecting of our freedoms for so long.

Once they leave the military and are the responsibility of the VA, it is too late. We need to speed the transition to civilian life and in the process, reduce suicide, and get these soon-to-be veterans in to the VA system for their health and claims benefits.

Many of these men and women, when they leave the military, do not have the support structures they need to successfully reintegrate into civilian society. One young man I know of was homeless and could not have custody of his child and go to school on the GI Bill because he had stayed in the service on the first day of the month. He was ineligible for his housing stipend due to his service and was homeless.

This is unacceptable and it is obvious that these men and women are being sent out into society unprepared for the decisions they must make: when to wake up, what clothes to buy, how to get housing.

The Yellow Ribbon Reintegration Program has been successful in what it was designed to do. We need to expand it to make sure all those who serve get the benefit of the lessons learned from this program.

I am pleased to introduce this legislation to expand the Yellow Ribbon Reintegration Program to all servicemembers. With this, we can take the next step to ensuring that the young men and women who protect those of us here at home will have a home to return to.

HONORING JACKIE THOMAS STUMP

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. GRIFFITH. Mr. Speaker, I submit these remarks to honor the life of Mr. Jackie Thomas Stump, who passed away on June 2, 2016. I had the pleasure of serving with Jackie, a coal miner-turned-legislator, in the Virginia House of Delegates, where he represented Buchanan, Tazewell, and Russell Counties.

Jackie was born on January 13, 1948 in Lebanon, Virginia and served in the Air Force from 1967 to 1971, spending 18 months in Saigon as a jet mechanic. When he returned, he mined coal and in 1979 was elected secretary-treasurer of the United Mine Workers (UMW) District 28. In 1986, he was elected president of the UMW district, which covered most of Virginia.

In 1989, during the Pittston Coal strike, Jackie ran and won a write-in campaign for the House of Delegates as an independent. He served until he resigned for health reasons in 2005.

Jackie was one of a kind and, though he didn't often rise to speak on the floor, I will always remember that when he did, he usually shared the views of the "little guy"—folks who many would say didn't have extraordinary wealth, power, or influence. Jackie also served on several boards and commissions, including the Virginia Parole Board and the Virginia Department of Housing and Community Development.

Jackie is survived by his wife of 25 years, Linda Stump, of Abingdon; his daughter, Ahbra Stump, of Abingdon; and his "furry companion," Ruffles. He is also survived by his mother, Margaret Stump, of Keen Mountain; his sisters, Wanda Sue Justice and husband Danny, Christine Hicks and husband David, all of Keen Mountain; and numerous nieces and nephews.

I have always appreciated the good working relationship and friendship that Jackie and I had, and will continue fondly remembering how very deeply he cared about Southwest Virginia and those who call it home. I am saddened by Jackie's passing, and extend my prayers and deepest sympathies to his family and loved ones during this time. May God give them comfort and peace.

IN RECOGNITION OF THE PULMONARY HYPERTENSION ASSOCIATION

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. BRADY of Texas. Mr. Speaker, I rise today in recognition of the outstanding efforts of the Pulmonary Hypertension Association (PHA) in the fight against the rare, debilitating disease, and potentially fatal condition, pulmonary hypertension (PH).

I am proud to represent the Lone Star Chapter of PHA, located in The Woodlands. This disease was first brought to my attention over a decade ago by Chapter member, Jack Stibbs, whose daughter, Emily, had been recently diagnosed at an early age and given a dire prognosis. However, due to Emily's early diagnosis and advancements in medical research, including the development of innovative treatments, she has been able to lead a full life and even recently graduated college.

Most patients are not as fortunate as Emily has been. PH can be idiopathic or occur as the result of sickle cell disease, scleroderma, and other conditions. Nearly 3 out of 4 PH patients are not diagnosed until the disease has reached a late stage, which renders many available therapies ineffective and leaves patients facing a much more serious medical intervention, such as heart-lung transplantation. PH is very aggressive and the average life expectancy without an accurate diagnosis and proper treatment is just under 3 years.

I continually work with my colleagues in Congress to advance efforts that seek to lower healthcare costs, promote quality, and improve outcomes for patients. This is why I work with the PH community to call attention to important legislative efforts, including the Pulmonary Hypertension Research and Diagnosis Act (H.R. 3520), which seeks to leverage limited resources to ensure more PH patients are diagnosed at an early stage and can benefit from treatments like Emily has.

This June, the PH community will be gathering in Texas for their Semi-Annual International Conference. This is a bittersweet engagement as it will be the last Conference for Rino Aldright, who has served as President and CEO of PHA for 17 incredible years. After PHA was founded around a kitchen table by passionate advocates seeking to improve the lives of affected individuals and families, Rino was one of the first employees the organization hired. Under Rino's leadership the organization grew from modest beginnings to an agent for meaningful change. Today, PHA has expanded to an organization of more than fifty staff with a budget of \$13 million. When Rino

started most medical professionals knew little about the disease. There was one FDA approved therapy available, but far too frequently, patients died waiting for a diagnosis. But now, thanks to PHA, coordinated research and patient support efforts we have 14 FDA approved treatment options for PH, and PHA's Research Program has committed more than \$17 million to support cutting edge research focused on PH. In addition, more than 80 independent PH associations have been established around the world, and PHA has signed Memorandum of Understanding with 35 nations.

More can be done though. I ask my colleagues to recognize Rino and to honor his legacy of service to the PH community by supporting PH patients and early diagnosis legislation.

TRIBUTE TO PALM PAVILION

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Palm Pavilion for its 90th year in business marked this past May 26, 2016.

Started in 1926 by five partners, Palm Pavilion was intended to serve as a bathing pavilion for local patrons. One of the founders, Jesse Smith, recalls that it was open daily and was comprised of a bathhouse with changing rooms, a booth for towel and bathing suit rentals, a dance floor with jukebox music, a picnic area, and a kitchen. They served food like hamburgers and hot dogs while sodas and beer were kept cold in ice bins.

For thirty eight years, Jesse Smith and his wife were the main owners of Palm Pavilion, but in the sixties, they sold it, Howard and Jean Hamilton. The Hamiltons worked to modernize by removing the bath house and focusing more on food and beverages, yet they made every effort to maintain the fun and relaxed atmosphere for which Palm Pavilion was known.

Today, the Grill and Bar has expanded, providing seating for more than 300 beachgoers and serving all types of food. It also employs more than a hundred people.

Mr. Speaker, I would like to recognize the Palm Pavilion for being a cornerstone of our community. For nearly a hundred years, it has been a point of interest for locals and tourists alike, and I ask that this body join me in celebrating their continued success.

HONORING CHIEF CHRIS PALMER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Chief Chris Palmer.

Chief Chris Palmer was born to Carl Palmer and the late Classie Palmer. He is the fourth of six children. Chief Palmer is married to Kathy Robinson and they have five children

and six grandchildren. He attended Crystal Springs High School and graduated from Jackson State University with a B.S. degree in Criminal Justice and Corrections.

Chief Palmer began his career with the Crystal Springs Police Department as a Dispatcher and became a Patrolman in 1994. During his tenure on patrol, Chief Palmer was contracted to the Mississippi Bureau of Narcotics as an undercover agent.

Four years later, Chief Palmer became the investigator for the City of Crystal Springs. As investigator, Chief Palmer worked all felony cases in the city for the next 15 years. These cases included Murder, Aggravated Assault, and Burglary along with numerous white collar crimes. While investigating these crimes Chief Palmer worked over 175 cases per year with a solvability rate of 94.6 percent and a conviction rate of 99.7 percent.

In February, 2015, Chief Palmer was promoted from Investigator to Captain. After a brief stint as Captain, Chief Palmer was promoted to his current position as Chief in October, 2015. Chief Palmer has an excellent staff that includes fifteen (15) police officers, six (6) dispatchers, a Court Clerk and a Deputy Court Clerk. Chief Palmer works diligently each day to make sure all employees are updated with hourly classes to make them better Dispatchers, Court Clerks and Officers.

Mr. Speaker, I ask my colleagues to join me in recognizing Chief Chris Palmer for his dedication to serving our great state of Mississippi.

REMEMBERING DAVID GILKEY

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. BLUMENAUER. Mr. Speaker, last Sunday, David Gilkey, an NPR photojournalist from Portland, Oregon, was killed with his Afghani translator, Zabihullah Tamanna, in a Taliban ambush in Afghanistan.

I cannot express fully my gratitude for David's tireless commitment to his profession. His evocative, powerful work, and many contributions to NPR will be remembered for generations.

Graduating from Wilson High School in Portland in 1985, David followed the path of his father, Richard Gilkey, to Oregon State University, before following his passion of photojournalism at the Boulder Daily Camera, and then the Detroit Free Press before joining NPR in 2007.

David covered conflict areas from around the globe, ethnic violence in Rwanda and the Balkans, apartheid in South Africa, famine in Somalia and violence in the Gaza Strip. Since 2001 he extensively covered the wars in Iraq and Afghanistan.

He was one of the most decorated of photojournalists, winning an Emmy in 2007 for a documentary video series and receiving 36 honors from the White House. In 2015, he was the first multimedia journalist to be awarded the Corporation for Public Broadcasting's prestigious Edward R. Murrow Award for Journalism.

David and journalists like him play an essential role in helping us all better understand

global events, putting themselves in harm's way to open the world's window for the rest of us. They are true heroes.

Our hearts go out to David's mother and father, Alyda and Richard Gilkey, his circle of family and friends, and to his entire NPR family for their loss.

CONGRATULATING RICHARD GABBERT ON HIS SELECTION AS A MANSFIELD FELLOW

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. CONNOLLY. Mr. Speaker, I rise today to congratulate Richard Gabbert on his selection as a Mansfield Fellow. Mr. Gabbert is among ten federal government officials who will begin the year-long Mike Mansfield Fellowship Program in Japan this year. Congress established the Mansfield Fellowship Program in 1994 to build a corps of U.S. government officials with substantial Japan expertise. Since then one hundred and forty Fellows—representing twenty-seven U.S. government agencies, commissions and the U.S. Congress—have entered the Fellowship Program.

Mr. Gabbert is a member of the twenty-first group of Mansfield Fellows, chosen through a selective recruitment and vetting process. Japan has long been an important part of Mr. Gabbert's life, and he is highly qualified for this unique professional development opportunity. He spent part of his childhood and early career in Japan, and continued this engagement during law school and in private practice.

As a Senior Special Counsel at the U.S. Securities and Exchange Commission (SEC), Mr. Gabbert helped develop a cross-border regulatory framework for the over-the-counter (OTC) derivatives markets and the global financial institutions active in those markets. His Mansfield Fellowship will give him the contacts and understanding needed to facilitate U.S. Japan coordination in this area, coordination that is critical for a smooth transition to this new regulatory framework in our countries and globally.

Mr. Gabbert will begin his Fellowship in Japan this summer with a seven-week homestay and language training in Ishikawa Prefecture. This will be followed by ten months of practical experience in Japanese government offices in Tokyo. During his placements he will work side-by-side with Japanese financial regulators. He will seek to understand the Japanese response to the 2008 financial crisis and its aftermath, particularly the legislative and regulatory reforms designed to increase transparency and stability in the OTC derivatives markets. He also will explore current issues in the implementation of these reforms in Japan, including the challenges of cross-border regulation and supervision of these markets, in order to support effective domestic regulatory efforts.

As a senior member of the House Foreign Affairs Committee and its Subcommittee on the Asia-Pacific, I understand the important role Japan plays in the global economy and the critical need to coordinate with Japan on

financial and other matters. Close coordination requires U.S. government officials like Mr. Gabbert who are prepared to develop the contacts and expertise needed to facilitate their agencies' work on Japan-related programs.

I ask my colleagues to join me in congratulating Mr. Gabbert on his selection as a Mansfield Fellow. I am confident his Mansfield Fellowship experience will enhance the work of the SEC and deepen its cooperation with Japan.

I hope you will also join me in recognizing the value of the Mike Mansfield Fellowship Program and the opportunities it provides U.S. government officials like Mr. Gabbert to learn about Japan and its government and to strengthen the U.S. relationship with this important ally.

COMMEMORATING THE 60TH ANNIVERSARY OF THE NATIONAL ASSOCIATION OF COLLEGES AND EMPLOYERS

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. DENT. Mr. Speaker, I would like to honor the National Association of Colleges and Employers—NACE—on its 60th anniversary of service to, leadership of, and advocacy for the community of college career services professionals and HR/recruiting professionals who are focused on the employment of the college educated. Located in Bethlehem, PA, NACE boasts more than 10,000 members across the country who perform work vital to our national labor force and national interests.

Founded in 1956, NACE supports the critical work of its members through research, advocacy, and professional development and serves the greater public by providing key data and insight to further the goals and dreams of those who choose higher education as their path to a rewarding and successful career. NACE's initiatives expand beyond its membership to also serve the larger national community and help our graduates achieve successful outcomes. To that end, NACE has undertaken efforts to ensure new college graduates can transition into the job market with the competencies they need to succeed and to keep our nation competitive in the global marketplace.

As NACE continues to look to the future and address critical issues facing our labor force, employment community, and country, I congratulate NACE on this 60th anniversary and wish it continued growth and prosperity in the years ahead.

TRIBUTE TO LARRY WILLIAMS AND JEVON GRAHAM, ASSISTANT CHIEFS, CLEARWATER FIRE & RESCUE

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize two men, Larry Williams and Jevon

Graham, and congratulate them for being named Assistant Chiefs of Clearwater Fire and Rescue.

Larry Williams and Jevon Graham were recently promoted to Assistant Fire Chiefs after achieving the top two scores among 43 applicants for the position. Mr. Williams and Mr. Graham, the first African American administrators in the history of the department, are making strides in their field and helping pave the way for future generations of the Clearwater Fire and Rescue teams.

In the City of Clearwater, there are 196 Fire and Rescue employees and only 14 of them are African-American, comprising seven percent of the force. Mr. Williams and Mr. Graham's promotion to Assistant Fire Chiefs is a tremendous step forward for the Tampa Bay area and I applaud Mr. Williams and Mr. Graham for their efforts in our community.

Mr. Williams' own heroes and mentors were firefighters who also broke racial barriers at the St. Petersburg Fire and Rescue station. He has served for 20 years with Clearwater Fire and Rescue. I thank him for the decades of service he has already given to us. Mr. Williams will be becoming the Assistant Chief of Suppression.

Mr. Graham became a firefighter in 1998 and at the time was one of three minority firefighters in the department. He has worked for 17 years with Clearwater Fire and Rescue in various capacities including as a member of the dive team, technical rescue team, and as a lieutenant for 12 years. He will serve as Assistant Chief of Health and Safety.

Mr. Speaker, I want to thank and acknowledge Mr. Graham and Mr. Williams for their dedication to our community and to Clearwater Fire and Rescue. They are role models for Pinellas County. I ask that this body join me in thanking them for their service and wishing them success in their new roles as Assistant Chiefs of Clearwater Fire and Rescue.

HONORING THE LIFE AND LEGACY OF MR. MCBURNETT JAMES KNOX, JR.

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Mr. McBurnett James Knox, Jr., better known as "Coach Mac," who passed away on May 29, 2016, at the age of 89.

Coach Mac served his country in the United States Navy, and was a retired United States postal worker and longtime employee of the New Orleans Recreation Development Commission (NORD). He was best known as the longtime supervisor at the Pontchartrain Park in New Orleans and legendary coach of the Pontchartrain Park Patriots.

Coach Mac coached every sport and activity possible. His teams won city championships in baseball, football, basketball, softball and track. Coach Mac coached all-star teams in Babe Ruth Baseball, Biddy Basketball, and the National Youth Games. He was able to win both a state and a national championship in

his career. Also, during Coach Mac's four plus decades at the Pontchartrain Park, he ran a softball league for postal workers and other adult leagues.

Mr. Speaker, as a beneficiary of Coach Mac's commitment and sacrifice, I celebrate his life and legacy, because he has touched the lives of many children and citizens in New Orleans, Louisiana. His wife preceded him in death; however, my thoughts and prayers are with his five children and the other members of his family.

VVA SUPPORT OUR TROOPS RALLY

HON. KEITH J. ROTHFUS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. ROTHFUS. Mr. Speaker, on June 12, 2016, Vietnam Veterans of America, Chapter 862 will sponsor its 15th annual Support Our Troops Rally to honor the courageous individuals serving in our armed forces as well as our veterans. It is an opportunity to pay our respects to our troops stationed both here at home and overseas.

We should never fail to recognize the irreplaceable contributions of our service members, and we should never take their service for granted. As civilians, it is often easy to go about our daily lives, enjoying our freedoms, without remembering the sacrifices that purchased them.

Robert Gwin organized the first Support Our Troops Rally 15 years ago, and the tradition has only grown stronger, with the rally drawing larger crowds every year. This is a testament to the value of institutions like Vietnam Veterans of America in demonstrating gratitude to our troops who need to know how much their service means to the rest of us.

The Support Our Troops Rally fosters a strong sense of patriotism and appreciation in our community. Most important, it helps us convey our gratitude to our veterans and troops, particularly those overseas in dangerous areas of the world.

HONORING TOMMY L. MCCULLOUGH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Tommy L. McCullough, who was born in Pickens, Madison County, Mississippi to the late parents of W.E.L. and Classie McCullough. He was the youngest of twenty siblings where ten (10) were added by marriage.

Mr. Tommy L. McCullough was raised in Valley View, Mississippi and attended Nichols School until the eighth grade. Later he went to Cameron Street High School and left to go to the Army while he was in the 12th grade.

Mr. McCullough entered the Army on December 13, 1954, he was in the 25th Division

at Scofield Barracks in Hawaii. While there an Honor Guard was formed after a few months and height requirements were 5 feet 10 inches tall, but because he was sharp and intelligent he was chosen to be a Guard, although he was 5 feet 8 inches tall. They later changed the title from Guard to Drill Platoon. No one could handle a rifle the way Mr. McCullough handled it and he was recognized with many letters of congratulations for his performance in the Drill Platoon, he also went to the Non-Commission Officer Academy and received a diploma. Within two years he went from a Private to SP3 (Specialist 3rd class). There he stayed until his discharge on November 27, 1956 and went back to Jackson, Mississippi.

He had many friends who were Civil Rights Activist, one of them was a Freedom Rider, Mr. Jake Freeze, who was one of the leaders in the Freedom Riders Movement that lived in his house in 1963, which was later called the Freedom House in Madison County. Pictures are on the wall of the Civil Rights Museum in Canton, Mississippi, today.

Mr. McCullough afterwards moved to Louisville, KY in 1965. He worked at Harshaws Chemical Company for about five years. He missed Mississippi so much that he came back and opened up a night club, Billa Farro, for five years in Jackson and later opened a Car Dealership, TC and III, and then he retired.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Tommy L McCullough for his dedication to serving others.

THE GIFT, RUNNING ON THE WIND,
THE BREEZE—IN HONOR OF
MIDFIELDER FRANK URSO

HON. MARKWAYNE MULLIN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. MULLIN. Mr. Speaker, I rise today in honor of The University of Maryland Midfielder Frank Urso, who received the prestigious Teewaarton Legend Award on June 2nd at the Native American Museum in Washington, DC. Frank was a four-year 1st Team All American, leading The Terps to two National Championships, and two National Championship finals in his four years at Maryland. He joins the likes of Jim Brown, Gary Gate, and Eamon McEnneny. I would like to submit this poem in honor of him and the Native Americans who created the magnificent game of lacrosse, penned by fellow teammate Albert Carey Caswell.

Long before Basket and Baseball or Football
ever came to be
All out across this great land this sweet
Country tis a thee
Came on the wind, came running on the
breeze
All out there upon those fields of green as so
to be
But came The Native Americans so all at
speed.
All in this their game of such intensity
Of such power and might, grace and speed
As the fastest game on foot you'll ever see
Ah' poetry in motion
as is this sport of beauty and combat all
interweaved.

As is Lacrosse their great gift to you and me.

A gift to Mankind which one day would intercede

Capturing little boys and girls hearts all at speed

With stick in hand as they become one to compete

While, into the night against a wall chasing their dreams.

To Be The Best on fields of green.

Bagattaway, as it all began with the magnificent Native Americans you see

Who are The Very Heart of what it all so means to be an America indeed.

A people of such character and courage, strength and speed

Who to Nature so respect and heed.

A race of people who were the antifascist of living free.

Running on the wind, the breeze.

Training mighty warriors for the rigors of combat, as they would bleed

Turning boys to men, giving them the strength, training, and confidence they would need.

Running on the wind, the breeze, as all across this Nation their great game came to be

As why to this day with such high regard the world envies

As they'd pass this game down through the generations to their families, from dream time of their great ancestors in history

This gift we now know as LACROSSE, so much achieves.

Building character and strength, and such teamwork to cement all who intervene

Now, growing far and wide all throughout our country sides

For no greater game has yet to be devised

As it reaches deep down into ones very soul
As does their fine gift to America to behold.

Running on the wind.

To them so much we owe.

Ode to The Native American, who've given us this great game we all love and know

Of stamina and courage, and of grace, which put smiles upon our face

Of skill and such grit, and the teamwork so all in it

With such might and speed she gives us all we need.

Ah' running on the wind, the breeze, Lacrosse

All in this Native American's Game of Speed.

TRIBUTE TO ROB VAN TASSEL,
FLORIDA BIG BROTHER OF THE
YEAR

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize a member of our community, Rob Van Tassel, for being named Florida's Big Brother of the Year.

Mr. Van Tassel is a logistics manager with Southwire, a manufacturing company based in Clearwater, Florida. He graduated from Dunedin High School in 1975 and has been a Pinellas County resident for many years now. Inspired by the way his father had raised him and encouraged by his own daughter, Mr. Van Tassel decided to join Big Brothers and Big Sisters and give back to the community that

had given him and his family so much. In 2008, Mr. Van Tassel was matched with his current little brother Seth. For Seth, Rob is a supportive shoulder to lean on and a thoughtful advisor who keeps him focused on his education and making decisions that are beneficial for the rest of his life. Rob's work with Seth is truly exceptional.

Rob believes that children need strong mentors for guidance, and that it is our responsibility to help guide children and young adults who need help finding their way. In addition to being named Florida's Big Brother of the Year, Mr. Van Tassel is also being considered for the national Big Brother of the Year award.

Mr. Speaker, I want to thank Rob Van Tassel for dedicating his time and efforts to our community. He has a strong desire to give back and, in turn, has inspired others to do so as well. I thank Rob for what he has done and I ask that this body join me in honoring and acknowledging Rob for his award and dedication to Pinellas County.

CELEBRATING DÍA DE PORTUGAL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. COSTA. Mr. Speaker, I rise today with Mr. NUNES of California, Mr. VALADAO of California, Mr. CICILLINE of Rhode Island, Mr. DENHAM of California, Mr. ZELDIN of New York, Ms. LOFGREN of California, Mr. MCGOVERN of Massachusetts, and Mr. HONDA of California to recognize Dia de Portugal. On June 10 each year, Dia de Portugal celebrates the Portuguese people, their strong heritage, and their beautiful country and culture.

Dia de Portugal honors the death of the revered Portuguese poet Luís Vaz de Camões in 1580. While his mastery of verse has been compared to both Shakespeare and Dante, Camões is famously known for his epic "Os Lusíadas," one of Portugal's most treasured literary works. The poem pays tribute to Portugal's golden age of exploration and celebrates the many world-changing discoveries made by its seafaring explorers in the 15th century.

In his poem, Camões speaks of the Portuguese as destined to accomplish great deeds, and they have. This rings especially true of the more than one million Portuguese-Americans who have been contributing to and enriching culture in the United States for generations. Americans of Portuguese descent are responsible for tremendous growth and innovation, whether it be in the arts, agriculture, sports, or the highest levels of American government. The unbreakable bond between Portugal and the United States goes back many years—to the very founding of our nation.

After the Revolutionary War, Portugal was one of our first allies and one of the first countries to officially recognize the United States. In 1791, President George Washington formalized diplomatic relations with Portugal, and our relationship is stronger than ever more than 200 years later.

Today, Portugal is not just our friend and ally, but an important strategic partner for the

United States. We must never forget the role of Portugal and Lajes Field during World War II, when the Portuguese helped us protect supply ships, identify U-boats, and win the war against fascism. As home to the U.S. Air Force's 65th Air Base Wing, Lajes Field was instrumental in our efforts during the Cold War and the Yom Kippur War and continues to be a critical asset in the Atlantic.

Mr. Speaker, my colleagues and I join hands with the people of Portugal to reaffirm our commitment to strengthening the many ties between us, and we vow to ensure our relationship remains strong and robust. Along with the people of Portugal and Portuguese-Americans throughout the United States, we wish everyone a happy and joyous Día de Portugal.

PERSONAL EXPLANATION

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mrs. BLACK. Mr. Speaker, on Roll Call Number 283 on Consideration of the Resolution for H. Res. 771 which took place Thursday, June 9, 2016, I am not recorded because I was unavoidably detained.

Had I been present, I would have voted Aye on Roll Call Number 283 on Consideration of the Resolution for H. Res. 771.

HONORING PATRICIA D. WISE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Judge Patricia D. Wise. Elected in 1989, she is one of four Chancellors of the Fifth Chancery Court District of Hinds County, Mississippi.

Formerly, Mrs. Wise was managing attorney and partner in the law firm of Dockins & Wise, Attorneys at Law, Jackson, Mississippi. Her private practice was in the area of Domestic Relations-Family Law, Personal Injury and General Civil practice. She served as Family Law Resource Attorney for Central Mississippi Legal Services.

An Oxford, Mississippi native, she has lived in Jackson, Mississippi for the past thirty-five years. She received her Bachelor of Science in Special Education, her Master's of Communicative Disorders and her Juris Doctorate degree all from the University of Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Judge Patricia D. Wise for her dedication to serving others.

TRIBUTE TO KEN DEKA

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Mr. Ken Deka, a veteran and member of our community, for his work to honor our troops on a nightly routine.

Mr. Deka moved to Indian Rocks Beach after retiring. He would occasionally play "Taps" on his bugle for his neighbors, and it soon became a nightly tradition. Now, Mr. Deka's rendition of "Taps" has become a community staple, and he can be heard playing it every night for his neighbors on Indian Rocks Beach.

Mr. Deka says he does it for the men and women currently serving, veterans, those military personnel who have already passed, and family members of his who have served, like his brother, a veteran who passed away five years ago. He wants to continue to honor those who, like Mr. Deka and his brother, have given so much to our country and remind all of his neighbors to be grateful for our military.

Mr. Speaker, I would like to thank and acknowledge Mr. Ken Deka for his service to our country, and for his continued efforts to remember and recognize our men and women in uniform. I ask that this body join me in thanking Mr. Ken Deka for his continued support for our veterans.

SENATE—Monday, June 13, 2016

The Senate met at 4 p.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Hear our prayer, O Lord. Rouse Your power and come. We stumble and fall without Your beacon of peace to guide us. As darkness seeks the upper hand with the Orlando massacre, shine Your light of hope upon our land. Despite the pain and horror of this tragedy, empower us to continue to trust in Your infinite mercy. Hear our prayers for those who died and for those who mourn. Bring healing to those who were injured.

Lord, give our lawmakers the wisdom to understand better the causes of violence which exists in our Nation and world. Use them to bring comfort, hope, and peace in the midst of insanity. Help us to remember the warning of Dr. Martin Luther King, Jr., when he said: "We must learn to live together as brothers and sisters or we will die together as fools."

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 13, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MOMENT OF SILENCE FOR THE VICTIMS OF THE ORLANDO ATTACK

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate now observe a moment of silence for the victims of the Orlando attack.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senate will now observe a moment of silence for the victims of the Orlando attack.

(Moment of silence.)

The Senate majority leader.

Mr. McCONNELL. Madam President, above this Capitol, the American flag flies at half-staff—a symbol of national sorrow for lives taken far too soon, a symbol of national solidarity for families left behind plunged into despair.

ISIL claims that the terrorist who committed this horrific act is one of the "soldiers of the caliphate." Our intelligence community will work to establish whether this terrorist was directed or inspired by ISIL. Either way, I will call him what he really is: a coward, a murderer who claimed allegiance to a brutal group that crucifies children and beheads women.

This terrorist sought to spread fear and sadness and suffering. Yet, even amidst the horror, he couldn't destroy our common bonds of humanity. Every act of compassion, every outstretched arm to a friend, every calming word to a stranger—a response to his cruel ideology and a reminder of who we are as Americans.

Let us recognize each act of heroism that night, and let us never forget the debts we owe to first responders—the men and women who rush toward danger and put their lives on the line for victims they never met.

Local law enforcement will continue working with the FBI to determine the exact nature of this crime. We will soon find out more details. We will learn, for instance, whether this attack was ISIL directed or inspired. Whether this terrorist was in communication with ISIL in Raqqa or simply following tactics set forth in Dabiq, ISIL's online magazine, it leads to a larger point. It is no longer an open, analytical question whether the followers of ISIL and other Islamic terrorist groups will attempt to strike us here in the West—they have, and they will continue to do so.

We need to do what we can to fight back so we can prevent more of these atrocities. That is exactly why, for instance, the Senate needs to be briefed on the President's counter-ISIL campaign. Understanding the President's plan with respect to ISIL is critical, especially given that the war in Iraq and Syria will outlive the life of his administration. That is why we have been asking the administration for briefings on his strategy for a very long time. I expect this will now happen very soon.

We will also be receiving a briefing on the Orlando attack this Wednesday, but today is a day for sorrow and remembrance. We saw the face of evil this weekend, and we stand shoulder to shoulder with fellow Americans this afternoon. We grieve for the victims, and we say this to their families and to Orlando: You are not alone. Your Nation is here with you, and we won't back down in the face of terrorism.

REMEMBERING GEORGE VOINOVICH

Mr. McCONNELL. Madam President, on one final matter, I wish to say a few words about a colleague we lost this past weekend.

George Voinovich was the oldest of six children and, until his late teens, an aspiring doctor. Then he realized he didn't get along with the scientists, so he joined the Boy Scouts. He got involved in student government, and he told his friends that one day he would become mayor and Governor.

He was right. This is the guy voters chose to turn around Cleveland after a wrenching fiscal crisis. Mayor Voinovich came to office with a simple motto: "Together We Can Do It." And together they did. Debts were paid down, jobs were added, and slowly the buckle of the Rust Belt became comeback city.

His success propelled him to the Governor's mansion, where he served two terms, and then to the U.S. Senate, where he served another two terms. Here in the Senate, he was at the forefront of a number of important policy debates. He was an advocate for more efficient and effective government. He was an advocate for an "all of the above" energy approach. And this son of Eastern European immigrants cited his work to help spearhead two rounds of NATO expansion as one of his proudest achievements. "[When NATO's Secretary General] officially announced the decision to invite Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia," he recalled, "this was truly one of the most thrilling

days of my tenure as a Senator.” Senator Voinovich had a storied political career that took him from Cleveland, to Columbus, to Washington, and around the world. All along, he kept himself guided by his Catholic faith and anchored by his family.

He ultimately retired to spend more time with the people who really mattered. At the top of that list was the woman who made him whole. If you don’t think storybook romances can start at a Cleveland Young Republicans Club, then you didn’t know George and Janet Voinovich. George and Janet were best friends, they were political confidantes, and they were deeply in love. Here in Washington, you could find them strolling to the Capitol for work or to St. Joe’s for mass. When Janet came to visit the office, George would greet her with a kiss and a hug. When the Voinoviches flew back to Cleveland, which was most weekends, they would hold hands and say a prayer across the aisle to prepare for takeoff. And when it was wheels down, Janet would put Ohio’s senior Senator to work on their modest home in Cleveland. They purchased that house in the 1970s in the same working-class neighborhood where George was raised. They spent the rest of their lives together in the same house, but they never got around to installing an air-conditioner. “Too expensive,” George said.

George Voinovich was known for many things in his decades of public service. He was honest, he was plainspoken, he was loyal to those who worked for him, and, yes, he was frugal. Janet may not have appreciated it when the heat waves hit, but these are qualities that served him well in office.

When asked about his legacy, Senator Voinovich said he just wanted to know he had touched people’s lives and made things better. The mark of his impact across his city and across his State is clear enough to see. There is the Voinovich School of Leadership and Public Affairs at Ohio University, the Voinovich Trade Center in Columbus, the Voinovich atrium at Cleveland’s Rock and Roll Hall of Fame, and the George V. Voinovich Bridge. The bridge named for a man known for building bridges of his own went dark in his honor last night.

The city of Cleveland, the State of Ohio, and the citizens of our country have lost an outstanding public servant. Many of us have lost a good friend. The Senate marks his passing with sorrow. We will keep Janet and the rest of the Voinovich family in our thoughts.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

REMEMBERING GEORGE VOINOVICH

Mr. REID. Madam President, before I start my remarks on the subject of the day, I wish to speak about another subject of the day, as Senator MCCONNELL has indicated, George Voinovich. He was a fine man. He died yesterday morning. He was a colleague and a friend. He passed away at his home in Cleveland, which Senator MCCONNELL talked about. He was one of the most experienced public servants with whom I have served. His career in public service began 53 years ago as Ohio’s assistant attorney general. From there, he served as a member of the Ohio House of Representatives, county auditor, county commissioner, Lieutenant Governor, mayor of Cleveland, Governor of Ohio, and then in 1999 he brought his wealth of experience to the U.S. Senate.

Senator Voinovich was well regarded for his preparation and hard work. He was courageous. George was one of the few Senate Republicans to speak out against the unpaid-for Bush tax cuts because he thought they were wrong. He questioned the strategy of the war in Iraq, which he also thought was wrong. George Voinovich was right on both of those issues, and the other Republicans were wrong.

Senator Voinovich voted to repeal don’t ask, don’t tell and bucked the rest of his party by voting for background checks on all firearm purchases at gun shows. Again, he was right, and his colleagues were wrong.

Today the Senate mourns the Voinovich family.

I send my personal condolences to George’s wife of 54 years, Janet; their children, George, Betsy, and Peter; and their seven grandchildren. He was a great Senator. He will be missed by his loved ones, the people of Ohio, and the United States.

MASS SHOOTING IN ORLANDO

Mr. REID. Madam President, everyone is in a state of shock and sadness today, following the worst mass shooting in modern American history.

The facts continue to develop—I had a long conversation with the FBI this morning—but we do know this much. A shooter pledging allegiance to ISIS opened fire at an LGBT locality in Orlando, FL, killing 49 people and leaving dozens seriously injured. This was an act of terror in every sense of the word. This was an attack on the LGBT community and all of America.

My heart goes out to the victims, their families, especially those who were killed and wounded, and to the many first responders who were on the scene where one police officer was wounded.

I hope every Member of the House and Senate had time for quiet reflection yesterday to ask what we could

have done to prevent this tragedy. I had time to think about it. I am heart-sick. I am basically sick by our inaction. It is shameful that the U.S. Senate has done nothing—nothing—to stop these mass shootings. Is this what we want for America? I don’t think so.

Do we want to live in a country where someone who has sworn allegiance to ISIS can walk into a store, buy assault weapons and explosives, and murder dozens of Americans in a club or at a school? I don’t think we do. Is that a country where we want to live? Because that is the country where we live now, thanks to the National Rifle Association and their cowardly supporters in Congress.

Last December, the senior Senator from California proposed legislation that would prevent FBI terror suspects from purchasing firearms and explosives. All but one Republican voted against the Feinstein amendment. That means that as of today, FBI terror suspects can walk into a gun store and legally purchase assault weapons and explosives. It is beyond me how these same Republicans go home knowing they voted to let FBI terror suspects continue to buy assault weapons.

Senate Republicans have voted against expanding background checks, limits on the size of ammunition clips, and the assault weapons ban. How can these same Republicans campaign for reelection in good conscience, knowing they voted to block every sensible bill to address gun violence? Not some of them, all of them.

For example, how can the junior Senator from Florida—who all of a sudden has an interest in running for reelection—how can he speak of running for office again when he voted to let potential terrorists buy assault weapons and explosives? That is how he voted. The junior Senator has voted against every gun safety measure. He was quoted as saying: Well, with what happened yesterday, I might reconsider. He better reconsider his gun votes. He voted against background checks, assault weapons ban, and against legislation limiting the size of ammunition clips.

I ask again: Is this what we want for America? Mass shooting after mass shooting, and each new attack, it seems, is worse than the previous one.

We still have much to learn about the Orlando shooting, but we know one thing for sure. Congress is failing to do anything to prevent these mass killings—anything. Why? Because of Republican obstruction. Because of Republican obstruction, we are doing nothing. We are failing every one of the people killed on Sunday, their families, the whole State of Florida—the whole country. We are failing the families. We are failing everyone who has died in these mass shootings—and there are thousands of them—and those who have lost loved ones to mass shootings—thousands of them, I repeat; the injured, tens of thousands.

As President Obama said yesterday, “To actively do nothing is a decision as well.” And my Republican colleagues have made that decision: doing nothing.

It is time again to try to stop the plague of gun violence. We have a responsibility as lawmakers to do what we can to prevent these shootings, to enact commonsense reforms—nothing radical—that have proven to stop these attacks and save lives.

We should start by closing the loophole that allows terrorists to legally purchase weapons and explosives. Remember, everyone, we voted on this. Everyone in this Chamber should be able to agree that a suspected terrorist shouldn't have guns. Is it more than common sense? I don't think so.

We should do something to expand background checks, ensuring that terror suspects and criminals don't slip through the cracks, and we should do something to limit the size of weapon magazines and clips. There is no reason for gun stores to sell these clips that are that big, magazines or drums designed for the mass killing of human beings. That is what they are made for—no other purpose. People don't hunt with them.

Our Nation can no longer ignore the fact that every day Americans are being gunned down in cold blood. We can no longer ignore the will of the people. We shouldn't, at least. We can no longer ignore the will of the people.

The overwhelming majority of voters support these proposals. According to a December poll by one of the foremost polling agencies in America, nearly 90 percent of Americans are in favor of expanded background checks. It doesn't matter what State you go to. This was a nationwide poll. In Nevada, Massachusetts, Iowa—it doesn't matter where you go. More than 80 percent of Americans want to close so-called terror loopholes, preventing people on terror watch lists from purchasing firearms. I see my friend from Florida behind me. Of course they care, as much as anyone, if not more, today.

Yet, in spite of the public's demand for action, Senate Republicans continue to cower—cower—before the NRA and the Gun Owners of America. The NRA is bad—really bad—but Gun Owners of America is even worse than bad. These two organizations are competing, seeing just how extreme they can be in pushing for more guns and fewer protections. And I know, after the statement I am making today, they will send out these fundraising calls: REID is trying to take away our guns. Send us some money.

These two organizations are competing to see how extreme they can be in pushing for more guns and fewer protections. Congressional Republicans are content just to go along. Republicans are so terrified of the extreme right that they refuse to pass legisla-

tion supported by the vast majority of their own constituents. The NRA and the Gun Owners of America mean more to them than the people they represent.

Do you know what terrifies the American people? It is not the NRA. It is not the Gun Owners of America. Mass shootings scare the American people. Innocent victims being gunned down at nightclubs and holiday parties and schools and movie theaters, that is what scares the American people.

Republicans need to find the backbone to stand up to groups like the NRA and Gun Owners of America. Senate Republicans are stalling important mental health legislation because they are afraid to talk about gun safety measures. Not only are they stalling, but Senate Republicans—led by the assistant Republican leader—are even threatening to include a provision that weakens the FBI's current background check system—which isn't much, to be honest with you—and to weaken it more would be speaking volumes.

We don't need to hear any more of the gun lobby's talking points about how more guns are the answer to what is going on in America or hiring security guards will solve our Nation's scourge of gun violence. The Pulse nightclub in Orlando had security, and there was reportedly an armed, off-duty police officer on the scene, but even that didn't prevent this tragedy.

Instead of pushing for more guns, maybe it is time to make it harder for terrorists and criminals to get guns. It is time for Congress to do something to stop the mass slaughter that is being carried out in our communities. How else can we describe it? Are 50 dead people—49 plus the killer—49 dead people—is that enough to get our attention? The 50-odd who were injured, and somebody may be paralyzed, is that enough to get our attention?

It is time for Congress to do something—something—to stop this mass slaughter that is being carried out in our communities. Going forward, Democrats are going to continue to support and continue to push these solutions to our Nation's gun violence epidemic, and we are going to, as soon as we can, force a vote on this terror loophole. We are going to do this as soon as possible. There is no excuse for allowing suspected terrorists to buy guns.

There is much we can do but not if Republicans aren't serious about addressing these problems, and historically it has been proven they do not care.

I hope Republicans will find the courage, like George Voinovich, to help us pass meaningful legislation to protect the American people. By the way, George Voinovich was a good Republican.

Madam President, will the Chair announce the business for the rest of the day.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4607, to amend the provision on share-in-savings contracts.

Reed (for Reid) amendment No. 4603 (to amendment No. 4607), to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

MASS SHOOTING IN ORLANDO

Mr. NELSON. Madam President, I have just returned from the command center of the emergency operations center, a temporary one that has been set up in the middle of South Orange Avenue, very close to the Pulse nightclub, not far from the hospital where so many of the victims have been taken, where 9 of the victims died in the care of the doctors, and where there are up to 50 people, some of whom are still fighting for their lives.

Needless to say, Orlando is shocked. We didn't know a place that sometimes is called the happiest place on Earth could be one of the saddest places on Earth. Indeed, the morning's Orlando Sentinel, the entire front page is dedicated to a statement by the paper entitled “Our Community Will Heal.” Will our community heal? Well, certainly, in what we see with the long lines snaking around the block at the blood donation center, where it is literally going around what would be the length of 2 blocks, and where there are people standing in the hot Sun with umbrellas to donate blood, that says something about how the community will heal. Indeed, when we had our office in Orlando opened on Sunday, the kinds of calls expressing grief and shock and just disbelief, along with the messages of comfort, has been quite a contrast to the 95 percent of the hundreds and hundreds of calls the Orlando office has received today. Ninety-five percent of those calls have been hateful.

What does that say about us as a nation? Will we, in fact, heal? What does it say about us as a nation deep inside? Have we lost the teachings in almost all the major religions—clearly in the Holy Scriptures of the Old Testament and clearly in the New Testament, as

well as in the Koran. You will recognize these words if I say it in the old English: Do unto others as you would have them do unto you. Putting it in modern English, it means to treat others as you would want to be treated. Yet what we find is that in our society today there are folks who want to divide instead of unify, and this killer is a good example.

I have spent two days with the FBI. I have been on the phone. I have talked to the Secretary of Homeland Security. I have talked to our intelligence community. It is this Senator's opinion that once the dots are completely connected—and they are being rapidly connected. The FBI is doing a great job. They are the lead in Orlando.

By the way, talking about something good, what about the cooperation and coordination, which has been almost seamless, among local, State, and Federal Government officials, all represented down there in the command center, all being represented as a number of us went in front of the assembled cameras? It seems that is a good thing. That is unity. That is how we do things in America.

Yet, as the dots are being connected, we will find out that, yes, this shooter was ISIS-inspired—and that is a whole set of issues—and how are we going to protect ourselves in the future? But we are also going to find that this shooter was inspired by hatred, and we are going to find that this hatred was directed, as his father already said in interviews, toward the gay community.

So here again, we have another terrible tragedy. I have had a number of calls from my fellow Senators. One of those calls came from RICHARD BLUMENTHAL. He is from Connecticut. He has reason to be sensitive about this because of the Sandy Hook Elementary School shooting, where 20 children and some 6 adults were gunned down needlessly. Maybe that was a mental case. Maybe part of this one in Orlando is a mental case. But it is driven by hatred, maybe through ISIS, a hatred of America and of a free society being willing to be able to speak what you want without fear of persecution, or maybe it is a hatred about a group of people. It is exactly the opposite of what is taught in all of the Scriptures.

So as we heal in Orlando, it will take a while. You can imagine those families of the ones who have been lost. You can imagine the families down in the Orlando Health hospital right now, grieving, hoping, and praying that those victims fighting for their lives are going to make it.

So America, we are going to have to dig down deep and find out who we really are. You know, I really know who we are. We are a people with a character that is compassionate, generous, kind, and respectful. We as Americans are ladies and gentlemen. We can express ourselves as has been

the tradition on the floor of this Senate in the heat of political debate. We can sharply differ, but we can be respectful of the other fellow's point of view. That is America, and until we finally come to the conclusion and insist that this aberrant behavior be stopped—until that happens—we will still be grieving.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts. Mr. MARKEY. Thank you, Madam President.

I rise to echo the sentiments of the Senator from Florida. His State has suffered an unspeakable tragedy. It is something that unfortunately brings together two terrible biases—one against the LGBT community and the other a religiously based radical attack inspired by ISIS at that nightclub. They all came together. To the Senator and to everyone from Florida, our deepest, deepest sympathies go to you.

It was, of course, something that was understood in Massachusetts. He mentioned the Tsarnaev brothers as an inspiration to him. They struck on Patriots Day in 2013 in the United States. Mohamed Atta and the other nine hijackers were in Boston when they hijacked the two planes from Logan International Airport. So we know those people are out there. We know that their hate-filled message is intended to kill innocent Americans, and we saw it once again. Unfortunately, the target was a gay nightclub in Orlando, Florida.

But for us, I think we have to learn from this. This man had been investigated as a terrorist suspect, and yet we are blocked—the Senator from Florida and I and others—from passing a law that would prevent anyone on a terror watch list from buying a gun in these United States. It is not against the law. The National Rifle Association has enough power here on the floor of the Senate to prohibit someone who is on a terror watch list from buying guns in the United States of America. We need another vote on that issue here in the Senate. We need to give the protections to the American people for them to know that someone on a terror watch list cannot buy a gun in the United States of America.

We also have to ban these military-style assault weapons, like the AR-15, which are the guns of choice for those who seek to inflict mass casualties on civilians. These are not weapons that belong on the streets of our country. They belong in combat overseas, not in our communities. They don't belong in Newtown, they don't belong in San Bernardino, and they don't belong in Orlando. They don't belong in our streets or in our schools or in a civilized society, yet we cannot ban these weapons from being sold in the United States of America.

We have to prevent any known or suspected terrorist from buying fire-

arms, and we have to make it impossible, as well, for them to buy these assault weapons. This is our challenge now.

Once again, we are warned. Once again, we are told what the weapon of choice is. Once again, we know that they are going to target us if we make it easy for them to access these weapons. How many warnings do we need?

The NRA really should stand for "not relevant anymore" in American politics. They should not control the agenda here on the floor of the Senate. We should be able to ban people on the terror watch list from buying guns. We should be able to ban these assault weapons from being sold at all inside of our country. The Senate leadership should stop banning a vote here on the Senate floor on ensuring that we do the research at the CDC on this relationship between mental health and the use of guns within our society.

The bill that I have introduced calls for \$10 million a year for the next 6 years. We can't even get the money to research gun violence in the United States of America.

It doesn't have to be this way. We can change. We can learn these lessons, but we can't wait any longer to put those commonsense gun laws on the books. We cannot wait any longer to make our streets safer.

So let's close the gun show loophole that allows anyone to go into one of these Kmart's full of killing machines and buy a gun without a background check. Let's close the loophole that allows domestic abusers to buy guns. Let's close the loophole that allows straw purchasers to buy guns and flood our streets with them. Let's repeal the Protection of Lawful Commerce in Arms Act and take away the gun manufacturers' immunity from civil liability. PLCAA should stand for "protecting lives, creating arms accountability," not protecting these arms manufacturers from liability if these guns are used to kill innocent people in our society.

So in the coming days and weeks, you can be assured that the National Rifle Association will be opposed to even these limited commonsense gun measures. The NRA has had a stranglehold over Congress for far too long. It is time to end its reign of power. It is time to end its viselike grip on the safety and security of our Nation. Those in Congress who do not support these commonsense measures are siding with those forces that make it easier for these massacres to happen. That is the bottom line of where we are. Now is the time to stand up for the families of Columbine, of Newtown, of Aurora, of Chattanooga, of Charleston, of San Bernardino, and now of Orlando, and of all of the cities across our country, which are saying: Enough is enough.

I was so proud on Saturday to march in the Boston Gay Pride Parade. It was

a joyous occasion where love, community, and social justice were all celebrated with a passion and a real sense of progress. But as I woke up the next morning, I saw again how an individual armed with guns and fueled by extremist ideology can fuel violence and terror.

We are a nation of hope, not hatred. After this tragedy, after this deplorable attack, let's denounce hate in all of its forms. Let's stand with the LGBT community and raise our voices with dignity, equality, and love. Let's say no to the rhetoric of hate that demonizes our friends and neighbors because of their faith, sexual orientation, or because of their country of origin. Let's recommit to justice and moving progress forward.

The American people are begging, pleading for this institution to enact commonsense gun safety measures. My hope is that the Senate can succeed where it has recently failed and muster the political will and courage to deliver badly needed reform of our gun laws. Let's work together to do this and to help prevent yet another mass shooting in our country.

I yield back.

THE ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. CARPER. Madam President, it is good to see the Presiding Officer this afternoon.

This past weekend, Saturday, my wife and I went to New York City at the invitation of one of our sons. We visited the 9/11 Memorial in New York, literally erected on the site of the World Trade Center. I must confess it was emotionally charging, very sad-denning, and at the same time uplifting and inspiring.

I never imagined that within the space of less than 24 hours we would see dozens of our young have their lives taken from them.

I remember walking through the 9/11 Memorial—and for those who have not been, I urge you to go. For those who have, you probably remember going through parts of the memorial and literally seeing the faces of 3,000 men, women, and some children whose lives were snuffed out that day some 15 years ago. Every one of them had moms and dads. They had grandparents. A number of them had children, spouses, brothers, sisters, cousins, nephews, and nieces. Those families struggle even today with their loss.

The young people who died Saturday night, Sunday morning in a nightclub in Orlando, like those many folks whose faces we saw on Saturday, also have moms and dads, grandmoms, granddads, brothers, sisters, and cousins. Their families are mourning today just like others did 15 years ago.

What I want to do is preface my remarks by reaching out across the miles to the families who are mourning, trying to deal with their losses, and let

them know that we want to take you in our loving embrace. To the best of our ability, we also want to make sure we continue to take steps in this country to ensure we reduce the likelihood that these kinds of attacks are going to occur and that when they do, if they do, we are better prepared to deal with them.

The killer, the man who took the lives of 49 people, demonstrated an act of hatred—in part, an act of terrorism but really an act of hatred. The question is, What do we do about it? Some would have us close our borders, the ability to come here even on a short-term basis: If you happen to be Muslim, we are going to keep you out. That is exactly what ISIS would like for us to do. There are 3.3 million Muslims in this country. The idea of somehow turning them against the rest of us, that is the kind of thing happening in some parts of Europe.

Unlike Europe, we are a country where we accept the people who come to our shores. We accept them. When you were a stranger in my land, did you take me in? For us, for years, for decades, and for a couple of centuries, the answer has been yes. That doesn't mean we shouldn't very carefully check and test the backgrounds of the people who come here to make sure they are who they say they are, that they are not on a terrorist watch list. We have a bunch of those. We want to make sure our agencies and our terrorist watch lists are coordinated. We want to make sure our intelligence agencies are in close communication with one another.

Part of the goal of ISIS is to make this a clash between the United States and the Muslim population here, 3.3 million people, and around the world. That is not what we should do. We should be smarter than that.

One of the things we need to do is to continue the work that was begun from last year—I have said it often, I am going to say it again—to degrade and destroy those who would do us harm. Those who would do us enormous harm are trying to set up a caliphate. They are somehow using their religion, bastardizing their religion, and making it say things it doesn't even begin to say.

What we need to do is make sure they get no further. The progress that has been made in terms of rolling them back was with the help of a coalition that includes 15 nations—16 nations. We are taking back a lot of the land and about to—I hope—take Fallujah and Mosul and continue there.

When ISIS wannabes pop up in other countries, the idea is to work with our coalition in the countries that ISIS is trying to get a foothold in and make sure they are not successful. So it is a little like Whac-a-Mole—but it is not a game—and it is one we want to make sure they don't get a chance to get started there.

If you look at the amount of money—ISIS used to make a lot of money selling oil. They take over oil refineries and oilfields, and they sell the oil on the black market. We have greatly diminished their ability to do that and greatly diminished their ability to make money. In some cases, we have figured out where they are keeping their cash stored, and we have gone in and destroyed literally hundreds of millions of dollars in their currency that they were harboring.

There are a number of people coming from around the world to go to that part of the world—Iraq, Syria—who want to be ISIS volunteers. It is greatly diminished from what it was. It is down from 2,000 a month this time maybe last year to something that is just a fraction of that.

In the United States not that long ago, early this year, maybe six people a month were going from the United States to the Middle East to be part of ISIS, and they are down to maybe one per month. It is still one too many, but we are headed in the right direction.

The people who are being radicalized here by ISIS, ISIS is not sending people here to radicalize them. ISIS is basically trying to do this through social media, to use the Internet, and they are pretty good at it, but one of the things that will make them not so effective is once we demonstrate—and I think we are on our way to doing that—that ISIS is a losing team. The people who are apparently claiming credit for it—or the killer in this case who killed all of our folks over the weekend, he was looking for a winning team. He is not a person who had a lot of wins in his life, and he wanted to be a part of a winning team. Our challenge is to make sure that anybody who is looking for a winning team or thinks they can, through radicalization, attacks, and terrorism—we need to make sure they know they are barking up the wrong tree.

ISIS is a losing team. One of the ways we can do that is—the Presiding Officer along with me and a number of others on the Committee on Homeland Security and Governmental Affairs have been all over this issue for years. It led to the creation of the Department of Homeland Security. We continue to stay right on this issue, and we will probably be doing that for as long as any of us are in the Senate.

Part of what we should be doing, aside from degrading and destroying ISIS—if we are smart, one of the things we need to do is reach out to the Muslim community in this country, unlike what has happened in places in Europe, where you have a lot of Muslim folks who are all segregated. They are not part of the culture. They are not welcomed so much in those countries. One of the things about us in America is we are a melting pot. We have been a melting pot forever. When I was a

stranger in your land, did you take me in? For years, we said the answer is yes.

The Department of Homeland Security has asked for authorization to be able to create our community partnership, to reach out to Muslim communities across America, to meet with parents, with young people, not so young people, face the community, and make it clear they are a part of this country, make sure they say to their own people, their own young people: Don't do this. Don't do what this guy did over the weekend in Orlando. That is not part of our religion. It is not part of their religion. Don't go there.

The third thing we can do and ought to be doing is to strengthen our defenses at home.

We had an active shooter situation for hours into the wee hours of Saturday evening to Sunday morning, an active shooter situation. It is not the first active shooter situation we have faced. They are not easy to deal with.

One of the things the Department of Homeland Security can do, is doing, and ought to be doing more of, if given the resources, is doing active shooter training in police agencies all over the United States. If they ever face a situation such as this, they know what to do and they are able to be effective and save lives.

The other thing I would mention in terms of resources, as the Presiding Officer knows, we put a fair amount of resources toward a fusion center. Sometimes people used to call them confusion centers, but actually they are a fusion center. They give the ability to State and local law enforcement agencies to work with the Feds to better ensure that information gathered locally works its way up the channel, up through the chain of command, to be shared nationally with other States and with the Federal Government, and to make sure the converse is true, to the extent that we gather useful information at the national level, international level, that we bring it down and we funnel it back into individual States through fusion centers so they act on that actionable intelligence.

We need to work with energy in this regard. We need to work with a sense of urgency. We need to make sure, as we go through the appropriations process in the Senate in the days and weeks ahead, that we are putting resources, financial resources, where they need to go.

A number of folks have asked me in interviews yesterday and today: What should we be doing about gun control? How does all of this relate to gun control? The answer is, I am not sure how this is going to affect the way we view guns. I believe in the Second Amendment right. I am sure the Presiding Officer does, a former Army colonel, retired colonel. I am a retired Navy captain, a Vietnam veteran. My dad was a

chief petty officer in World War II and served for a long time as a chief petty officer in the Reserves after that. My dad was a hunter. He came from a family of hunters and taught me to be a hunter and a fisherman. One of the proudest possessions I own is a shotgun my grandfather gave me before he died. When I was in the Navy, I used to go back on leave from Southeast Asia, go visit my parents near Clearwater, FL, and stay in a guest bedroom. In the guest bedroom, under my bed where I slept, were guns. I opened the closet in the guestroom for my clothes, and there were guns. My father, in addition to being a hunter, actually bought and sold guns. He would basically sell them to people he knew. He felt they were not people who were mentally unstable or people who were felons, but he believed in the Second Amendment right. My dad also believed in common sense.

My dad is now deceased, but if he were alive and he heard that people who are on terrorism watch lists can literally buy weapons, including assault weapons, automatic weapons, he would say: That doesn't make any sense. If he found out we could go to a gun show, and a person who is mentally unstable, has a history of mental illness, and maybe someone who is a convicted felon could actually walk into a gun show and go to a federally registered gun dealer, be denied the ability to purchase an assault weapon, and then go to the next table over with someone who is not a federally registered gun dealer and purchase the same weapon they had just been denied, in terms of what makes sense and doesn't make sense to my dad and frankly to me—his son—those situations don't make a whole lot of sense. Those are areas we ought to agree on.

One of our colleagues, as the Presiding Officer knows, Senator ENZI from Wyoming, likes to talk about the 80-20 rule. It is a great rule. It says there is about 80 percent of the stuff we agree on and maybe 20 percent of an issue we don't agree on. What we should do is focus on the 80 percent we agree on. My hope is—most Americans get it, in terms of making sure that folks who are on the terrorist watch list don't have access to buy weapons. They get it. I think they also get the idea that this gun show loophole is something that ought to be closed as well.

I close by saying, in a sense, this is a test of our character as a nation. I said earlier our tradition has always been that we welcome people from disparate places, in some cases people fleeing oppression, lack of freedom, lack of religious opportunities and freedom of worship. That is the way we operate as a country.

You don't open and read the Constitution—it doesn't say Matthew 25 because we decided we are not going to establish a religion here. If we did,

Matthew 25 says: When I was hungry, did you feed me? When I was thirsty, did you give me to drink? When I was naked, did you clothe me? When I was a stranger in your land, did you take me in?

I think we have a moral obligation to the least of these, including those who are fleeing oppression in other places looking for an opportunity for a new life. I think we have a moral obligation to welcome them, but we have a moral obligation to those who live here, to make sure that as we welcome people from other places, we do not imperil them by those who arrive from other shores.

The last thing I would say is, we need the kind of leadership in this body that seeks to really do what it says right over the Presiding Officer's head, where the Presiding Officer is sitting. The Latin words—I don't know a lot of Latin words but "e pluribus unum"—from many, one. Those are words that we would be wise to remember from this day as we go forward.

I think that is pretty much what I wanted to say. As this week goes on, I ask that my colleagues and I find out as much as we can, learn as much as we can, find out what went right and what went wrong, and do more of what went right. And at the end of the day, let's make sure we are true to the values on which this country was built.

I thank the Chair.

The PRESIDING OFFICER (Mr. COATS). The Senator from Louisiana.

Mr. VITTER. Mr. President, first of all, let me thank our colleague for his words. I certainly join him in mourning the horrible, tragic loss of life this weekend in Orlando. Certainly I am committed, along with all our colleagues, to fighting terror wherever it exists and whomever it targets. This was absolutely horrible.

Mr. President, I also rise today in support of a really important piece of bipartisan legislation that I have been working on with Senator SHAHEEN. I have introduced it to reauthorize the Small Business Innovation Research and Small Business Technology Transfer Programs—two vital small business programs in the Federal Government. We have an opportunity to accomplish this—to fully reauthorize and improve these programs—in the context of this Defense authorization bill that is on the floor now. I am very hopeful we are going to do that as part of a managers' package to the bill.

These two programs—the Small Business Innovation Research and the Small Business Technology Transfer Programs—are really vital and useful to the success of small businesses directly responsible for creating thousands, tens of thousands of new jobs.

By funding small businesses and entrepreneurs in the critical early stages of R&D, these programs allow firms to drive the innovation sector of the economy with new ideas and technologies.

Very rarely have government programs had such a clear and measurable, positive and stimulating effect on the economy.

SBIR and STTR are also crucial to Federal agencies as they solve many of our biggest science and technology challenges. Giving small, innovative firms access to already appropriated Federal R&D funding is a win-win—a win for the small business sector and just as importantly a win for the taxpayer and those agencies.

These programs exist to foster innovation, to facilitate public-private partnerships, to give firms the funding they need to help 11 Federal departments and agencies meet their R&D needs. These programs not only create jobs, but they also lead to a path for commercialization for many of these businesses, which is absolutely key to their success.

These programs have been front and center in improving our Nation's capacity to innovate. Over the course of the SBIR Program history from 1982 to 2014—the last year for which we have numbers—Federal agencies have made more than 152,000 SBIR awards to small businesses to develop innovative technologies, and the total dollar amount awarded—again out of existing R&D budgets—is \$42 billion.

In 2014 alone, SBIR gave nearly 5,500 Phase I and Phase II awards worth about \$2.2 billion, and the SBA is currently reporting an average of 5,000 awards per year. These awards are directly responsible for some of the most popular technologies that are available to the public today.

For instance, through an SBIR award from the Air Force, we have created a technology known as LASIK, originally to correct vision for pilots, but that is a widely used technology to correct vision for all Americans. That was an SBIR success.

Military armor has been a regular success of the SBIR Programs. ArmorWorks is a great example. That created over 350,000 top-of-the-line body armor plates worn by U.S. service men and women in the United States.

Liftware Spoon—a spoon that stabilizes hand tremors for patients with Parkinson's disease and essential tremor—again is a clear, identifiable, and important SBIR success story.

HydroMARK decreases patient discomfort with a minimally invasive breast biopsy procedure. With the HydroMARK, a mammogram is no longer necessary and the surgeon or radiologist can use an ultrasound to locate the tumor. This is a huge innovation that has dramatically improved thousands of women's lives and, again, directly out of SBIR.

Bioseal reduces lung collapse rates after lung biopsies.

iRobot's Roomba is something I can relate to. It is moving around at home when I am there on the weekend. This

is the popular autonomous robotic vacuum cleaner that has reached major commercial success, selling over 10 million units. That is directly out of SBIR.

These programs we are talking about, which have been so successful, are set to expire September 30 of 2017. As many of my colleagues can attest, it was a tumultuous process to complete the last reauthorization, so we are starting early now so we don't go through that tumultuous process again. Back then—the last reauthorization—participating agencies and firms had to endure a process that took over 3 years and 14 short-term extensions. In a bipartisan effort with Senator SHAHEEN, we have been working for the last year to avoid all that and to do this ahead of time so we don't have all of that tumult and uncertainty, which saps the effectiveness of the program for a significant period of time.

Reauthorizing these programs this year will ensure stability, foster an environment of innovative entrepreneurship, and avoid that uncertainty by directing more than \$200 billion annually to this R&D funding to the Nation's small business firms.

As chair of the Senate's Small Business Committee, I have made this a real priority. Senator SHAHEEN, as ranking member, has done the same. So I thank all of our committee members who are solidly behind this effort. I also thank so many other Members of the Senate who have been cooperative.

In the context of this Defense bill, we have cleared our reauthorization amendment with the Senate Committee on Armed Services, and I want to specifically thank Senators MCCAIN and REED for their leadership. We have cleared it with the Commerce Committee because agencies under the jurisdiction of that committee are involved. We have cleared it with the HELP Committee. They have the same tangential relationship. We are the authorizing committee, but some agencies involved are under their jurisdiction. We have cleared it with everyone in sight, so that means we have a real opportunity to have this in the managers' package—which it is, as I speak—and to pass it through the Defense bill as a full reauthorization.

I am also proud to share that not only will our reauthorization annually direct more than \$2 billion of Federal R&D to small firms that are most likely to create jobs and commercialize their projects, but it will also establish the Regional SBIR State Collaborative Initiative Pilot Program to help low-participation States attract R&D funding for their businesses.

All of this reauthorization is a true consensus effort, so I am grateful to the more than 50 organizations that strongly support it—among them the Small Business Technology Council, the National Small Business Associa-

tion and the Defense Alliance, and 47 more. It is a true consensus effort. They all support the effort, as does the leadership of SAS; Health, Education, Labor, and Pensions; and the Commerce Committee. So it is an important opportunity that we shouldn't let fall through our grasp.

Again, I want to stress that reauthorizing this program is an effective way to meet national needs while jump-starting entrepreneurs, growing our economy, and creating jobs.

With that, Mr. President, I urge my colleagues to support this consensus amendment and help ensure that small businesses across the country can operate with long-term certainty and stability, which this amendment will provide.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

MASS SHOOTING IN ORLANDO

Mr. DAINES. Mr. President, the atrocity that occurred this past weekend in Orlando, FL, was an attack on every American, and my deepest condolences are with the victims and the families of this appalling attack. I am grateful for our law enforcement and the first responders who bravely put their lives on the line to save others.

This attack—the deadliest in American history since 9/11—was carried out by a gunman who pledged allegiance to ISIS. There are 49 families who received phone calls this weekend—phone calls we all hope we never receive. There are 49 families who are arranging for funerals this week. They never dreamed they would be put in this position—the tragedy, the sorrow of the mothers, the fathers, the aunts, the uncles, the brothers, the sisters, the grandparents, the cousins, and friends who will all be attending funerals this week.

Additionally, there are more than 50 families dealing with family members who were injured, some gravely, who are fighting for their lives as I speak.

Montana is a long ways away from Orlando, but I can tell you that last night across our State there were vigils in Great Falls, Helena, Missoula, Bozeman, Butte, and Billings, MT. We stand united with Orlando.

This threat of ISIS is continuing to grow each and every day. We need a strong strategy to destroy the growing threat of Islamic extremism—Islamic extremism on our soil as well. President Obama, what is that strategy?

We need to aggressively go after radical jihadists who seek to destroy our way of life and disturb the peace in our communities. The senseless hate of ISIS and radical Islam will not defeat us but, rather, strengthen our resolve and commitment to freedom.

We need to remember that this was an act of terror on American soil, that this is a threat we face from radical Islam and ISIS, and that the worst response would be to politicize this and

use this tragedy to restrict our constitutional rights and freedoms.

We cannot allow dangerous terrorists to hide in our communities. We need to seek them out and ensure they aren't able to inflict harm on our neighbors, our friends, and our families.

May God comfort those who have been profoundly affected by this tragedy, and may God protect our men and women who are defending our country both here and abroad every day. We are a strong nation, and together we will protect our country and ensure victory over the terrorists who want to take away our very way of life here in America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to associate myself with the remarks of the junior Senator from Montana. I appreciate his coming to the floor today.

I rise today with a heavy heart. Since I first heard the horrible news about the senseless act of terrorism in Orlando, the victims, the partners, and the families have been at the center of my thoughts and prayers. But thoughts and prayers are not enough. It is long past time for the Senate to come together and have a conversation about what steps need to be taken to put an end to this violence and hatred. We cannot continue to be crippled by inaction. The Senate needs to come together to strengthen our national security.

After attacks like Orlando, we hear folks say "Never again," but actions really do speak louder than words. It is time that we work together to try to prevent these senseless acts of terror and violence. That conversation begins with our national security and what needs to be done to keep our families and our communities safe.

There are actions we can take right now to bolster our national security. There is no question that we must pass legislation that keeps guns out of the hands of terrorists. We absolutely do need to secure our borders. And we need to continue to crack down on insider threats by reforming our security clearance process.

Intolerance and hate have no place in this country, and as elected leaders, we have a responsibility to ensure that every American can live their life each day free from fear.

VETERANS FIRST ACT

Mr. President, this Nation has made a sacred promise to the men and women who have served in our Armed Forces. These folks answered a call to duty, and they made selfless sacrifices to protect the freedoms we all enjoy. These heroes stood up for us, and now it is time for the Senate to stand up for them.

Two years ago, when reports surfaced that veterans were dying while waiting

to receive care at the VA, the Senate acted swiftly, and we passed legislation to build the capacity of the VA to better meet the needs of veterans now and into the future. Also included in that bill was the Veterans Choice Program, which allowed more veterans to seek care in their own community when they were unable to get timely care from the VA. Unfortunately, the Choice Program is broken. We have heard this from veterans and community leaders, from veteran service organizations, from Republicans and from Democrats.

The intent of the Choice Program was a good one—to get veterans care more quickly—but the rollout has been disastrous, causing far too many veterans to wait even longer for an appointment. But because of the leadership of Chairman ISAKSON and Ranking Member BLUMENTHAL, the Veterans' Affairs Committee came together in May and approved the Veterans First Act, which includes provisions that I and Senator BURR authored to fix the Choice Program. It also includes critical provisions to hold the VA accountable, increase veterans access to care both inside and outside the VA, and better deliver on the commitment this Nation has made to the folks who have served.

Since this bill was unanimously passed out of committee back on May 16, it has fallen victim to politics as usual, and a combination of anonymous holds and the majority leader's decision not to bring it to the floor have put this bipartisan piece of legislation, this good piece of legislation for our veterans, in limbo. And now there are only 21 days left until the Senate is set to recess for nearly 2 months.

I am concerned that the clock is running out and that this bipartisan bill will fall victim to the Senate's inaction. We cannot let business as usual here in Washington, DC, derail critically needed reforms. Veterans will not and should not accept excuses for the Senate not acting.

This is a good bill. It is a bill that gives the VA the flexibility to work directly with community providers to connect veterans to the care they need so that the VA does not need to work through a middleman. This bill also provides the budget flexibility necessary to ensure veterans are routed to care in a manner that makes the most sense for them. It imposes stricter rules to ensure the VA is reimbursing community providers in a more timely manner. It also includes critical provisions that I helped author to ensure the VA is able to more quickly fill leadership vacancies at VA medical facilities.

That is why today I am calling on the Senate to put politics aside, put personal agendas aside, and get this bill to the floor for debate and for an up-or-down vote. The millions of veterans who are still being forced to wait

more than 30 days to schedule an appointment deserve that vote. The veterans who are still kept on long wait lists deserve that vote. And the folks who have sacrificed so much to protect and defend this country deserve that vote.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MASS SHOOTING IN ORLANDO

Mr. DURBIN. Mr. President, early in the morning this past Sunday, the worst mass shooting in America's history took place. Forty-nine people were killed and 53 more wounded at the Pulse nightclub in Orlando, FL. We don't know all the details, but we know that this was an act of terror and that it was an act of hate directed at the LGBT community.

I want to begin by expressing my condolences to the victims, to their families and loved ones, and to the city of Orlando. I thank the first responders who ran toward the sound of gunfire, who literally risked their lives to save the lives of others.

I express my support and solidarity with the LGBT community in Orlando and throughout the Nation. Many of the patrons at the Pulse nightclub were members of that community. They were simply enjoying a fun night out at an establishment that welcomed them.

June is Pride Month. It is a month where we should take pride in the advances we have made toward equality since Stonewall in 1969. The LGBT movement has come a long way in protecting Americans' right to love the person they love. Yet this weekend's shooting is a sobering reminder that this community still remains a target of vicious hatred.

As we mourn those we lost in Orlando, we must not lose our pride in what the LGBT movement has accomplished. We must stand in solidarity with our fellow LGBT Americans who will not let the hate of a few overcome the love of an entire community.

The shooter who perpetrated this horrific attack has been identified as a 29-year-old U.S. citizen who was living in St. Lucie County, FL. The shooter reportedly entered the nightclub at about 2 a.m. on Sunday morning, armed with an AR-15 assault rifle and a handgun. He opened fire on the patrons and engaged in a shoot-out with an off-duty Orlando police officer who was working security at the nightclub. The shooter apparently held a number of hostages in the nightclub for several hours, until a SWAT team swarmed the

building, killing the gunman at about 5 a.m.

Reportedly, the shooter called 9-1-1 to pledge allegiance to ISIS, even while the attack was under way. We do not yet know when and how this gunman may have been radicalized. Reportedly, he had been the subject of at least two FBI investigations in recent years regarding possible ties to terrorist groups. The shooter reportedly bought the two guns he used on Sunday within the last several days. He was able to buy these guns legally, despite the past investigations into his potential terrorist ties.

Let's be clear. In America, our laws currently allow dangerous people to buy guns. That has to change. I respect the Second Amendment to our Constitution. That amendment protects the responsible use of guns for lawful purposes. But the Supreme Court has made it clear that it is constitutional to keep guns out of the hands of dangerous people. Our lawmakers are simply not doing enough to keep guns out of the hands of dangerous people.

Right now, the FBI cannot stop a known or suspected terrorist from walking into a gunshop and walking out with an AR-15, an assault weapon. The GAO found that between 2004 and 2014, suspected terrorists bought guns lawfully at least 2,043 times from American gun dealers.

What are we thinking? Last December, when the Senate took up this measure, we failed on the floor of the Senate to pass legislation to close this terror gap loophole. The gap remains open, and we have failed to close the gaping loopholes in our own background check system that allow terrorists, criminals, and others to get guns without a background check from gun shows or over the Internet. Why do we make it so easy for people that we suspect of being involved in terrorism to buy guns—assault weapons, military-style guns?

Last December, this Senate failed again to pass Manchin-Toomey, a bill that would close many of these loopholes. This was a bipartisan bill, yet we couldn't pass it on the floor of the Senate.

We know our weak gun laws make us vulnerable, but we have not acted to strengthen them. In fact, almost every week we see efforts in Congress to further weaken gun laws in America.

Hundreds of men, women, and children are shot every day in America, and on average 91 of those victims die. It is an epidemic of gun violence that has devastated families and communities in every State. No community has been hit harder than the city of Chicago—the city I am honored to represent and the city I love and a city where this past weekend, 44 people were shot, 7 of them fatally. More than 1,650 people have been shot so far this year in Chicago, with at least 282 victims dying from their wounds.

The tragedy of Orlando is that it all happened in a few hours. The tragedy of gun violence in Chicago is that it happens almost every day.

Across the Nation, we have seen Americans gunned down in nightclubs, elementary schools, churches, temples, movie theaters, health care clinics, malls, colleges, and our homes and our neighborhoods.

We need to wake up and act to reduce this violence. Thoughts and prayers are important but not sufficient. We need votes and laws to keep guns out of the hands of dangerous people. Can't we agree on that? The responsibility lies right here. We have that responsibility and that opportunity.

This weekend's act of hate and terror in Orlando has been condemned by Americans of all backgrounds and all faiths, and Orlando has received an extraordinary outpouring of support and solidarity from all across the United States and around the world.

We do stand united against ISIS and its efforts to promote mass shootings and acts of terror. We stand in support of the LGBT community—the latest target of this terrorist attack. This solidarity is important. Our efforts to defeat ISIS and keep America safe from hate and terror are strengthened when our Nation and the world stand united. We must not let the actions of a hateful few divide us and prevent us from working together to combat this evil.

We also must not let this act of hate and terror lead to hostility against the Muslim community in America. The American Muslim community has stood with all Americans in condemning Sunday's mass shooting. American Muslim leaders immediately spoke out and condemned the attack. Muslim Floridians donated blood and money to help the victims and survivors.

In the coming days, there will be those who say we should respond to this attack by discriminating against innocent American Muslims and immigrants. But the solution to hate is not more hate; it is unity.

In Orlando, they understand this. In a news conference after the shooting, a representative of Equality Florida recognized the unity between the LGBT and Muslim communities, stating that his organization “stands in solidarity with the Muslim and Islamic community in opposition to the intolerance, discrimination, and hate crimes that both of our communities experience.”

That was a statement by the representative of Equality Florida about Muslims in Florida itself. It is unfortunate that the presumptive Republican Presidential nominee, Donald Trump, does not understand this. In response to the Orlando attack, Mr. Trump wasted no time calling again for a ban on all Muslims immigrating to the United States.

General Michael Hayden is no softy, no liberal. He was Director of the CIA, and the National Security Agency under President George W. Bush. Here is what General Hayden said of Mr. Trump's response to the attack: “Prejudiced, simplistic, and frankly inaccurate.” General Hayden has pointed out that banning all Muslim immigration would not make us safer and actually helps ISIS recruit those who hate the United States.

As we mourn those we have lost, we must also roll up our sleeves and get to work. We must pursue smart, common-sense reforms to keep dangerous, hateful people from getting their hands on dangerous weapons. America just suffered its deadliest mass shooting event in history—worse than San Bernardino, worse than Newtown, worse than Virginia Tech. If there was ever a time for Congress to do its job and keep guns out of dangerous hands, this is it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, first and foremost, I wish to send my heartfelt sympathy to those who have lost loved ones in Orlando, FL, in Orange County, yesterday in a tragic event. I want to express my great appreciation to the people of Orlando who volunteered their blood, their families, and their houses to help support those victims; to the EMTs who rushed into harm's way to save lives—and they did save lives—and to the hospital trauma team that did an amazing job of responding instantaneously to a tragedy beyond anybody's comprehension.

We are very sad in America today by the terrible attack that took place and those who would perpetrate it. I, for one, am going to roll up my sleeves and work to see to it that wherever radical Islamic terrorism is, I want to root it out and I want to destroy it. You cannot accept or tolerate what happened yesterday, and we must redouble our effort to follow it wherever it leads us and to wipe it out and to eradicate it. I, as one Senator, will promise to do that.

COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS
BILL

Mr. President, I am one of those guys who usually is very supportive of going to cloture and going on motions to proceed on just about anything because I think the Senate is the most deliberative body in the world and we ought to do that. But tomorrow, shortly after 11 o'clock, I am going to vote no on the motion to proceed to the Commerce-Justice-Science bill. I want to memorialize why on the floor of the Senate tonight so everybody is clear and understands.

There is report language in the Commerce-Justice-Science portion of the appropriations bill that directly interjects this Congress, this Senate, and the U.S. House of Representatives into a tristate water compact misunderstanding among the States of Georgia, Alabama, and Florida that has gone on for 27 years.

I know that is of no interest to the Presiding Officer from Indiana, nor to the Senator who just preceded me from Chicago, IL, nor anybody else, but what is of interest to you would be any time that Congress decided to interject its nose in your business. Tomorrow, if the motion to proceed brings it to the floor, it will be injecting 100 Senators into an issue among 6 Senators. That is not the right way to do it. In fact, the tristate water compact, which has been off and on in negotiations for 26 years, is at its closest point of being finally decided in a court of law. The judge and the special master recently notified us that they will hear the final case on the tristate water compact in Georgia, Alabama, and Florida this November. So the issue is going to be resolved.

We have no place as a Senate or as a Congress to inject ourselves into a case that is pending litigation in the courts between States on issues that are purely theirs—except for the fact that over the years, for nefarious reasons and unpleasant reasons, sometimes Congress has from time to time thwarted water control manuals, thwarted the authority of the Corps of Engineers from doing its job, all over litigation of the ACF and AC basins in Georgia, Florida, and Alabama.

I want to bring a resolution. I want all the States to have an adequate supply of water. I want us to be cooperative and work together, and I want us to do it the right way. The right way is to not interject ourselves at the last minute in an appropriations bill with nefarious language that can't be touched that is in the report language but, instead, to pull that language out, as I will try to do with an amendment on the floor. If I am unsuccessful, I will try to do an amendment that counteracts that language, to see to it that Congress does not stick its nose in a place that it does not belong.

I like to be cooperative. I like to move forward. I don't want to slow down progress. But I was sent here to represent 10.4 million people in the State of Georgia and, by golly, I am going to do it. If somebody is trying to inject themselves beyond the appropriate place, I am going to do everything I can to stop them. The way I will start that tomorrow will be to vote no on the motion to proceed to go to the Commerce-Justice-Science bill.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

MASS SHOOTING IN ORLANDO

Mr. CASEY. Mr. President, I rise this afternoon to talk about the horror of Orlando, and I know so many Members of the Senate on both sides of the aisle have been thinking about those who lost their lives and talking about this horror that once again has impacted everyone from one end of America to the other.

I won't speak for a long time tonight other than to say—which I think is plainly evident from the evidence we have right now at this point in the investigation—that this was first an act of terror and it was also an act of hate. I think both are significant because of the impact they have on our country over time.

I think there is a strong belief that the first thing we must do is to express not just condolence but solidarity with the people of Orlando, the people of Florida, and to do what we can to help them and help those communities and families who lost so much in such a short timeframe. At last count, there are 50 dead and more than 50 injured. There will be some who say that beyond that, there is not much we can do, that we should just stay where we are now and not change the laws. I don't agree with that, and I won't dwell on a long list tonight, but I hope at some point we can begin to reengage on a number of issues and at least have a full debate and also a series of votes on a couple of measures which I think are common sense. These are issues that we voted on I believe most recently in 2013, and I was hoping we would vote on them after that.

One of the votes had to do with a ban on military-style weapons. I think it would be appropriate to at least debate and vote on it. I would vote in favor of it, and some would not. We should certainly have a vote on the size of the clips, or the magazines. To put it plainly, how many bullets should one person have in their possession or as part of the weapon at any one time? Should someone be allowed to go into any kind of establishment and start shooting, thereby releasing rounds and rounds of ammunition and hundreds and hundreds of bullets? Should that be permitted to anyone at any time or anywhere? I don't think so.

If someone is on the terror watch list and that person has been deemed so dangerous that we have labeled him or

her as a terrorist or potential terrorist and he or she can't get on an airplane, certainly that person should not have a weapon. That seems to make sense. If they are too dangerous to get on a plane because of their tendency to commit acts of violence or engage in terror, they shouldn't be able to have a firearm. I think it would make sense to have a debate and vote on that issue.

Another issue is background checks. That was one measure where there was a lot of consensus or substantial bipartisan support, but it didn't pass in 2013. I hope we can have another vote on that.

If a person is not able to get through a background check due to a whole variety of reasons, such as having a criminal record or otherwise, you have to ask yourself, should someone with a criminal record have access to a firearm?

Mr. President, today I have introduced the Hate Crimes Prevention Act, S. 3053. That is a new proposal to do what some States have done already. I think it is essential to add this to the other pieces of legislation that have been talked about and some that I just itemized.

This bill, first of all, would define what a misdemeanor hate crime is because the intent of the bill is to say: If you are convicted of a misdemeanor hate crime, you shouldn't have access to a firearm. This category of misdemeanors would be under Federal, State, or tribal law that are found to be motivated, at least in part, by hate or bias against the victim's race, color, religion, national origin, gender, sexual orientation, gender identity, or disability. In essence, these eight categories are what some would call, to use the more legal jargon, the protected classes. That is how we would define a misdemeanor hate crime.

This bill, upon passage, would keep firearms out of the hands of those convicted of misdemeanor hate crimes. It would prohibit the purchase, possession, or shipment of a firearm by anyone convicted of a misdemeanor hate crime. That is the basics of the bill. Obviously it doesn't have direct application to what happened in Orlando; however, upon further investigation, we may find that it does. Part of the reason for this is because there has been a rise not only in hate crimes but in hate groups across the country, with hundreds more in just the last couple of years, and literally thousands more, if not more, hate crimes have been committed.

Those issues I mentioned are among the many things we need to address. I also think that in addition to taking these steps on commonsense gun measures, we have to make sure law enforcement has the resources it needs to take on the challenge of not just criminal activity but increasingly almost

terroristic activity within our communities—the so-called lone wolf terrorist, the homegrown terrorist, the individual who is self-radicalized, which seems to be part of the horror of Orlando. We have to make sure that if law enforcement professionals tell us they need more money in the COPS Program, we should appropriate more money. If the law enforcement professionals say: Please fund that program that has worked for so many years, such as the Byrne Justice assistance grants, we should make sure they have those appropriations. If you are tough on law enforcement—that is nice to say, but it is better to prove it by how you vote.

Finally, of course, we have to continue to focus on what is a major component, of course, of Orlando and San Bernardino and so many other places, and that is violent extremism in communities across the country. We have to make sure we are working with local law enforcement and Federal authorities not only to give them the resources they need but to be able to coordinate and do our best to unearth plots before they transpire and to be able to take this fight directly to a terrorist, many of whom are in our midst here in the United States.

We have a lot to do. It is not simply a question of what we do on a series of commonsense gun measures, it is also a question of what we are going to do to help our law enforcement and to work as hard as we can in a bipartisan way to debate and vote on measures that will keep our country safe and protect our homeland.

Unfortunately, we are seeing more and more of a rise in these individuals who are, as I mentioned before, self-radicalized and sometimes categorized as a lone wolf. We have to make sure we are doing everything possible to identify them, apprehend them, and make sure we are thwarting these plots ahead of time. It may not work in every instance, but we have to take every measure possible. I think part of that is doing what I hope we can do as a matter of preventive steps. If someone is engaging in hate and taking action against others, even if it only rises to the level of a misdemeanor, they shouldn't have access to a firearm. We want to nip this in the bud, stop it long before that hate continues and develops into the kind of hate that leads to a much greater and more lethal attack on Americans.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING ROLAND "KEN" TOWERY

Mr. CORNYN. Mr. President, today I would like to pay tribute to a great American veteran, public servant, leader, and Texan, Mr. Roland "Ken" Towery. Ken passed away on May 4, 2016, at the age of 93. Ken personified integrity, sacrifice, and hard work as a member of the Greatest Generation. He will be sorely missed by the family he leaves behind, those whose lives he touched, and a grateful Nation.

Ken was born in 1923 in Smithville, MS, but quickly moved to Texas a year later. Ken grew up on his family's farm in Willacy County. When Ken was 14, they moved to farm land on the Medina River near San Antonio. The day Ken turned 18, he enlisted in the Army. He was later asked about why he enlisted, and he said, "I wanted to see the world and signed up asking for service as far away from home as the Army could send me." A few short months later, Ken sailed to the Philippines on the USS *Republic*. He received basic and advanced individual training on Corregidor Island in Manila Bay; he served as a crew member for the 75mm anti-aircraft guns with Battery C, 60th Coast Artillery.

In the initial months of America's involvement in World War II, the 60th Coast Artillery joined with the 59th Coast Artillery to defend the Bataan Peninsula, blocking the Japanese Navy from Manila Bay. Ken and his fellow soldiers fought gallantly; many, including Ken, were awarded the Purple Heart for injuries received in defense of the island. In May of 1942, the island fell to the Japanese, and Ken was captured.

For the duration of World War II, Ken was a prisoner of war in Manchuria. As a POW, he worked in the MKK factory making equipment to be exported. Ken eventually acquired an extra duty serving prisoners their meals, more commonly referred to as "slop," filling a role referred to as the "chow dipper." Serving as a chow dipper was often a short-lived and precarious position because they were subject to fights and disagreements from prisoners who were unhappy about their meager rations. This changed when Ken became the chow dipper. He employed the lesson that his parents taught him to "do unto others." He remedied disagreements by first filling his own bowl and placing it beside the serving bucket. Any man who was unsatisfied with his serving was invited

to replace his serving with Ken's. This small action demonstrated Ken's dedication to fairness and firmly established his role as a leader amongst his fellow prisoners.

In 1945, Ken returned home, where he faced a steep recovery from multiple parasitic diseases common amongst former prisoners of war. Additionally, Ken returned with a serious case of tuberculosis, which forced him to spend the bulk of the next decade in isolation wards of TB sanitariums. As he battled TB, Ken studied at Southwest Texas Junior College and was later admitted to Texas A&M University to study soil biology. It was during this time that Ken met his future wife, Louise Ida Cook, from Knippa, TX.

After their wedding, Ken continued college until another bout with tuberculosis occurred and ended his formal education. After his hospitalization, Ken cleaned poultry houses to make a living. In 1950, the *Cuero Record*, Ken's local newspaper, announced they were looking for a reporter. Ken applied for the position but lacked one critical skill: the ability to use a typewriter. Louise taught Ken to type, helping him to land the job.

Ken's hard work led him to investigate allegations regarding businessmen who were abusing the State's veteran's land program and State officials who chose to ignore the issue. This later became known as the Veteran's Land Scandal. As a result of his research and reporting, 20 people were indicted, and the Texas land commissioner was removed from office and imprisoned. In 1955, Ken was awarded the Pulitzer Prize for his work.

Soon after, Ken, Louise, and their two children moved to Austin, where Ken worked as a political reporter for the *Austin American Statesman*. His insight into politics was noticed by recently elected U.S. Senator John Tower, who asked Ken to serve as his press secretary. He quickly climbed the ladder and became Senator Tower's chief of staff.

After leaving Tower's staff, Ken remained influential in Republican politics for more than 20 years, during which time he managed several reelection campaigns, including Richard Nixon's 1968 campaign in Texas.

Ken's political impacts extended beyond the United States. He also served the U.S. Information Agency as deputy director and assistant director. While there, he played a major behind-the-scenes role in the fight against communism and the demise of the Soviet Union. He said the years spent at USIA "were among the most gratifying 'employed' years of my life . . . I could go home at night feeling like I had struck a blow for liberty, for mankind . . . There was the feeling that our labors were directed towards the interest of the nation as a whole."

Ken then returned to Texas, where he started a political consulting business

in 1976. In 1981, President Regan appointed him to the board of directors of the Corporation for Public Broadcasting, and he served as the elected chairman of the board twice. Ken eventually returned to the newspaper business in the 1990s when he purchased three small town publications: The Floyd County Hesperian, the Lockney Beacon, and the Crosby County News-Chronicle.

Of all his many accomplishments, this humble man will rest in the Texas State Cemetery beneath the headstone that reads "The Chow Dipper." Ken Towery's story of perseverance, work ethic, and fortitude should inspire us all. I offer my thanks and appreciation to this great and humble man who epitomizes the American spirit.

HOUSE PASSAGE OF S. 337, THE FOIA IMPROVEMENT ACT OF 2015

Mr. LEAHY. Mr. President, the Freedom of Information Act, our Nation's premier transparency law, is on the eve of its 50th anniversary, July 4, 2016. It is fitting that FOIA shares its birthday with our Republic itself. Our democracy is built upon the principle that a government of, by, and for the people cannot be one that is hidden from them. Today we recommit ourselves to this ideal by sending to the President the FOIA Improvement Act. This bill, which I coauthored with Senator CORNYN, ushers in the most significant reforms to FOIA since its enactment 50 years ago. With the House's unanimous passage of our legislation today, we ensure FOIA will remain strong for another 50 years.

First and foremost, the FOIA Improvement Act codifies a "presumption of openness," putting the force of law behind the notion that sunshine, not secrecy, is the default setting of our government. This is the same language President Obama laid out in his historic memorandum in 2009 and which now applies to government agencies. This policy was first put into place by President Bill Clinton, but then it was reversed by President George W. Bush. President Obama reinstated it as one of his first acts in office. However, self-imposed executive orders provide the executive branch overly-broad latitude in adhering to its letter and spirit. We must remember, the executive branch uniquely conducts much of its business behind closed doors, which is why we need strong legislation ensuring accountability and transparency. By codifying the "presumption of openness," we ensure that all future administrations operate under the presumption that government information belongs in the hands of the people.

Furthermore, our bill provides the Office of Government Information Services—OGIS—an office Senator CORNYN and I created in the OPEN

Government Act of 2007—additional authority to operate more independently and communicate freely with Congress how FOIA is operating and what improvements can be made. And to bring FOIA into the digital age, our bill creates a singular online portal through which the American public can submit FOIA requests and requires the proactive online disclosure of frequently requested records.

The reforms in our bill enjoy broad bipartisan support. The Senate has unanimously voted for our FOIA Improvement Act twice. Last Congress, the Democratically controlled Senate unanimously passed this bill, but Republican leaders in the House failed to bring it up. Senator CORNYN and I promptly reintroduced our legislation, which passed the Senate earlier this year, and finally, the House has followed suit. The legislative branch has now spoken in one voice, reaffirming its commitment to the American people's right to know what their government is doing. I urge President Obama to swiftly sign our bill into law in time for FOIA's 50th anniversary.

The FOIA Improvement Act is undoubtedly a legislative achievement worth celebrating. However, we must not rest on our laurels. Just as we are about to bring more sunshine into the halls of power with this new law, the National Defense Authorization Act, S. 2943, being considered by the Senate, threatens to cast a shadow over our efforts.

Without ever consulting the Senate Judiciary Committee, which has exclusive jurisdiction over FOIA, the Senate Armed Services Committee included provisions in the NDAA that directly undermine central pillars of FOIA. One particularly egregious provision is so broadly drafted that it could create a wholesale carveout of the Department of Defense from our Nation's transparency and accountability regime. If enacted into law, this could empower the Pentagon to withhold a nearly limitless amount of information from the American public. For example, the Pentagon could withhold the legal justifications for drone strikes against U.S. citizens, preventing the American people from knowing the legal basis upon which their government can employ lethal force against them. It could withhold from disclosure documents memorializing civilian killings by U.S. forces, depriving the American people of knowledge about the human cost of wars fought in their name. And if enacted, the Pentagon could withhold information about sexual assaults in the military, masking the true extent of sexual violence against soldiers who risk their lives defending our country. I will continue to oppose inclusion of this provision in the final NDAA.

Fifty years from now, on FOIA's centennial anniversary, the next generation will look back to this moment.

They will gauge our commitment to creating a government that is open to its people. With today's passage of the bipartisan FOIA Improvement Act, we have chosen to let the sunshine in.

CBO COST ESTIMATE—S. 2943

Mr. ENZI. Mr. President, on June 10, 2016, the Congressional Budget Office released a detailed cost estimate for S. 2943, the National Defense Authorization Act for Fiscal Year 2017. This measure was reported by the Senate Committee on Armed Services on May 18, 2016, and includes provisions that affect authorizations for appropriations, revenues, and direct spending. As chairman of the Senate Committee on the Budget, I will use this estimate for scorekeeping and budget enforcement purposes. Senators and their staff can access the full estimate on CBO's website, www.cbo.gov/publication/51683.

Mr. President, I ask unanimous consent that a summary of CBO's cost estimate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 2943—NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

(June 10, 2016)

Summary: S. 2943 would authorize appropriations totaling an estimated \$603.9 billion for the military functions of the Department of Defense (DoD), for certain activities of the Department of Energy (DOE), and for other purposes. In addition, S. 2943 would prescribe personnel strengths for each active-duty and selected-reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts would result in outlays of \$587.8 billion over the 2017–2021 period.

Of the amount authorized for 2017, \$544.1 billion—if appropriated—would count against that year's defense cap set in the Budget Control Act (BCA), as amended. Another \$0.2 billion authorized for nondefense programs would count against the non-defense cap and an additional \$58.9 billion authorized and designated for overseas contingency operations would not be constrained by caps.

The bill also contains provisions that would affect the costs of defense programs funded through discretionary appropriations in 2018 and future years. Those provisions mainly would affect force structure, compensation and benefits, the military health system, and various procurement programs. CBO has analyzed the costs of a select number of those provisions and estimates that they would, on a net basis, decrease the cost of those programs relative to current law by about \$14 billion over the 2018–2021 period. The net costs of those provisions in 2018 and beyond are not included in the total amount of outlays mentioned above because funding for those activities would be covered by specific authorizations in future years.

In addition, CBO estimates that enacting the bill would increase direct spending by \$10.9 billion over the 2017–2026 period. S. 2943 would have an insignificant effect on revenues. Because enacting the bill would affect

direct spending and revenues, pay-as-you-go procedures apply.

CBO estimates that enacting S. 2943 would increase net direct spending and on-budget deficits by more than \$5 billion in each of the four consecutive 10-year periods beginning in 2027.

S. 2943 contains intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate costs of the mandates would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$77 million and \$154 million in 2016, respectively, adjusted annually for inflation).

TRIBUTE TO JACK LIVINGSTON

Mr. BURR. Mr. President, today I wish to pay special tribute to Jack Livingston, a key member of the Senate Select Committee on Intelligence staff for more than 12 years. Jack's lifelong commitment to our national security began when he was just a young man and heeded the call to service when he joined the Civil Air Patrol. Some years later, he joined the Navy, followed by more than 7 years of distinguished service at the Federal Bureau of Investigation. His memory of being on the floor of the Strategic Information and Operations Center at the FBI in the hours after 9/11, when so many others in Washington, DC, had hurried to safety, remained with him every day and became his driver and, in turn, a motivator for younger staff.

Jack subsequently joined the Senate Select Committee on Intelligence where he has served for the last 13 years. As general counsel for the majority and minority, Jack not only helped shape national policy on key intelligence matters, but he served as a personal and professional mentor to dozens of committee and congressional staff, on both sides of the aisle. From the all-nighters before mark-up, reviewing amendments and writing and proofing countless sets of talking points, to somehow always assigning himself a larger "equal" share of the work, Jack has led by example. His meticulous nature and sound reasoning were essential as the committee produced reports or majority or minority views on significant matters of national security, from Iraq WMD to interrogation and detention. It did not matter how busy Jack was because he would always find time to talk through an intelligence issue with a colleague, proofread a floor statement, or just listen. Many staff knocked on his open door and were greeted without hesitation by a kind word or invitation to sit down and discuss a question more in-depth.

Many of Jack's colleagues have had the privilege of working with him for years. Ask them what words describe Jack best, and you will likely hear "integrity," "honesty," "impeccable character," "devoted family man," and

"all-around good guy"—and unique: while an ardent Indiana University and Bobby Knight fan, his California roots easily showed themselves as he called his colleagues "dude" during debates. Jack was often kidded about catching a joke; the deadpan expression on his face was usually belied by a twinkle in his eye that said the joke was really on you.

Jack is loyal to the core, and he understood well the importance of providing accurate information and sound advice to members of the committee, a point on which I am sure my predecessors, Senators Chambliss, Bond, and ROBERTS, would agree. Jack had the ability, all too rare in Congress, to put politics aside and focus on the mission and on what was best for the Nation. His colleagues knew they could engage in spirited but never personal debates. Jack always stuck to the facts and his arguments were based on logic, not emotion. As a result, members of the committee—Republican, Democrat, and Independent—sought his counsel on a wide range of issues.

As the minority and majority general counsel, Jack enjoyed some major successes in national security legislation. From the Protect America Act to the FISA Amendments Act, Jack worked tirelessly to secure the best result for our terrorist surveillance capabilities. Jack was passionate about this issue and understood it better than pretty much anyone else. The committee's FISA audit was a hallmark of Jack's early tenure on the committee and provided the impetus for many improvements in the conduct of national security investigations and for later legislation in which Jack played significant roles. Jack led the committee's passage of the Cyber Information Sharing Act of 2015, the product of years of bipartisan work and compromise on an issue that has taken on new urgency with the increase in cyber threats, and of numerous intelligence authorization acts that secured critical authorities and capabilities for our intelligence professionals.

It is often said that behind every great man, there is a greater woman, and in Jack's case, that is certainly true—and I have no doubt Jack would agree. Jack's tireless service was made possible, not just because of his own character, but because he was confident in the love and support of his wife, Julie, and their children, John, James, and Sarah. For their own sacrifices and for their willingness to share Jack with the committee, we are indebted to them.

Jack has earned our respect and admiration, and we will miss his sound counsel and friendship, but his legacy will remain a part of the Senate Select Committee on Intelligence for years to come.

ADDITIONAL STATEMENTS

TRIBUTE TO DENNIS X. MCCORMACK

• Mr. BENNET. Mr. President, I extend my sincere appreciation and gratitude to Dennis X. McCormack for his tireless contributions to bettering the lives of Colorado's veterans.

Dennis could have relaxed after retiring. He had earned it after 26 years in the military as an Army chief warrant officer, CW5, helicopter pilot from Fort Bragg's XVIII Airborne Corps and 12 more years in the private sector.

Instead, Dennis was committed to service. Before retirement, he was giving his time, expertise, and passion to veterans, military families, and soldiers facing deployment and the difficulties of day-to-day life.

Every day, the men and women of the U.S. Armed Forces make incalculable contributions to our society. Dennis recognized a responsibility to support those contributions and made his own.

He served with many organizations such as the Suicide Prevention Partnership of the Pikes Peak Region, LifeQuest Transitions, the Home Front Cares, Inc., Sentinels of Freedom—Colorado Springs Chapter, and South East Armed Forces YMCA, Colorado Springs.

He served as a peer mentor for Colorado's El Paso County Veterans Trauma Court, a program he helped found. He also served in the first group of AW2 advocates for the Army Wounded Warrior Program and was an organizer of the Colorado injured military support group.

I had the distinct honor of meeting Dennis in 2011, and I have worked with him in the intervening years. His deep dedication to veterans was clear, and that passion inspires my work on behalf of our Nation's veterans.

He has received the American Red Cross Hometown Hero Community Service Award, the President's Award from Homefront Cares, and the Joe Henjum "Service Above Self" Award from the Rotary Club of Colorado Springs. These speak to his integrity, character, and commitment to the community.

Dennis demonstrates the best of Colorado, and his tireless service has helped make our State one of the best places for our servicemembers, veterans, and their families to live. I add my recognition of his service, knowing that his work contributes to a stronger and a safer nation.●

TRIBUTE TO JON YUSPA

• Mr. HELLER. Mr. President, today I wish to congratulate a Nevadan who has gone above and beyond in his endeavors for our veteran community, Jon Yuspa. Jon formed and continues

to lead Honor Flight Nevada, a non-profit organization committed to honoring the brave men and women who so valiantly defended our freedom.

In 2011, Jon formed Honor Flight Nevada to honor Nevada's World War II veterans and transport them to Washington, DC, to visit the memorials dedicated to honor their service and sacrifices. Since its formation, Honor Flight Nevada has expanded its trips to include Korean and Vietnam veteran visits. Over the past 5 years, Jon and the Honor Flight Nevada team have raised over \$500,000 to transport more than 200 U.S. veterans to Washington, DC. The trips are completely funded and paid for at no cost to the veterans through private donations to Honor Flight Nevada. From the National World War II Memorial, to the Korean War Veterans Memorial, to the Vietnam Veterans Memorial, all the way to Arlington National Cemetery, every veteran has the chance to see the memorials that stand as a testimony to the great sacrifices they have made.

Even more remarkable, Honor Flight Nevada is the only Honor Flight organization to offer trips specifically for Vietnam veterans to visit the Vietnam Veterans Memorial. To witness these veterans honor their lost comrades at their memorials is truly a special experience. During the trip, veterans are showered with gratitude and applause in airports, on bus rides, at hotels, and en route to their memorials, all executed through the coordination and planning from the Honor Flight Nevada team. I would like to extend my sincerest gratitude to everyone working on behalf of our veterans with Honor Flight Nevada, including those with Southwest Airlines and the Reno-Tahoe International Airport who have contributed so much to this organization. It is through the hard work and collaboration of this entire team that these trips are possible.

Recently, Jon's work has been acknowledged with two prestigious awards. In April, Jon received the President's Award from Southwest Airlines, as well as the 2016 Jefferson Award for Nevada from the Jefferson Awards Foundation. These accolades are a tremendous honor, and without a doubt, Jon's work warrants this and so much more in recognition. I have personally attended a veterans send-off at the Reno-Tahoe International Airport and have also met our heroes in our Nation's Capital as they observed the World War II Memorial and Arlington National Cemetery. I can attest to the positive impact that accompanies their journey. This truly is a life-changing experience for those who deserve only the greatest gratitude for their service.

I most recently had the opportunity to see Jon's work firsthand in May at the internment of Bob Wheeler at Arlington National Cemetery. Bob was an important member of the Nevada fam-

ily and will never be forgotten. Jon's work in bringing some of the Nevada family to honor Bob's sacrifice was admirable. No words can adequately thank Jon for all that he has done.

Jon has truly impacted the lives of heroes across the State of Nevada. Today I ask my colleagues and all Nevadans to join me in congratulating Jon on his achievements and in recognizing the entire Honor Flight Nevada family for their work. Honor Flight Nevada's mission is noble, and I thank everyone for their commitment and compassion to Nevada's veterans. I wish Jon and all of the Honor Flight Nevada team the best of luck in their future endeavors.●

RECOGNIZING ANNIE MILLER'S SON'S SWAMP & MARSH TOUR

● Mr. VITTER. Mr. President, known as the "Sportsman's Paradise," Louisiana is blessed with an abundance of natural resources, and millions of folks come from across the country and the world to see our unique ecosystems in person. The tourism industry plays a major role in our State's economy, bringing in billions of dollars each year. Much of that positive growth is due to our local small businesses, including this week's Small Business of the Week, Annie Miller's Son's Swamp & Marsh Tour of Houma, LA.

Annie and Eddie Miller founded Annie Miller's Swamp and Marsh Tours in 1979, which became Louisiana's very first swamp-boat company. Known as Alligator Annie, Annie and Eddie escorted tourists through the Louisiana swamps, showing them everything from the beautiful marshlands to backwater canals and even allowing guests to feed wild alligators. Annie took her role as Louisiana's trailblazer of nature-based tourism very seriously and made sure each guest was well-educated in the effects of coastal erosion by the time the tour had concluded. Her efforts over the years led to the local government preserving sections of the marsh and bayous in Terrebonne Parish for the local alligators.

Over the years, Annie Miller's Swamp and Marsh Tours experienced major successes, and it wasn't long before Annie and Eddie's son Jimmy Bonvillain joined the family business. Upon Annie's passing in 2004, Jimmy renamed the family business to Annie Miller's Son's Swamp & Marsh Tour and continues to welcome visitors year-round.

Louisiana's small businesses in the tourism industry are constantly finding new and entertaining ways to attract visitors to our State. With its focus on both the beauty and importance of preserving our wildlife and natural resources, Annie Miller's Son's Swamp & Marsh Tour certainly found its successful hook decades ago. Congratulations to Annie Miller's Son's

Swamp & Marsh Tour for being selected as this week's Small Business of the Week.●

LOUISIANA LEMONADE DAY

● Mr. VITTER. Mr. President, as chairman of the Senate Committee on Small Business and Entrepreneurship, I believe it is important for America's small businesses to actively support the entrepreneurial efforts of the next generation of small business owners. As part of the Louisiana Lemonade Day initiative on Saturday, April 30, 2016, I would like to recognize the thousands of Louisiana children who will launch and operate their own small business lemonade stands as the combined Small Business of the Week.

This year over 50,000 children across the State of Louisiana will learn firsthand what is necessary to start and run a small business. The Louisiana Lemonade Day takes children through a 14-step process from the dream of starting a small business all the way to launching one. It focuses on life lessons of learning how to save, spend, budget, and, most importantly, contribute to their local communities. This year marks the sixth anniversary of Louisiana Lemonade Day, and I would like to specifically commend the volunteers and supporters in cities across our State that include New Orleans, Baton Rouge, Lake Charles, Lafayette, New Iberia, Covington, Slidell, and many more. Since 2007 this program has reached over 1 million children across the entire Nation, and has played a significant role in educating and motivating the youth in the Pelican State.

Congratulations to each and every single child who is participating in Louisiana Lemonade Day, and I look forward to seeing the continued growth and success of our younger generations moving forward in the coming years.●

RECOGNIZING LUCAS FIRMIN POOLS

● Mr. VITTER. Mr. President, we in Louisiana are certainly familiar with the heat and humidity that comes with each summer, and as my four children will tell you, nothing beats the heat better than jumping into a pool. This week I would like to recognize Lucas Firmin Pools of Baton Rouge, LA, as Small Business of the Week for their ongoing commitment to supporting the local economy and bringing high-quality construction work to local YMCAs, family homes, and local residential communities across Louisiana.

Established in 2008, Lucas Firmin Pools is run by Baton Rouge natives Lucas and Jenny Firmin. As a licensed commercial and residential contractor, Lucas has been working in the pool building industry since 2005. Lucas's wife, Jenny, is a certified pool operator with a strong background in water balance and chemistry and also manages

the company's service and maintenance requests. The company's mission is to construct high-quality pools for both residential and commercial buildings in and around Baton Rouge. In the Firmins' 8 years as small business owners, they have developed a strong reputation for providing excellent customer service, which has led to the company's ongoing growth and success. Recently, Lucas Firmin Pools completed the pool facility at the local Baton Rouge YMCA.

Today Lucas and Jenny work with local professional designers, architects, and homeowners across the State in order to construct pools, fountains, and water features for families, apartment complexes, commercial buildings, and more. Congratulations again to the Lucas Firmin Pools for being selected as Small Business of the Week, and I wish you continued success in the coming years.●

RECOGNIZING MANCHAC TECHNOLOGIES

● Mr. VITTER. Mr. President, down in the Bayou State, entrepreneurs are leading the way in a field that most would associate with Silicon Valley: new technology. Louisianians are well-known for recovering, adapting, and reinventing themselves. As it so happens, Louisiana entrepreneurs play a major role in the Nation's ongoing efforts in technological advancements, and their hard work is keeping the United States competitive on an international scale. This week I would like to recognize Manchac Technologies, L.L.C., from Alexandria, LA, as Small Business of the Week for their commitment to help improve the quality and accuracy of pharmacies in Louisiana and across the country.

Monroe Milton's long-term goal since 1997 was to make pharmacies safer and more efficient. Milton's efforts led to launching Manchac Technologies in 2006, which has made great strides in developing new technologies for retail and institutional pharmacies over the last 10 years. Milton's ideas and Manchac's follow-through have revolutionized the pharmaceutical industry, including developing a robotic solution that reduces chaos in the work environment and improves the accuracy of orders. Their work has gained considerable attention, and Milton was honored as one of Central Louisiana's "20 Under 40" community leaders in October 2015.

Today Manchac offers many products that help pharmacies keep up with prescription demands and maintain regulatory compliance, including single dose automation systems, multidose animation, and blister cards. With a focus on new technologies designed to be more intuitive for users, Manchac representatives travel the country to share their ideas and products at trade shows and conference.

Congratulations again to Manchac Industries for being selected as Small Business of the Week, and thank you for your commitment to driving innovation and productivity for pharmacies over Louisiana and around the country.●

RECOGNIZING PONTCHARTRAIN PARTNERS LLC

● Mr. VITTER. Mr. President, as we approach the start of hurricane season in the United States, I would like to specifically honor the work of one award-winning company that has provided services following the destruction of Hurricane Katrina to better prepare Louisianians to weather the next big storm. This week, I would like to recognize Pontchartrain Partners LLC of New Orleans, LA, as Small Business of the Week.

In 2009, Tim Jarquin and Danny Blanks founded Pontchartrain Partners LLC in New Orleans, LA. As service disabled veterans, Jarquin and Blanks focused on long-term rebuilding of the New Orleans flood protection system. In the months after Hurricane Katrina and Rita, Pontchartrain Partners played a major role in preparing the greater New Orleans area and surrounding parishes to weather the next big storm and potentially prevent the billions of dollars in damage that we witnessed in 2005.

In just 7 years, the team at Pontchartrain Partners has built strong relationships with local, State, and Federal agencies, and has secured contracts for construction, civil engineering, and their continued work on flood protection and expansion. Additionally, Jarquin and Blanks have earned several awards and commendations for their important work from State and Federal agencies and Louisiana and national business organizations. Most recently, they were recognized as the Veteran Small Business Champion by the Louisiana Economic Development and the U.S. Small Business Administration. Additionally, Pontchartrain Partners has also been recognized as one of the top 10 fastest growing companies in New Orleans since Hurricane Katrina by the Inc. 500 group, and has also been recognized as the 38th fastest growing company in America in 2014, and No. 1 in government services for the State of Louisiana.

I would like to congratulate Pontchartrain Partners LLC once more and express my appreciation for their valuable contributions to our State's infrastructure, our safety, and our economy. I look forward to seeing their continued growth and success for many years to come.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to

the Senate by Mr. Williams, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13405 OF JUNE 16, 2006, WITH RESPECT TO BELARUS, RECEIVED DURING ADJOURNMENT OF THE SENATE ON JUNE 10, 2016—PM 50

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2016.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.
THE WHITE HOUSE, June 10, 2016.

MESSAGE FROM THE HOUSE

At 4:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, with amendment, in which it requests the concurrence of the Senate:

S. 2328. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

The message further announced that the House has passed the following

bills, in which it requests the concurrence of the Senate:

H.R. 5278. An act to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes.

H.R. 5325. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy.

H. Con. Res. 112. Concurrent resolution expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil.

H. Con. Res. 135. Concurrent resolution directing the Secretary of the Senate to make technical corrections in the enrollment of S. 2328.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5278. An act to establish an Oversight Board to assist the Government of Puerto Rico, including instrumentalities, in managing its public finances, and for other purposes; to the Committee on Energy and Natural Resources.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the United States economy; to the Committee on Finance.

H. Con. Res. 112. Concurrent resolution expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5325. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. BURR for the Select Committee on Intelligence.

Susan S. Gibson, of Virginia, to be Inspector General of the National Reconnaissance Office.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FISCHER:

S. 3051. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder; to the Committee on Veterans' Affairs.

By Mr. KIRK (for himself and Mr. CORNYN):

S. 3052. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. BOXER, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 3053. A bill to prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 298

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 298, a bill to amend titles XIX and XXI of the Social Security Act to provide States with the option of providing services to children with medically complex conditions under the Medicaid program and Children's Health Insurance Program through a care coordination program focused on improving health outcomes for children with medically complex conditions and lowering costs, and for other purposes.

S. 551

At the request of Mrs. FEINSTEIN, the names of the Senator from Florida (Mr. NELSON) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 1479

At the request of Mr. INHOFE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1479, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1686

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1686, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities.

S. 1771

At the request of Mr. DAINES, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 1771, a bill to amend the Internal Revenue Code of 1986 to exempt Indian tribal governments and other tribal entities from the employer health coverage mandate.

S. 1919

At the request of Mr. LANKFORD, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1919, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2275

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2275, a bill to provide for automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 2289

At the request of Mr. KAINE, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2289, a bill to modernize and improve the Family Unification Program, and for other purposes.

S. 2336

At the request of Mr. COONS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2336, a bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2593

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2593, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 2736

At the request of Mr. THUNE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2750

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2750, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 2791

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2791, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs.

S. 2927

At the request of Mr. LANKFORD, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Iowa (Mrs. ERNST) were added as cosponsors of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2951

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2951, a bill to amend the Oil Pollution Act of 1990 to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes.

S. 3045

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3045, a bill to amend title 18, United States Code, to reform certain forfeiture procedures, and for other purposes.

S. 3050

At the request of Mr. LANKFORD, the names of the Senator from Wisconsin

(Mr. JOHNSON) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 3050, a bill to limit donations made pursuant to settlement agreements in which the United States is a party.

S. RES. 199

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Res. 199, a resolution expressing the sense of the Senate regarding establishing a National Strategic Agenda.

S. RES. 483

At the request of Mr. ALEXANDER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 483, a resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

S. RES. 486

At the request of Mr. RUBIO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 486, a resolution commemorating "Cruise Travel Professional Month" in October 2016.

AMENDMENT NO. 4215

At the request of Mr. REID, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4222

At the request of Ms. MURKOWSKI, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 4222 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4426

At the request of Mr. KIRK, his name was added as a cosponsor of amendment No. 4426 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4441

At the request of Mr. KIRK, his name was added as a cosponsor of amend-

ment No. 4441 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4544

At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 4544 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4550

At the request of Mr. GRAHAM, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 4550 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4574

At the request of Mr. WHITEHOUSE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 4574 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4629

At the request of Mr. RUBIO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of amendment No. 4629 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4675

At the request of Mr. CRUZ, his name was added as a cosponsor of amendment No. 4675 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Mr. BENNET, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Indiana (Mr. DONNELLY), the Senator from South Carolina (Mr. GRAHAM) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of amendment No. 4675 intended to be proposed to S. 2943, *supra*.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4679. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4679. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 812 and insert the following:
SEC. 812. MICRO-PURCHASE THRESHOLD APPLICABLE TO GOVERNMENT PROCUREMENTS.

(a) DEPARTMENT OF DEFENSE PROCUREMENTS.—

(1) INCREASED MICRO-PURCHASE THRESHOLD.—

(A) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2338. Micro-purchase threshold

“Notwithstanding subsection (a) of section 1902 of title 41, the micro-purchase threshold for the Department of Defense for purposes of such section is \$5,000.”.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2338. Micro-purchase threshold.”.

(2) CONFORMING AMENDMENT.—Section 1902(a) of title 41, United States Code, is amended by striking “For purposes” and inserting “Except as provided in section 2338 of title 10, for purposes”.

(b) OTHER PROCUREMENTS.—

(1) INCREASE IN THRESHOLD.—Section 1902 of title 41, United States Code, is amended—

(A) in subsection (a), by striking “\$3,000” and inserting “\$10,000”; and

(B) in subsections (d) and (e), by striking “not greater than \$3,000” and inserting “with a price not greater than the micro-purchase threshold”.

(c) OMB GUIDANCE.—The Director of the Office of Management and Budget shall up-

date the guidance in Circular A-123, Appendix B, as appropriate, to ensure that agencies—

(1) follow sound acquisition practices when making purchases using the Government purchase card; and

(2) maintain internal controls that reduce the risk of fraud, waste, and abuse in Government charge card programs.

(d) CONVENIENCE CHECKS.—A convenience check may not be used for an amount in excess of one half of the micro-purchase threshold under section 1902(a) of title 41, United States Code, or a lower amount set by the head of the agency, and use of convenience checks shall comply with controls prescribed in OMB Circular A-123, Appendix B.

At the end of subtitle B of title VIII, add the following:

SEC. 829K. PILOT PROGRAMS FOR AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—The head of an agency may carry out a pilot program, to be known as a “commercial solutions opening pilot program”, under which innovative commercial items may be acquired through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

(2) HEAD OF AN AGENCY.—In this section, the term “head of an agency” means the following:

(A) The Secretary of Homeland Security.

(B) The Administrator of General Services.

(3) APPLICABILITY OF SECTION.—This section applies to the following agencies:

(A) The Department of Homeland Security.

(B) The General Services Administration.

(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures for the pilot program under subsection (a) shall be considered, in the case of the Department of Homeland Security and the General Services Administration, to be use of competitive procedures for purposes division C of title 41, United States Code (as defined in section 152 of such title).

(c) LIMITATION.—The head of an agency may not enter into a contract under the pilot program for an amount in excess of \$10,000,000.

(d) GUIDANCE.—The head of an agency shall issue guidance for the implementation of the pilot program under this section within that agency. Such guidance shall be issued in consultation with the Office of Management and Budget and shall be posted for access by the public.

(e) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than three years after the date of the enactment of this Act, the head of an agency shall submit to the congressional committees specified in paragraph (3) a report on the activities the agency carried out under the pilot program.

(2) ELEMENTS OF REPORT.—Each report under this subsection shall include the following:

(A) An assessment of the impact of the pilot program on competition.

(B) A comparison of acquisition timelines for—

(i) procurements made using the pilot program; and

(ii) procurements made using other competitive procedures that do not use general solicitations.

(C) A recommendation on whether the authority for the pilot program should be made permanent.

(3) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in

this paragraph are the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(f) INNOVATIVE DEFINED.—In this section, the term “innovative” means—

(1) any new technology, process, or method, including research and development; or

(2) any new application of an existing technology, process, or method.

(g) TERMINATION.—The authority to enter into a contract under a pilot program under this section terminates on September 30, 2022.

SEC. 829L. INNOVATION SET ASIDE PILOT PROGRAM.

(a) IN GENERAL.—The Director of the Office of Management and Budget may, in consultation with the Administrator of the Small Business Administration, conduct a pilot program to increase the participation of new, innovative entities in Federal contracting through the use of innovation set-asides.

(b) AUTHORITY.—(1) Notwithstanding the competition requirements in chapter 33 of title 41, United States Code, and the set-aside requirements in section 15 of the Small Business Act (15 U.S.C. 644), a Federal agency other than the Department of Defense, with the concurrence of the Director, may set aside a contract award to one or more new entrant contractors. The Director shall consult with the Administrator prior to providing concurrence.

(2) Notwithstanding any law addressing compliance requirements for Federal contracts—

(A) except as provided in subparagraph (B), a contract award to a new entrant contractor under the pilot program shall be subject to the same relief afforded under section 1905 of title 41, United States Code, to contracts the value of which is not greater than the simplified acquisition threshold; and

(B) for up to five pilots, the Director may authorize an agency to make an award to a new entrant contractor subject to the same compliance requirements that apply to a contractor receiving an award from the Secretary of Defense under section 2371 of title 10 United States Code.

(c) CONDITIONS FOR USE.—The authority provided in subsection (b) may be used under the following conditions:

(1)(A) The agency has a requirement for new methods, processes, or technologies, which may include research and development, or new applications of existing methods, processes or technologies, to improve quality, reduce costs, or both; or

(B) Based on market research, the agency has determined that the requirement cannot be easily provided through an existing Federal contract;

(2) The agency intends either to make an award to a small business concern or to give special consideration to a small business concern before making an award to other than a small business; and

(3) The length of the resulting contract will not exceed 2 years.

(d) NUMBER OF PILOTS.—The Director may authorize the use of up to 25 innovation set-asides acquisitions.

(e) AWARD AMOUNT.—

(1) Except as provided in paragraph (2), the amount of an award under the pilot program under this section may not exceed \$2,000,000 (including any options).

(2) The Director may authorize not more than 5 set-asides with an award amount greater than \$2,000,000 but not greater than \$5,000,000 (including any options).

(f) GUIDANCE AND REPORTING.—

(1) The Director shall issue guidance, as necessary, to implement the pilot program under this section.

(2) Within 3 years after the date of the enactment of this Act, the Director, in consultation with the Administrator shall submit to Congress a report on the pilot program under this section. The report shall include the following:

(A) The number of awards (or orders under the Schedule) made under the authority of this section.

(B) For each award (or order)—

(i) the agency that made the award (or order);

(ii) the amount of the award (or order); and

(iii) a brief description of the award (or order), including the nature of the requirement and the innovation produced from the award (or expected if contract performance is not completed).

(g) SUNSET.—The authority to award an innovation set-aside under this section shall terminate on December 31, 2020.

(h) DEFINITION.—For purposes of this section, the term “new entrant contractor”, with respect to any contract under the program, means an entity that has not been awarded a Federal contract within the 5-year period ending on the date on which a solicitation for that contract is issued under the program.

SEC. 829M. OTHER TRANSACTION AUTHORITY FOR DEPARTMENT OF HOMELAND SECURITY.

Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2016,” and inserting “Until September 30, 2021,”; and

(2) in subsection (c)(1), by striking “September 30, 2016,” and inserting “September 30, 2021,”.

PRIVILEGES OF THE FLOOR

Mr. TESTER. Mr. President, I ask unanimous consent that Max DiPietro, an Air Force Fellow in my office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 487 only, with no other executive business in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Jennifer M. O'Connor, of Maryland, to be General Counsel of the Department of Defense.

Thereupon, the Senate proceeded to consider the nomination.

Mr. McCONNELL. I know of no further debate on the nomination.

The PRESIDING OFFICER. Hearing no further debate, the question is, Will the Senate advise and consent to the O'Connor nomination?

The nomination was confirmed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

SAFE PIPES ACT

Mr. McCONNELL. Mr. President, I ask that the Chair lay before the Senate a message from the House to accompany S. 2276.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 2276) entitled “An Act to amend title 49,

United States Code, to provide enhanced safety in pipeline transportation, and for other purposes,” do pass with an amendment.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate concur in the House amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 14, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, June 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. 2943 with the time until 11 a.m. equally divided between the two managers or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:09 p.m., adjourned until Tuesday, June 14, 2016, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 13, 2016:

DEPARTMENT OF DEFENSE

JENNIFER M. O'CONNOR, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE.

HOUSE OF REPRESENTATIVES—Monday, June 13, 2016

The House met at noon and was called to order by the Speaker pro tempore (Mr. MEADOWS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 13, 2016.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear God, we give You thanks for giving us another day.

Our Nation is again tragically impacted by a mass shooting. May our leaders, and we all, be mindful of the sacredness of lives lost in violence, and not so define the event as to further traumatize those who suffer intimately from it.

We ask Your special blessing upon the Members of this people's House. In these days, give them wisdom that they might execute their responsibilities to the benefit of all Americans.

Bless them, O God, and be with them and with us all this day and every day to come. May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

GUANTANAMO DETAINEES WHO HAVE BEEN RELEASED KILL AMERICANS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the front page of The Washington Post last week, June 9, reported attacks on U.S. by men set free, about 12 from Guantanamo Bay.

The article revealed:

"The Obama administration believes that about 12 detainees released from the prison at Guantanamo Bay, Cuba, have launched attacks against U.S. or allied forces in Afghanistan, killing about a half-dozen Americans . . . In March, a senior Pentagon official made a startling admission to lawmakers when he acknowledged that former Guantanamo inmates were responsible for the deaths of Americans overseas.

"But The Washington Post has learned additional details . . . while most of the incidents were directed at military personnel, the dead also included one American civilian: a female aid worker."

It is clear the President's dangerous release of Guantanamo detainees puts American families at risk of murder. An extraordinary deterrent to Islamic terrorists is the ability to incarcerate them for the duration of the war they have declared against American families.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

Our sympathy to this week's victims of terrorism in Baghdad, Tel Aviv, and Orlando.

ORLANDO TRAGEDY

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, no words can express the pain and sadness I feel for all those affected by the horrific attack on a gay nightclub in Orlando.

On too many occasions, the LGBT community and our country have been forced to overcome moments of profound loss, but on each of these occasions, we have emerged stronger and more resilient. Once again, we will choose love over hate and compassion over intolerance. These are the themes of the LGBT Pride Month, and they cannot be lost in this overwhelming tragedy.

This attack forces us to confront two unpleasant facts about our country: fact one, hateful rhetoric toward the LGBT people and other minority groups is still far too common; fact two, it is far too easy for dangerous people to access assault weapons.

I hope we have the courage to confront these facts and build a safer and stronger America. This is what the victims and their families deserve.

SLAUGHTERED INNOCENTS

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Mr. Speaker, sometime today or tomorrow, this House will hold a moment of silence for 50 massacred Floridians who had their bodies torn apart by a madman with a military-grade weapon.

Silence—that is how the leadership of the most powerful country in the world will respond to this week's massacre of its citizens.

If this Congress had a single moral fiber, we would force ourselves to get to know the slaughtered innocents. We would get to know Cory James Connell, 21 years old and a student at Valencia College, a child with dreams cut short by a madman with a military rifle and—make no mistake—cut short by this Congress' fetish to repeatedly meet bloody tragedy with silence.

Silence—that is what we offer in America that supports many of the things we could do to slow the blood-bath.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Silence.

Not me. Not anymore. I will no longer stand here absorbing the faux concern, contrived gravity, and tepid smugness of a House complicit in the weekly bloodshed.

Sooner or later, the country will hold us accountable for inaction. But as you bow your head and think of what you say to your God, when you are asked what you did to slow the slaughter of innocence, there will be silence.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 10, 2016 at 2:44 p.m.:

That the Senate passed without amendment H.R. 2137.

That the Senate passed without amendment H.R. 2212.

That the Senate passed without amendment H.R. 812.

That the Senate passed without amendment H.R. 1762.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 10, 2016, at 3:23 p.m., and said to contain a message from the President whereby he submits a copy of a notice filed earlier with the Federal Register continuing the emergency with respect to Belarus. First declared in Executive Order 13405, of June 16, 2006.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS AND POLICIES OF CERTAIN MEMBERS OF THE GOVERNMENT OF BELARUS AND OTHER PERSONS TO UNDERMINE BELARUS'S DEMOCRATIC PROCESSES OR INSTITUTIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-141)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions that was declared in Executive Order 13405 of June 16, 2006, is to continue in effect beyond June 16, 2016.

The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13405 with respect to Belarus.

BARACK OBAMA.
THE WHITE HOUSE, June 10, 2016.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NEWHOUSE) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT MODERNIZATION ACT OF 2016

Mr. LAHOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5312) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Networking and Information Technology Research and Development Modernization Act of 2016".

SEC. 2. PURPOSES.

Section 3 of the High-Performance Computing Act of 1991 (15 U.S.C. 5502) is amended—

(1) in the matter preceding paragraph (1), by striking "high-performance computing" and inserting "networking and information technology";

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "expanding Federal support for research, development, and application of high-performance computing" and inserting "supporting Federal research, development, and application of networking and information technology";

(B) in subparagraph (A), by striking "high-performance computing" both places it appears and inserting "networking and information technology";

(C) by striking subparagraphs (C) and (D);

(D) by inserting after subparagraph (B) the following:

"(C) stimulate research on and promote more rapid development of high-end computing systems software and applications software";

(E) by redesignating subparagraphs (E) through (H) as subparagraphs (D) through (G), respectively;

(F) in subparagraph (D), as so redesignated, by inserting "high-end" after "the development of";

(G) in subparagraphs (E) and (F), as so redesignated, by striking "high-performance computing" each place it appears and inserting "networking and information technology"; and

(H) in subparagraph (G), as so redesignated, by striking "high-performance" and inserting "high-end"; and

(3) in paragraph (2)—

(A) by striking "high-performance computing and" and inserting "networking and information technology and"; and

(B) by striking “high-performance computing network” and inserting “networking and information technology”.

SEC. 3. DEFINITIONS.

Section 4 of the High-Performance Computing Act of 1991 (15 U.S.C. 5503) is amended—

(1) by striking paragraphs (3) and (5);
(2) by redesignating paragraphs (1), (2), (4), (6), and (7) as paragraphs (2), (3), (5), (7), and (8), respectively;

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) ‘cyber-physical systems’ means physical or engineered systems whose networking and information technology functions and physical elements are deeply integrated and are actively connected to the physical world through sensors, actuators, or other means to perform monitoring and control functions.”;

(4) in paragraph (3), as so redesignated, by striking “high-performance computing” and inserting “networking and information technology”;

(5) by inserting after paragraph (3), as so redesignated, the following new paragraph:

“(4) ‘high-end computing’ means the most advanced and capable computing systems, including their hardware, storage, networking and software, encompassing both massive computational capability and large-scale data analytics.”;

(6) by inserting after paragraph (5), as so redesignated, the following new paragraph:

“(6) ‘networking and information technology’ means high-end computing, communications, and information technologies, high-capacity and high-speed networks, special purpose and experimental systems, high-end computing systems software and applications software, and the management of large data sets.”;

(7) in paragraph (7), as so redesignated, by striking “National High-Performance Computing Program” and inserting “Networking and Information Technology Research and Development Program”.

SEC. 4. TITLE I HEADING.

The heading of title I of such Act (15 U.S.C. 5511 et seq.) is amended by striking “**HIGH-PERFORMANCE COMPUTING**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY**”.

SEC. 5. NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

Section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511) is amended—

(1) in the section heading, by striking “**NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM**”;

(2) in subsection (a)—

(A) in the subsection heading, by striking “**NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM**” and inserting “**NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT**”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “National High-Performance Computing Program” and inserting “Networking and Information Technology Research and Development Program”;

(ii) in subparagraph (A), by striking “high-performance computing, including networking” and inserting “networking and information technology”;

(iii) in subparagraphs (B) and (G), by striking “high-performance” each place it appears and inserting “high-end”;

(iv) in subparagraph (C), by striking “high-performance computing and networking” and inserting “high-end computing, distributed, and networking”;

(v) by amending subparagraph (D) to read as follows:

“(D) provide for efforts to increase software security and reliability.”;

(vi) in subparagraph (H)—

(I) by inserting “support and guidance” after “provide”;

(II) by striking “and” after the semicolon;

(vii) in subparagraph (I)—

(I) by striking “improving the security” and inserting “improving the security, reliability, and resilience”;

(II) by striking the period at the end and inserting a semicolon;

(viii) by adding at the end the following new subparagraphs:

“(J) provide for increased understanding of the scientific principles of cyber-physical systems and improve the methods available for the design, development, and operation of cyber-physical systems that are characterized by high reliability, safety, and security;
“(K) provide for research and development on human-computer interactions, visualization, and big data;

“(L) provide for research and development on the enhancement of cybersecurity; and
“(M) provide for a research framework to leverage cyber-physical systems, high capacity and high speed communication networks, and large-scale data analytics to integrate city-scale information technology and physical infrastructures.”;

(C) in paragraph (2)—

(i) by amending subparagraph (A) to read as follows:

“(A) establish the goals and priorities for Federal networking and information technology research, development, education, and other activities.”;

(ii) by amending subparagraph (C) to read as follows:

“(C) provide for interagency coordination of Federal networking and information technology research, development, education, and other activities undertaken pursuant to the Program.”;

(iii) by amending subparagraph (E) to read as follows:

“(E) encourage and monitor the efforts of the agencies participating in the Program to allocate the level of resources and management attention necessary to ensure that the strategic plan under subsection (e) is developed and executed effectively and that the objectives of the Program are met; and”;

(iv) in subparagraph (F), by striking “high-performance” and inserting “high-end”;

(D) in paragraph (3)—

(i) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (E), (F), (G), and (J), respectively;

(ii) by inserting after subparagraph (A) the following new subparagraphs:

“(B) provide, as appropriate, a list of the senior steering groups and strategic plans that are planned or underway as addressed under section 104;
“(C) provide a description of workshops and other activities conducted under section 104, including participants and findings;

“(D) provide a detailed description of the nature and scope of research infrastructure designated as such under the Program.”;

(iii) in subparagraph (E), as so redesignated—

(I) by redesignating clauses (vii) through (xi) as clauses (viii) through (xii), respectively; and

(II) by inserting after clause (vi) the following:

“(vii) the Department of Homeland Security.”;

(iv) in subparagraph (F), as so redesignated—

(I) by striking “is submitted,” and inserting “is submitted, the levels for the previous fiscal year,”; and

(II) by striking “each Program Component Area,” and inserting “each Program Component Area and research area supported in accordance with section 103.”;

(v) by amending subparagraph (G), as so redesignated, to read as follows:

“(G) describe the levels of Federal funding for each agency and department participating in the Program, and for each Program Component Area, for the fiscal year during which such report is submitted, the levels for the previous fiscal year, and the levels proposed for the fiscal year with respect to which the budget submission applies.”; and

(vi) by inserting after subparagraph (G), as so redesignated, the following:

“(H) include a description of how the objectives for each Program Component Area, and the objectives for activities that involve multiple Program Component Areas, relate to the objectives of the Program identified in the strategic plan required under subsection (e);

“(I) include—

“(i) a description of the funding required by the National Coordination Office to perform the functions specified under section 102(b) for the current fiscal year;

“(ii) a description of the estimated funding required by such Office to perform the functions specified under section 102(b) for the next fiscal year; and

“(iii) the amount of funding provided for such Office for the current fiscal year by each agency participating in the Program; and”;

(3) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking “high-performance computing” both places it appears and inserting “networking and information technology”;

and

(ii) after the first sentence, by inserting the following: “Each chair of the advisory committee shall meet the qualifications of committee membership and may be a member of the President’s Council of Advisors on Science and Technology.”;

(B) in paragraph (1)(D), by striking “high-performance computing, networking technology, and related software” and inserting “networking and information technology”;

and

(C) in paragraph (2)—

(i) in the second sentence, by striking “2”

and inserting “3”;

(ii) by striking “Committee on Science and Technology” and inserting “Committee on Science, Space, and Technology”;

(iii) by striking “The first report shall be due within 1 year after the date of enactment of the America COMPETES Act.”;

(4) in subsection (c)(1)(A), by striking “high-performance computing” and inserting “networking and information technology”;

(5) by adding at the end the following new subsections:

“(d) PERIODIC REVIEWS.—The agencies identified in subsection (a)(3)(B) shall—

“(1) periodically assess and update, as appropriate, the contents, scope, and funding levels of the Program Component Areas and work through the National Science and Technology Council and with the assistance of the National Coordination Office described

under section 102 to restructure the Program when warranted, taking into consideration any relevant recommendations of the advisory committee established under subsection (b); and

“(2) working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, ensure that the Program includes large-scale, long-term, interdisciplinary research and development activities, including activities described in section 103.

“(e) STRATEGIC PLAN.—

“(1) IN GENERAL.—The agencies identified in subsection (a)(3)(B), working through the National Science and Technology Council and with the assistance of the National Coordination Office described under section 102, shall develop, within 12 months after the date of enactment of the Networking and Information Technology Research and Development Modernization Act of 2016, and update every five years thereafter, a five-year strategic plan for the Program.

“(2) CONTENTS.—The strategic plan shall specify near-term and long-term cross-cutting objectives for the Program, the anticipated time frame for achieving the near-term objectives, the metrics to be used for assessing progress toward the objectives, and how the Program will—

“(A) address long-term challenges of national importance for which solutions require large-scale, long-term, interdisciplinary research and development;

“(B) encourage and support mechanisms for interdisciplinary research and development in networking and information technology and for Grand Challenges, including through collaborations across agencies, across Program Component Areas, with industry, with Federal laboratories (as defined in section 4 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3703)), and with international organizations;

“(C) foster the transfer of research and development results into new technologies and applications in the national interest, including through cooperation and collaborations with networking and information technology research, development, and technology transition initiatives supported by the States;

“(D) provide for cyberinfrastructure needs, as appropriate, across federally funded large-scale research facilities that produce or will produce large amounts of data that will need to be stored, curated, and made publicly available;

“(E) strengthen all levels of networking and information technology education and training programs to ensure an adequate, well-trained workforce; and

“(F) attract individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a and 1885b) to networking and information technology fields.

“(3) RECOMMENDATIONS.—The entities involved in developing the strategic plan under paragraph (1) shall take into consideration the recommendations—

“(A) of the advisory committee established under subsection (b);

“(B) of the Committee on Science and relevant subcommittees of the National Science and Technology Council; and

“(C) of the stakeholders whose input was solicited by the National Coordination Office, as required under section 102(b)(3).

“(4) REPORT TO CONGRESS.—The Director of the National Coordination Office shall transmit the strategic plan required under paragraph (1) to the advisory committee, the

Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.”.

SEC. 6. NATIONAL COORDINATION OFFICE.

Section 102 of such Act (15 U.S.C. 5512) is amended to read as follows:

“SEC. 102. NATIONAL COORDINATION OFFICE.

“(a) OFFICE.—The Director shall maintain a National Coordination Office with a Director and full-time staff.

“(b) FUNCTIONS.—The National Coordination Office shall—

“(1) provide technical and administrative support to—

“(A) the agencies participating in planning and implementing the Program, including such support as needed in the development of the strategic plan under section 101(e); and

“(B) the advisory committee established under section 101(b), as appropriate;

“(2) serve as the primary point of contact on Federal networking and information technology activities for government organizations, academia, industry, professional societies, State computing and networking technology programs, interested citizen groups, and others to exchange technical and programmatic information;

“(3) solicit input and recommendations from a wide range of stakeholders during the development of each strategic plan required under section 101(e) and the scope of the Program Component Areas through the convening of at least one workshop with invitees from academia, industry, Federal laboratories, and other relevant organizations and institutions;

“(4) conduct and increase outreach, including to academia, industry, other relevant organizations and institutions, and the public, in order to increase awareness of the Program and the benefits of the Program and to increase potential opportunities for collaboration between agencies participating in the Program and the private sector; and

“(5) promote access to and early application of the technologies, innovations, and expertise derived from Program activities to agency missions and systems across the Federal Government and to United States industry.

“(c) SOURCE OF FUNDING.—

“(1) IN GENERAL.—The operation of the National Coordination Office shall be supported by funds from each agency participating in the Program, subject to the availability of appropriations for such purpose.

“(2) SPECIFICATIONS.—The portion of the total budget of such Office that is authorized to be provided by each agency for each fiscal year shall be in the same proportion as each such agency's share of the total budget for the Program for the previous fiscal year, as specified in the report required under section 101(a)(3).

“(3) WAIVER.—As appropriate, the Director may consider and approve a reduction or waiver of an agency contribution requirement under paragraph (2).”.

SEC. 7. NEXT GENERATION INTERNET.

Section 103 of such Act (15 U.S.C. 5513) is repealed.

SEC. 8. GRAND CHALLENGES IN AREAS OF NATIONAL IMPORTANCE.

Title I of such Act (15 U.S.C. 5511 et seq.) is amended by adding at the end the following new section:

“SEC. 103. GRAND CHALLENGES IN AREAS OF NATIONAL IMPORTANCE.

“(a) IN GENERAL.—The Program shall encourage agencies identified in section 101(a)(3)(E) to support large-scale, long-term,

interdisciplinary research and development activities in networking and information technology directed toward agency mission areas that have the potential for significant contributions to national economic competitiveness and for other significant societal benefits. Such activities, ranging from basic research to the demonstration of technical solutions, shall be designed to advance the development of fundamental discoveries. The advisory committee established under section 101(b) shall make recommendations to the Program for candidate research and development areas for support under this section.

“(b) CHARACTERISTICS.—

“(1) IN GENERAL.—Research and development activities under this section shall—

“(A) include projects selected on the basis of applications for support through a competitive, merit-based process;

“(B) involve collaborations among researchers in institutions of higher education and industry, and may involve nonprofit research institutions and Federal laboratories, as appropriate;

“(C) leverage Federal investments through collaboration with related State and private sector initiatives; and

“(D) include a plan for fostering the transfer of research discoveries and the results of technology demonstration activities, including from institutions of higher education and Federal laboratories, to industry for commercial development.

“(2) COST-SHARING.—In selecting applications for support, the agencies may give special consideration to projects that include cost sharing from non-Federal sources.

“(3) AGENCY COLLABORATION.—If two or more agencies identified in section 101(a)(3)(E), or other appropriate agencies, are working on large-scale networking and information technology research and development activities in the same area of national importance, then such agencies shall strive to collaborate through joint solicitation and selection of applications for support and subsequent funding of projects.

“(4) INTERDISCIPLINARY RESEARCH CENTERS.—Research and development activities under this section may be supported through interdisciplinary research centers that are organized to investigate basic research questions and carry out technology demonstration activities in areas described in subsection (a). Research may be carried out through existing interdisciplinary centers.”.

SEC. 9. WORKSHOPS AND SENIOR STEERING GROUPS.

Title I of such Act (15 U.S.C. 5511 et seq.) is amended further by adding after section 103, as added by section 8 of this Act, the following new section:

“SEC. 104. ADDRESSING EMERGING ISSUES.

“(a) IN GENERAL.—In order to address emerging issues, the Director of the National Coordination Office may conduct workshops and other activities on research areas of emerging importance, which may include the grand challenge areas identified under section 103, with participants from institutions of higher education, Federal laboratories, and industry, in order to help guide Program investments and strategic planning in those areas, including areas identified in subsection (b).

“(b) FOCUS AREAS.—In selecting research areas under subsection (a), the Director of the National Coordination Office shall consider the following topics:

“(1) Data analytics to identify the current and future state of performing inference, prediction, and other forms of analysis of data,

and methods for the collection, management, preservation, and use of data.

“(2) The current and future state of the science, engineering, policy, and social understanding of privacy protection.

“(3) The current and future state of fundamental research on the systems and science of the interplay of people and computing as well as the coordination and support being undertaken in areas such as social computing, human-robot interaction, privacy, and health-related aspects in human-computer systems.

“(c) FUNCTIONS.—The participants in the workshops shall, as appropriate—

“(1) develop options for models for research and development partnerships among institutions of higher education, Federal laboratories, and industry, including mechanisms for the support of research and development carried out under these partnerships;

“(2) develop options for research and development for the specific issue areas that would be addressed through such partnerships;

“(3) propose guidelines for assigning intellectual property rights and for the transfer of research results to the private sector; and

“(4) make recommendations for how Federal agencies participating in the Program can help support research and development partnerships for the specific issue areas.

“(d) PARTICIPANTS.—The Director of the National Coordination Office shall ensure that the participants in the workshops—

“(1) are individuals with knowledge and expertise in the specific issue areas; and

“(2) represent a broad mix of relevant stakeholders, including academic and industry researchers and, as appropriate, Federal agencies.

“(e) SENIOR STEERING GROUPS AND STRATEGIC PLANS.—As appropriate, the Director of the National Coordination Office shall establish senior steering groups and develop focused strategic plans to coordinate and guide activities under the research areas identified under this section, taking into consideration the findings and recommendations from any workshops carried out on those research topics.”.

SEC. 10. NATIONAL SCIENCE FOUNDATION ACTIVITIES.

Section 201 of such Act (15 U.S.C. 5521) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “high-end” after “National Science Foundation shall provide”; and

(ii) by striking “high-performance computing” and all that follows through “networking”; and inserting “networking and information technology; and”;

(B) by striking paragraphs (2) through (4); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) the National Science Foundation shall use its existing programs, in collaboration with other agencies, as appropriate, to improve the teaching and learning of networking and information technology at all levels of education and to increase participation in networking and information technology fields, including by individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a and 1885b).”;

(2) by striking subsection (b).

SEC. 11. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION ACTIVITIES.

Section 202 of such Act (15 U.S.C. 5522) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “high-performance computing” and inserting “networking and information technology”.

SEC. 12. DEPARTMENT OF ENERGY ACTIVITIES.

Section 203 of such Act (15 U.S.C. 5523) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) in paragraph (1), by striking “high-performance computing and networking” and inserting “networking and information technology”; and

(4) in paragraph (2)(A), by striking “high-performance” and inserting “high-end”.

SEC. 13. DEPARTMENT OF COMMERCE ACTIVITIES.

Section 204 of such Act (15 U.S.C. 5524) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “high-performance computing systems and networks” and inserting “networking and information technology systems and capabilities”; and

(B) in subparagraph (B), by striking “interoperability of high-performance computing systems in networks and for common user interfaces to systems” and inserting “interoperability and usability of networking and information technology systems”; and

(C) in subparagraph (C), by striking “high-performance computing” and inserting “networking and information technology”;

(2) in subsection (b)—

(A) in the heading, by striking “HIGH-PERFORMANCE COMPUTING AND NETWORK” and inserting “NETWORKING AND INFORMATION TECHNOLOGY”; and

(B) by striking “Pursuant to the Computer Security Act of 1987 (Public Law 100-235; 101 Stat. 1724), the” and inserting “The”; and

(C) by striking “sensitive”; and

(3) by striking subsections (c) and (d).

SEC. 14. ENVIRONMENTAL PROTECTION AGENCY ACTIVITIES.

Section 205 of such Act (15 U.S.C. 5525) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “basic and applied”; and

(4) by striking “computational” and inserting “networking and information technology”; and

(5) by inserting “All software and code, along with any subsequent updates to the software and code, developed by the Environmental Protection Agency under the Program and used in conducting scientific research shall be made publically available. In cases where the underlying software or code is proprietary or contains confidential business information, the Agency shall disclose only the name and vendor of the software and code used for all proprietary or confidential business information portions of the software or code. The Environmental Protection Agency shall ensure that the research conducted under the Program does not duplicate the scope or aims of similar research and initiatives at other Federal agencies. No Environmental Protection Agency funds shall be used towards research that duplicates the scope or aims of similar research and initiatives at other Federal agencies.” after “dynamics models.”.

SEC. 15. ROLE OF THE DEPARTMENT OF EDUCATION.

Section 206 of such Act (15 U.S.C. 5526) is amended—

(1) by striking subsection (b);

(2) by striking “(a) GENERAL RESPONSIBILITIES.—”; and

(3) by striking “to conduct basic” and all that follows through “software capabilities” and inserting “to support programs and activities to improve the teaching and learning of networking and information technology fields and contribute to the development of a skilled networking and information technology workforce”.

SEC. 16. MISCELLANEOUS PROVISIONS.

Section 207(b) of such Act (15 U.S.C. 5527(b)) is amended by striking “high-performance computing” and inserting “networking and information technology”.

SEC. 17. REPEAL.

Section 208 of such Act (15 U.S.C. 5528) is repealed.

SEC. 18. ADDITIONAL REPEAL.

Section 4 of the Department of Energy High-End Computing Revitalization Act of 2004 (15 U.S.C. 5543) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. LAHOOD) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5312, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LAHOOD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

First off, I would like to thank Chairman LAMAR SMITH for his hard work in bringing this bill through the House Science, Space, and Technology Committee, and my colleague, Ranking Member EDDIE BERNICE JOHNSON, for her leadership in introducing this bipartisan legislation with me.

The Networking and Information Technology Research and Development Program, also known as the NITRD Program, is the primary Federal research and development investment portfolio in unclassified networking, computing, software, cybersecurity, and related information technologies.

In my district, the NITRD Program supports Federal investment in research at universities like Western Illinois University in Macomb, Illinois, and the Blue Waters supercomputer at the University of Illinois in Urbana, Illinois. NITRD also supports public-private partnerships between high-performance supercomputing and private corporations like, Caterpillar Corporation, based in Peoria, Illinois.

Information technology is all around us in our day-to-day lives—on our smartphones, in our cars, and in our

homes. It improves our way of life, even in ways that are not always visible or apparent. As technology rapidly advances, the need for research and development continues to evolve. The NITRD Program works to prevent duplicative and overlapping efforts in this space, thereby enabling more efficient use of government resources and taxpayer dollars, while also supporting new and innovative research and development efforts at our Nation's universities and through public-private partnerships.

This bill implements several important policies to help lead the way for future technological innovations and modernize the NITRD Program. Specifically, the bill improves the program in the following ways:

First, it establishes a strategic planning and review process for the NITRD investment portfolio, with clear metrics and objectives.

Second, it works to improve inter-agency as well as government and private sector coordination and communication.

Third, it focuses the NITRD investment portfolio on areas of national interest and increasing importance like data analytics, privacy protection, and human-computer systems.

These changes to current law will reduce bureaucracy and ensure that hardworking Americans' taxpayer dollars are being used efficiently and effectively.

Important to note, this legislation authorizes no new spending.

Smart investments in information technology research and development are crucial for our Nation. Work in related areas bolsters economic competitiveness and creates new industries and businesses; it helps ensure future national security, including cybersecurity; and creates the good-paying jobs we need for today and tomorrow.

As such, I urge my colleagues to support this important piece of legislation to modernize NITRD and streamline Federal research and development investment.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

The bill before us modernizes the original High-Performance Computing Act of 1991. In the 25 years that have passed since that bill established the framework for Federal investment in computing research, networking and information technologies, NIT, has transformed how we communicate with each other, how we get around, how we bank, and how we shop.

NIT has helped provide teachers and students in diverse communities across

our Nation access to resources and learning opportunities that were previously out of reach.

NIT has transformed every industry sector, increasing efficiency and productivity, while creating higher skilled, better paying jobs. NIT made possible the decoding of the human genome and has led to myriad improvements in medical diagnostics and treatments.

Over these past 25 years, networking and information technologies have created opportunities across all aspects of our lives that were previously unimaginable. With those opportunities, NIT has also created new challenges for individual and collective safety and security and for our privacy.

Our critical infrastructure, our banks, our commercial enterprises, and our own personal wallets and identities are vulnerable to criminals and state actors alike. Our privacy is being compromised daily, whether we are public figures or private citizens.

We cannot go back to a world before NIT, nor should we. However, while investing in advancements in NIT and its many applications, we must also invest in protecting our security and privacy.

The Networking and Information Technology Research and Development Program, or NITRD, which grew out of the original 1991 High-Performance Computing Act, does just that. The interagency NITRD Program supports a full range of research and development that provides the foundation of scientific understanding and accelerates the development of advanced information technologies, while strengthening cybersecurity and privacy. The program also advances NIT to accelerate discovery in many other areas of science and engineering, from astronomy to biomedical research.

The legislation we are considering today, the Networking and Information Technology Research and Development Modernization Act, continues to strengthen the management, coordination, and oversight of the NITRD Program. It helps ensure that Federal investments in NIT R&D remain at the cutting edge and continuously evolve to include important emerging areas of NIT. In addition, it encourages large-scale interdisciplinary and cross-agency collaborations in "grand challenge" areas of R&D. Finally, the bill encourages strong collaboration and coordination with industry and other stakeholders.

Over time, there have been some amendments to the 1991 Act. H.R. 5312, represents the committee's fourth attempt in as many Congresses to enact a comprehensive modernization of the 25-year-old law.

For the first time since our first effort in 2009, the Senate has proposed draft language of its own. I am hopeful that we can get a NITRD modernization bill to the President's desk before

year's end. Given the profound implications for our economic and national security, NIT is not an area of science and technology for which the U.S. can afford to cede leadership.

I want to thank Representative LAHOOD, Chairman SMITH, and committee staff for an open, collaborative, and good process which has led to a very good bill. I am pleased to be a cosponsor of the bill, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. LAHOOD. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, first of all, I want to thank the gentleman from Illinois (Mr. LAHOOD) for taking the initiative on this innovation bill. And I am also pleased that the ranking member, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), is a cosponsor of H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016.

Mr. Speaker, in this digital age, advancing and protecting our Nation's computing and networking systems is more important than ever. This legislation ensures that Federal science agencies focus on networking and information technology priorities that are in the national interest, and it provides the coordinating R&D efforts necessary to improve cyber and data security nationwide. Better network security promotes U.S. competitiveness, enhances national security, and creates high-tech jobs.

The NITRD Modernization bill is an update to the High-Performance Computing Act of 1991. The authorized program represents the Federal Government's main R&D portfolio for unclassified advanced networking, computing, software, cybersecurity, and related information technologies.

Currently, 21 Federal agencies are contributing members of NITRD, with many additional agencies participating in the program. This bill serves as the mechanism for interagency coordination of R&D to produce a tighter focus without wasteful duplication of research efforts among Federal agencies or the private sector. This will help save taxpayers' dollars. It also rebalances agency R&D portfolios to focus less on short-term, incremental approaches and much more on large-scale, long-term interdisciplinary research to transform and enable new computing capabilities.

Federal agencies are expected to invest more than \$4.4 billion in fiscal year 2017 on NITRD Program activities. These investments go toward basic research at the frontiers of high-end computing, networking, and information technology. More than \$1.1 billion of this is invested by the National

Science Foundation and \$720 million by the Department of Energy.

This taxpayer-funded basic research is intended to keep the United States the global leader in high-end computing and networking, which is crucial to our future economic and national security. The bill does this by updating and reforming the underlying High-Performance Computing statute to reflect the current mature state of our vibrant computing industry. It also codifies the NITRD National Coordination Office, housed within the National Science Foundation, to oversee the participating agencies.

The NITRD Program has eight strategic priorities for its enabling research: cybersecurity, autonomous robotic systems, high-end computing and applications, exascale computing, human-computer interaction, large-scale networking, workforce development, and software design.

Technologies that develop from these research priorities are used by the commercial sector and the government to protect and enhance emergency communications, the power grid, air traffic control systems, our national energy resources, scientific discovery, human exploration, new product development, and national defense systems.

Advanced networking and information technology supports and boosts American discovery and innovation, improves our international competitiveness, expands the U.S. economy, and, of course, creates millions of jobs.

Mr. Speaker, American job creators also recognize the importance of networking and information technology research and development.

□ 1645

Many industry partners and stakeholders have written letters in support of this bill. They include the Computing Research Association, the Computing Technology Industry Association, the Information Technology Industry Council, and the Texas A&M University System.

As shown by hearings that the House Committee on Science, Space, and Technology has held this Congress, including the most recent on the FDIC, cyber breaches are becoming all too commonplace. This legislation encourages agencies to increase understanding of ways to detect, prevent, and recover from actions that compromise or threaten computer-based systems.

I again thank our Science, Space, and Technology Committee colleague, Representative LAHOOD, for his efforts on this issue, and I also commend Majority Leader MCCARTHY for his vision in establishing a focused innovation initiative in the House of which this legislation is a part.

Mr. Speaker, again, I urge my colleagues to support H.R. 5312.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further

requests for time, and I urge a positive vote on the bill.

I yield back the balance of my time.

Mr. LAHOOD. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LOUDERMILK).

Mr. LOUDERMILK. Mr. Speaker, I thank the gentleman for yielding his time.

Mr. Speaker, I chair the Oversight Subcommittee on the Science, Space, and Technology Committee, and my subcommittee has held numerous hearings on the ever-evolving threat of cyber intrusions.

I also owned and operated an information technology company for more than 20 years, so I know firsthand the importance of safeguarding sensitive information and private customer data. Regrettably, as we have seen through many unfortunate examples, the American people have good reason to question whether their private information is being properly secured.

That is why I am pleased to support H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016. This legislation ensures that Federal science agencies focus on networking and information technology priorities that are in the national interest, and also provides the coordinated research and development efforts necessary to improve cyber and data security nationwide.

The bill also encourages agencies to increase understanding of ways to detect, prevent, and recover from actions that threaten computer systems. This legislation will help stimulate innovation in the technology sector and will enable our Nation to better understand and secure its systems for the future.

I thank my Science, Space, and Technology Committee colleague (Mr. LAHOOD) for his work on this issue, and I urge my colleagues to support the bill.

Mr. LAHOOD. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), my colleague and friend from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I thank my friend and colleague, Mr. LAHOOD, Chairman SMITH, and Ranking Member EDDIE BERNICE JOHNSON.

This is a piece of legislation that may not get a lot of publicity, but it is essential to our research capabilities and supercomputing capabilities for our future right here in this country. The United States of America needs to continue to lead in this arena.

Who would have thought that while they were writing the High Performance Computing Act of 1991, it would have to be amended because of innovation that we have seen at many of our universities throughout this great country.

I am obviously in support of H.R. 5312 because it is going to streamline Fed-

eral investment in high-end computing, benefiting local entities in Illinois that use advanced technologies, such as the University of Illinois in my district, Caterpillar, and Western Illinois University that is served so well by Congressman LAHOOD.

This legislation ensures that the University of Illinois, the home to nationally recognized scientists and the Blue Waters Supercomputer, can continue to be the leader that they are in the fields of networking and computing.

The National Center for Supercomputing Applications at the University of Illinois at Urbana-Champaign is funded by many Federal agencies and has an impressive history of providing integrated cyber infrastructure to scientists, engineers, and scholars across the country.

Addressing complex problems in today's science and society requires expertise and engagement from multiple disciplines. NCSA is committed to continuing to serve as a central hub for transdisciplinary teams to unite in making technological advancements. These important research programs are critical for coordinating Federal research and fostering revolutionary breakthroughs in computing, networking, software, and cybersecurity.

By streamlining the NITRD Program, we can ensure U.S. competitiveness in advanced technologies while improving collaboration between Federal agencies, national laboratories, private industry, and academia.

Mr. Speaker, this bill is an effective use of taxpayer dollars.

Mr. LAHOOD. Mr. Speaker, I include in the RECORD the letters of support mentioned by Chairman SMITH, including the letter from the University of Illinois.

Mr. Speaker, I urge support for H.R. 5312.

I yield back the balance of my time.

UNIVERSITY OF ILLINOIS,
Champaign, IL, June 13, 2016.

Hon. DARIN LAHOOD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LAHOOD: The University of Illinois at Urbana-Champaign (Urbana) is pleased to endorse H.R. 5312, the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016.

The NITRD program plays a critical role in coordinating federal investments in Information Technology (IT) research and development to better enable and equip research communities in addressing complex grand challenges in science, engineering, and society.

Coordination and integration is increasingly important in the IT ecosystem. This is particularly true for high performance computing (HPC) and Big Data. At Urbana, the National Center for Supercomputing Applications (NCSA) serves as a world-class hub of transdisciplinary research and digital scholarship in which collaborators from across the globe unite to solve real-world problems. NCSA leads the two single largest National Science Foundation (NSF) investments in

high-end computing and data analysis—the NSF Blue Waters supercomputer, the most powerful supercomputer in the academic world, and the NSF Extreme Science and Engineering Discovery Environment (XSEDE) project, which provides collaborative and shared computing services to the HPC community. These two computing projects support thousands of researchers from across the nation whose research is funded separately by numerous federal agencies. By providing unique science capabilities, these facilities are catalyzing significant discoveries.

In this highly competitive world, we applaud your efforts to lead this legislation to maintain U.S. leadership in research and innovation.

Sincerely,

BARBARA J. WILSON,
Interim Chancellor.

OFFICE OF THE CHANCELLOR,
THE TEXAS A&M UNIVERSITY SYSTEM,
College Station, TX, June 8, 2016.

Hon. LAMAR SMITH,
*Chairman, House Committee on Science, Space,
and Technology, Washington, DC.*

DEAR CHAIRMAN SMITH: Thank you for your leadership in advancing the bipartisan Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016. As our nation and its citizens become increasingly connected through information technology, the need to reauthorize this critical program is evident.

We especially applaud the Committee for updating the program to focus on large-scale, long-term transformative interdisciplinary research. We face growing challenges that are complex and interrelated—from cybersecurity threats to human interfaces with information technology—that require new approaches to research and development. To this end, we are also pleased to see an increased focus in this legislation on Grand Challenges and cyber security needs.

As a leader in cybersecurity and information technology research and education, Texas A&M University is proud to partner with industry and Federal agencies to provide solutions to some of our nation's most vexing issues. The National Security Agency (NSA) and the Department of Homeland Security (DHS) designated Texas A&M University as a National Center of Academic Excellence, both in education and in research. This well-regarded designation places Texas A&M among a select group of only 30 universities that have earned both distinctions. Further the Texas A&M Engineering Extension Service (TEEX) provides a wide variety of online cybersecurity training for community leaders and businesses from cyberlaw and white collar crime to ethics to risk management and network vulnerability assessment. Given the rapidly expanding workforce needs in this area, Texas A&M prides itself on preparing students and professionals to keep our nation competitive.

We are grateful for your leadership of the Science Committee and the work that you have put into this legislation. We look forward to continuing our work with you in the coming months and years.

Sincerely,

JOHN SHARP,
Chancellor.

INFORMATION TECHNOLOGY

INDUSTRY COUNCIL,
Washington, DC, June 10, 2016.

Re H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: On behalf of the 60 members of the Information Technology Industry Council (ITI), I write to express our support for H.R. 5312, the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016.

The NITRD Program ensures the proper coordination of unclassified networking and information technology (NIT) research and development (R&D) across multiple federal agencies. More specifically, the Program aims to avoid investment redundancies, as well as increase interoperability in supercomputing, high-speed networking, cybersecurity, software engineering, and information management. However, since its inception in 1991, there have been unprecedented technological advances that are not currently addressed in the Program's overall structure. H.R. 5312 comprehensively modernizes the Program by updating essential terminology throughout the underlying law; addressing new areas of NIT research; and encouraging large-scale, long-term, interagency research in critical areas such as data analytics, social computing, human-robot interaction, privacy, and health technology.

The Program plays a key role in supporting continuous federal research in various aspects related to computing, including cybersecurity. Promoting greater federal R&D in cybersecurity is essential for securing our country's digital infrastructure. Consequently, we urge you to support the NITRD Modernization Act when it comes to the floor for a vote.

Sincerely,

DEAN C. GARFIELD,
President and CEO.

COMPUTING RESEARCH ASSOCIATION,
Washington, DC, May 23 2016.

Hon. LAMAR SMITH,
Chairman, House Science, Space, and Technology Committee, Washington, DC.

Hon. EDDIE BERNICE JOHNSON,
Ranking Member, House Science, Space, and Technology Committee, Washington, DC.

CHAIRMAN SMITH, RANKING MEMBER JOHNSON: As an organization representing over 240 industry and academic institutions involved in computing research and six affiliated professional societies, the Computing Research Association is pleased to support your efforts to bolster Federal information technology research through the Networking and Information Technology Research and Development Modernization Act of 2016.

As you are aware, advances in information technology are transforming all aspects of our lives. Virtually every human endeavor today has been touched by information technology, including commerce, education, employment, health care, energy, manufacturing, governance, national security, communications, the environment, entertainment, science and engineering. The profound reach of IT is enabled in large part by the innovations that spawn from the IT research ecosystem—that incredibly productive, yet

complex interplay of industry, universities and the Federal government. Indeed, nearly every sub-sector of the IT economy today bears the stamp of Federal support. The program responsible for overseeing this crucial investment is the Networking and Information Technology Research and Development (NITRD) program.

We believe this Act makes the NITRD program stronger by improving the planning and coordination of the National Coordination Office for NITRD, requiring that the NCO and the NITRD agencies create a five-year strategic plan for the program, and requiring the periodic review and assessment of the program contents and funding. All have been recommendations of the President's Council of Advisors for Science and Technology in their recent reviews of the program.

We thank you for your work on this legislation and for your long-standing support of the Federal investment in IT research. We look forward to working with you and your colleagues as you endeavor to move the legislation forward this session.

Sincerely,

SUSAN B. DAVIDSON,
Chair, Board of Directors.

COMPTIA,
Washington, DC, June 13, 2016.

CHRIS SHANK,
*Policy and Coalitions Director,
House Science, Space, and Technology Committee, Washington, DC.*

CHRIS: Thank you for providing CompTIA the opportunity to lend our support to the Networking and Information Technology Research and Development (NITRD) Modernization Act of 2016 (H.R. 5312).

As stated on the NITRD website, “the multiagency NITRD Program seeks to provide the research and development (R&D) foundations for assuring continued U.S. technological leadership and meeting the needs of the Federal Government for advanced information technologies.” CompTIA strongly supports the Act as it assures that NITRD continues to receive the funding necessary to help drive innovation through the scientific community. CompTIA also supports the development of a national coordination office to ensure improved communication within the NITRD ecosystem. Finally, CompTIA supports the focus on Grand Challenges that correlates with the NITRD portfolio.

Best Regards,

DAVID LOGSDON,
*Senior Director,
Public Advocacy.*

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, H.R. 5312, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LAHOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FOIA IMPROVEMENT ACT OF 2016

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 337) to improve the Freedom of Information Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 337

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FOIA Improvement Act of 2016”.

SEC. 2. AMENDMENTS TO FOIA.

Section 552 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “for public inspection and copying” and inserting “for public inspection in an electronic format”;

(ii) by striking subparagraph (D) and inserting the following:

“(D) copies of all records, regardless of form or format—

“(i) that have been released to any person under paragraph (3); and

“(ii) (I) that because of the nature of their subject matter, the agency determines have become or are likely to become the subject of subsequent requests for substantially the same records; or

“(II) that have been requested 3 or more times; and”;

(iii) in the undesignated matter following subparagraph (E), by striking “public inspection and copying current” and inserting “public inspection in an electronic format current”;

(B) in paragraph (4)(A), by striking clause (viii) and inserting the following:

“(viii)(I) Except as provided in subclause (II), an agency shall not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) under this subparagraph if the agency has failed to comply with any time limit under paragraph (6).

“(II)(aa) If an agency has determined that unusual circumstances apply (as the term is defined in paragraph (6)(B)) and the agency provided a timely written notice to the requester in accordance with paragraph (6)(B), a failure described in subclause (I) is excused for an additional 10 days. If the agency fails to comply with the extended time limit, the agency may not assess any search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees).

“(bb) If an agency has determined that unusual circumstances apply and more than 5,000 pages are necessary to respond to the request, an agency may charge search fees (or in the case of a requester described under clause (ii)(II) of this subparagraph, duplication fees) if the agency has provided a timely written notice to the requester in accordance with paragraph (6)(B) and the agency has discussed with the requester via written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with paragraph (6)(B)(ii).

“(cc) If a court has determined that exceptional circumstances exist (as that term is defined in paragraph (6)(C)), a failure described in subclause (I) shall be excused for the length of time provided by the court order.”;

(C) in paragraph (6)—

(i) in subparagraph (A)(i), by striking “making such request” and all that follows through “determination; and” and inserting the following: “making such request of—

“(I) such determination and the reasons therefor;

“(II) the right of such person to seek assistance from the FOIA Public Liaison of the agency; and

“(III) in the case of an adverse determination—

“(aa) the right of such person to appeal to the head of the agency, within a period determined by the head of the agency that is not less than 90 days after the date of such adverse determination; and

“(bb) the right of such person to seek dispute resolution services from the FOIA Public Liaison of the agency or the Office of Government Information Services; and”;

(ii) in subparagraph (B)(ii), by striking “the agency.” and inserting “the agency, and notify the requester of the right of the requester to seek dispute resolution services from the Office of Government Information Services.”; and

(D) by adding at the end the following:

“(8)(A) An agency shall—

“(i) withhold information under this section only if—

“(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or

“(II) disclosure is prohibited by law; and

“(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

“(II) take reasonable steps necessary to segregate and release nonexempt information; and

“(B) Nothing in this paragraph requires disclosure of information that is otherwise prohibited from disclosure by law, or otherwise exempted from disclosure under subsection (b)(3).”;

(2) in subsection (b), by amending paragraph (5) to read as follows:

“(5) inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, provided that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested.”; and

(3) in subsection (e)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “and to the Director of the Office of Government Information Services” after “United States”;

(ii) in subparagraph (N), by striking “and” at the end;

(iii) in subparagraph (O), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(P) the number of times the agency denied a request for records under subsection (c); and

“(Q) the number of records that were made available for public inspection in an electronic format under subsection (a)(2).”;

(B) by striking paragraph (3) and inserting the following:

“(3) Each agency shall make each such report available for public inspection in an electronic format. In addition, each agency shall make the raw statistical data used in each report available in a timely manner for public inspection in an electronic format, which shall be made available—

“(A) without charge, license, or registration requirement;

“(B) in an aggregated, searchable format; and

“(C) in a format that may be downloaded in bulk.”;

(C) in paragraph (4)—

(i) by striking “Government Reform and Oversight” and inserting “Oversight and Government Reform”;

(ii) by inserting “Homeland Security and” before “Governmental Affairs”; and

(iii) by striking “April” and inserting “March”;

(D) by striking paragraph (6) and inserting the following:

“(6)(A) The Attorney General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives, the Committee on the Judiciary of the Senate, and the President a report on or before March 1 of each calendar year, which shall include for the prior calendar year—

“(i) a listing of the number of cases arising under this section;

“(ii) a listing of—

“(I) each subsection, and any exemption, if applicable, involved in each case arising under this section;

“(II) the disposition of each case arising under this section; and

“(III) the cost, fees, and penalties assessed under subparagraphs (E), (F), and (G) of subsection (a)(4); and

“(iii) a description of the efforts undertaken by the Department of Justice to encourage agency compliance with this section.

“(B) The Attorney General of the United States shall make—

“(i) each report submitted under subparagraph (A) available for public inspection in an electronic format; and

“(ii) the raw statistical data used in each report submitted under subparagraph (A) available for public inspection in an electronic format, which shall be made available—

“(I) without charge, license, or registration requirement;

“(II) in an aggregated, searchable format; and

“(III) in a format that may be downloaded in bulk.”;

(4) in subsection (g), in the matter preceding paragraph (1), by striking “publicly available upon request” and inserting “available for public inspection in an electronic format”;

(5) in subsection (h)—

(A) in paragraph (1), by adding at the end the following: “The head of the Office shall be the Director of the Office of Government Information Services.”;

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

“(C) identify procedures and methods for improving compliance under this section.”;

(C) by striking paragraph (3) and inserting the following:

“(3) The Office of Government Information Services shall offer mediation services to resolve disputes between persons making requests under this section and administrative agencies as a nonexclusive alternative to litigation and may issue advisory opinions at the discretion of the Office or upon request of any party to a dispute.”; and

(D) by adding at the end the following:

“(4)(A) Not less frequently than annually, the Director of the Office of Government Information Services shall submit to the Committee on Oversight and Government Reform

of the House of Representatives, the Committee on the Judiciary of the Senate, and the President—

“(i) a report on the findings of the information reviewed and identified under paragraph (2);

“(ii) a summary of the activities of the Office of Government Information Services under paragraph (3), including—

“(I) any advisory opinions issued; and

“(II) the number of times each agency engaged in dispute resolution with the assistance of the Office of Government Information Services or the FOIA Public Liaison; and

“(iii) legislative and regulatory recommendations, if any, to improve the administration of this section.

“(B) The Director of the Office of Government Information Services shall make each report submitted under subparagraph (A) available for public inspection in an electronic format.

“(C) The Director of the Office of Government Information Services shall not be required to obtain the prior approval, comment, or review of any officer or agency of the United States, including the Department of Justice, the Archivist of the United States, or the Office of Management and Budget before submitting to Congress, or any committee or subcommittee thereof, any reports, recommendations, testimony, or comments, if such submissions include a statement indicating that the views expressed therein are those of the Director and do not necessarily represent the views of the President.

“(5) The Director of the Office of Government Information Services may directly submit additional information to Congress and the President as the Director determines to be appropriate.

“(6) Not less frequently than annually, the Office of Government Information Services shall conduct a meeting that is open to the public on the review and reports by the Office and shall allow interested persons to appear and present oral or written statements at the meeting.”;

(6) by striking subsections (j) and (k), and inserting the following:

“(j)(1) Each agency shall designate a Chief FOIA Officer who shall be a senior official of such agency (at the Assistant Secretary or equivalent level).

“(2) The Chief FOIA Officer of each agency shall, subject to the authority of the head of the agency—

“(A) have agency-wide responsibility for efficient and appropriate compliance with this section;

“(B) monitor implementation of this section throughout the agency and keep the head of the agency, the chief legal officer of the agency, and the Attorney General appropriately informed of the agency's performance in implementing this section;

“(C) recommend to the head of the agency such adjustments to agency practices, policies, personnel, and funding as may be necessary to improve its implementation of this section;

“(D) review and report to the Attorney General, through the head of the agency, at such times and in such formats as the Attorney General may direct, on the agency's performance in implementing this section;

“(E) facilitate public understanding of the purposes of the statutory exemptions of this section by including concise descriptions of the exemptions in both the agency's handbook issued under subsection (g), and the agency's annual report on this section, and

by providing an overview, where appropriate, of certain general categories of agency records to which those exemptions apply;

“(F) offer training to agency staff regarding their responsibilities under this section;

“(G) serve as the primary agency liaison with the Office of Government Information Services and the Office of Information Policy; and

“(H) designate 1 or more FOIA Public Liaisons.

“(3) The Chief FOIA Officer of each agency shall review, not less frequently than annually, all aspects of the administration of this section by the agency to ensure compliance with the requirements of this section, including—

“(A) agency regulations;

“(B) disclosure of records required under paragraphs (2) and (8) of subsection (a);

“(C) assessment of fees and determination of eligibility for fee waivers;

“(D) the timely processing of requests for information under this section;

“(E) the use of exemptions under subsection (b); and

“(F) dispute resolution services with the assistance of the Office of Government Information Services or the FOIA Public Liaison.

“(k)(1) There is established in the executive branch the Chief FOIA Officers Council (referred to in this subsection as the ‘Council’).

“(2) The Council shall be comprised of the following members:

“(A) The Deputy Director for Management of the Office of Management and Budget.

“(B) The Director of the Office of Information Policy at the Department of Justice.

“(C) The Director of the Office of Government Information Services.

“(D) The Chief FOIA Officer of each agency.

“(E) Any other officer or employee of the United States as designated by the Co-Chairs.

“(3) The Director of the Office of Information Policy at the Department of Justice and the Director of the Office of Government Information Services shall be the Co-Chairs of the Council.

“(4) The Administrator of General Services shall provide administrative and other support for the Council.

“(5)(A) The duties of the Council shall include the following:

“(i) Develop recommendations for increasing compliance and efficiency under this section.

“(ii) Disseminate information about agency experiences, ideas, best practices, and innovative approaches related to this section.

“(iii) Identify, develop, and coordinate initiatives to increase transparency and compliance with this section.

“(iv) Promote the development and use of common performance measures for agency compliance with this section.

“(B) In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section.

“(6)(A) The Council shall meet regularly and such meetings shall be open to the public unless the Council determines to close the meeting for reasons of national security or to discuss information exempt under subsection (b).

“(B) Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.

“(C) Not later than 10 business days before a meeting of the Council, notice of such

meeting shall be published in the Federal Register.

“(D) Except as provided in subsection (b), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, or other documents that were made available to or prepared for or by the Council shall be made publicly available.

“(E) Detailed minutes of each meeting of the Council shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Council. The minutes shall be redacted as necessary and made publicly available.”; and

(7) by adding at the end the following:

“(m)(1) The Director of the Office of Management and Budget, in consultation with the Attorney General, shall ensure the operation of a consolidated online request portal that allows a member of the public to submit a request for records under subsection (a) to any agency from a single website. The portal may include any additional tools the Director of the Office of Management and Budget finds will improve the implementation of this section.

“(2) This subsection shall not be construed to alter the power of any other agency to create or maintain an independent online portal for the submission of a request for records under this section. The Director of the Office of Management and Budget shall establish standards for interoperability between the portal required under paragraph (1) and other request processing software used by agencies subject to this section.”.

SEC. 3. REVIEW AND ISSUANCE OF REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the head of each agency (as defined in section 551 of title 5, United States Code) shall review the regulations of such agency and shall issue regulations on procedures for the disclosure of records under section 552 of title 5, United States Code, in accordance with the amendments made by section 2.

(b) REQUIREMENTS.—The regulations of each agency shall include procedures for engaging in dispute resolution through the FOIA Public Liaison and the Office of Government Information Services.

SEC. 4. PROACTIVE DISCLOSURE THROUGH RECORDS MANAGEMENT.

Section 3102 of title 44, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4); and

(2) by inserting after paragraph (1) the following:

“(2) procedures for identifying records of general interest or use to the public that are appropriate for public disclosure, and for posting such records in a publicly accessible electronic format.”.

SEC. 5. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to carry out the requirements of this Act or the amendments made by this Act. The requirements of this Act and the amendments made by this Act shall be carried out using amounts otherwise authorized or appropriated.

SEC. 6. APPLICABILITY.

This Act, and the amendments made by this Act, shall take effect on the date of enactment of this Act and shall apply to any request for records under section 552 of title 5, United States Code, made after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

North Carolina (Mr. MEADOWS) and the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 337, the FOIA Improvement Act of 2016. We stand here today 3 weeks shy of the FOIA's 50th anniversary to strengthen the law that established the public's right to know.

Enacted in 1966, FOIA was the product of more than a decade of work on government secrecy by a predecessor committee to the current Oversight and Government Reform Committee. At the time, FOIA was only the third public information law in the world. It was by far the most far-reaching. FOIA established a right to information, which is commonly known as the public's right to know.

S. 337 reaffirms the public's right to know and puts in place several reforms to stop agencies from slowly eroding the effectiveness of using FOIA to exercise that right.

This bill is a bipartisan effort to improve the public's access to information and transparency in the Federal Government.

I would like to thank Senators CORNYN, GRASSLEY, and LEAHY for their hard work that they put into writing and passing this bill. I would also like to thank Representative DARRELL ISSA and Ranking Member ELIJAH CUMMINGS for their work on the House bill, H.R. 653, which passed in January.

Through all of our combined efforts, I believe that this is the best bill we can send to the President's desk. I have no doubt that the reforms contained in this bill will significantly improve the American public's ability to exercise their right to access information.

The most important reform is the presumption of openness. Now, while some—but far from all—Federal agencies have made an effort to comply with the letter of the law, very few have complied with the spirit of the law. The presumption of openness puts that spirit into the letter of the law. Before claiming an exemption, agencies must first determine whether they could reasonably foresee an actual harm.

FOIA includes exemptions because publicly releasing information can sometimes cause more harm than good.

But from the beginning, agencies have taken advantage of these exemptions to withhold any information that might technically fit. Under the presumption of openness, agencies may no longer withhold information that is embarrassing or could possibly paint the agency in a negative light simply because an exemption may technically apply. This will go a long way toward getting rid of the withhold-it-because-you-want-to exemption.

S. 337 establishes reforms that will bring attention, leadership, and commitment to improvement to all Federal agencies.

The Department of Homeland Security is a great example of how attention, leadership, and a commitment to improvement can be more valuable, at times, than additional dollars. From 2009 to 2015, requests sent to DHS nearly tripled. DHS requests accounted for about 40 percent of all the requests governmentwide. As the requests increased, so did the backlog. And in 2014, that backlog at DHS exceeded more than 100,000 requests. However, the agency made a commitment to improve its efficiency and reduce its backlog.

In 2015, that backlog was down by two-thirds, to about 35,000. Costs overall went up, but that is expected when requests nearly triple in just 6 years. What is not expected is that the cost per request was cut by 58 percent. In 2009, DHS averaged \$255 per request processed, and in 2015, the costs had dropped to \$148 per request processed.

S. 337 establishes reforms that will ensure all agencies have the attention and the leadership necessary to improve the FOIA process. The bill establishes a Chief FOIA Officers Council, which is directed to develop initiatives to increase transparency and compliance with FOIA and make recommendations for increased efficiencies and share best practices.

The bill establishes greater independence of the Office of Government Information Services, which will allow OGIS to give unbiased, unfiltered testimony and recommendations.

S. 337 creates an incentive for agencies to comply with the law by preventing agencies from collecting fees for any request for up to 5,000 pages if that request is not completed within the statutory time limits.

Out-of-date regulations have been repeatedly used as an excuse to withhold information, delay requests, or otherwise to obstruct the process. S. 337 gets rid of this excuse by requiring agencies to update their regulations so that they are operating under the current law.

S. 337 also simplifies the process of submitting requests by establishing an online central portal that will allow a member of the public to submit a request to an agency at a single Web site rather than forcing the public to navi-

gate each agency's different process and Web site.

These reforms and others packaged in the FOIA Improvement Act will go a long way to improving transparency and bringing agency leadership attention to improving the public's ability to exercise their right to know.

Mr. Speaker, I urge all of my colleagues to join me in supporting this giant step forward to improve FOIA and the public's access to information.

Mr. Speaker, I reserve the balance of my time.

□ 1700

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the FOIA Improvement Act of 2016, also known as the public's right to know or Transparency in Government Act.

It is fitting that we pass this bill to strengthen the Freedom of Information Act just a few weeks before the 50th anniversary of this important law. The National Archives and Records Administration currently has on display the original Freedom of Information Act in celebration of the anniversary on July 4. It is inspiring to think that 50 years have passed and that document is still the most important tool that the public has to access information about their government.

When FOIA was passed in 1966, it was only the third freedom of information law in the entire world, and it was by far the most powerful. Now countries all over the world have transparency laws that are modeled on our Nation's FOIA law. We are here today in the ongoing quest to improve FOIA and to keep it current with changes in technology.

I want to thank Congressmen ISSA and CUMMINGS for introducing the House version of the bill and Senators LEAHY and CORNYN for taking the lead in the Senate.

This bill is the result of many voices providing feedback and helpful critiques. That is the way a good law is made. Advocacy groups such as OpenTheGovernment.org and the Sunshine in Government Initiative have been critical to the success of this legislation.

The FOIA Improvement Act is a bicameral, bipartisan bill. With its passage today, it will now go on to the President for his signature.

The bill would codify the presumption of openness standard that President Obama put in place on his first day in office. Under this standard, agencies will be required to err on the side of transparency when responding to requests.

The bill would also put a 25-year sunset on exemption 5 of FOIA, the deliberative process exemption. It would modernize FOIA by requiring the Office

of Management and Budget to create a central FOIA Web site for requesters to submit their request, making it more efficient and accessible to the public.

This bill would strengthen the independence and the role of the Office of Government Information Services. OGIS has served a critical role since it was formed in response to the last FOIA reform Congress adopted in 2007.

I would like to take a moment to thank the hardworking Federal employees who serve as FOIA officers. They are dedicated professionals who care about making FOIA work.

It is critical that Congress provide the funds necessary for agencies to have strong FOIA programs with experienced and trained FOIA professionals. It is not reasonable for us to ask agencies to do more if we do not give them the resources to do it.

The FOIA Improvement Act would require each agency to designate a chief FOIA officer. The chief FOIA officer would have responsibility for ensuring that FOIA is implemented efficiently and appropriately in the agency. I hope this addition to FOIA will help elevate the importance of FOIA in agencies that have not always given it the attention it deserves.

Thank you to the many FOIA professionals who have provided feedback on the bill over the past 3 years. Thank you also to the FOIA requesters who provided feedback, requesters such as Nate Jones from the National Security Archive and David McCraw from The New York Times. They all provided useful suggestions for reform.

I understand that some proposals did not make it into the final bill, but they did shape the debate and will help us as we look forward to future reforms.

A Los Angeles Times editorial said: "worthy of not only Obama's signature, but also his vocal support."

A New York Times editorial said: "This is a rare chance to log a significant bipartisan accomplishment in the public interest."

Enactment of this legislation will be an important step forward for transparency.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I would like to thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for her support on this bill.

I yield 6 minutes to the gentleman from California (Mr. ISSA), who has spent a considerable amount of time not only on the House version, but really helping shape the debate on making sure that the public interests of America is protected.

Mr. ISSA. Mr. Speaker, this has been a long time coming, and there is a lot of thanks to go around. Certainly for Senator CORNYN and Senator LEAHY, this is going to be a proud week with the passage of this bill in the House and, ultimately, it going to the President.

I don't believe this would have been possible without the partnership that ELIJAH CUMMINGS and I formed some years ago. The House has led in not just one, but in two Congresses, sending to the Senate very tough language dramatically improving what we see as the flaws in FOIA that have developed.

Congresswoman MALONEY, very rightfully so, said there are a lot of things that the interest groups and Congressman CUMMINGS and myself and, perhaps, everyone else who will vote on it here today would like to have seen. I don't want to belabor the point, but when this bill becomes law and is signed by the President, there will be enough left for a new bill to start again.

Having said that, we celebrate today the fact that we have made some milestones. Codifying in law the presumption of openness and, once and for all, ending the deliberative process' unlimited length and reducing it to 25 years long, long after a President has left office, is a good start.

I want to note that, in the original House bill—one area that I was particularly pleased that Mr. CUMMINGS and I were able to come to an agreement on—if an agency unreasonably delays, there should be a result. If someone has to sue, whether it is The New York Times or an interest group, and, ultimately, the government is unreasonable and is withholding, reasonable fees should be recovered. That isn't in the bill. I hope that it will be in future legislation.

The fact is that this bill includes some very important points, not the least of which will be making more public and accessible the repeated request for various parts of FOIA, and, of course, reducing the delays and the time lag.

Having said that, through the establishment of a board and the recognition that only through diligence and closing the quality circle that occurs can we come back to this body and say more needs to be done and name it.

But today is a day for celebration. I want to thank Mr. CUMMINGS one more time, Chairman CHAFFETZ, the Members of the House and the Senate, urge the passage of the bill, and recognize that this is, in fact, a 50-year-old law. It has stood the test of time. It has proven to be an asset for the American people and for their right to know. We will build on this.

Lastly, and Congresswoman MALONEY named it, there were countless outside transparency groups that spanned from the farthest left of our country's politics to the farthest right of our politics, all of whom wanted more open access to their government. Today, we are achieving it. We still will have a government that knows far more about us than we know about our government; but today, we are opening the possibility that, in a timely fashion,

more often more people who have a vested interest in knowing something that the government has done or is doing will have the ability to get that information.

I thank Congressman MEADOWS for making this bill possible today. His leadership has been critical, and his friendship has been critical all along the way.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. CUMMINGS), who has led many of the discussions in this body on criminal justice reform and reform in so many ways, including this bill that he helped author with former Chairman ISSA.

Mr. CUMMINGS. Mr. Speaker, I thank the gentlewoman for yielding.

I want to thank Mr. MEADOWS and Mr. CHAFFETZ and, certainly, Speaker RYAN for getting this bill to the floor.

I associate myself completely with the words of the former chairman of our Oversight and Government Reform Committee, Mr. ISSA. I don't think there has been anyone who has worked harder on getting this bill to the floor than Mr. ISSA. Without a doubt, his fingerprints are all over it. I really do, from the depths of my heart, thank him for all that he has done to make this happen.

The FOIA Improvement Act is a product of a 3-year journey—that is a long time—that began when Representative ISSA and I first introduced the basis for the bill in 2013. Mr. ISSA worked with me on the House version of this bill, and Senators LEAHY and CORNYN took the lead in the Senate.

Again, I want to thank the chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for his work on FOIA reform and for his support bringing the bill to the floor. He has proposed some additional initiatives that did not make it into this version of the bill but that deserve continued attention.

Even in our negotiations, I give it to Chairman CHAFFETZ. You know, a lot of times when you are trying to work things out and get things done between the House and the Senate, there has to be some compromise. There are a lot of good things that he wanted in the bill that I strongly supported, but we were not able to get them in.

For example, one of his provisions would have required every agency to accept FOIA requests by email. This is a simple improvement that every agency should adopt, and I look forward to working with Chairman CHAFFETZ in the years ahead on such commonsense reforms.

I would like to recognize a few of the staff for both Representatives ISSA and CHAFFETZ who deserve recognition, strong recognition, for the work they put into this legislation over the last few years: Tegan Gelfand, Ali Ahmad, and Katy Rother. I want to thank them

for all of the work that they have done in making this happen.

In addition, advocacy groups, as Mr. ISSA mentioned, such as OpenTheGovernment.org and Sunshine in Government Initiative, as well as experts such as Anne Weismann at Campaign for Accountability, have been critical to the success of this legislation.

Finally, I would like to take time to thank our Speaker. His office has been extremely helpful, and he also deserves credit for bringing this bill to the floor today. It simply would not have been possible without his leadership.

The FOIA Improvement Act is a truly bicameral, bipartisan bill. With its passage today, it will now go on to the President for his signature. It builds on the work of the Obama administration, which has done more to advance transparency than any administration in history.

□ 1715

The bill would codify the presumption of openness standard that President Obama put in place on his first day in office.

The bill would also put a 25-year sunset on exemption No. 5 of FOIA—the deliberative process exemption.

It would modernize FOIA by requiring the Office of Management and Budget to create a central portal to allow FOIA requests to any agency through a single Web site.

The Office of Government Information Services, which is the FOIA ombudsman that was created by Congress in 2007, would become more independent under this bill and would be allowed to submit testimony and reports directly to Congress without going through political review.

Finally, FOIA officers could share best practices through a Chief FOIA Officers Council that would be established under the bill.

These are just some of the examples of the many improvements to FOIA that are contained in this legislation. The FOIA Improvement Act is a big step forward in transparency, and I urge my colleagues to support this legislation and “fix FOIA by 50.”

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Maryland (Mr. CUMMINGS) for his insightful, well-thought-out words on behalf of this bill. Indeed, Mr. ISSA and Mr. CUMMINGS have been a moving force and, really, one of the primary forces as to why we are here today; so I just want to acknowledge that.

I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

I join my voice with Ranking Member CUMMINGS' in being associated with the words from my friend and colleague from the great State of North Carolina

in support of this important legislation and to also compliment not only ELIJAH CUMMINGS for his leadership, but former Chairman ISSA for making this a priority and for helping to move it to the floor and make it happen.

This is a good, bipartisan bill. It was worked on diligently by both sides in both the House and the Senate. It is an important step forward for transparency. It is a strengthened bill. It deserves the support of everyone on both sides of the aisle, and I urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

I acknowledge the, really, unbelievable work of the staff. Many times, as you well know, Mr. Speaker, we will get up and work very hard, but it is the countless hours on behalf of our staff that really allows us to move legislation forward; so I wouldn't want this day to go by without acknowledging their support and work.

Also, I acknowledge the leadership of Chairman CHAFFETZ in his being able to not only navigate this bill before and, hopefully, to the President's desk for signing, but certainly in his leadership on transparency and in making sure that the government of the people is accountable to the people.

I urge the adoption of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RIGELL). The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, S. 337.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

OVERSEE VISA INTEGRITY WITH STAKEHOLDER ADVISORIES ACT

Mrs. MIMI WALTERS of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3636) to amend the Immigration and Nationality Act to allow labor organizations and management organizations to receive the results of visa petitions about which such organizations have submitted advisory opinions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3636

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Oversee Visa Integrity with Stakeholder Advisories Act” or the “O-VISA Act”.

SEC. 2. ALLOWING CERTAIN ORGANIZATIONS TO RECEIVE THE RESULTS OF VISA PETITIONS.

Section 214(c)(3) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(3)) is amended—

(1) by striking “Attorney General” each place it appears and inserting “Secretary of Homeland Security”; and

(2) in the first sentence of the matter following subparagraph (B)—

(A) by striking “and (iv)” and inserting “(iv)”; and

(B) by striking the period at the end and inserting the following: “, and (v) upon making the decision, the Secretary of Homeland Security shall provide a copy of the decision to each organization with which the Secretary consulted under subparagraph (A) or (B).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. MIMI WALTERS) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes.

The Chair recognizes the gentlewoman from California (Mrs. MIMI WALTERS).

GENERAL LEAVE

Mrs. MIMI WALTERS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3636, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. MIMI WALTERS of California. Mr. Speaker, I yield myself such time as I may consume.

I thank Mr. NADLER and all of the other cosponsors in their helping to advance H.R. 3636, the Oversee Visa Integrity with Stakeholder Advisories Act, otherwise referred to as the O-VISA Act, for a floor vote.

Congress established the O visa program to allow non-immigrants with extraordinary abilities to be employed in the sciences, arts, education, business, or athletics. In recognition of the unique nature of the motion picture and television industry, Congress established special evidentiary criteria for O-1 and O-2 visas for artists who are working in the industry. One requirement mandates that the USCIS consult with the appropriate labor and management organizations for each visa petition. The reason for this is very simple in that those organizations are best suited to evaluate whether a visa applicant has demonstrated extraordinary achievement—the standard for O-1 and O-2 visa petitioners in this industry.

These consulting organizations dedicate substantial resources to advise the USCIS on the merits of visa petitions. They are essential to identifying fraud as well as to protecting U.S. workers who are capable of filling those jobs. Unfortunately, these organizations are never notified as to the USCIS' final petition decisions. The consulting organizations should be notified of these

decisions so that they may better assist the USCIS in determining fraud and in properly implementing the O visa standards.

There have been serious indications of fraud in O-1 and O-2 visa petitions, including the outright forgery of advisory opinions, shell production companies, and sponsoring employers who are without any connection to the motion picture and television industry. These concerns led Chairman GOODLATTE and Ranking Member CONYERS to send a letter to the USCIS in 2014, which stated:

It seems that, at the very least, USCIS should be notifying these organizations when it approves petitions over their objections. However, we are told that such organizations are rarely, if ever, notified regarding the outcome of petitions to which they object. Ensuring transparency in the adjudication process for any visa program is essential to a secure and effective immigration policy, and, therefore, we are concerned about the reported potential fraud in O-1 and O-2 visa petitions.

It is important to note that there are no indications of abuse by the major studios, such as members of the MPAA. In fact, it is my understanding that the labor and management consulting organizations concur with the vast majority of O visa petitions that are submitted by the major studios.

The O-VISA Act, which Mr. NADLER and I have put forth, is a narrow provision that injects transparency into this visa petition process. It amends the Immigration and Nationality Act to require the Secretary of Homeland Security to provide a copy of the USCIS visa petition decision to the consulting organization that was required to provide the advisory opinion for that specific petition. Essentially, the organization will be copied on the agency decision. Congress wisely recognized that the opinions of these private stakeholders deserve proper consideration due to their unique expertise in the industry. Congress should further utilize that expertise by authorizing the USCIS to copy these organizations because this will assist in identifying fraud and in protecting American jobs.

I was pleased to receive the recent report from the nonpartisan Congressional Budget Office that H.R. 3636 will have no significant cost to the taxpayer. In fact, any associated costs will be recouped from fees that are collected by the Department of Homeland Security in the visa application process. Simply put, H.R. 3636 is a model of commonsense, bipartisan legislation that utilizes private sector expertise to improve our governance.

I will take this opportunity to note that there are other issues regarding O visas that must be addressed. In particular, there are serious concerns that the USCIS' decisionmaking process moves far too slowly. This lack of efficiency means that film and television face considerable delays and unneces-

sary costs. I am committed to working with the committee and the industry to address these issues in the future.

I encourage my colleagues to support H.R. 3636, the O-VISA Act.

Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to support the O-VISA Act, which is a narrow, but important, bill.

I thank my Judiciary Committee colleagues—the gentlewoman from California (Mrs. MIMI WALTERS) and the gentleman from New York (Mr. NADLER)—for their bipartisan effort in introducing this legislation, which will bring needed transparency to the O visa petition process.

For individuals who seek an O visa specifically to work on a motion picture or a television production, the law requires that an individual have a demonstrated record of extraordinary achievement, which must be recognized in the field through extensive documentation.

In recognizing the need to balance the demand for a global exchange of creative professionals with the need to prevent the displacement of American workers, current law requires that O visa petitioners provide a written advisory opinion from an appropriate labor organization regarding the beneficiary's qualifications. For example, when petitioning for a foreign director, a petitioner must seek an opinion from the Directors Guild of America.

As experts in their fields, these labor organizations are in a great position to appraise a beneficiary's qualifications. This process is intended to ensure that only the most extraordinary and accomplished individuals are granted an O visa. The O-VISA Act requires that the U.S. Citizenship and Immigration Services provide a copy of the agency decision to the labor union that is consulted as part of the petition when one seeks work in a motion picture or on television. By doing this, the bill will help ensure that the union consultation is a meaningful part of the agency adjudication, as required under current law; and it will bring transparency for employers, workers, and the organizations that represent them, which is always a good thing.

I do believe, as the gentlewoman has indicated, we could do more in this area. For example, we should be providing for the portability of O-1 visa holders and others so they can move between jobs. Portability not only helps employers in the industry, but it also ensures that foreign workers aren't trapped in positions or are used to undercut the wages of U.S. workers. I hope that we can continue the bipartisan effort that produced this legislation to make further improvements to the O visa program.

As indicated during the consideration of the bill in the Judiciary Committee,

the language contained in this bill has been coupled with provisions that also make important changes to the O visa program that were included in the Senate's comprehensive immigration reform from the last Congress, which died here on the House side. That bill provided for portability; it removed redundancies; and it better aligned these programs with others that involved honorarium or appearance fees. I know that we are not doing an entire rewrite of the immigration laws at this juncture, but I am hopeful that we will continue to work on these further improvements as this chairman has indicated he would be interested in.

Finally, I would be remiss if I didn't say what we all know too well, which is that we have enormous problems in our immigration system. I hope that we can work together on real, substantial fixes on behalf of not just the movie industry—as important as that industry is—but for families, refugees, and employers in a range of industries, including agriculture and the high-skilled sector. Over the years, I have worked with friends on the other side of the aisle on immigration reforms, big and small, and I continue to stand ready to do so in the future.

I thank the Speaker, the bill's authors, and the gentlewoman from California (Mrs. MIMI WALTERS).

I reserve the balance of my time.

Mrs. MIMI WALTERS of California. Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. I thank the gentlewoman from California.

Mr. Speaker, I rise in support of H.R. 3636, the Oversee Visa Integrity with Stakeholder Advisories Act, also known as the O-VISA Act.

I support this bipartisan legislation because it will strengthen the role of labor unions in the O visa petition process, a process by which international artists and entertainers with extraordinary ability are brought to the United States.

□ 1730

As many of you may know, my home State of Georgia is one of the Nation's leading locations for film and television production. Since the State updated its tax laws, this industry has generated approximately \$800 million annually in economic development, and it is credited with supporting about 11,000 jobs in Georgia.

In June alone, there were more than 23 movies and TV shows being filmed in the State. And as more studios and production teams move to Georgia, the demand for international talent will continue to rise.

While international audiences have a strong appreciation and demand for American movies, music, and other

forms of entertainment, we also want talent from other countries to come to the United States for our enjoyment. In such instances, however, we must ensure that the immigration process effectively balances the needs of the entertainment industry while protecting the rights and interests of American workers.

Congress has long realized that this is a delicate balance, which is why we created a specific role for American labor unions to participate in the O visa petition process for foreign artists and entertainers. Unions help ensure safe working conditions and fair wages for all, regardless of nationality. Under the O visa consultation process, unions provide informed opinions on these significant issues.

The bill before us today makes an important change to current law. It requires the U.S. Citizenship and Immigration Services to provide labor organizations the results of decisions for cases in which they submitted advisory opinions. This new requirement will bring transparency to the O visa process.

In addition, this measure will enable labor unions to better monitor the outcomes of O visa cases and reduce uncertainty about the number of entertainment jobs filled by international artists.

H.R. 3636 will further strengthen international artistic exchange while promoting American workers.

In closing, I want to thank my colleagues on the Judiciary Committee, Representatives MIMI WALTERS and JERROLD NADLER, for their leadership in crafting this bipartisan legislation. H.R. 3636 is a good bill, and I am pleased to support it.

Mrs. MIMI WALTERS of California. Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I have no further speakers. I urge a "yes" vote on the bill.

I yield back the balance of my time.

Mrs. MIMI WALTERS of California. Mr. Speaker, I will close by thanking everyone for their support of this bill. I encourage my colleagues to support H.R. 3636, the O-VISA Act.

I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I rise in strong support of H.R. 3636, the O-VISA Act. As the lead Democratic cosponsor, I also want to thank the Gentlewoman from California, Mrs. WALTERS, for introducing this legislation, which will bring some needed transparency to the O visa application process.

O visas are reserved for individuals with extraordinary ability in the sciences, arts, education, business, or athletics to perform temporary work in their field here in the United States. For those seeking an O visa specifically to work on a motion picture or television production, the law requires that an individual have "a demonstrated record of extraordinary achievement," which must be "recognized in the field through extensive documentation."

Through a unique provision in the law, an applicant for an O visa seeking to work on a film or television production must first obtain an opinion from the relevant labor organization in their field. For example, a director must seek an opinion from the Directors Guild of America, and a set designer must consult with the International Alliance of Theatrical Stage Employees. As experts in their field, these organizations are in the best position to determine an applicant's special qualifications. This process is intended to ensure that only the most extraordinary and accomplished individuals—those who are so unique that they could not be replaced by an American worker—are granted an O visa.

Unfortunately, in recent years, several unions have expressed deep concerns that a significant number of applicants for whom they have recommended denial have been admitted into the United States nonetheless. In some instances, the unions have documented fraud on the part of the applicant, while in some cases, the government simply reached a different conclusion. But, because the consulting union is never informed by the government whether a particular application was approved or denied, it is impossible to know the full extent of this problem. The O-VISA Act would bring needed transparency to this process by requiring USCIS to provide a copy of any final determination to the consulting union.

This is a narrow, but critically important provision. Although the unions have expended a great deal of resources to discover the outcome of their advisory opinions, they are in the dark about the vast majority of cases. Although they could serve as a partner to USCIS in rooting out fraud and abuse, they lack the information they need to follow up on suspicious cases. I should point out that the unions have assured me that their concerns about fraud do not stem from any applications by the major studios. The problems occur with certain unscrupulous independent companies that abuse the process in a variety of ways.

Of course, there need not be any fraud for USCIS to reach a different conclusion about the merits of a particular applicant. But, if this is occurring in a significant number of cases, it may signify a systemic problem in how the agency is considering applications, or a lack of understanding by the union of how cases should be evaluated. In either case, it is only fair that the unions have sufficient knowledge of how petitions are decided so that they can have a meaningful discussion with USCIS about any concerns they may have.

The O-VISA Act would provide the transparency necessary to undertake this process and I urge my colleagues to support it.

I want to note that since this bill simply requires that USCIS provide a copy of any final decision to the consulting organization, it should not burden the agency or add any delays in processing O visa applications. However, I recognize that many sponsoring employers have expressed concerns over the inefficiency of the current process, and that reforms are needed to streamline the application process.

The language contained in H.R. 3636 has historically been coupled with provisions that also make important changes to the O- and B-visa programs for those seeking entry for mo-

tion picture and television productions. These provisions were included in such bills as the Senate's comprehensive immigration reform legislation from last Congress. Specifically, these changes provided the same common-sense portability that exists in other visa categories, removed redundancies in the consultation process, and better aligned these entry programs with others that might involve an honorarium or appearance fee.

I appreciate Chairman GOODLATTE's assurances during the markup on the O-VISA Act that he intends to address these common-sense changes to the O- and B-programs that have historically accompanied the provisions in this bill in the future. And I am pleased that we are advancing this bill today. The O-VISA Act will help ensure the integrity of the O visa program while protecting the jobs of American artists and craftsmen in the film and television industries. I urge my colleagues to support this legislation.

Ms. JACKSON LEE. Mr. Speaker, I am pleased to support H.R. 3636, the "Oversee Visa Integrity with Stakeholder Advisories Act", also known as the O-VISA Act.

H.R. 3636 is an important bill that supports the need and aim for comprehensive immigration reform and strengthens the role of the labor unions in the O-1B consultation process.

H.R. 3636 would strengthen the role of the labor unions in the O-1B consultation process by amending the "Immigration and Nationality Act" to require U.S. Citizenship and Immigration Services (USCIS) to provide a copy of the O-1B petition decision to the labor union that was consulted as part of the petition process for a foreign artists and performers seeking to work in the United States.

This bill would also require an annual report to Congress from the Department of Homeland Security (DHS) enumerating the adjudicative outcomes of O-1B petitions with a focus on the relationship between the USCIS decision and the recommendation provided in the labor union consultation.

Although H.R. 3636 deals specifically with the O-1B visa, the O nonimmigrant classification is commonly sub-classified in the following categories:

O-1A: individuals with an extraordinary ability in the sciences, education, business, or athletics not including the arts, motion pictures or television industry);

O-1B: individuals with an extraordinary ability in the arts or extraordinary achievement in motion picture or television industry; and

O-2: individuals who will accompany an O-1, artist or athlete, to asset in a specific event or performance.

For an O-1A, the O-2's assistance must be an "integral part" of the O-1A's activity.

For an O-1B, the O-2's assistance must be "essential" to the completion of the O-1B's production.

The O-2 worker has critical skills and experience with the O-1 that cannot be readily performed by a U.S. worker and which are essential to the successful performance of the O-1.

In creating the O-1B visa category, Congress sought a balance between the need for global interchange of creative professionals, and the need to prevent entertainment producers from abusing the immigration laws and the ability of individuals to obtain a visa for extraordinary ability.

In doing so, Congress created the O non-immigrant visa, pursuant to an amendment to the Immigration Act of 1990 (IMMACT), for individuals who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who have a demonstrated record of extraordinary achievement in the motion picture or television industry and have been recognized nationally or internationally for those achievements.

The changes under IMMACT led to unintended conflicts between labor and management in the industry.

Labor and management reached a settlement, reflected in current law and regulations that give weight, but not control, to labor union advisory opinions of the abilities and professional prestige of foreign artists and performers sought by industry management.

By requiring that USCIS provide a copy of the O-1B petition decision to the labor union that was consulted, H.R. 3636 will provide labor unions with important data allowing them to see how their consultations are used by the adjudication agency.

H.R. 3636 will reinforce the labor union's position in the adjudication process and lay the groundwork for further legislative action if the newly provided information suggests that more reform is warranted.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. MIMI WALTERS) that the House suspend the rules and pass the bill, H.R. 3636, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Immigration and Nationality Act to allow labor organizations and management organizations to receive the results of visa petitions about which such organizations have submitted advisory opinions."

A motion to reconsider was laid on the table.

STRATEGY TO OPPOSE PREDATORY ORGAN TRAFFICKING ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3694) to combat trafficking in human organs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strategy To Oppose Predatory Organ Trafficking Act" or the "STOP Organ Trafficking Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The World Health Organization (WHO) estimates that approximately 10 percent of all transplanted kidneys worldwide are illegally obtained, often bought from vulnerable impoverished persons or forcibly harvested from prisoners.

(2) In 2004, the World Health Assembly passed a resolution urging its member-states to take measures to protect the poorest as well as vulnerable groups from exploitation by organ traffickers.

(3) On February 13, 2008, the United Nations Global Initiative to Fight Human Trafficking (UNGIFT) hosted the "Vienna Forum to Fight Human Trafficking", and subsequently reported that a lack of adequate illicit organ trafficking laws has provided opportunity for the illegal trade to grow.

(4) On March 21, 2011, the Council of the European Union adopted rules supplementing the definition of criminal offenses and the level of sanctions in order to strengthen the prevention of organ trafficking and the protection of those victims.

(5) In 2005, the United States ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, a supplement to the United Nations Convention against Transnational Organized Crime, which includes the removal of organs as a form of exploitation under the definition of "trafficking in persons".

(6) According to a 2013 United Nations report from the Special Rapporteur on trafficking in persons, especially women and children, the economic and social divisions within and among countries is notably reflected in the illicit organ trafficking market, in which the victims are commonly poor, unemployed, and more susceptible to deceit and extortion.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the kidnapping or coercion of individuals for the purpose of extracting their organs for profit is in contradiction of the ideals and standards for ethical behavior upon which the United States has based its laws;

(2) the illegal harvesting of organs from children is a violation of the human rights of the child and is a breach of internationally accepted medical ethical standards described in WHO Assembly Resolution 57.18 (May 22, 2004);

(3) the illegal harvesting and trafficking of organs violates the Universal Declaration of Human Rights, in Article 3 which states that "Everyone has the right to life, liberty and security of person.", and in Article 4 which states that "No one shall be held in slavery or servitude."; and

(4) establishing efficient voluntary organ donation systems with strong enforcement mechanisms is the most effective way to combat trafficking of persons for the removal of their organs.

SEC. 4. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) combat the international trafficking of persons for the removal of their organs;

(2) promote the establishment of voluntary organ donation systems with effective enforcement mechanisms in bilateral diplomatic meetings, as well as in international health forums; and

(3) promote the dignity and security of human life in accordance with the Universal Declaration of Human Rights.

SEC. 5. REVOCATION OR DENIAL OF PASSPORTS TO INDIVIDUALS WHO ARE ORGAN TRAFFICKERS.

The Act entitled "An Act to regulate the issue and validity of passports, and for other purposes", approved July 3, 1926 (22 U.S.C. 211a et seq.), which is commonly known as the "Passport Act of 1926", is amended by adding at the end the following:

"SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT."

"(a) ISSUANCE.—The Secretary of State may refuse to issue a passport to any individual who has been convicted of an offense under section 301 of the National Organ Transplant Act (42 U.S.C. 274e) if such individual used a passport or otherwise crossed an international border in the commission of such an offense.

"(b) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)."

SEC. 6. AMENDMENTS TO THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

(a) DEFINITIONS.—Section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) is amended—

(1) in paragraph (9)—

(A) in subparagraph (A), by striking "or" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting: "; or"; and

(C) by adding at the end the following new subparagraph:

"(C) trafficking of persons for the removal of their organs (as defined in paragraph (13)).";

(2) by redesignating paragraphs (13) through (15) as paragraphs (14) through (16), respectively; and

(3) by inserting after paragraph (12) the following new paragraph:

"(13) TRAFFICKING OF PERSONS FOR THE REMOVAL OF THEIR ORGANS.—

"(A) IN GENERAL.—The term 'trafficking of persons for the removal of their organs' means the recruitment, transportation, transfer, harboring, or receipt of a person, either living or deceased, for the purpose of removing one or more of the person's organs, by means of—

"(i) coercion;

"(ii) abduction;

"(iii) deception;

"(iv) fraud;

"(v) abuse of power or a position of vulnerability; or

"(vi) transfer of payments or benefits to achieve the consent of a person having control over a person described in the matter preceding clause (i).

"(B) ORGAN DEFINED.—In subparagraph (A), the term 'organ' has the meaning given the term 'human organ' in section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1))."

(b) INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.—Section 105(d)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended by inserting after the first sentence the following new sentence: "Such procedures shall include collection and organization of data from human rights officers at United States embassies on host country's laws against trafficking of persons for the removal of their organs and any instances of violations of such laws."

SEC. 7. REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter through 2024, the Secretary of State shall submit to the appropriate congressional committees a comprehensive report that includes the following information:

(1) A description of the sources, practices, methods, facilitators, and recipients of trafficking of persons for the removal of their organs during the period covered by each such report.

(2) A description of activities undertaken by the Department of State, either unilaterally or in cooperation with other countries,

to address and prevent trafficking of persons for the removal of their organs.

(3) A description of activities undertaken by countries to address and prevent trafficking of persons for the removal of their organs.

(b) MATTERS TO BE INCLUDED.—The reports required under subsection (a) shall include the collection and organization of data from human rights officers at United States diplomatic and consular posts on host countries' laws against trafficking of persons for the removal of their organs, including enforcement of such laws, or any instances of violations of such laws.

(c) ADDITIONAL MATTERS TO BE INCLUDED.—The reports required under subsection (a) may include—

(1) information provided in meetings with host country officials;

(2) information provided through cooperation with United Nations or World Health Organization agencies;

(3) communications and reports provided by nongovernmental organizations working on the issue of trafficking of persons for the removal of their organs; and

(4) any other reports or information sources the Secretary of State determines to be necessary and appropriate.

SEC. 8. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) ORGAN.—The term “organ” has the meaning given the term “human organ” in section 301(c)(1) of the National Organ Transplant Act (42 U.S.C. 274e(c)(1)).

(3) TRAFFICKING OF PERSONS FOR THE REMOVAL OF THEIR ORGANS.—The term “trafficking of persons for the removal of their organs” means the recruitment, transportation, transfer, harboring, or receipt of a person, either living or deceased, for the purpose of removing one or more of the person's organs, by means of—

(A) coercion;

(B) abduction;

(C) deception;

(D) fraud;

(E) abuse of power or a position of vulnerability; or

(F) transfer of payments or benefits to achieve the consent of a person having control over a person described in the matter preceding clause (i).

SEC. 9. LIMITATION ON FUNDS.

No additional funds are authorized to be appropriated to carry out this Act or any amendment made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank Mr. TROTT and Mr. DEUTCH for introducing this important bill. The concept here is to combat the horrific crime of human trafficking for organ removal. And, as always, I appreciate the support of the ranking member, Mr. ELIOT ENGEL, in moving this antitrafficking bill forward.

As hard as it is for us to accept this, as shocking as this is, the circumstances are such that rising global demand and a lack of adequate laws in many countries has fueled the growth of a worldwide black market for transplant organs.

The World Health Organization estimates that 10 percent of all transplanted organs worldwide are illegally obtained. That would mean that they were being coerced from vulnerable populations or forcibly harvested from prisoners. Often these prisoners are shot first in order to obtain organs, such as hearts, corneas, or lungs. They are taken from hostages. They are taken from oppressed minorities. An example would be kidneys or part of a liver.

These abuses are more than just grave human rights violations. They also have worldwide implications for national security and public health. What do we mean when we say implications for national security? Well, criminal organizations and terrorist groups are increasingly engaging in this black market industry that is valued now at a billion dollars.

To give you some of the most extreme examples: ISIS recently issued a fatwa sanctioning forced organ harvesting from captives and, as they call them, from apostates; and traffickers smuggling refugees into Europe have reportedly coerced organ donations, coerced a kidney as payment for travel.

A number of studies have underscored how this shady commerce also creates biosecurity threats to the rest of the world. Recipients of infected tissue or organs may become human carriers of disease. Or another problem is drug-resistant pathogens that contribute to the spread of pandemics and antibiotic resistance.

Now, the U.S. has led the fight against human trafficking, and I would add, with help from the Foreign Affairs Committee, with help from the legislation that we, our members on the committee, have authored.

This bill continues and expands that effort, and it does so by closing the gap in U.S. law that currently fails to recognize the trafficking in persons for the removal of their organs as a form of human trafficking.

Specifically, this bill also makes it the policy of the United States to combat such trafficking, to promote the adoption of effective voluntary organ donation systems in bilateral engage-

ments and multinational health forums that we have with other countries. And it requires an annual report to Congress, an annual report on human trafficking for organ removal, which details activities by our State Department and by other countries to combat this crime.

Finally, the bill allows for the revocation of passports from any individual that is involved in this kind of activity, that is convicted of an organ trafficking offense under the National Organ Transplant Act, as well as permitting the denial of visas to applicants with such convictions.

So I urge all Members to support this important measure.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of this measure, and I yield myself such time as I may consume.

Before I begin, this is the first time I have spoken on the House floor since the horrific attack in Orlando, and I just want to take a brief moment to talk about it. This was a shocking hate crime against the LGBT community, a jarring and disgusting attack on our LGBT brothers and sisters, and on the progress LGBT rights have made in this country. And, of course, this was also a terrorist attack, and we need to look at it in the broader context of how we're working to meet the challenge of violent extremism here and around the world.

Mr. Speaker, since yesterday morning, there has been an outpouring of thoughts and prayers for the victims in Orlando and their loved ones; and, to be sure, moral and spiritual support are a part of how we grieve and heal.

We are all angry about this heinous attack. We are all heartbroken. We are all committed to finding answers. We are all standing together, and we will move forward from this tragedy together.

But, as lawmakers, we are empowered to do more than think and pray. In fact, we are certainly empowered to do more. I certainly have my views on what is necessary on the domestic side to stop this slaughter by gun violence, but I will leave that contentious debate aside for the moment.

What I will say is that, on the Foreign Affairs Committee, Republicans and Democrats have found a great deal of common ground on what sort of measures will help to keep us safe and to confront the threat of violent extremism. What has guided us in the past: the spirit of nonpartisanship and the belief that politics should stop at the water's edge, should continue to inform our work.

Turning to this bill, let me thank the chairman of the Foreign Affairs Committee, ED ROYCE; and I want to thank Mr. TROTT and Mr. DEUTCH for all of their hard work on this measure.

The World Health Organization estimates that 10 percent of all transplanted organs worldwide are illegally

obtained. That is an alarming number; but, like so many illegal enterprises, this is a crime that is poorly understood, that seeks out zones of impunity where the light of the law doesn't shine and where information is hard to come by.

So with a handful of estimates and reports, we are left asking: Who are the victims of this crime? How do they become trapped by this illegal trade? What pressures and vulnerabilities made them susceptible? What are governments doing to halt the practice to track down those responsible and to provide services to survivors? Should this challenge be included in our efforts to confront modern slavery, or is this a different sort of problem altogether?

This bill will help us get answers to these questions. It calls for a report on this crime that will allow us to connect the dots. Once we know what we are dealing with, then we can figure out the best way to act and chart a path forward. So I am glad to support it. I thank the chairman and the bill's sponsors again.

I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. TROTT), who is the author of this bill.

Mr. TROTT. Mr. Speaker, I want to begin by thanking Chairman ROYCE, Ranking Member ENGEL, the committee staff, and Mena Hanna from my office for their work on H.R. 3694. I also want to thank my colleague, Representative DEUTCH, for coauthoring the STOP Organ Trafficking Act with me.

Illegal trafficking of human organs has long been a terrible and heinous crime, but unfortunately our policies and laws have not kept pace with this outrageous practice.

China has been inexplicably targeting the Falun Gong for years, and more recently, ISIS has reportedly been resorting to this brutal practice to finance their nefarious activities and strike fear in the hearts of innocent people.

Late last year, ISIS released a religious edict stating that taking organs from a living captive to save a Muslim's life was permissible, making religious minorities all over the Middle East, like the Chaldeans and the Assyrians, even more vulnerable.

Other helpless groups of people, like refugees, have reportedly been selling their organs on the black market through dealers who then sell the organs to foreign countries in what is quickly becoming an unchecked and lucrative business.

Mr. Speaker, it is time for the United States to take a leading role in combatting this heinous crime and standing with the world's most vulnerable. We must ensure that our country is doing everything within our power to

destroy any revenue stream that ISIS relies on to further its terrorist activities.

My bill is a start to this lengthy process, and I urge my colleagues to vote in support of this timely legislation.

Mr. ENGEL. Mr. Speaker, I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

□ 1745

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank Chairman ROYCE again for bringing this important bill to the floor, and to ELIOT ENGEL for his leadership and Mr. DEUTCH, and especially to Mr. TROTT, the sponsor of H.R. 3694, the Strategy To Oppose Predatory Organ Trafficking Act. This legislation recognizes and seeks to more effectively combat what is a growing manifestation of trafficking in persons for the sole purpose of organ removal, often for great profit for the traffickers.

Mr. TROTT's legislation requires the Department of State to develop a robust strategy to combat this heinous practice. We have long heard rumors and horror stories of migrants held captive in sub-Saharan Africa and the Sinai Peninsula, their organs taken and their bodies dumped because their families could not afford the ransom.

Twenty years ago, I chaired a human rights hearing in my subcommittee with a Chinese security official who testified that he and his other security agents were executing prisoners—with doctors, of course, there and ambulances—in order to steal their organs for transplant. Since then, this horrific practice has skyrocketed.

Recent evidence from researchers Ethan Gutmann and David Matas shows that organ transplants in China have increased almost exponentially, not decreased. There is a bizarre availability of organs in Chinese military hospitals and China's transplant apparatus that can often issue a tissue match and find an organ transplant within 2 weeks for any foreign tourist with cash.

This initiative by Mr. TROTT will require the State Department to do a more thorough analysis of trafficking in persons for the purpose of organ removal in China and elsewhere around the world, informing a strategy to stop this crime against humanity.

Any American, Mr. Speaker, traveling to China for an organ transplant in 2016 should now be on notice that they may be participating in human trafficking of a vulnerable person or of a prisoner. Americans must not turn a blind eye to the ambiguous origins of a proffered organ. H.R. 3694 will help ensure that Americans are certain that they are receiving transplants only in countries that prohibit and actively

suppress organ harvesting from trafficking victims.

I thank the gentleman for his legislation.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, in recent years, the United States has made tremendous progress shining a light on poorly understood problems around the world and working to find solutions: human trafficking, the advancement of women and girls, the importance of protecting our oceans, and combating climate change. A generation ago, no one considered these foreign policy issues, but today we are prioritizing every single one of them.

That is what we are trying to do now with respect to organ trafficking. This legislation will give us a fuller understanding of this problem so that we can act in the most effective way possible. This is, again, a great bipartisan measure. I thank Mr. TROTT and Mr. DEUTCH and Chairman ROYCE. I am happy to support this measure.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

The scourge of illegal organ trafficking has been pretty well documented, and you heard, here, Congressman DAVID TROTT explain the fatwa that has now been put out by ISIS that not only excuses the effort to go after Yazidis and Christians and others that they call apostates, but all captives are open to losing a kidney or forced organ transplant. The intention here is to make a market in this in the Middle East.

But it does not just occur there, within the boundaries of ISIS' caliphate. This is a crime that reportedly occurs in some 20 countries, in all regions of the world.

So I thank Mr. TROTT and Mr. DEUTCH for introducing this legislation. I also thank Mr. ENGEL, and I want to commend Sarah Blocher of the Committee on Foreign Affairs professional staff for years of excellent work on this issue and her assistance to the authors.

The STOP Organ Trafficking Act addresses a critical challenge to human rights, to our national security, to our public health, and it deserves our unanimous support.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 3694, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

UNITED STATES-CARIBBEAN STRATEGIC ENGAGEMENT ACT OF 2016

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4939) to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4939

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States-Caribbean Strategic Engagement Act of 2016”.

SEC. 2. STATEMENT OF POLICY.

Congress declares that it is the policy of the United States to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean in a concerted effort to—

- (1) enhance diplomatic relations between the United States and the Caribbean region;
- (2) increase economic cooperation between the United States and the Caribbean region;
- (3) support regional economic, political, and security integration efforts in the Caribbean region;
- (4) encourage sustainable economic development and increased regional economic diversification and global competitiveness;
- (5) reduce levels of crime and violence, curb the trafficking of illicit drugs, strengthen the rule of law, and improve citizen security;
- (6) improve energy security by increasing access to diverse, reliable, affordable, and sustainable power;
- (7) advance cooperation on democracy and human rights in the Caribbean region and at multilateral fora; and
- (8) continue support for public health advances and cooperation on health concerns and threats to the Caribbean region.

SEC. 3. STRATEGY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development (USAID), shall submit to the appropriate congressional committees a multi-year strategy for United States engagement with the Caribbean region that—

- (1) identifies Department of State and USAID efforts, in coordination with other executive branch agencies, to prioritize United States policy towards the Caribbean region;
- (2) outlines an approach to broaden Department of State and USAID outreach to the Caribbean diaspora community in the United States to promote their involvement and participation in the economic development and citizen security of the Caribbean region;
- (3) outlines an approach to partner with the governments of the Caribbean region to improve citizen security, reduce the trafficking of illicit drugs, strengthen the rule of law, and improve the effectiveness and sustainability of the Caribbean Basin Security Initiative;
- (4) establishes a comprehensive, integrated, multi-year strategy to encourage the

efforts of the Caribbean region to implement regional and national strategies that improve energy security by increasing access to diverse, reliable, affordable, and sustainable power, including significant renewable energy resources within the Caribbean region such as biomass, geothermal, hydropower, solar, tidal, waste-to-energy, and wind, and by taking advantage of the ongoing energy revolution in the United States;

(5) outlines an approach to improve diplomatic engagement with the governments of the Caribbean region, including with respect to key votes on human rights and democracy at the United Nations and the Organization of American States;

(6) develops an approach to assisting Caribbean countries in the diversification of their economies, the reduction of legal, technical, and administrative barriers that prevent the free flow of foreign direct investment and trade to and from each country and within the Caribbean region, and support for the training and employment of youth and citizens in marginalized communities; and

(7) reflects the input of other executive branch agencies, as appropriate.

SEC. 4. BRIEFINGS.

The Secretary of State shall provide annual briefings to the appropriate congressional committees that review Department of State efforts to implement the strategy for United States engagement with the Caribbean region in accordance with section 3.

SEC. 5. PROGRESS REPORT.

Not later than one year after the date of the enactment of this Act and biennially thereafter for the following four years, the President shall transmit to the appropriate congressional committees a report on progress made toward implementing the strategy for United States engagement with the Caribbean region in accordance with section 3.

SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON CARIBBEAN BASIN SECURITY INITIATIVE.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains the following:

- (1) An evaluation of the Caribbean Basin Security Initiative (CBSI) and the extent to which the CBSI has met Department of State and USAID benchmarks.
- (2) An accounting of CBSI funding appropriated, obligated, and expended from fiscal year 2010 through fiscal year 2016.
- (3) A breakdown of yearly CBSI assistance provided to each CBSI country.
- (4) A description of how CBSI is coordinated with other security assistance programs in the Western Hemisphere, particularly the Merida Initiative and the Central America Regional Security Initiative, and the role of the Department of State's Senior Coordinator for the Citizen Security Initiatives in the Western Hemisphere in such coordination.
- (5) A description of all United States security assistance provided to the Caribbean region, exclusive of assistance through CBSI.
- (6) Recommendations for legislative and executive action to make CBSI more effective and efficient, as appropriate.

SEC. 7. GAO REPORT ON DIPLOMATIC ENGAGEMENT IN THE EASTERN CARIBBEAN.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains the following:

- (1) An evaluation of United States diplomatic outreach from the United States em-

bassy in Barbados to the countries of Antigua and Barbuda, Dominica, St. Kitts and Nevis, St. Lucia and St. Vincent, and the Grenadines.

(2) A list of visits over the previous five years of personnel at the United States embassy in Barbados to the countries of Antigua and Barbuda, Dominica, St. Kitts and Nevis, St. Lucia and St. Vincent, and the Grenadines.

(3) A description of how personnel at the United States embassy in Barbados have engaged with government officials and civil society organizations in Antigua and Barbuda, Dominica, St. Kitts and Nevis, St. Lucia and St. Vincent, and the Grenadines over the previous five years.

(4) A description of how personnel at the United States embassy in Grenada have engaged with government officials and civil society organizations over the previous five years.

SEC. 8. REPORTING COST OFFSET.

Paragraph (4) of section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended in the matter preceding subparagraph (A), by striking “the following:” and all that follows through “A workforce plan” and inserting “a workforce plan” and adjusting the margins accordingly.

SEC. 9. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) CARIBBEAN REGION.—The term “Caribbean region” means the Caribbean Basin Security Initiative beneficiary countries.

(3) SECURITY ASSISTANCE.—The term “security assistance” has the meaning given such term in section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include any extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. This is the United States-Caribbean Strategic Engagement Act. It is authored by the gentleman from New York (Mr. ENGEL), the committee's ranking member. As always, I appreciate him working closely with Chairman Emeritus ILEANA ROS-LEHTINEN to ensure this legislation's swift passage. These two Members have been particularly committed to developments in our Southern Hemisphere.

For over a decade, Caribbean nations have received subsidized Venezuelan oil in exchange for their support of the authoritarian government of Hugo Chavez and now Nicolas Maduro. However,

subsidized Venezuelan oil has done nothing to help the Caribbean address their need for a diversified energy strategy and instead has kept much of the region beholden to the Venezuelan strongmen.

With Venezuela's inflation rate expected to rise to 500 percent this year, fueled partially by the low price of oil, the nations of the Caribbean have seen a marked decrease in oil shipments. Meanwhile, years of authoritarian socialism are coming to a head in Venezuela, as the political and economic crisis there threatens almost certain implosion.

This presents an important responsibility here, a responsibility for the United States to finally develop a comprehensive strategy on how best to engage nations of the Caribbean diplomatically, how to help the region improve energy security, how to reduce violence and drug trafficking, and advance cooperation with regional governments on democracy and human rights in international organizations, particularly in the Organization of American States, as we know it, the OAS.

So this legislation, authored by ELIOT ENGEL, will require the State Department and USAID to develop that comprehensive and clear strategy on how best to engage the Caribbean region, and it also requires the Government Accountability Office to evaluate the Caribbean Basin Security Initiative so that we can be sure we are truly advancing our interests in the region using the best and most efficient approach.

During this time of competing priorities and limited resources, this bill seeks to ensure that our government is not neglecting this key region so close to our shores; and, frankly, it is in our hemisphere, so we should not neglect it while developing a strategy that ensures the effectiveness of our diplomatic engagement with each Caribbean nation.

I once again thank the author, Ranking Member ENGEL, for his leadership and attention to the Western Hemisphere and thank ILEANA ROS-LEHTINEN for her commitment as well, specifically to the Caribbean Basin.

Mr. Speaker, I reserve the balance of my time and yield the remainder of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN) and ask unanimous consent that she be allowed to manage that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank Chairman ROYCE and my good friend Mr. ENGEL for their continued leadership, both of these great leaders, their longstanding engagement

to greater engagement with the Caribbean and for introducing this bill that we have before us today, H.R. 4939, the United States-Caribbean Strategic Engagement Act.

I am also pleased to be an original cosponsor and the Republican lead of Mr. ENGEL's legislation. I thank Mr. ENGEL. It is fitting that we bring this bill to the floor today, Mr. Speaker, during National Caribbean American Heritage Month.

As a Member from south Florida, I see firsthand the wonderful contributions that Caribbean Americans have made to our local communities. The Caribbean culture has had a great and lasting impact on our country and has helped bolster our society and has enriched our traditions.

But while we celebrate the contributions of the Caribbean American community to our country, we must also dedicate ourselves to doing more to enhance our relations with our neighbors. U.S. foreign policy in recent administrations—be they Republican or Democratic—have not strengthened our partnerships with the Caribbean in the right way. As the gentleman from California (Mr. ROYCE), our chairman, pointed out, our influence and friendship with these nations has waned, allowing the negative influence of the dictatorships in Cuba and Venezuela to take root in the Caribbean.

Deepening our strategic relationship with the Caribbean represents an extraordinary opportunity to expand our economic ties, to cooperate on security issues, and to advance our values, our interests at institutions such as the OAS, the Organization of American States, and the U.N., the United Nations.

That is why, Mr. Speaker, this bill is so important. It pushes the State Department to prioritize our relations with the Caribbean nations. It requires our State Department to develop a strategy to partner with our friends in the region on all issues, from counter-narcotics efforts, to energy security, to everything.

There is great potential for energy in the Caribbean, for example, but we must help nations break from their dependency on Venezuelan energy, especially as the Maduro regime is leading that nation to total chaos. We should help our neighbors take advantage of abundant and cheap natural gas and new, advanced, clean wind and solar technologies. In this way, we can help strengthen the economies of the region from the impact of the Venezuelan collapse—because the collapse is coming, Mr. Speaker—and take realistic steps toward reducing carbon emissions.

This engagement has the benefit of being positive and sound foreign policy, but it is also great for our domestic policy. This bill will broaden our outreach to the Caribbean diaspora community here in the United States,

which has been so instrumental in helping to shape and influence our great American story, and they deserve recognition and greater collaboration.

I urge my colleagues to give their strong support for this bill. I thank Ranking Member ENGEL for his leadership, as well as Chairman ROYCE, on this important initiative.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of this bill, which I was proud to introduce, and I yield myself such time as I may consume.

I want to thank our chairman, ED ROYCE, for bringing forward my legislation to ramp up our country's engagement with our Caribbean neighbors. I also want to thank our former chair, ILEANA ROS-LEHTINEN, who joined me in offering this bill and who knows better than anyone the strategic importance of the Caribbean region.

We spend a great deal of time focusing on challenges and opportunities in faraway places, but it is important that we never lose sight of our interests closer to home. Indeed, we should be working to strengthen our ties with countries in the Caribbean. That is the aim of this bill, which would prioritize U.S.-Caribbean relations for years to come.

This bill would require the Secretary of State, along with the USAID Administrator, to devise a multiyear strategy for Caribbean engagement.

□ 1800

We want to see how our diplomatic and development efforts are focused on the Caribbean, with particular attention to energy security, the rule of law, efforts to combat drug trafficking, and ways to enhance economic cooperation.

We also want to increase our engagement when it comes to regional issues by improving our diplomatic efforts with respect to key votes at the United Nations and the Organization of American States.

In my view, the best way to put together a new strategy toward the Caribbean is to tap into the large and vibrant Caribbean American community here in the United States. I did that for the 4 years that I was chairman of the Western Hemisphere Subcommittee of the Foreign Affairs Committee.

So this bill underscores the importance of consulting with the Caribbean diaspora community, promoting their involvement in economic development, and civilian security in the Caribbean.

Finally, H.R. 4939 commissions two reports from the Government Accountability Office, or GAO—one which evaluates the Caribbean Basin Security Initiative and another which assesses U.S. diplomatic engagement in the eastern Caribbean.

I have long believed that we do a real disservice to our country by having no physical diplomatic presence in five of

the countries in the eastern Caribbean: Antigua and Barbuda, Dominica, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

I have long said it makes no sense for us to continue to conduct diplomacy on these islands from our embassy in Barbados. They say you can't conduct diplomacy from a bunker. It is also true that you cannot conduct diplomacy from hundreds of miles away.

I hope to work with the State Department to ensure that we establish a diplomatic presence in the eastern Caribbean as soon as possible. China has it. Venezuela has it. Others have it. We should have it.

It is especially appropriate that we are considering this bill in June, which is National Caribbean American Heritage Month. As the President said in his proclamation: "The bonds between the United States and the Caribbean remain strong. Both rooted in similar legacies—of trial and triumph, oppression and liberation—our narratives have advanced on a similar path of progress, driven forward by our shared dedication to fostering opportunity and forging a brighter future."

I couldn't agree more.

I urge my colleagues to support this measure.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), a leader on the Caribbean and author of a resolution honoring Caribbean American Heritage Month.

Ms. LEE. Mr. Speaker, first, let me take a moment to offer my condolences and prayers to the families and victims of the horrific gun violence against the LGBT community in Orlando. These despicable acts have shattered the lives of so many people. Our response must be not only in words, but also in deeds and in action.

My congressional district has and will continue its outpouring of sympathy and support for the people of Orlando, and we stand ready to assist in whatever way is needed.

Let me now take a moment to thank Chairman ROYCE and Congresswoman ILEANA ROS-LEHTINEN. I also thank Congressman ENGEL for yielding and for his tremendous leadership on the Foreign Affairs Committee. I had the honor to serve on the Western Hemisphere Subcommittee of the Foreign Affairs Committee for several years when Mr. ENGEL was chair. We talked early on about the importance of the Caribbean as a region and how we must make it a priority in our foreign policy.

So today I want to thank both sides: our ranking member, Chairman ROYCE, Congresswoman ILEANA ROS-LEHTINEN,

and especially Mr. ENGEL, for not just their words, but also their tremendous leadership, as demonstrated by this important bill. It has taken a while to get to this point, but thank goodness we are doing this in a bipartisan way. So I just want to thank them very much for that.

As a lead cosponsor, of course, I stand in strong support of H.R. 4939. The bill would enhance U.S.-Caribbean relationships by requiring the Secretary of State, in coordination with the administrator of USAID, to submit a multiyear strategy for U.S. engagement with our Caribbean neighbors to Congress.

I just want to, again, thank both sides. I remember when we had to work to really get the Caribbean to be included in all PEPFAR legislation, programs, and funding. So that was a major step in the right direction.

This is a huge step now in moving forward. This bill is very timely. It is a very important bill. As a long-time supporter of the Caribbean and a frequent visitor to the region—actually, my son attended school in Grenada.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ENGEL. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. LEE. As I said, my son attended school in Grenada, and I am a frequent visitor to the region. So I am very proud to see us debate this today and, hopefully, pass the bill again on June 13.

Congress unanimously passed H. Con. Res. 71, which Mr. ENGEL and Ms. ILEANA ROS-LEHTINEN referenced. I authored that, actually, in February 2006, when President Bush was in office. He signed it. Since then, President Obama has issued a proclamation annually recognizing June as Caribbean American Heritage Month.

Caribbean Americans have contributed immensely to the fabric of the United States. So as we celebrate this month, we are reminded also of the relationship between the United States and our Caribbean neighbors. This bill does that and more.

H.R. 4939 strengthens and enhances ties between the U.S. and the Caribbean by promoting energy sustainability, diplomatic relations, and economic cooperation. Caribbean countries, unfortunately, have been neglected in our foreign policy. This bill brings a focus on making the Caribbean region and the West Indies a priority.

So, Mr. Speaker, now is the time for the United States to recommit our strong priorities with our Caribbean neighbors. We must revitalize and enhance our outreach to our Caribbean neighbors now and in the future. This bill does just that. I urge an "aye" vote.

Mr. ENGEL. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a very valued

member of the Foreign Affairs Committee.

Mr. CICILLINE. I thank the gentleman for yielding.

Mr. Speaker, before I begin my remarks, I, too, extend my prayers and sympathy to the people of Orlando. My constituents, like all Americans, are brokenhearted at this monstrous act of violence visited upon a community gathered together to enjoy friendship and community and to celebrate. This act of cowardice has caused so much pain to the LGBT community in Orlando and to our community all across this country. I know I speak for everyone when I say we stand ready to do everything that we can to help this community heal and to keep our communities safe.

Mr. Speaker, I rise in strong support of H.R. 4939, the United States-Caribbean Strategic Engagement Act of 2016.

My home State of Rhode Island is home to many Caribbean Americans, particularly from the Dominican Republic, Haiti, and other countries in the region. It is critical to strengthen our relationship with these countries not just because of the national security interests we share, but also to support the interests of our constituents and their ties to this region.

Geographic proximity has ensured strong linkages between the United States and the Caribbean region. H.R. 4939 will further enhance this relationship. Our interests in the regions are diverse, including economic, political, and security concerns.

Despite its importance to the United States, the Caribbean often gets overlooked as we deal with concerns and threats from other regions of the world. Our Caribbean neighbors are important partners at the United Nations and the Organization of American States. Increasing engagements with the governments and the Caribbean diaspora in the United States, as well as the private sector and civil society in both the United States and the Caribbean, will be beneficial to everyone.

H.R. 4939 will enhance diplomatic relations, increase economic cooperation, support security integration efforts to help reduce violence and drug trafficking, advance cooperation on democracy and human rights in the region and at multilateral fora, and enhance cooperation in combating public health threats.

I want to end by thanking Ranking Member ENGEL, Chairman ROYCE, and subcommittee chair ILEANA ROS-LEHTINEN, and all the sponsors of this important bill, and I urge my colleagues to support this legislation.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in April of 2009, I had the honor of joining President Obama in Trinidad and Tobago for the Summit of the Americas. That was one of his first trips abroad as President. I was

chairman of the Western Hemisphere Subcommittee at the time.

At that time, the President said: "The energy, the dynamism, the diversity of the Caribbean people inspires us all, and are such an important part of what we share in common as a hemisphere."

Seven years later, those words continue to ring true. In that time, we have made a lot of progress. The Caribbean Basin Security Initiative and the Caribbean Energy Security Initiative have brought us closer to our Caribbean partners on a range of shared concerns. Let me say that Vice President BIDEN deserves a great deal of credit for this progress, but more needs to be done.

For example, this week, Secretary Kerry is in the Dominican Republic for the general assembly meeting of the OAS, the Organization of American States, which has its headquarters right here in Washington, D.C. We are confronting some serious issues at this meeting, including the crisis in Venezuela.

The Caribbean countries represented there will play a major role, and the more we work in partnership with these governments, the better. These may be small countries, but they pack a big punch in what is going on in our neighborhood. This legislation will keep us moving in the right direction when it comes to these partnerships.

I was very honored to introduce the bill, and I am honored that we have strong support on both sides of the aisle. I, again, want to thank Chairman ROYCE and Chairwoman Emeritus ILEANA ROS-LEHTINEN, both excellent members and real, stalwart support for this committee. This is another example of bipartisanship on the House Foreign Affairs Committee. I am very, very proud of that. So this will keep us moving in the right direction.

I urge a "yes" vote.

Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank, once again, Ranking Member ENGEL for his tremendous leadership and all of his efforts to promote stronger relationships with nations within our own hemisphere.

I have the distinct pleasure, as I have said, to represent south Florida in Congress. We have many, many constituents in my district from the Caribbean. Part of what makes south Florida so unique is the contribution of the Caribbean diaspora.

What we have here during Caribbean American Heritage Month is an opportunity to strengthen the U.S.-Caribbean alliance and contribute in a meaningful and positive way to our neighbors.

We have been in a crisis mode, Mr. Speaker, focusing most of our atten-

tion on the many areas that, rightfully, demand our attention overseas, but it would be in both of our long-term interests, as well as our near-term interests, to develop mutually beneficial and strategic alliances close to home with the Caribbean nations.

Just think of all the economic opportunities that we can help in working with our neighbors to open up. We have a great opportunity with this bill to help them diversify their economies by tearing down burdensome barriers that are preventing them from taking advantage of direct foreign investment and trade. That can lead to greater growth, more stability for the Caribbean, for the diaspora, and for the United States as a whole.

So I urge my colleagues to support passage of this important bill. I look forward to continuing to work with Mr. ENGEL and Mr. ROYCE to develop even stronger ties to our neighbors in the hemisphere.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 4939, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EXPRESSING CONCERN REGARDING STATE-SANCTIONED ORGAN HARVESTING IN THE PEOPLE'S REPUBLIC OF CHINA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 343) expressing concern regarding persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience in the People's Republic of China, including from large numbers of Falun Gong practitioners and members of other religious and ethnic minority groups, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 343

Whereas when performed in accordance with ethical standards, the medical discipline of organ transplantation is one of the great achievements of modern medicine;

Whereas voluntary and informed consent is the precondition for ethical organ donation and international medical organizations state that prisoners, deprived of their free-

dom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine;

Whereas the Government of the People's Republic of China and Communist Party of China continue to deny reports that many organs are taken without the consent of prisoners yet at the same time prevents independent verification of its transplant system;

Whereas the organ transplantation system in China does not comply with the World Health Organization's requirement of transparency and traceability in organ procurement pathways;

Whereas the United States Department of State Country Report on Human Rights for China for 2014 stated, "Advocacy groups continued to report instances of organ harvesting from prisoners";

Whereas Huang Jiefu, director of the China Organ Donation Committee, announced in December 2014 that China would end the practice of organ harvesting from executed prisoners by January 1, 2015, did not directly address organ harvesting from prisoners of conscience;

Whereas Falun Gong, a spiritual practice involving meditative "qigong" exercises and centered on the values of truthfulness, compassion, and tolerance, became immensely popular in the 1990s;

Whereas in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong, reflecting the party's long-standing intolerance of large independent civil society groups;

Whereas since 1999, hundreds of thousands of Falun Gong practitioners have been detained extra-legally in reeducation-through-labor camps, detention centers, and prisons, where torture and abuse are routine;

Whereas in many detention facilities and labor camps, Falun Gong prisoners of conscience comprise the majority of the population, and have been said to receive the longest sentences and the worst treatment;

Whereas Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China, and face an elevated risk of dying or being killed in custody;

Whereas in 2006, Canadian researchers David Matas, human rights attorney, and David Kilgour, former Canadian Secretary of State for Asia-Pacific, conducted an independent investigation into allegations of organ harvesting from Falun Gong prisoners in China, and concluded that Falun Gong practitioners being killed for their organs was highly probable;

Whereas Matas and Kilgour have implicated state and party entities in illicit organ harvesting, including domestic security services and military hospitals;

Whereas researcher and journalist Ethan Gutmann published findings that Chinese security agencies began harvesting organs from members of the predominantly Muslim Uyghur ethnic minority group in the 1990s, including from Uyghur political prisoners;

Whereas the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses; and

Whereas the killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to life: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the practice of state-sanctioned forced organ harvesting in the People's Republic of China;

(2) calls on the Government of the People's Republic of China and Communist Party of China to immediately end the practice of organ harvesting from all prisoners of conscience;

(3) demands an immediate end to the 17-year persecution of the Falun Gong spiritual practice by the Government of the People's Republic of China and the Communist Party of China, and the immediate release of all Falun Gong practitioners and other prisoners of conscience;

(4) encourages the United States medical community to help raise awareness of unethical organ transplant practices in China;

(5) calls on the People's Republic of China to allow a credible, transparent, and independent investigation into organ transplant abuses; and

(6) calls on the United States Department of State to conduct a more detailed analysis on state-sanctioned organ harvesting from non-consenting prisoners of conscience in the annual Human Rights Report, and report annually to Congress on the implementation of section 232 of the Department of State Authorization Act, Fiscal Year 2003 (8 U.S.C. 1182f), barring provision of visas to Chinese and other nationals engaged in coerced organ or bodily tissue transplantation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

□ 1815

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Chairman ROYCE and Ranking Member ENGEL for their leadership, for their support for human rights in China and, indeed, around the globe.

I also want to thank my good friend, the gentleman from Virginia (Mr. CONNOLLY), for joining me in introducing this bipartisan resolution that has garnered over 180 cosponsors. Many may not know this, Mr. Speaker, but Mr. CONNOLLY has been working on these issues ever since he was a staffer for the Senate Foreign Relations Committee.

I am proud to have introduced H. Res. 343 alongside my friend from Vir-

ginia, a resolution that condemns China's ongoing, gruesome practice of harvesting organs from nonconsenting prisoners of conscience and religious and ethnic minorities.

Falun Gong practitioners have long faced an intensive persecution by the Chinese Communist Party and, according to Freedom House, in 2015, comprise the largest portion of prisoners of conscience in China.

I was extremely disappointed to read that the State Department's latest human rights report for China quoted a Chinese official's unsubstantiated claim that any harvesting of organs from prisoners would now be voluntary.

China has been well-known to produce the majority of organs it uses for transplants from executed prisoners, people who are deprived of their freedom, unable to give their voluntary and informed consent to donate their organs. These are the basic preconditions for ethical organ donation, which China rarely, if ever, meets.

The regime of the People's Republic of China does not comply with the requirements of the World Health Organization for transparency and traceability in organ procurement pathways, and the number of voluntary organ donations in China continues to be much lower than the reported number of transplants, let alone the number of unreported ones.

All of this points to unethical practices at the very least, and something much, much more inhumane and gruesome at the very worst, and leads us to conclude that China's claim to have ceased with illegal harvesting is a dubious one.

The Chinese regime's brutal repression and human rights violations are well known, but it is the horrific treatment of the Falun Gong practitioners, Mr. Speaker, that is particularly egregious yet does not receive the attention that it deserves.

Followers of the Falun Gong are among China's most vulnerable to state-sanctioned abuse, which leaves them as likely victims to this ghastly practice; and if the latest reports of China seeking to conduct full-body transplants are true, then it could put these peaceful individuals in even greater danger.

Last week, The New York Times reported that Chinese doctors are seeking to conduct full-body transplants. But again, with little transparency and the lack of ethical standards, one has to wonder, Mr. Speaker, how will these doctors, how will these scientists, conduct their research and experiments? They will likely look to their prisons and target prisoners of conscience—and Falun Gong practitioners, specifically.

The New York Times reported that China remains an international pariah that has long been dogged by ethical issues, yet its doctors remain un-

deterred by the horrid practices and plan on moving forward when they are ready.

What will this mean for Falun Gong practitioners and other prisoners of conscience in China, Mr. Speaker? I shudder to think of their fate as a result of these inhumane experiments and macabre practices.

But by passing this resolution, sir, we can send a message to the Chinese regime that we condemn this continued practice of persecution of Falun Gong practitioners, and its sickening and unethical practice must stop, especially harvesting organs from nonconsenting individuals.

We cannot allow these crimes to continue. I urge all of my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 2, 2016.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H. Res. 343, which was referred to the Committee on Foreign Affairs and in addition to the Committee on the Judiciary. As a result of your having consulted with us on provisions in H. Res. 343 that fall within the rule X jurisdiction of the Committee on the Judiciary, I agree to discharge our committee from further consideration of this resolution so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H. Res. 343 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this resolution or similar legislation moves forward so that we may address any remaining issues in our jurisdiction.

I would appreciate a response to this letter confirming this understanding with respect to H. Res. 343 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of this resolution.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 8, 2016.

Hon. BOB GOODLATTE,
Chairman, House Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on House Resolution 343, Expressing concern regarding persistent and credible reports of systematic, state-sanctioned organ harvesting from non-consenting prisoners of conscience in the People's Republic of China, and for agreeing to be discharged from further consideration of that measure.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future.

I will seek to place our letters on H. Res. 343 into the Congressional Record during

floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. ENGEL. Mr. Speaker, I rise in support of this measure, and I yield myself such time as I may consume.

Again, I thank Chairman ROYCE and Congresswoman ROS-LEHTINEN, who introduced this very important piece of legislation.

We just finished debate on a bill that would help us get a better handle on just how severe a problem organ trafficking is and to help us figure out what is needed to confront this challenge. This resolution underscores troubling reports about the practice of organ trafficking, specifically in the People's Republic of China.

I have heard directly from some of my constituents about this, and what is particularly unsettling is that this practice allegedly targets prisoners of conscience, including practitioners of Falun Gong and other religious and ethnic minorities.

Nonconsensual organ harvesting under any circumstance represents a gross violation of human rights, but these allegations are particularly egregious: authorities at Chinese prisons targeting prisoners because of their religious beliefs and then making a profit by trafficking these victims' organs. I cannot think of hardly anything that is more disgusting than that. The accounts of these activities are gruesome and shocking, and, again, we need to get to the bottom of this issue to see exactly what is going on.

This measure calls on the Chinese Government to cease the practice of forced organ harvesting and to end the persecution of Falun Gong practitioners and other prisoners of conscience. It also calls on the Chinese Government to allow an investigation into this issue, and it urges the State Department to include an assessment of state-sanctioned, nonconsensual organ harvesting in its annual human rights reports.

So I again thank Ms. ROS-LEHTINEN for her focus on this issue. I am pleased to support this measure.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend and colleague ILEANA ROS-LEHTINEN for yielding. I want to thank the chairman emeritus of the full Foreign Affairs Committee for the defense of vulnerable persons in China, especially the Falun Gong, men and women who can-

not speak for themselves, who have suffered unspeakable torture—some have survived—and to the families who have lost loved ones in Chinese prison camps, the Laogai, and detention centers that are sprinkled throughout all of China.

This legislation is an important step in bringing accountability and transparency to what may be one of the great crimes of the 21st century: the 17-year effort to eliminate Falun Gong practice from China. I strongly believe that the campaign to eradicate Falun Gong will be seen as one of the great horrors.

The Chinese Government continues to insist that the accounts of religious persecution, forced abortion, arbitrary detention, and organ harvesting from Falun Gong practitioners are mere rumors. They refuse to even discuss these issues in regular diplomatic dialogue and regularly jail and disbar lawyers who try to defend Falun Gong practitioners who expose the abuses that are committed by government employees. Nevertheless, evidence is quickly mounting of the horrific crimes committed against Falun Gong practitioners, including this terrible practice of organ harvesting.

Over the years, Congress has received credible information about this unethical and corrupt organ transplant system that operates in China. The Chinese Government is at least grossly negligent but, more likely, grossly complicit in these crimes because huge amounts of money are made.

We have received credible evidence that the actual number of organ transplants by China's hospitals remain underreported and that, despite the Chinese Government's promises to the contrary, the number of prisoners who are killed and have their organs taken continues to rise.

Shockingly, researchers David Kilgour, David Matas, and Ethan Gutmann conducted detailed investigations and estimated that between 45,000 and 65,000 Falun Gong practitioners were killed for their organs, which then were sold for profit—45,000 to 65,000 victims who had their organs stolen and their lives snuffed out by the Chinese Government officials.

There might be new estimates that are higher. These researchers will unveil their new findings next week at a hearing of the House Foreign Affairs Committee.

Let me remind Members that the United States Congress isn't the only one that is bringing this terrible human rights abuse up. The U.N. Committee Against Torture and the Special Rapporteur on torture have expressed concern over these allegations, and they have called for accountability and transparency.

The ILEANA ROS-LEHTINEN resolution condemns this practice; calls on the government to end it; demands an im-

mediate end to the 17-year persecution of the Falun Gong; encourages the United States medical community to help raise awareness of unethical organ transplant practices in China; calls on the People's Republic of China to allow a credible, transparent, and independent investigation into organ transplant abuses; and then calls on the U.S. Department of State to conduct a more detailed analysis on state-sanctioned organ harvesting from nonconsenting prisoners of conscience in its annual human rights report. And it also calls on the government, our government, to bar provision of visas, pursuant to current law, to Chinese and other nationals engaged in coerced organ or bodily tissue transplantation.

Again, I want to thank ILEANA ROS-LEHTINEN and Mr. CONNOLLY for their leadership on this.

Ms. ROS-LEHTINEN. Mr. Speaker, I am prepared to close once Mr. ENGEL yields back his time.

I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, a commitment to human rights for people around the world is a fundamental American value and a pillar of our foreign policy. So when we hear reports of horrific abuses, such as state-sanctioned organ harvesting, we have a responsibility to determine the scope of the problem and respond.

I want to thank Ms. ROS-LEHTINEN for her tenacity in bringing this forward. I want to thank Mr. SMITH, who is always there for human rights. I want to thank Chairman ROYCE, again, for allowing this resolution to come forward and, again, for making this a bipartisan concern.

I have heard from colleagues and constituents again and again about grievous violations of human rights that Falun Gong and other prisoners of conscience have endured at the hands of Chinese authorities. We need to send a clear message that this sort of abuse is unacceptable.

So again, I want to thank Congresswoman ROS-LEHTINEN for bringing our attention to this issue and bringing forward this measure. This is a resolution that everyone should vote for, and I urge a "yes" vote.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in recent years, sadly, the United States has receded from our role as a promoter and defender of human rights internationally. Once a central part of U.S. foreign policy, we have witnessed the protection of human rights fall far down on our priority list as administrations have become too eager to make deals with despots and tyrants in places like Iran, Cuba, and North Korea.

Those who once looked to the United States to be the leader, to stand up and

protect those suffering and those who are being denied their most basic and fundamental rights, no longer view us as the voice for the voiceless, willing to stand up for those suffering around the world.

Shame on us, Mr. Speaker, because this failure to promote our ideals and our principles, well, that leads ruthless thugs to believe that they can get away with whatever they want, and, ultimately, it increases the suffering of the people that they exploit.

The United States must once again make our core values and beliefs a central tenet of our foreign policy agenda in order to restore our credibility and to restore the faith that so many have in our ability to help bring about change for those who cannot protect themselves.

□ 1830

Passing this resolution today, Mr. Speaker, sends a clear signal to China that the United States opposes its gross violations of human rights, particularly against the Falun Gong practitioners. They are so peaceful, and they are so full of composure. They pose no threat to China, yet this ruthless dictatorship forces them to commit unspeakable acts. This resolution sends a signal to countless others suffering around the world that the United States will, once again, make the protection of human rights a priority.

Mr. Speaker, I urge my colleagues to join us to support this resolution, support our ideals and values, support human rights, and help the practitioners of Falun Gong.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 343, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 4939, by the yeas and nays;

H.R. 5312, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

UNITED STATES-CARIBBEAN STRATEGIC ENGAGEMENT ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4939) to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 386, nays 6, not voting 42, as follows:

[Roll No. 297]

YEAS—386

Abraham	Collins (GA)	Gowdy
Adams	Collins (NY)	Graham
Aderholt	Comstock	Granger
Aguilar	Conaway	Graves (GA)
Allen	Connolly	Graves (LA)
Amodei	Conyers	Graves (MO)
Ashford	Cook	Green, Al
Babin	Cooper	Green, Gene
Barletta	Costa	Grothman
Barr	Costello (PA)	Guinta
Barton	Courtney	Guthrie
Bass	Cramer	Hahn
Beatty	Crawford	Hanna
Becerra	Crenshaw	Hardy
Benish	Crowley	Harper
Bera	Cuellar	Harris
Beyer	Culberson	Hartzler
Bilirakis	Cummings	Hastings
Bishop (GA)	Curbelo (FL)	Heck (NV)
Bishop (MI)	Davidson	Heck (WA)
Black	Davis (CA)	Hensarling
Blackburn	Davis, Danny	Hice, Jody B.
Blum	Davis, Rodney	Higgins
Blumenauer	DeFazio	Hill
Bonamici	DeGette	Himes
Bost	Delaney	Holding
Boyle, Brendan	DeBene	Honda
F.	Denham	Hoyer
Brady (PA)	Dent	Hudson
Bridenstine	DeSantis	Huelskamp
Brooks (AL)	DeSaunier	Huffman
Brooks (IN)	DesJarlais	Huizenga (MI)
Brown (FL)	Deutch	Hultgren
Brownley (CA)	Diaz-Balart	Hunter
Buchanan	Dingell	Hurd (TX)
Buck	Doggett	Israel
Bucshon	Dold	Issa
Burgess	Donovan	Jackson Lee
Bustos	Doyle, Michael	Jeffries
Butterfield	F.	Jenkins (KS)
Byrne	Duckworth	Jenkins (WV)
Calvert	Duncan (SC)	Johnson (GA)
Capps	Edwards	Johnson (OH)
Capuano	Ellison	Johnson, E. B.
Cárdenas	Emmer (MN)	Johnson, Sam
Carney	Engel	Jolly
Carson (IN)	Eshoo	Jordan
Carter (GA)	Esty	Joyce
Cartwright	Fitzpatrick	Kaptur
Castor (FL)	Fleischmann	Katko
Castro (TX)	Fleming	Keating
Chabot	Fortenberry	Kelly (IL)
Chaffetz	Foster	Kelly (MS)
Chu, Judy	Fox	Kelly (PA)
Cicilline	Frankel (FL)	Kennedy
Clark (MA)	Franks (AZ)	Kildee
Clarke (NY)	Frelinghuysen	Kilmer
Clawson (FL)	Fudge	King (IA)
Clay	Gabbard	King (NY)
Cleaver	Gallego	Kinzing (IL)
Clyburn	Garrett	Kirkpatrick
Coffman	Gibbs	Kline
Cohen	Gibson	Knight
Cole	Gosar	Kuster

LaHood	Nugent	Serrano
LaMalfa	Nunes	Sessions
Lamborn	O'Rourke	Sewell (AL)
Lance	Olson	Sherman
Langevin	Palazzo	Shimkus
Larsen (WA)	Pallone	Shuster
Larson (CT)	Palmer	Sires
Latta	Pascrell	Slaughter
Lawrence	Paulsen	Smith (MO)
Levin	Payne	Smith (NE)
Lewis	Pearce	Smith (NJ)
Lieu, Ted	Pelosi	Smith (TX)
Lipinski	Perlmutter	Smith (WA)
LoBiondo	Perry	Speier
Loeback	Peters	Stefanik
Lofgren	Peterson	Stewart
Long	Pingree	Stivers
Loudermilk	Pittenger	Swalwell (CA)
Love	Pitts	Takano
Lowenthal	Pocan	Thompson (CA)
Lowe	Poe (TX)	Thompson (MS)
Lucas	Poliquin	Thompson (PA)
Luetkemeyer	Polis	Tiberi
Lujan Grisham	Pompeo	Tipton
(NM)	Posey	Titus
Luján, Ben Ray	Price (NC)	Tonko
(NM)	Quigley	Torres
Lummis	Rangel	Trott
Lynch	Ratcliffe	Tsongas
MacArthur	Reed	Turner
Maloney,	Reichert	Upton
Carolyn	Renacci	Valadao
Maloney, Sean	Ribble	Van Hollen
Marino	Rice (NY)	Vargas
Matsui	Rice (SC)	Veasey
McCarthy	Richmond	Vela
McCaul	Rigell	Velázquez
McClintock	Roby	Visclosky
McCollum	Roe (TN)	Wagner
McDermott	Rogers (AL)	Walberg
McGovern	Rogers (KY)	Walden
McHenry	Rokita	Walker
McKinley	Rooney (FL)	Walorski
McMorris	Ros-Lehtinen	Walters, Mimi
Rodgers	Roskam	Walz
McNerney	Ross	Wasserman
McSally	Rothfus	Schultz
Meadows	Rouzer	Waters, Maxine
Meehan	Roybal-Allard	Watson Coleman
Messer	Royce	Weber (TX)
Mica	Ruiz	Welch
Miller (FL)	Ruppersberger	Wenstrup
Moolenaar	Russell	Westerman
Mooney (WV)	Ryan (OH)	Williams
Moore	Salmon	Wilson (SC)
Moulton	Sánchez, Linda	Wittman
Mullin	T.	Womack
Mulvaney	Sanford	Woodall
Murphy (FL)	Sarbanes	Yarmuth
Murphy (PA)	Scalise	Yoder
Nadler	Schakowsky	Yoho
Napolitano	Schiff	Young (AK)
Neal	Schrader	Young (IA)
Neugebauer	Schweikert	Young (IN)
Newhouse	Scott (VA)	Zeldin
Noem	Scott, Austin	Zinke
Nolan	Scott, David	
Norcross	Sensenbrenner	

NAYS—6

Amash	Duncan (TN)	Jones
Brat	Gohmert	Massie

NOT VOTING—42

Bishop (UT)	Goodlatte	Miller (MI)
Boustany	Grayson	Price, Tom
Brady (TX)	Griffith	Rohrabacher
Carter (TX)	Grijalva	Rush
DeLauro	Gutiérrez	Sanchez, Loretta
Duffy	Herrera Beutler	Simpson
Ellmers (NC)	Hinojosa	Sinema
Farenthold	Hurt (VA)	Stutzman
Farr	Kind	Takai
Fattah	Labrador	Thornberry
Fincher	Lee	Webster (FL)
Flores	Marchant	Westmoreland
Forbes	Meeks	Whitfield
Garamendi	Meng	Wilson (FL)

□ 1853

Mr. DUNCAN of Tennessee changed his vote from "yea" to "nay."

Ms. SPEIER changed her vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 297, I was unavoidably detained and unable to return to Washington, D.C. in time to cast my vote. Had I been present, I would have voted "yes."

MOMENT OF SILENCE IN MEMORY OF THE VICTIMS OF THE TERRORIST ATTACK IN ORLANDO, FLORIDA

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in memory of the victims of the terrorist attack in Orlando.

PARLIAMENTARY INQUIRY

Mr. CLYBURN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. CLYBURN. Mr. Speaker, I am really concerned that we have just today had a moment of silence, and later this week, the 17th—

The SPEAKER. Does the gentleman have a parliamentary inquiry?

Mr. CLYBURN. Yes.

Mr. Speaker, I am particularly interested about three pieces of legislation that have been filed in this body.

The SPEAKER. The gentleman is not stating a parliamentary inquiry.

NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT MODERNIZATION ACT OF 2016

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5312) to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois (Mr. LAHOOD) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 385, nays 7, not voting 42, as follows:

[Roll No. 298]

YEAS—385

Abraham	Dent	Kinzinger (IL)
Adams	DeSantis	Kirkpatrick
Aderholt	DeSaunier	Kline
Aguilar	DesJarlais	Knight
Allen	Deutch	Kuster
Amodei	Diaz-Balart	LaHood
Ashford	Dingell	LaMalfa
Babin	Doggett	Lamborn
Barletta	Dold	Lance
Barr	Donovan	Langevin
Barton	Doyle, Michael	Larsen (WA)
Bass	F.	Larsen (CT)
Beatty	Duckworth	Latta
Becerra	Duncan (SC)	Lawrence
Benishek	Duncan (TN)	Lee
Bera	Edwards	Levin
Beyer	Ellison	Lewis
Bilirakis	Emmer (MN)	Lieu, Ted
Bishop (GA)	Engel	Lipinski
Bishop (MI)	Eshoo	LoBiondo
Black	Esty	Loeb
Blackburn	Fitzpatrick	Lofgren
Blum	Fleischmann	Long
Blumenauer	Fleming	Loudermilk
Bonamici	Portenberry	Love
Bost	Foster	Lowenthal
Boyle, Brendan	Fox	Lowey
F.	Frankel (FL)	Lucas
Brady (PA)	Franks (AZ)	Luetkemeyer
Brat	Frelinghuysen	Lujan Grisham
Bridenstine	Fudge	(NM)
Brooks (AL)	Gabbard	Lujan, Ben Ray
Brooks (IN)	Gallego	(NM)
Brown (FL)	Garrett	Lummis
Brownley (CA)	Gibbs	Lynch
Buchanan	Gibson	MacArthur
Buck	Gosar	Maloney,
Bucshon	Graham	Carolyn
Burgess	Granger	Maloney, Sean
Bustos	Graves (GA)	Marino
Butterfield	Graves (LA)	Matsui
Byrne	Graves (MO)	McCarthy
Calvert	Green, Al	McCaul
Capps	Green, Gene	McClintock
Capuano	Guinta	McCollum
Cárdenas	Guthrie	McDermott
Carney	Hahn	McGovern
Carson (IN)	Hanna	McHenry
Carter (GA)	Hardy	McKinley
Cartwright	Harper	McMorris
Castor (FL)	Hartzer	Rodgers
Castro (TX)	Hastings	McNerney
Chabot	Heck (NV)	McSally
Chaffetz	Heck (WA)	Meadows
Chu, Judy	Hensarling	Meehan
Ciçilline	Hice, Jody B.	Messer
Clark (MA)	Higgins	Mica
Clarke (NY)	Hill	Miller (FL)
Clawson (FL)	Himes	Moolenaar
Clay	Holding	Mooney (WV)
Cleaver	Honda	Moore
Clyburn	Hoyer	Moulton
Coffman	Hudson	Mullin
Cohen	Huelskamp	Mulvaney
Cole	Huffman	Murphy (FL)
Collins (GA)	Huizenga (MI)	Murphy (PA)
Collins (NY)	Hultgren	Nadler
Comstock	Hunter	Napolitano
Conaway	Hurd (TX)	Neal
Connolly	Israel	Neugebauer
Conyers	Issa	Newhouse
Cook	Jackson Lee	Noem
Cooper	Jeffries	Nolan
Costa	Jenkins (KS)	Norcross
Costello (PA)	Jenkins (WV)	Nugent
Courtney	Johnson (GA)	Nunes
Cramer	Johnson (OH)	O'Rourke
Crawford	Johnson, E. B.	Olson
Crenshaw	Johnson, Sam	Palazzo
Crowley	Jolly	Pallone
Cuellar	Jordan	Palmer
Culberson	Joyce	Pascarella
Cummings	Kaptur	Paulsen
Curbelo (FL)	Katko	Pearce
Davidson	Keating	Perlmutter
Davis (CA)	Kelly (IL)	Perry
Davis, Danny	Kelly (MS)	Peters
Davis, Rodney	Kelly (PA)	Peterson
DeFazio	Kennedy	Pingree
DeGette	Kildee	Pittenger
Delaney	Kilmer	Pitts
DelBene	King (IA)	Pocan
Denham	King (NY)	Poe (TX)

Poliquin	Sarbanes	Tsongas
Polis	Scalise	Turner
Pompeo	Schakowsky	Upton
Posey	Schiff	Valadao
Price (NC)	Schneider	Van Hollen
Price, Tom	Schweikert	Vargas
Quigley	Scott (VA)	Veasey
Rangel	Scott, Austin	Vela
Ratcliffe	Scott, David	Velázquez
Reed	Sensenbrenner	Visclosky
Reichert	Serrano	Wagner
Renacci	Sessions	Walberg
Ribble	Sewell (AL)	Walden
Rice (NY)	Sherman	Walker
Rice (SC)	Shimkus	Walorski
Richmond	Shuster	Walters, Mimi
Rigell	Sires	Walz
Roby	Slaughter	Wasserman
Roe (TN)	Smith (MO)	Schultz
Rogers (AL)	Smith (NE)	Waters, Maxine
Rogers (KY)	Smith (NJ)	Watson Coleman
Rokita	Smith (TX)	Welch
Rooney (FL)	Smith (WA)	Wenstrup
Ros-Lehtinen	Speier	Westerman
Roskam	Stefanik	Westmoreland
Ross	Stewart	Williams
Rothfus	Stivers	Wilson (SC)
Rouzer	Swalwell (CA)	Wittman
Roybal-Allard	Takano	Womack
Royce	Thompson (CA)	Woodall
Ruiz	Thompson (MS)	Yarmuth
Ruppersberger	Thompson (PA)	Yoder
Russell	Tiberi	Yoho
Ryan (OH)	Tipton	Young (AK)
Salmon	Titus	Young (IA)
Sánchez, Linda	Tonko	Young (IN)
T.	Torres	Zeldin
Sanford	Trott	Zinke

NAYS—7

Amash	Harris	Pelosi
Gohmert	Jones	
Grothman	Massie	

NOT VOTING—42

Bishop (UT)	Goodlatte	Miller (MI)
Boustany	Gowdy	Payne
Brady (TX)	Grayson	Rohrabacher
Carter (TX)	Griffith	Rush
DeLauro	Grijalva	Sanchez, Loretta
Duffy	Gutiérrez	Simpson
Ellmers (NC)	Herrera Beutler	Sinema
Farenthold	Hinojosa	Stutzman
Farr	Hurt (VA)	Takai
Fattah	Kind	Thornberry
Fincher	Labrador	Weber (TX)
Flores	Marchant	Webster (FL)
Forbes	Meeks	Whitfield
Garamendi	Meng	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WOMACK) (during the vote). There are 2 minutes remaining.

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on roll-call No. 298, I was unavoidably detained and unable to return to Washington, D.C. in time to cast my vote. Had I been present, I would have voted "yes."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5053, PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 5293, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Mr. STIVERS, from the Committee on Rules, submitted a privileged report (Rept. No. 114-621) on the resolution (H. Res. 778) providing for consideration of the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; and providing for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the additional motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

NSF MAJOR RESEARCH FACILITY REFORM ACT OF 2016

Mr. LOUDERMILK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5049) to provide for improved management and oversight of major multi-user research facilities funded by the National Science Foundation, to ensure transparency and accountability of construction and management costs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “NSF Major Research Facility Reform Act of 2016”.

SEC. 2. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term “Director” means the Director of the Foundation.

(2) FOUNDATION.—The term “Foundation” means the National Science Foundation established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(3) MAJOR MULTI-USER RESEARCH FACILITY.—The term “major multi-user research facility” means a science and engineering infrastructure construction project that exceeds the lesser of 10 percent of a Direc-

torate’s annual budget or \$100,000,000 in total project cost that is funded in the major research equipment and facilities construction account, or any successor thereto.

SEC. 3. MANAGEMENT AND OVERSIGHT OF LARGE FACILITIES.

(a) LARGE FACILITIES OFFICE.—The Director shall maintain a Large Facilities Office. The functions of the Large Facilities Office shall be to support the research directorates in the development, implementation, and assessment of major multi-user research facilities, including by—

(1) serving as the Foundation’s primary resource for all policy or process issues related to the development and implementation of major multi-user research facilities;

(2) serving as a Foundation-wide resource on project management, including providing expert assistance on nonscientific and non-technical aspects of project planning, budgeting, implementation, management, and oversight;

(3) coordinating and collaborating with research directorates to share best management practices and lessons learned from prior projects; and

(4) assessing projects during preconstruction and construction phases for cost and schedule risk.

(b) OVERSIGHT OF LARGE FACILITIES.—The Director shall appoint a senior agency official as head of the Large Facilities Office whose responsibility is oversight of the development, construction, and transfer to operations of major multi-user research facilities across the Foundation.

(c) POLICIES FOR LARGE FACILITY COSTS.—

(1) IN GENERAL.—The Director shall ensure that the Foundation’s policies for developing and maintaining major multi-user research facility construction costs are consistent with the best practices described in the March 2009 Government Accountability Office Report GAO-09-3SP, or any successor report thereto, the Uniform Guidance in 2 C.F.R. part 200, and the Federal Acquisition Regulation as appropriate.

(2) COST PROPOSAL ANALYSIS.—

(A) GENERAL REQUIREMENT.—The Director shall ensure that an external cost proposal analysis is conducted for any major multi-user research facility.

(B) RESOLUTION OF ISSUES FOUND.—The Director, or a senior agency official within the Office of the Director designated by the Director, shall certify in writing that all issues identified during the cost analysis, including any findings of unjustified or questionable cost items, are resolved before the Foundation may execute a construction agreement with respect to the project.

(C) TRANSMITTAL TO CONGRESS.—The Director shall transmit each certification made under subparagraph (B) to the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.

(3) INCURRED COST AUDITS.—The Director shall ensure that an incurred cost audit is conducted at least biennially on any major multi-user research facility, in accordance with Government Auditing Standards as established in Government Accountability Office Report GAO-12-331G, or any successor report thereto, with the first incurred cost audit to commence no later than 12 months after execution of the construction agreement.

(4) CONTINGENCIES.—

(A) IN GENERAL.—Except as provided for in subparagraph (C)(ii), the Foundation shall—

(i) provide oversight for contingency in accordance with Cost Principles Uniform Guidance in 2 C.F.R. part 200.433, or any successor thereto, and the Federal Acquisition Regulation as appropriate, except as provided in this paragraph; and

(ii) not make any award which provides for contributions to a contingency reserve held or managed by the awardee, as defined in 2 C.F.R. part 200.433(c).

(B) UPDATING POLICY MANUAL.—The Foundation shall update its Large Facilities Manual and any other applicable guidance for contingencies on major multi-user research facilities with regard to estimating, monitoring, and accounting for contingency.

(C) FOUNDATION REQUIREMENTS.—The policy updated under subparagraph (B) shall require that the Foundation—

(i) may only include contingency amounts in an award in accordance with Cost Principles Uniform Guidance in 2 C.F.R. part 200.433, or any successor thereto, and the Federal Acquisition Regulation as appropriate; and

(ii) shall retain control over funds budgeted for contingency, but may disburse budgeted contingency funds incrementally to the awardee to ensure project stability and continuity.

(D) AWARDEE REQUIREMENTS.—The policy updated under subparagraph (B) shall require that an awardee shall—

(i) provide verifiable documentation to support any amounts proposed for contingencies; and

(ii) support requests for the release of contingency funds with evidence of a bona fide need and that the amounts allocated to the performance baseline are reasonable and allowable.

(E) CURRENT AWARDEES.—The Foundation shall work with awardees for whom awards with contingency provisions have been made before the date of enactment of this Act—

(i) to determine if any of their use of contingency funds represents out-of-scope changes for which Foundation’s prior written approval was not obtained; and

(ii) if out-of-scope changes are found, to identify any financial action that may be appropriate.

(5) MANAGEMENT FEES.—

(A) DEFINITION.—In this paragraph, the term “management fee” means a portion of an award made by the Foundation for the purpose of covering ordinary and legitimate business expenses necessary to maintain operational stability which are not otherwise allowable under Cost Principles Uniform Guidance in 2 C.F.R. part 200, Subpart E, or any successor regulation thereto.

(B) LIMITATION.—The Foundation may provide a management fee under an award only if the awardee provides justification as to the need for such funds. In such cases, the Foundation shall take into account the awardee’s overall financial circumstances when determining the amount of the fee if justified.

(C) FINANCIAL INFORMATION.—The Foundation shall require award applicants to provide income and financial information covering a period of no less than 3 prior years (or in the case of an entity established less than 3 years prior to the entity’s application date, the period beginning on the date of establishment and ending on the application date), including cash on hand and net asset information, in support of a request for management fees. The Foundation shall also require awardees to report to the Foundation annually any sources of non-Federal funds received in excess of \$50,000 during the award period.

(D) **EXPENSE REPORTING.**—The Foundation shall require awardees to track and report to the Foundation annually all expenses reimbursed or otherwise paid for with management fee funds, in accordance with Federal accounting practices as established in Government Accountability Office Report GAO-12-331G, or any successor report thereto.

(E) **AUDITS.**—The Inspector General of the Foundation may audit any Foundation award for compliance with this paragraph.

(F) **PROHIBITED USES.**—An awardee may not use management fees for—

(i) costs allowable under Cost Principles Uniform Guidance in 2 C.F.R. part 200, Subpart E, or any successor regulation thereto;

(ii) alcoholic beverages;

(iii) tickets to concerts, sporting, or other entertainment events;

(iv) vacation or other travel for nonbusiness purposes;

(v) charitable contributions, except for a charitable contribution of direct benefit to the project or activity supported by the management fee;

(vi) social or sporting club memberships;

(vii) meals or entertainment for nonbusiness purposes;

(viii) luxury or personal items;

(ix) lobbying, as described in the Uniform Guidance at 2 C.F.R. 200.450; or

(x) any other purpose the Foundation determines is inappropriate.

(G) **REVIEW.**—The Foundation shall review management fee usage for each Foundation award on at least an annual basis for compliance with this paragraph and the Foundation's Large Facilities Manual.

(6) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Director shall submit to Congress a report describing the Foundation's policies for developing and managing major multi-user research facility construction costs, including a description of any aspects of the policies that diverge from the best practices recommended in Government Accountability Office Report GAO-09-3SP, or any successor report thereto, and the Uniform Guidance in 2 C.F.R. part 200.

(7) **NONCOMPLIANCE.**—The Director shall ensure that the Foundation shall take the enforcement actions specified in 45 C.F.R. 92.43 for noncompliance with this section.

SEC. 4. WHISTLEBLOWER EDUCATION.

(a) **IN GENERAL.**—The Foundation shall be subject to section 4712 of title 41, United States Code.

(b) **EDUCATION AND TRAINING.**—The Foundation shall provide education and training for Foundation managers and staff on the requirements of such section 4712, and provide information on such section to all awardees, contractors, and employees of such awardees and contractors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. LOUDERMILK) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. LOUDERMILK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5049, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LOUDERMILK. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to sponsor H.R. 5049, the NSF Major Research Facility Reform Act of 2016, to improve the management and oversight of major multi-user research facilities that are funded by the National Science Foundation and to ensure that taxpayer dollars are spent with transparency and accountability.

The NSF funds a variety of large research projects through cooperative agreements, including multi-user research facilities, tools for research and education, and instrumentation networks. Current construction projects underway include the Large Synoptic Survey Telescope, the Daniel Inouye Solar Telescope, and the National Ecological Observatory Network, otherwise known as NEON. These 5- to 10-year construction projects range from \$350 million to \$500 million in total project cost. The proper stewardship of taxpayer dollars is paramount when executing projects of this magnitude.

The Committee on Science, Space, and Technology held a number of hearings over the last year and a half on these large research projects, including several on the NEON Project, after learning about the mismanagement of appropriated funds. Specifically, the hearings discussed the findings of two financial audits. One of those audits discovered that NEON was allowed to use Federal taxpayer dollars for explicitly unallowable costs, including liquor, lobbying, and a lavish holiday party.

Both audits of the NEON Project were initiated by the NSF inspector general due to concerns about the lack of review of costs by the NSF. In addition, the IG had concerns about the NSF's accounting financial controls of major research facilities prior to entering into cooperative agreements. The IG's work, combined with the oversight of this committee's, resulted in the National Academy of Public Administration's, also known as NAPA, conducting a commissioned review of the NSF's management of cooperative agreements.

The bill I bring to the floor today is a product of many recommendations that were made by the NSF IG, the auditors, NAPA, and the Committee on Science, Space, and Technology.

First, the bill enhances the role of the NSF Large Facilities Office in project management, giving it statutory permanence and ensuring that expert management staff at the NSF work with scientific program staff throughout all phases of project development and construction. It also requires a senior agency official to have

responsibility for the oversight of the office.

Second, the bill requires the NSF to commission an external cost proposal analysis for all major multi-user research facilities with a total project cost of over \$100 million. This will ensure that proposed construction budgets are reasonable while allowing the NSF and the awardee to address all cost issues before construction begins. This small investment at the beginning of the award will pay off in savings for the life of the construction project.

Third, the bill requires an incurred cost audit at least every 2 years during construction, starting 1 year after the execution of the agreement. These regular audits will help ensure that a project is on track and will detect problems while something can still be done to remedy the problem, not after the project is well on its way to being over budget or is already complete.

Fourth, the bill increases agency control over project contingency funds by requiring the NSF to retain the majority of the funds rather than the awardee. Reflecting the input of many stakeholders, the bill allows the NSF to disburse contingency funds incrementally to the awardee to allow for project continuity and stability. Contingency expenditures must be supported by verifiable cost data, and the awardee must record and report all contingency expenditures to the NSF.

Next, the bill closes loopholes for the use of management fees, codifying regulations that the NSF has recently put into place to ensure taxpayer funds are never abused again. This prohibition includes alcohol, concert tickets, unnecessary travel, and lobbying. The bill also requires awardees to demonstrate a financial need to justify management fees which are included as part of the award.

Finally, the bill has a provision that supports the education of the NSF grant awardees and their employees on the law that protects whistleblowers. It was thanks to a whistleblower auditor that many of the issues with the NEON Project were brought to light.

As a former small business owner and as the former director of a nonprofit, I, wholeheartedly, understand the importance of accountability. The fact that the NSF is mishandling American taxpayer dollars, with little consequence, is inexcusable. What is even more inexcusable is that the NSF has received warnings about this kind of irresponsible spending over the past 4 years, and it has not taken adequate measures to resolve the matter.

This bill will ensure that the NSF makes the systematic changes necessary to restore confidence in federally funded research projects and that taxpayers can trust us with their money in their knowing that it will be spent in the manner it was intended.

I thank Chairman SMITH for his support in moving this bill forward, and I

ask my colleagues to join me in passing these commonsense reforms.

Mr. Speaker, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5049, the NSF Major Research Facility Reform Act of 2016. While I support the passage of this bill in the House today, I do so with some reservations, which I will discuss later in my remarks.

Major research facilities play a central role in helping the NSF meet its mission to promote the progress of science and cultivate the next generation of scientists and innovators. These facilities include telescopes, research ships, engineering test beds, and other cutting-edge research platforms. We recently held a hearing to congratulate the scientists who are working on one such endeavor, the LIGO project, which detected gravity waves.

As the LIGO project demonstrated, these efforts involving major facilities have the potential to generate profound breakthroughs in science and to inspire a whole new generation of our best and brightest to pursue careers in STEM. However, these major facilities also cost a lot of money. Properly managing those large expenses is critical to ensuring the success of the major facilities projects and is, ultimately, critical to the advancement of science.

The intent of this bill is a good one. It is to ensure the proper oversight and accountability for the National Science Foundation's investments in major research facilities.

The National Science Foundation manages about 15 research facilities across its diverse science and engineering portfolio. In any given year, three or four new major facilities are under construction. H.R. 5049 largely addresses the design and construction phase of these facilities, which is the highest-risk phase.

Republican and Democratic members and staff of the Committee on Science, Space, and Technology worked together over many weeks to develop and move through the committee a bill that addresses the need for strong oversight and accountability while taking into consideration the legitimate concerns of the agency and stakeholder groups about unintended consequences. I appreciate the work of Mr. LOUDERMILK and Chairman SMITH and the Republican and Democratic staffs in this regard. However, the devil is always in the details, and I hope that discussion will continue on some of the details if this legislation continues to move forward.

The fact is that every other Federal agency is held to governmentwide standards and policies for contracting. In this bill, we are creating a different set of rules with less flexibility for the National Science Foundation even

though the Foundation's record, overall, has been a very good one and even though the Foundation has taken many aggressive steps already to rectify deficiencies where they did exist.

As such, I hope that we tread carefully. Given that the impetus for this bill was one project that went awry because of an inexperienced project management team, the last thing we want to do is to enact a law that discourages the most experienced project management professionals from doing business with the NSF, thereby increasing the risk to the taxpayer.

□ 1915

In closing, I want to thank Mr. LOUDERMILK and Chairman SMITH for working with us to improve the legislation; and I hope we continue to work with the agency, the National Science Board, and the expert stakeholders to ensure we achieve our shared goals of both safeguarding taxpayers' money and promoting the progress of science.

I reserve the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Speaker, the Innovation Initiative is about two things: enabling innovation in the private sector, and bringing innovation into government.

It has now been 3 months since we started the Innovation Initiative. In that time, we have met with innovators at the forefront of both our missions. Today in the House, we are focused on harnessing innovation for the public good.

Just moments ago, we passed Representative DARIN LAHOOD's bill to advance networking and information technology research and development; and now we are considering BARRY LOUDERMILK's reform of the National Science Foundation.

Basic research and development investment is important as we strive to remain at the cutting edge of technologies that will offer Americans a happier and healthier life. But when the integrity of such efforts at public institutions is compromised, as happened with the major NSF facility that experienced massive cost overruns last year, it calls into question the entire model. So this bill makes changes to our research facilities to make them operate with transparency and accountability.

When you look across our government, you can see inefficiencies, a lack of accountability, and practices and policies that just don't make sense. That is bad for the workers, it is bad for business, and, most importantly, it is bad for America.

Here in the House, we aren't accepting the status quo. If it doesn't make sense, we are getting rid of it. If it is holding back innovation, we are changing it.

Mr. Speaker, we will surely consider more pieces of innovation initiative in the weeks and months to come. Unleashing the power of innovation, we will ensure American leadership now and into the future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Speaker, Mr. LOUDERMILK is the chairman of the Science, Space, and Technology Committee's Oversight Subcommittee, and I appreciate all the work he has done on this bill.

H.R. 5049, the NSF Major Research Facility Reform Act, is the second bill today that is part of Majority Leader MCCARTHY's Innovation Initiative. We appreciate all of his efforts on this and other innovation bills, which now total 17.

This legislation addresses an issue about which the Science, Space, and Technology Committee has expressed concerns for the last 2 years: the National Science Foundation past management of major research facility projects.

The Science, Space, and Technology Committee seeks to ensure that taxpayer dollars are spent on research in the national interest, not wasted on mismanagement and questionable costs.

This bill achieves that goal. It addresses gaps in project oversight and management through solutions identified by the NSF inspector general, auditors, an outside review panel, and the Science, Space, and Technology Committee's own oversight for a year and a half.

Last year, in the wake of several reports of project waste and mismanagement, NSF Director France A. Cordova agreed to commission a study by the National Academy of Public Administration to take a closer look at how NSF could better manage large-scale research projects. The study's report offered 13 recommendations to improve NSF's management of cooperative agreements.

Although NSF has begun to implement some of the recommendations, there is still a need to implement four key measures addressed in this bill: preconstruction verification of total project cost, incurred cost audits during construction, better control over contingency funds, and proper use of taxpayer-funded management fees.

The bill's approach to these four reforms ensures that no current or future large-scale research project faces the same financial mismanagement that plagued one of NSF's largest projects, the \$400 million National Ecological Observatory Network, called NEON.

Last September, we learned that the project was likely to be \$80 million overbudget and 18 months behind schedule. I recognize that the NSF is taking steps to better manage the cost of NEON, which include firing the management organization; however, it is time to make systemic changes for all current and future major research projects.

The accountability provisions in the bill have been developed with input from the minority, the NSF, and many stakeholders. We incorporated many of their suggestions during the markup of the bill in committee on April 27, and the bill was reported out of the Science, Space, and Technology Committee by voice vote.

Our staff has continued to work with the minority on the report that was filed with the bill to make sure our intentions in the underlying bill are clear. Although I believe the current NSF leadership is committed to improving its management of these construction projects, we need to make sure that the NSF will make the systemic changes necessary in a timely and permanent fashion. This change of how the NSF does business should outlast the current administration.

Many stakeholders have expressed support for the bill since it provides certainty for how the NSF will operate. All agencies as well as their grantees and contractors need to be held accountable for how they spend taxpayers' hard-earned dollars. The basic responsibility of any government agency is to act in the national interest.

H.R. 5049 will reduce waste, fraud, and abuse and make more resources available for quality basic research. This will lead to scientific discoveries, spur technological innovation, create new industries, and provide better jobs for Americans.

Mr. Speaker, I urge the adoption of this good government accountability bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I am delighted to know that this is a part of the innovation project. There are a number of good bills in the committee that we could really make a part of that package.

I have no further speakers, and I urge support of the bill.

I yield back the balance of my time.

Mr. LOUDERMILK. Mr. Speaker, I urge my colleagues to support this strong bipartisan measure.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MACARTHUR). The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, H.R. 5049, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LOUDERMILK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

DOTTERER FAMILY CELEBRATES 65 YEARS OF FARMING IN CLINTON COUNTY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate members of the Dotterer family in Clinton County on the 65th anniversary of the their farm, which they celebrated earlier this month.

The Dotterer farm was founded in 1951, when Paul and Jean Dotterer started with just 15 dairy cows and 147 acres. Their hard work paid off, since today the farm includes approximately 950 dairy cows and about 3,000 acres of land, which provides for a harvest of many different crops. The farm is now in its third generation.

Members of the Dotterer family are proud that the milk from their farm is sold locally. In fact, it can be found on the shelves of grocery stores just miles away from their farm.

As a member of the House Agriculture Committee, I know how important farming is to not only Pennsylvania's economy, but to our Nation. It is wonderful to see family farms that are being passed from generation to generation, feeding their communities, our Nation, and the entire world.

I wish the Dotterer family continued success and prosperity in the future.

ORLANDO TRAGEDY

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÁRDENAS. Mr. Speaker, I am beyond heartbroken from the circumstances of Orlando. I mourn with my fellow Americans the 50 lives lost, 53 people maimed and damaged by this preventable tragedy.

32,000 American lives are lost each year from gun violence. Every elected congressional Member has promised America that the safety of the people is what we or she or he will work on.

We as a Congress do nothing to make our country safer. Why? Because you, Mr. Speaker, refuse to consider any legislation tied to gun violence. Why won't you allow a hearing, a committee discussion on the issue of gun violence?

My moment of silence resolution is waiting for your signature. It would require this House of Congress to hold a hearing on the tragedy in Orlando.

It is time to act. The people are waiting on us to do our job.

8-YEAR-OLD VICTIM OF SEX SLAVERY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, it happened right under the entire community's nose: 8-year-old Jen—that is correct, 8 years old—was raped and tortured almost on a daily basis. Jen was not kidnapped by a stranger or abused by a relative. She was sold for sex by a neighbor at the neighbor's house. It was not just Jen who was sold for sex. It was also her younger sister, a male cousin, and a whole group of kids from her hometown of Norristown, Pennsylvania.

She and her fellow victims were coerced into participating and keeping it a secret through an elaborate con of gifts and threats. No one ever went looking for Jen because she was not ever missing. From 3 to 6 p.m., she was forced to have sex with strangers.

The trafficking finally ended when she was about 10 years of age because the neighbor just disappeared.

Mr. Speaker, sex slavery happens. As parents and grandparents, we need to know where our kids are because monsters that hurt victims must be prosecuted, both the sellers and the buyers, even if they are neighbors.

The message is clear: Our children are not for sale. Leave them alone.

And that is just the way it is.

ORLANDO, FLORIDA, TRAGEDY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I rise first of all to acknowledge my colleague, Congresswoman CORRINE BROWN, in whose district this heinous, terroristic, hateful act occurred. I acknowledge my hometown of Houston, where, as I stand here today, they are mourning with memorials that will be held today, Tuesday, and Wednesday in solidarity with the people of Orlando, Florida.

I also rise with great pain in joining my colleague, Congresswoman BROWN, to introduce legislation to push and to remind individuals about the violence that is taking place through the weapons of war that we are allowing to be sold on the streets of America.

It is high time for this body to stop standing in memoriam and for a 1-minute speech and to pass the ban on assault weapons and high-caliber bullets that are destroying and killing and destroying and killing. It has been told that there were bodies whose legs were taken off by the bullets. I ask this body

to recognize that we can no longer talk, talk, talk. We must do, do, do.

We will fight till our last breath to demand that the Constitution be respected, Mr. Speaker—as I end—the First Amendment, the right to free speech, and, yes, the Second Amendment, with the restrictions and the recognition that AR-15s are killing Americans.

We must stop it now.

□ 1930

BRINGING TRANSPARENCY AND ACCOUNTABILITY TO STATE EXCHANGES

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, I rise to thank the Subcommittee on Health of the House Committee on Energy and Commerce for their recent hearing on my legislation, H.R. 4262, the Transparency and Accountability of Failed Exchanges Act.

ObamaCare just had its sixth anniversary. In those 6 years, we have learned just how disastrous ObamaCare is, exposing its many flaws. One of those being when the President freely gave money away to States to establish State exchanges, he forgot a major piece of the puzzle. The administration failed to provide a solution to recover these funds when these State exchanges failed.

Since then, billions of taxpayer dollars have been spent, and exchanges in multiple States have failed.

Well, what has happened to the money if the exchange failed?

My legislation establishes a two-step plan to recover Federal funds. It conducts an audit to see how and where the money was spent and requires unused funds be returned back to the Treasury for needed deficit reduction.

Again, I thank the committee for their interest in H.R. 4262 and encourage my colleagues to cosponsor this legislation. It is time to bring transparency and accountability to State exchanges.

HORRIFIC EVENTS IN ORLANDO

(Mr. POCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POCAN. Mr. Speaker, as we grapple with the horrific events that took place yesterday morning in Orlando, my thoughts are with the families of the victims and everyone affected during Pride Month.

The targeting of LGBT individuals in this heinous act of violence has reignited many fears and uncertainty in our community. As a country, we must stand together to denounce bigotry and

hatred and embrace love and acceptance.

President Barack Obama declared this an act of terror and an act of hate, an action perpetrated with a military-style assault weapon. Unfortunately, this week Congress won't do a thing about any of these issues. In fact, all too often actions and language here in Congress and on the campaign trail actually exacerbate would-be terrorists, and actions even on the floor of the House of Representatives all too often reinforce the hate of some people, including gays and lesbians.

Unfortunately, this body is too chicken to address the epidemic of military-style assault weapons because that would upset the gun manufacturers and gun lobby.

In the end, all we did, yet again, is have another moment of silence rather than a moment of action. That disrespects the lives of the people who were killed not just yesterday, but every day by gun violence. There may be blood in the streets, but if Congress continues to fail to act, we will have blood on our hands.

ALYSSA FERGUSON IS A SPECIAL YOUNG LADY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I would like to give an update to the folks back home about a special young lady, Alyssa Ferguson.

I first talked on this floor about Alyssa when the Fort Bend Star told us her story. It was their third best story for 2015. I also spoke on this floor a second time about Alyssa the first time I met her. She threw out the first pitch, a strike, at a home game for our local pro baseball team, the Skeeters.

Alyssa is special because what she has done when she heard that she had cancer. She used her only wish from the Make-A-Wish Foundation to give a water well to a small village in Africa.

A few weeks ago, Alyssa and 100 kids with cancer enjoyed a Prom Party Palooza at Texas Children's Hospital. Alyssa said: "Some people don't make it to the real prom. It's great we get a chance to experience that."

Keep fighting, Alyssa, and when you go to your real prom, there will be a long line waiting to be your date, and I will be at the front of that line.

TRAGEDY AT THE PULSE NIGHTCLUB

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, I rise today with a heavy heart. I have had the honor of representing Orlando,

Florida, for the last 24 years. Yes, Orlando is one of the number one destinations in the country and it is very sophisticated and very diverse, but it is a family-oriented community. We have a very heavy heart.

Although there are numerous unanswered questions at this time, the fact that this attack took place at a nightclub frequented by members of the LGBT community and that it took place as our Nation celebrates LGBT Pride Month leaves one to believe that this was motivated by deep hate and prejudice.

I spent Sunday night and Monday in Orlando working to ensure that the State and local officials receive the Federal resources they need to make sure that this never happens again.

Mr. Speaker, the community is coming together, but a little girl gave me this picture. This picture, so simple. This picture says "Orlando Strong." Orlando is strong, but, you know, I don't know how much longer we are going to stand and have a moment of silent prayer.

A moment of silent prayer, and then what?

You know, to whom God has given much, much is expected. He expects us to do more than stand and rise for a moment of silent prayer when one person killed over 50 people and sent out over a hundred bullets. It is just unacceptable. People around the world are looking at us, and they think there is something wrong with us.

People in America, what is wrong with you? How much longer, how much longer are we going to rise for a moment of silent prayer?

Prayer without work is in vain.

RECOGNIZING THE JOHN S. JAMES COMPANY

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the John S. James Company in Savannah, Georgia, for receiving an "E" award from the United States Department of Commerce.

The "E" award is the highest honor the United States Government can give to an American exporter. The prestigious award was created by President Kennedy in 1961 as a way to distinguish companies who achieve excellence in exporting United States goods and products.

This award was presented by the U.S. Secretary of Commerce to the John S. James Company on May 16, 2016, during World Trade Week. Founded in 1941, the John S. James Company has excelled in international freight forwarding, customs brokerage industries, transportation services, and cargo insurance. The company has expanded

into six locations across the Southeastern United States and provides shipping services across the globe.

The John S. James Company is a great example of American success in the international market. I am very proud of this company in the First Congressional District of Georgia, and I wish them all the best in their future.

BUSINESS AS USUAL

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker and Members, we have had another moment of silence, a moment of silence indicating that somehow we are concerned about what happened in Orlando, Florida. It is not good enough.

How many times have we done this? Whether we are talking about Sandy Hook, where those babies were killed, or we are talking about North Carolina or we are talking about San Bernardino or Aurora, Colorado, we keep getting up with a moment of silence because we don't want to deal with what is really going on.

This Republican leadership is pitiful. It is disgusting that they don't have the guts or the commitment to call it like it is and bring a bill to this floor to get rid of assault weapons. That weapon that killed those 50 people and harmed those other 53 is a weapon that is designed for war. Don't tell me about your hunting concerns. This AR-15 has nothing to do with hunting. This is about killing. And so this leadership is spineless, it is gutless, and it deserves not to have the ability to get up on this floor and talk about responsibility or innovation—

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California.—or any of this other stuff that they are talking about. I want to say over and over again, I don't care if my time is up, you stop me from talking if you will.

The fact of the matter is, we should all be on this. Business as usual? I don't think so. We should have stopped everything this evening, concentrated on how we can get a bill to the floor.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MAXINE WATERS of California. I know you don't want me to talk while you are waiting for your talking points from the leadership.

The SPEAKER pro tempore. The gentlewoman is no longer recognized.

Ms. MAXINE WATERS of California.
* * *

The SPEAKER pro tempore. The Chair is prepared to recognize the gentleman from California.

PROPERTY RIGHTS EXEMPTION FOR FARMS

(Mr. LAMALFA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, last Friday a Federal court in California made an almost unbelievable ruling that the Army Corps of Engineers could regulate the plowing of fields despite clear exemptions for normal farming activities in the Clean Water Act.

Ruling against a family farm in my district, the court somehow found that the Corps was justified in attacking the farm for, believe it or not, planting wheat on land that had been used to grow wheat for decades. Wow. The nerve of this family, to grow crops on land historically used to grow crops.

Rarely have we seen an administration distort the legislative intent of Congress as it has in this instance. The Army Corps and EPA are ignoring language that exempts "normal farming, silviculture, and ranching activities such as plowing, seeding, cultivating, minor drainage, harvesting . . ." and so on—exactly the activity that occurred in this instance. In other words, Congress clearly and unambiguously exempted day-to-day activities, and yet the administration continues working to try to regulate them.

Mr. Speaker, we have enacted language I have sponsored to defund this type of lawless regulation, and yet the administration continues. We must rein in this executive overreach and develop reforms that end this abuse once and for all.

THE DEADLIEST SHOOTING IN AMERICAN HISTORY

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, the June 12 mass shooting at a club in Orlando, Florida, was not only the deadliest shooting in American history, it was one of the most heinous hate crimes and acts of terrorism this country has ever seen. Too often hate crimes and acts of terrorism use guns. The epidemic overwhelmingly express the need to strengthen our gun laws.

A stronger background check system will help prevent hate crimes and acts of terrorism to protect Americans from terrorists who want to attack our way of life. We must give the FBI the authority to block sales to suspected terrorists, and we must require background checks for every gun sale in America.

Mr. Speaker, no more silence. Let's stand up as Americans, and in this Congress, and tell the American people, those who are mourning, and those across this country who have experienced this that we in Congress will do the work we were sent here to do, and that is to stand up and take action.

□ 1945

BRIDGING THE DIVIDE: A CALL TO ACTION BY THE CONGRESSIONAL BLACK CAUCUS TO ELIMINATE RACIAL HEALTH DISPARITIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentlewoman from Ohio (Mrs. BEATTY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mrs. BEATTY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and add any extraneous materials relevant to the subject matter of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BEATTY. Mr. Speaker, I rise this evening, along with my colleague, Congressman HAKEEM JEFFRIES of the Eighth Congressional District of New York, for tonight's Congressional Black Caucus Special Order hour, Bridging the Divide: A Call to Action By the Congressional Black Caucus to Eliminate Racial Health Disparities.

Mr. Speaker, tonight, the Congressional Black Caucus comes to the House floor to discuss our overarching goal of promoting equality for African Americans across the healthcare spectrum.

Mr. Speaker, it is well known that poverty, socioeconomic status, and health disparities are closely linked and latched together. For example, individuals with low incomes tend to have more restricted access to medical care and face greater financial barriers to affordable health care, oftentimes contributing to health disparities.

Last week, Mr. Speaker, the House Republicans released their Conference's poverty plan called A Better Way. Unfortunately, but not unexpectedly, this Republican antipoverty proposal isn't a better way, Mr. Speaker. It isn't even a new way. Quite frankly, Mr. Speaker, it is the wrong way. It uses the same trickle-down, discredited policies that House Republicans have put forth in the past.

The House Republicans' poverty elimination proposal would repeal the Affordable Care Act and undermine affordable, quality health coverage that millions of Americans are now enjoying. It would also cut Medicaid, the Children's Health Insurance Program that we refer to as CHIP, and it would end the Medicare guarantee—programs with proven successes, Mr. Speaker, in reducing health disparities. So this is, in part, why we are here tonight.

We know that health coverage is the first step in securing better healthcare outcomes, and Medicaid and CHIP play a vital role in opening the doorway to the needed health care, especially for our children.

As we address the most pressing challenges in achieving health equity and equality for African Americans, I want hardworking American families to know that they have voices in Congress that aim to protect their safety, invest in their future, and provide affordable health care for all.

With the Affordable Care Act, which every member of the Congressional Black Caucus supported when it passed, we have improved access. We have improved affordability and quality of health care.

So tonight, Mr. Speaker, I want to thank President Obama for moving the needle forward in helping American families and African American families across this great country and Nation to have the financial and health security that comes with health care.

Mr. Speaker, we cannot repeal the ACA. We must continue to improve and strengthen it, and we will still have more work to do.

The Congressional Black Caucus, from its very inception, has long been the voice for bridging the divide on racial healthcare disparities. No, Mr. Speaker; we have been the voice for standing up for American people, and especially individuals who are African American, against all disparities. We will not only come to this floor tonight. We will continue our fight and we will continue to come to this floor.

Tonight, you are going to hear a lot of our members weave together our poverty plan. You are going to have members talk about gun violence. You are going to have members talk about all lives matter. If we don't end the gun violence, then we are not going to have a healthy nation.

Tonight, I want to applaud my good friend and colleague, Congresswoman ROBIN KELLY of the Second District of Illinois, chair of our Congressional Black Caucus Health Braintrust. I want to commend her for her report, the 2015 Kelly Report on Health Disparities in America, the official congressional analysis of the state of African Americans' health in the United States, and her work on the 40 Under 40 Leaders in Health Awards, leaders under 40 who are physicians and medical professionals. And lastly, let me just thank her for her courage and her leadership for recognizing that all lives matter.

We cannot come to this House floor and talk about poverty programs and health care and education and about finance if we do not bridge the gap with gun violence. I salute her for no longer standing up until we make a difference.

So tonight, we are coming, Mr. Speaker, with a strong call to action for us to keep this wonderful America healthy. You will hear from Congresswoman KELLY momentarily.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. BUTTERFIELD), chairman of the Congressional

Black Caucus. He is a chairman who has been a longtime advocate and voice for not only the Congressional Black Caucus, but for his constituents in his congressional district in North Carolina. Tonight, he speaks for us. Tonight, he speaks for the call of action of us to bridge the gap.

Mr. BUTTERFIELD. I thank Congresswoman BEATTY for yielding to me this evening.

This is such a sad evening for all of us because of the events in Orlando. I thank her so very much for having the strength to come to the floor tonight to manage the important topic that we are all so concerned about.

I thank Congresswoman ROBIN KELLY for her incredible work chairing the CBC Health Braintrust and all the work she does related to health disparities in this country. I thank all of my colleagues for their tireless work.

Before I begin my remarks, let me just say that I sat on the floor a moment ago and listened to Congresswoman CORRINE BROWN. It was an incredible 1-minute speech she gave. I want to share in her sentiments this evening and align myself with the pain that she and her constituents are facing in Orlando. The mass shootings were absolutely horrific and unthinkable, under any definition. They are just unthinkable.

My prayers go out to the families in Orlando for their pain and for all that they are having to endure because of these mass shootings.

As someone said a few moments ago, a moment of silence is not enough. It is time for this Congress to act. It is time for this body, Mr. Speaker, to have a serious debate about gun violence and to pass legislation that will deprive people the right to own a high-capacity assault weapon and high-caliber bullets and use them to kill innocent people. Now is the time.

136 mass shootings have taken place during the first 164 days of this year. It is a sad statistic that we must address. The United States is 5 percent of the world's population, yet we are 31 percent of the mass shootings in the world. It is time to act.

Let me talk about the topic tonight, very briefly.

The Congressional Black Caucus has been committed to advancing access to affordable health care for all Americans so that we can eliminate racially based health disparities. That has been our mission for many years.

Eliminating health disparities means addressing inequities in environmental, social, and economic conditions in all of our communities. By all measurable statistics, from health outcomes to participation in health professions, African Americans lag so far behind.

For example, more than 40 percent of African Americans have high blood pressure—a rate that is one of the

highest in the world. African Americans are more likely to develop hypertension at a younger age and are at higher risk of stroke, heart failure, end-stage renal disease, and death from heart disease.

Stroke, Mr. Speaker, is the third leading cause of death in the United States. African Americans are 50 percent more likely to experience a stroke than White Americans. That is a fact.

According to the Federal Centers for Disease Control and Prevention, African American children are twice as likely to have asthma as White children, and Black children are 10 times more likely than White children to die of complications from asthma.

African Americans were, on average, 6 years younger than Whites when they suffered sudden cardiac arrest. Cardiac arrest incidence among African American men was 175 per 100,000; whereas, the incidence for White males was just 84 per 100,000. Cardiac arrest in African American women was 90 per 100,000, as opposed to 40 per 100,000 for Caucasian women.

Another illness which disparately impacts the African American community is that of prostate cancer. In June of last year, I introduced the National Prostate Cancer Plan Act, a bipartisan bill which seeks to establish the National Prostate Cancer Council on Screening, Early Detection and Assessment and Monitoring of Prostate Cancer.

Prostate cancer impacts one in seven American men and is the second leading cause of cancer-related deaths among men in the U.S., with nearly 30,000 deaths anticipated just this year. African American men are particularly vulnerable, as they are twice as likely to be diagnosed with prostate cancer and 2.5 times more likely to die from the disease than their White counterparts.

Just last week, House Republicans released their A Better Way agenda to address poverty, but that proposal, like others they have released, will not lift Americans out of poverty. In some cases, these types of proposals can actually push low-income Americans even deeper into poverty, further limiting their access to health care and exacerbating health disparities.

So, Mr. Speaker, it is time for us to continue our efforts to address the health disparities and barriers. That is what the Congressional Black Caucus is advocating the evening. We are going to continue this work until every disparity is removed.

Mrs. BEATTY. I thank Congressman BUTTERFIELD for making us aware of 136 mass shootings in 164 days of this year. Certainly, that is relevant to tonight's topic, because whether it is death by guns or death by healthcare disparities, there are too many deaths.

I think you said it so well when you provided the data and the statistics of

African American men and their mortality rates and what is happening to them. And yes, African Americans lag behind, and that is why we stand with you bridging the gap and for this call of action.

Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. KELLY) from the Second Congressional District, my colleague, my confidant, and my friend. She is a champion of expanding health care. She is a champion, Mr. Speaker, of making sure that we understand that healthcare disparities must end.

She is the chair of the powerful and most prestigious Congressional Black Caucus Health Braintrust. She strives to increase healthcare opportunities for all: for our children, for our senior citizens, and for residents of the underserved communities. It is my honor to ask her to provide some information on today's topic.

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Ms. KELLY of Illinois. Mr. Speaker, I want to thank my colleagues and my classmates, the gentlewoman from Ohio (Mrs. BEATTY), my friend, and the distinguished gentleman from New York (Mr. JEFFRIES), for leading this important conversation about bridging the divide to eliminate racial health disparities.

But I can't weigh in on that topic until I first address the horrific events of yesterday in Orlando, Florida. Our Nation is horrified and heartbroken by the tragedy in Orlando. We are disgusted by this brutal attack. We will not tolerate terrorism or hate in any form against any group of people because this is just not our way.

These ideas of hate will not endure because there is not strength to them. We will win the battle against terrorism and intolerance.

We will hold leaders accountable who put their NRA score ahead of the need to keep guns out of the hands of terrorists. We will stand with the LGBTQ community and value their lives, their health, and their security from the threat of violence and hate. And we will work to see that all Americans enjoy the very same freedoms and protections.

We have done a lot of moments of silence, but I believe in showing respect through action, not silence, and that is why we are here this evening to discuss what divides us as a country in a health sense.

For 45 years, the Congressional Black Caucus has been out front in Congress in fighting for these freedoms and protections. And when it comes to the matter of health equity, I have worked to champion the health policy concerns of vulnerable communities as my predecessors in the Congressional Black Caucus Health Braintrust, the Honorable Louis Stokes and Dr. Christensen, have done.

Some of my colleagues here know this, but I want to repeat it for anyone who doesn't. Before he was killed, Martin Luther King, Jr., was quoted as saying: "Of all the forms of inequality, injustice in health care is the most shocking and inhumane."

I couldn't agree more, and as the chair of the Health Braintrust, I have worked with many of the people in this room to focus on advancing this critical phase of the human rights and civil rights struggle: health equity.

When Benjamin Franklin created the Nation's first public hospital, The Pennsylvania Hospital, he did so in order to establish the promotion of public health as a core American value. He did so to care for our Nation's diseased and sick poor.

Nearly 300 years later, the Affordable Care Act cemented health care as a fundamental right for all Americans. Yet, today, we find ourselves at a crossroads in health care. Health disparities in communities of color continue to be intractable hurdles in the quest to achieve health equity in America.

African Americans are infected with HIV at a rate that is 8 times that of White Americans.

While White women are more likely to have breast cancer, African American women are 40 percent more likely to die from the disease.

African Americans, Latinos, Asians, and Pacific Islanders, as well as Native Americans, are diagnosed with lupus two to three times more frequently than Caucasians.

More than 13 percent of African Americans aged 20 or older have diagnosed diabetes. And people of color are two to four times more likely than Whites to reach end-stage renal disease.

This grim snapshot illustrates that, despite the gains we have made since the days of Ben Franklin and the ACA, there is still much ground to cover in closing the health equity gap.

Last year, I drafted a comprehensive report, The Kelly Report on Health Disparities, an official Congressional analysis of the state of minority health in the U.S. that offers a blueprint for reversing negative health trends in communities of color.

The Kelly Report brought Members of Congress together, medical professionals, and public health thought leaders to examine the root causes and impact of health disparities in America, and provide a comprehensive set of legislative and policy recommendations to address them.

The whole can only ever be as healthy as its parts. For America to achieve true health equity, lawmakers, community leaders, and industry stakeholders must come together and aggressively work to reduce disparities nationwide. We all have a part to play in creating a healthier America.

We must take heed of Dr. King's words: "Of all the forms of inequality, injustice in health care is the most shocking and inhumane." And we can and we must fix that.

Again, because of what happened in Orlando, and I want to say it is the mass shooting that we are talking about, and it is tragic, but the night before, one person was shot. And I often liken this to a 747 crash as we talk about that, but we don't talk about the two-seater. And that two-seater, the person that died alone in that club after she sung Friday night has a brother, a mother, a father, and their pain is just as harsh. So let's not forget that young lady that lost her life. And she did not lose her life to someone that was Muslim or someone that believed in ISIS. She lost her life to an American young man, a Caucasian.

Mrs. BEATTY. I thank the gentlewoman from Illinois, (Ms. KELLY). And how appropriate for tonight for the gentlewoman to remind us, as I ask her to constantly do, about why we must, to put it in her words, come together. We must do something.

Madam Speaker, tonight we say to you and to our Republican colleagues: Come together and do something.

I say to the gentlewoman, Congresswoman KELLY: Let today serve as a turning point in our Nation's ongoing struggle to stamp out hate of all forms. We must mourn those who lost their family members, but we must do more than mourn. We must have action. If we are going to have a hope for a better America, hate has no place in this great Nation.

So I thank the gentlewoman, and I will continue to remind others that we know firsthand what it does to our community.

But, Madam Speaker, we stand here tonight speaking to all communities. But here is what we know. The NAACP has shared with us that African American children and teens accounted for 45 percent of all child and teen gun deaths in 2008 and 2009, but were only 15 percent of the total child population.

The FBI says that approximately 47 percent of victims of the 165,000 homicides from 2000 to 2010, including over 111,000 gun-related homicides, were Black.

The Children's Defense Fund, Madam Speaker, says that in 2010, Black males between the ages of 15 and 19 were nearly 30 times more likely to die in a gun homicide than White males of the same age, and more than three times more likely to die in a gun homicide than Hispanic males of the same age.

So, Madam Speaker, tonight you will hear us repeatedly make a call for action. You will hear us repeatedly quote great leaders. And I think it is worth quoting again what Congresswoman KELLY said, in the words of Dr. Martin Luther King: "Of all the forms of inequality, injustice in health care is the

most shocking and inhumane” of all inequalities, of all injustices.

As we speak of great leaders, it is, indeed, my honor and my privilege to ask my colleague, the gentleman from the 10th Congressional District of New Jersey (Mr. PAYNE), a man who has made a name for himself, a man who understands firsthand as a father of triplets, as a spouse, as a ranking member on Homeland Security’s Subcommittee on Emergency Preparedness, Response, and Communications, a man who has been at the forefront in his community, a man who served before coming here as an elected official, but, more importantly, a person who understands health disparities and the call for action—it gives me great honor to yield to the gentleman from New Jersey (Mr. PAYNE) to share some wisdom with us tonight.

Mr. PAYNE. Madam Speaker, I first want to start by thanking Congresswoman BEATTY for that very kind and generous introduction. We, in our class, are very proud of our colleagues, and we support each other in times of need.

I just would like to also congratulate and acknowledge Congressman HAKEEM JEFFRIES, the gentleman from New York, who is also host of this Special Order. I appreciate the opportunity to discuss an issue that is very personal to me.

Before I begin, I just want to say that my heart goes out to the families and friends of the victims of the horrible tragedy in Orlando, and I can only imagine what they are going through.

The other thing that is illuminating to me is that, as we came here and stood up for a moment of silence, after that moment of silence, I believe Members were given a 1-minute opportunity to speak on any topic that they would like to on the floor, as is customary, and not one person from the other side of the aisle mentioned what happened in Orlando.

So not only was it a moment of silence for the leadership in this House, but it appears that it is going to be a moment that remains silent or a topic that remains silent from the other side of the aisle.

Madam Speaker, eliminating racial-based health disparities depends on our ability to advance access to affordable health care for all. Even in the 21st century, health disparities are stark, especially in the African American communities, where life expectancies are lower and infant mortality rates are higher than among Whites.

Today, despite improvement in overall health in the United States, African Americans and other minority populations lag behind in numerous health areas, including access to quality care, timelines of care, and health outcomes.

For years, the Congressional Black Caucus has called on Republicans to join us and other House Democrats in

developing a plan to eliminate racial health disparities, a plan that addresses the causes of health disparities, such as inequities in environmental, social, and economic conditions in our communities.

Instead, we get from them proposals like their so-called A Better Way poverty proposal, a stale, repackaging of failed policies presented under the guise of concern about Americans trapped in poverty.

Cutting job training programs, food assistance, and Head Start will push low-income Americans further into poverty, making it even more difficult for them to access the affordable and quality health care needed to secure their well-being and the well-being of their families. We need to, instead, use the government as a source of good.

Every American deserves to live in a safe and healthy environment. Yet, low-income and minority communities are much more exposed to high levels of pollution, resulting in serious health problems such as asthma, heart problems, and cancer.

This is a very real problem across America, a very real problem in my district. Thirteen million people, including 3.5 million children, are concentrated in the vicinity of transportation facilities and are exposed to unhealthy levels of air pollution.

□ 2015

My district is home to the Port Newark-Elizabeth Marine Terminal, part of the Port of New York and New Jersey, the third largest port in the country. According to the EPA, 25 percent of children in Newark suffer from asthma—three times the State average.

What we need are additional Federal actions to reduce harmful air pollution from ports and congested components of the national freight transportation system. The issue is critical to the low-income and minority community who suffer the disproportionately adverse health effects of these environmental hazards.

Now, since I am on the topic of environmental justice, I just want to remind everyone that the Republicans continue to block any action to help the thousands of children facing lifelong damage from drinking poisoned water in Flint, including a vote to block the Families of Flint Act emergency supplemental. Their radical refusal to address this health issue will have tragic consequences for American families, and, I think it is representative of their overall inadequate approach to health disparities in minority communities.

The way to eliminate racial health disparities is neither to downplay them nor to cut programs that will assist the most vulnerable. It is to address the environmental, social, and economic conditions that exacerbate those disparities. It is to expand access to qual-

ity health care that could eliminate or reduce the onset of many of these chronic illnesses and disproportionate health outcomes. It is to maintain and strengthen our investments in healthcare access and resources for disadvantaged populations.

In closing, Madam Speaker, I also want to stress that health education must also be a focus in any efforts to eliminate racial-based health disparities. African Americans and other communities are disproportionately affected by poor provider-patient communication and health literacy issues. Consequently, they often do not have access to information that enables them to make the appropriate health decisions.

We have a responsibility to work with our healthcare institutions and community health centers to make it easier for people to find, understand, and use the information and services.

As co-chair of the Congressional Men’s Health Caucus, I have hosted and participated in a number of outreach events in my district to engage directly with constituents about the importance of making positive health decisions and staying proactive about their health and well-being. So I encourage everyone watching at home to get the information you need to make smart health decisions, to get the security you and your family deserve, and to get the health care that we all need.

Mrs. BEATTY. I thank Congressman PAYNE so much for giving us such compelling information and data and reminding us that the time is now for us to enact those programs that work, and the time is now for us to understand what is at risk. Also, let me thank the gentleman for his role on the Congressional Men’s Health Caucus.

At this time, I yield to the gentleman from the State of Texas (Ms. JACKSON LEE). The gentlewoman from the 18th Congressional District of Texas is someone who I am always amazed when she comes to the mic, someone who is well researched, and someone who delivers an oratorical message that makes us take pause and pay attention.

Tonight, I would like to say that Congresswoman SHEILA JACKSON LEE is a movement. Earlier, I heard her use that word in talk about how we, Madam Speaker, must be the movement against violence, that we must be leading that movement against these disparities in health care.

Ms. JACKSON LEE. Madam Speaker, there is no doubt how much I appreciate the Congressional Black Caucus and Congresswoman BEATTY and Congressman JEFFRIES for always being timely in allowing us to give a message to our colleagues. We hope maybe the American people will hear us, but we accept that this body is the body to which and to whom we speak. So I am thankful for that.

I want to pay tribute, overall, to the Congressional Black Caucus because we are actually here speaking of health disparities, because it was the caucus that triggered this debate through the years that we have been trying to get universal access to health care and was the moving force in the 2009, 2008, and 2010 passage, ultimately, of the Affordable Care Act, where the work that we did, joining Congresswoman Donna Christian-Christiansen, at that time, and FRANK PALLONE on the Congressional Health Caucus, but on the CBC we had the health disparities task to ensure that the language in the Affordable Care Act addressed the issue of health disparities.

There was a large section on that that built on some of the work that some of us had already done creating the Office of Minority Health that I had worked on in years past. So it was the lightning bolt of the caucus, and then working with the Congressional Asian Pacific American Caucus and then the Congressional Hispanic Caucus that we raised the issue that no one was talking about.

I remember debating on the floor of the House on the issues of dealing with senior citizen African American men and how they access health care, how do women access health care, and how do women impacted by diabetes access health care. These are some of the diseases that have a proclivity to the African American population.

We were finding out that we even had an issue where medical professionals didn't know how to ask the questions. How do you address someone who needs to be diagnosed for prostate cancer or may be diagnosed for prostate cancer and is an African American male, a senior citizen? My father ultimately died from cancer that metastasized from the prostate to the lungs and the brain, so we knew we had a serious issue.

So today, I want to mention four points, but I am going to focus on the last one, obesity—a question of access to health care and physical fitness.

Many times we live in areas where there is no access to a pool or a tennis court. Mental health—if you lived your life in a segregated America, if you were called “Boy” and “Girl,” it is a different mental health situation than maybe others may have faced. If you live in a situation of poverty, of a single household, maybe—this is not across the board—these issues will be impacted. If you lived around gun violence, if you saw your 15-year-old friend being shot dead in the street, there is a question of mental health that we need access to that care for us to be able to reach out or maybe counselors to be able to provide for children.

HIV/AIDS is something that we have lived through. I remember going to funerals of friends in the 1980s and into

the 1990s, particularly with HIV/AIDS. So we have worked in the Congressional Black Caucus to massively talk about testing.

Let me get to this point that I want to dwell just for a moment on, and that is gun violence. I was here on the floor earlier with my head held down and my heart heavy as my district, today, had a memorial. They had one yesterday. We will have one tomorrow and have one on Wednesday. I mourn with Congresswoman CORINNE BROWN of Florida.

We are offering legislation dealing with the assault weapons and to complement legislation already passed or already in place. But it is important to note that this is a health issue, because the Centers for Disease Control can assess and study every health issue that faces America today, but they are legislatively, by law, prohibited by my friends on other side of the aisle, by Republicans, disallowed every year to give them permission to study gun violence.

Gun violence is killing our children and killing our families. In Orlando, it killed Latinos who happened to be the attendees at the Pulse Club. The LGBTQ community was the dominant community, and a hateful terroristic act using AR-15s and Glock guns killed them.

The incident was the deadliest mass shooting. The next deadliest incidents in recent history were April 16, 2007, Virginia Tech, 32 killed, 17 injured; December 14, 2012, Sandy Hook, 26 killed, 1 injured; October 16, 1991, Killeen, Texas, 23 killed, 27 injured. According to Everytown index of mass shootings where four or more people are shot and killed, the incident was the ninth mass shooting in the United States in 2016, and the 150th mass shooting in United States since January 1, 2009.

The mass shooting with guns impacts both the mental health, the sanctity, and the minority community. It is shameful that we are not allowed to engage in the kind of research that a Harvard professor talked about, and that is the assessing of violence and the assessing of violence with guns.

The materials I have before me make it very clear that most of these violent acts are done with guns—done with guns. San Bernardino, Chattanooga, Charleston, Garland, Oak Creek, and Fort Hood were all done with guns.

So I stand here today to challenge this issue of health disparities to say that the heavy brunt of killings, singular killings, are impacted by poverty, lack of access to health care, the proliferation of guns in our inner city communities, and the failure of the United States Congress to put real gun safety legislation, closing the loophole, the Jim Clyburn rule that says that, if you don't get the review and approval by ATF, you do not get the gun. You have to wait until you get the approval from ATF, which may be trying to de-

termine whether this person with multiple problems, mental health or background issues, doesn't need to get a gun and then ultimately go kill their spouse, their children, their neighbors, their family members or strangers.

So it is my belief today that this health disparities debate is crucial, and we should come away from here recognizing that obesity, the issues of mental health and HIV/AIDS can be, with great investment, researched for cures, or cancer that proliferates in our community, triple negative breast cancer, legislation that I have put forward and have gotten passed about that impact. But it is the gun violence that we are doing absolutely nothing about. The disparities and the impact on minority communities is atrocious.

I want to close simply by saying the word or the acronym LGBTQ community. I want to say it over and over again, because I think it is shameful that, in our debate, in our recognition of the tragedy of Orlando, that we don't acknowledge the horrific hate crime and the hatefulness against that community. As I stand here, that community is diverse, and there are African Americans who are LGBTQ.

So I would ask that, as we move forward this week, we will be reminded of this hatefulness and we will have a cure. We will be reminded of this violence, and we will have a cure. That cure, first of all, will be to restrain the use of assault weapons and these weapons of war-type bullets that men and women in the United States military say have no business on the streets of America.

I believe, Congresswoman, that health disparities are an important wall and division to overcome. I thank the gentlewoman for having this Special Order to ensure that we will confront these issues and try to save lives.

Racial disparities refer to the variation in rates of disease occurrence and disabilities between socioeconomic and/or geographically defined population groups.

I want to focus on four areas of racial disparities in health that impact African Americans that we can do something about: 1. Obesity; 2. Mental Health; 3. HIV/AIDS; and 4. Gun Violence.

African Americans, based on 2015 Census data, comprise 13.2 percent of the U.S. population, or about 42 million people.

Socioeconomic status, in turn, is linked to mental health: People who are impoverished, homeless, incarcerated or have substance abuse problems are at higher risk for poor mental health.

As the founder and chair of the Congressional Children's Caucus, I am especially concerned about the childhood obesity epidemic among African-American youth.

More than 40 percent of African American teenagers are overweight, and nearly 25 percent are obese.

The percentage of children aged 6–11 years in the United States who were obese increased from 7 percent in 1980 to nearly 18 percent in 2012.

African American youth are consuming less nutritious foods such as fruits and vegetables and are not getting enough physical exercise.

This combination has led to an epidemic of obesity, which directly contributes to numerous deadly or life-threatening diseases or conditions, including the following: Hypertension; Dyslipidemia (High Cholesterol or High Triglyceride Levels); Type 2 Diabetes; Coronary Heart Disease; Stroke; Gallbladder Disease; Osteoarthritis; Asthma, bronchitis, sleep apnea, and other respiratory problems; Cancer (Breast, Colon, and Endometrial).

When ethnicity and income are considered, the picture is even more troubling.

African American youngsters from low-income families have a higher risk for obesity than those from higher-income families.

Efforts such as the Let's Move! Campaign by the First Lady are pivotal to ensuring that communities are able to provide healthy snacks and food and encourage healthier decisions.

Since the mid-1970s, the prevalence of overweight and obesity has increased sharply for both adults and children.

Non-Hispanic blacks have the highest age-adjusted rates of obesity at 47.8 percent.

According to the CDC, 37.6 percent of men and 56.9 percent of women twenty years and over are obese.

Every year, more than 40 million Americans struggle with mental illness.

African American men are as likely as anyone else to have mental illness, but they are less likely to get help.

Racism continues to have an impact on the mental health of African Americans.

Negative stereotypes and attitudes of rejection have decreased, but continue to occur with measurable, adverse consequences.

Historical and contemporary instances of negative treatment have led to a mistrust of authorities, many of whom are not seen as having the best interests of African Americans in mind.

According to the Department of Health and Human Services Office of Minority Health:

Adult blacks are 20 percent more likely to report serious psychological distress than adult whites.

Adult blacks living below poverty are two to three times more likely to report serious psychological distress than those living above poverty.

Adult blacks are more likely to have feelings of sadness, hopelessness, and worthlessness than are adult whites.

How African Americans view mental health over generations is a major barrier to accessing mental health services and treatment.

In 1996, MHA commissioned a national survey on clinical depression.

The survey explored the barriers preventing Americans from seeking treatment and gauged overall knowledge of and attitudes toward depression.

This survey revealed that:

63 percent of African Americans believe that depression is a personal weakness.

This is significantly higher than the overall survey average of 54 percent.

Only 31 percent of African Americans believed that depression was a "health problem."

African Americans were more likely to believe that depression was "normal" than the overall survey average.

56 percent believed that depression was a normal part of aging.

45 percent believed it was normal for a mother to feel depressed for at least two weeks after giving birth.

40 percent believed it was normal for a husband or wife to feel depressed for more than a year after the death of a spouse.

Many of these problems persist to this day. As Doctor William Lawson of Howard University (and MHA's District of Columbia affiliate) pointed out in an NPR interview in 2012, "Many African-Americans have a lot of negative feelings about, or not even aware of mental health services."

The "Mental Health: Culture, Race and Ethnicity Supplement" to the 1999 U.S. Surgeon General's Report on Mental Health, states the following:

African-American physicians are five times more likely than white physicians to treat African-American patients.

African-American patients who see African-American physicians rate their physicians' styles of interaction as more participatory.

African Americans seeking help for a mental health problem would have trouble finding African American mental health professionals: In 1998, only 2 percent of psychiatrists, 2 percent of psychologists and 4 percent of social workers said they were African Americans.

The public mental health safety net of hospitals, community health centers, and local health departments are vital to many African Americans, especially to those in high-need populations.

African Americans of all ages are underrepresented in outpatient treatment but overrepresented in inpatient treatment.

Few African-American children receive treatment in privately funded psychiatric hospitals, but many receive treatment in publicly funded residential treatment centers for emotionally disturbed youth.

In 2012, there were an estimated 356,268 inmates with severe mental illnesses in U.S. prisons and jails.

There were only 35,000 mentally ill individuals in state psychiatric hospitals.

The report, "The Treatment of Persons With Mental Illness in Prisons and Jails," jails "in 44 of the 50 states and the District of Columbia, a prison or jail in that state holds more individuals with serious mental illness than the largest remaining state psychiatric hospital," the report said.

African Americans today are overrepresented in our jails and prisons.

People of color account for 60 percent of the prison population.

The Stanford Law School Three Strikes Project's report stated that, "over the past 15 years, the number of mentally ill people in prison in California has almost doubled."

In California, 45 percent of state prison inmates have been treated for severe mental illness within the past year.

African Americans also account for 14 percent of regular drug users, but for 37 percent of drug arrests.

Illicit drug use is frequently associated with self-medication among people with mental illnesses.

In January 2014, the Texas Observer reported that, of the 9,000 inmates in Harris

County Jail more than 25 percent take medication for mental illness, which means that the jail treats more psychiatric patients than all 10 of Texas' state-run public mental hospitals combined.

The passage of the Affordable Care Act created access to health care for those who purchase health insurance and for the poor living in states that are participating in the Medicaid component of the ACA.

Disparities can occur, if physicians do not refer patients with signs of mental illness for proper treatment or if referred patients do not seek out treatment.

Disparities in access to care and treatment for mental illnesses have also persisted over time.

As noted by the Office of Minority Health:

Only 8.7 percent of adult blacks, versus 16 percent of adult whites, received treatment for mental health concerns in 2007–2008.

Only 6.2 percent of adult blacks, versus 13.9 percent of adult whites, received medications for mental health concerns during 2008.

While 68.7 percent of adult whites with a major depressive episode in 2009 received treatment, only 53.2 percent of adult blacks did.

The Affordable Care Act will have an impact on this gap by 2016.

Depression and other mental illness can be deadly if left untreated.

Suicide is the third leading cause of death among African Americans 15 to 24 years old.

Untreated mental illness can also make African American men more vulnerable to substance abuse, homelessness, incarceration, and homicide.

African Americans are the racial/ethnic group most affected by HIV in the United States.

According to the CDC, 44 percent (19,540) of estimated new HIV Diagnoses in the United States were among African Americans, who comprise 12 percent of the US population.

HIV/AIDs are now the leading cause of death among African Americans ages 25 to 44—ahead of heart disease, accidents, cancer, and homicide.

At the end of 2012, an estimated 496,500 African Americans were living with HIV, representing 41 percent of all Americans living with the Virus.

Of African Americans living with HIV, around 14 percent do not know they are infected.

African Americans accounted for an estimated 44 percent of all new HIV infections among adults and adolescents (aged 13 years or older) in 2010, despite representing only 12 percent of the U.S. population.

HIV is a sexually transmitted disease or STD; it is also spread through intravenous drug use.

HIV infections spread through sharing of needles has declined with needle programs, while the STD rates of infection among African Americans has increased at a rate higher than any other ethnic group.

Have their HIV status checked—not once but annually.

Know the HIV status of sexual partner.

If HIV positive: Know how to get on antiviral medication, 2 small pills taken each day, and stay on them.

Where to go for information if you or your partner is HIV positive.

In 2010, men accounted for 70 percent (14,700) of the estimated 20,900 new HIV infections among all adult and adolescent African Americans.

The estimated rate of new HIV infections for African American men (103.6/100,000 population) was 7 times that of white men, twice that of Latino men, and nearly 3 times that of African American women.

In 2010, African American gay, bisexual, and other men who have sex with men represented an estimated 72 percent (10,600) of new infections among all African American men and 36 percent of an estimated 29,800 new HIV infections among all gay and bisexual men.

Of those gay and bisexual men, 39 percent (4,321) were young men aged 13 to 24.

According to the CDC, the numbers of new HIV diagnoses among African American women fell 42 percent between 2005 to 2014, but it is still high compared to women of other races/ethnicities.

Most new HIV infections among African American women (87 percent; 5,300) are attributed to heterosexual contact.

In 2012, there were 72,010 Texans living with HIV/AIDS.

Texas has the 10th highest number of HIV diagnoses in 2013 and ranks 18th for deaths from HIV.

Currently 14 percent of the people living with HIV are undiagnosed and only 30 percent of the people with HIV are virally suppressed, which means that 70 percent of the people who are ill are not on medication that can help limit their ability to infect others.

HIV is an unnecessarily disproportionate burden on the African American and Latino community.

There is a wall of misinformation about the illness and an uncomfortable silence regarding the need to speak about the illness not only to the young, but also the older persons.

When treatments were first developed in the 1990s they had lots of side effects that made patients very ill.

Few talk about the advances in HIV treatment that now involve taking 2 small pills a day with the result leaving patients feeling healthy and able to engage in life's normal activities.

The virus count for those who take their medication is so low that it often does not register in tests.

This does not mean that people are cured, but it does mean that there is no reason not to get tested so that you know if you are in need of treatment.

Anyone can become infected—so it is up to all of us to educate our families, neighbors, co-workers and friends about getting tested.

There are some insurance company practices that have a detrimental impact on the ability of people with HIV to enroll in qualified health insurance plans.

In states like Texas that are not fully participating in the Affordable Care Act's Medicaid expansion this is especially problematic for HIV patients who are poor.

Some states allow insurance carriers to post misleading or intentionally vague formularies on market place websites or excluding essential HIV medications from drug formularies and impressing high cost sharing.

Out of pocket medication cost each month should be capped.

Mrs. BEATTY. Madam Speaker, I thank Congresswoman SHEILA JACKSON LEE for reminding us that we should be done with guns like the assault weapons. I thank the gentlewoman for reminding us of the impact that health disparities have on our communities in this Nation.

□ 2030

Madam Speaker, I have two documents that will be entered into the RECORD.

The first document is from Congresswoman EDDIE BERNICE JOHNSON. I would like to state for the RECORD that she was the first nurse to serve in this United States Congress. And the second is a portion of the Special Feature on Racial and Ethnic Health Disparities: 30 Years After the Heckler Report. SPECIAL FEATURE ON RACIAL AND ETHNIC HEALTH DISPARITIES: 30 YEARS AFTER THE HECKLER REPORT

INTRODUCTION

The 1985 Report of the Secretary's Task Force on Black and Minority Health, released by then Secretary of Health and Human Services Margaret Heckler, documented significant disparities in the burden of illness and mortality experienced by blacks and other minority groups in the U.S. population compared with whites (41). The report laid out an ambitious agenda, including improving minority access to high-quality health care, expanding health promotion and health education outreach activities, increasing the number of minority health care providers, and enhancing federal and state data collection activities to better report on minority health issues. In the 30 years since the Heckler Report, national efforts to improve minority health through outreach, programming, and monitoring have included the formation of the Department of Health and Human Services (HHS) Office of Minority Health in 1986 (42); the annual National Healthcare Quality and Disparities Reports first issued in 2003 (43); the adoption of disparities elimination as an overarching goal of Healthy People 2010 (44); and most recently, an HHS Action Plan to Reduce Racial and Ethnic Health Disparities—a comprehensive federal commitment to reduce and eventually eliminate disparities in health and health care (45).

Race is a social construct influenced by a complex set of factors (46,47). Because of the complexity and difficulty in conceptualizing and defining race, as well as the increasing representation of racial and ethnic subgroups in the United States, racial classification and data collection systems continue to evolve and expand. In 1977, the Office of Management and Budget (OMB) required that all federal data collection efforts collect data on a minimum of four race groups (American Indian or Alaskan Native, black, Asian or Pacific Islander, and white) and did not allow the reporting of more than one race (48). In 1997, in response to growing interest in more detailed reporting on race and ethnicity, OMB mandated data collection for a minimum of five race groups, splitting Asian or Pacific Islander into two categories (Asian, and Native Hawaiian or Other Pacific Islander) (49). In addition, the 1997 standards allowed respondents to report more than one race. A minimum of two cat-

egories for data collection on ethnicity, "Hispanic or Latino" and "Not Hispanic or Latino," were also required under the 1997 OMB standards. Consequently, whereas the Heckler Report primarily documented black-white differences in health and mortality due to data limitations, this Special Feature is able to report on more detailed racial and ethnic groups. For example, Figures 19-21 display trends in infant mortality and low-risk cesarean section deliveries, and the current data on preterm births for five Hispanic-origin groups.

At the time of the Heckler Report, 22.3% of the population were considered racial or ethnic minorities (Table 1). Current Census (2014) estimates identify 37.9% of the population as racial or ethnic minorities (50). In 2014, Hispanic persons, who may be of any race, comprised 17.4% of the U.S. population. Non-Hispanic multiple race persons were 2.0% of the population. For the single race groups, non-Hispanic American Indian or Alaska Native persons were 0.7%, non-Hispanic Asian persons were 5.3%, non-Hispanic black persons were 12.4%, non-Hispanic Native Hawaiian or Other Pacific Islander persons were 0.2%, and non-Hispanic white persons were 62.1% of the U.S. population in 2014 (50).

Understanding the demographic and socioeconomic composition of U.S. racial and ethnic groups is important because these characteristics are associated with health risk factors, disease prevalence, and access to care, which in turn drive health care utilization and expenditures. Non-Hispanic white persons are, on average, older than those in other racial and ethnic groups, with a median age of 43.1 years, and Hispanic individuals are the youngest, with a median age of 28.5 years in 2014 (50). About one-quarter of black only persons (26.2%) and Hispanic persons (23.6%) lived in poverty compared with 10.1% of non-Hispanic white only persons and 12.0% of Asian only persons in 2014 (51). Non-Hispanic black only children and Hispanic children were particularly likely to live in poverty (37.3% and 31.9%, respectively, in 2014) (52). However, Hispanic individuals are often found to have quite favorable health and mortality patterns in comparison with non-Hispanic white persons and particularly with non-Hispanic black persons, despite having a disadvantaged socioeconomic profile—a pattern termed the epidemiologic paradox (53).

HHS defines a racial or ethnic health disparity as "a particular type of health difference that is closely linked with social, economic, and/or environmental disadvantage. Health disparities adversely affect groups of people who have systematically experienced greater obstacles to health based on their racial or ethnic group" (54). There are many different ways to measure racial and ethnic differences in health and mortality, which can lead to different conclusions (55-58). This Special Feature on Racial and Ethnic Health Disparities (Special Feature) uses the maximal rate difference, one of three overall measures used in Healthy People 2020 to measure differences among groups of people (see Technical Notes). The maximal rate difference is an overall measure of health disparities calculated as the absolute difference between the highest and lowest group rates in the population for a given characteristic (59). The identification of groups that experience the highest and lowest rates in this Special Feature was based on observed rates and was not tested for a statistically significant difference against other rates. Ties in highest or lowest

rates were resolved by examining decimal places. With respect to changes in health disparities over time, tracking the maximal rate difference over time enables one to determine whether the absolute difference between the highest and lowest group rates is increasing, decreasing, or stable.

The Special Feature charts that follow provide detailed comparisons of key measures of mortality, natality, health conditions, health behaviors, and health care access and utilization, by race, race and ethnicity, or by detailed Hispanic origin, depending on data availability. A majority of the 10 graphs in this year's Special Feature present trends in health from 1999–2014. Results indicate that trends in health were generally positive for the overall population and several graphs illustrate success in narrowing gaps in health by racial and ethnic group. Differences in life expectancy, infant mortality, cigarette smoking among women, influenza vaccinations among those aged 65 and over, and health insurance coverage narrowed among the racial and ethnic groups. For example, the absolute difference in infant mortality rates between infants born to non-Hispanic black mothers (highest rate) and infants born to non-Hispanic Asian or Pacific Islander mothers (lowest rate) narrowed between 1999–2014. Differences by racial and ethnic group in the prevalence of high blood pressure and smoking among adult men remained stable throughout the study period, with non-Hispanic black adults more likely to have high blood pressure than adults in other racial and ethnic groups throughout the period, and non-Hispanic black and non-Hispanic white males more likely to be current smokers than Hispanic and non-Hispanic Asian men. For low-risk cesarean sections, influenza vaccinations among adults aged 18–64, and unmet dental care needs, the gap widened among the racial and ethnic groups between 1999–2014.

Despite improvements over time in many of the health measures presented in this Special Feature, disparities by race and ethnicity were found in the most recent year for all 10 measures, indicating that although progress has been made in the 30 years since the Heckler Report, elimination of disparities in health and access to health care has yet to be achieved.

LIFE EXPECTANCY AT BIRTH

In 2014, life expectancy was longer for Hispanic men and women than for non-Hispanic white or non-Hispanic black men and women.

Life expectancy is a measure often used to gauge the overall health of a population. Life expectancy at birth represents the average number of years that a group of infants would live if the group were to experience the age-specific death rates present in the year of birth. Differences in life expectancy among various demographic subpopulations, including racial and ethnic groups, may reflect subpopulation differences in a range of factors such as socioeconomic status, access to medical care, and the prevalence of specific risk factors in a particular subpopulation (60,61).

During 1980–2014, life expectancy at birth in the United States increased from 70.0 to 76.4 years for males and from 77.4 to 81.2 years for females (Table 15, and data table for Figure 18). During this period, life expectancy at birth for males and females was longest for white persons and shortest for black persons. For both males and females, racial differences in life expectancy at birth narrowed, but persisted during 1980–2014. Life expectancy at birth was 6.9 years longer for

white males than for black males in 1980, and this difference narrowed to 4.2 years in 2014. In 1980, life expectancy at birth was 5.6 years longer for white females than for black females, and this difference narrowed to 3.0 years in 2014.

In 2014, Hispanic males and females had the longest life expectancy at birth, and non-Hispanic black males and females had the shortest. In 2014, life expectancy at birth was 7.2 years longer for Hispanic males than for non-Hispanic black males and 5.9 years longer for Hispanic females than for non-Hispanic black females.

INFANT MORTALITY

During 1999–2013, infant mortality rates were highest among infants born to non-Hispanic black women (11.11 infant deaths per 1,000 live births in 2013).

Infant mortality, the death of a baby before his or her first birthday, is an important indicator of the health and wellbeing of a country. It not only measures the risk of infant death but it is used as an indicator of maternal health, community health status, and availability of quality health services and medical technology (62,63).

The infant mortality rate in the United States decreased from 7.04 infant deaths per 1,000 live births in 1999 to 6.75 in 2007, and then decreased at a faster rate to 5.96 in 2013. Trends in infant mortality rates during 1999–2013 varied among the five racial and ethnic groups. During 1999–2013, infants born to non-Hispanic black mothers experienced the highest rates of infant mortality (11.11 in 2013) and infants born to non-Hispanic Asian or Pacific Islander mothers experienced the lowest rates (3.90 in 2013). The difference between the highest and lowest infant mortality rates among the five racial and ethnic groups was stable from 1999 to 2006 and then narrowed from 2006 to 2013. The difference between the highest (non-Hispanic black) and lowest (non-Hispanic Asian or Pacific Islander) infant mortality rates was 9.41 deaths per 1,000 live births in 1999, compared with 7.21 in 2013.

For infants born to Hispanic mothers, the infant mortality rate remained stable during 1999–2008 (5.71 infant deaths per 1,000 live births in 1999) and then decreased to 5.00 in 2013. During 1999–2013, the infant mortality rate for Hispanic infants varied by the mother's Hispanic-origin group. Throughout this period, infants born to Puerto Rican mothers experienced the highest mortality rates. In all years except 2009, infants born to Cuban mothers and those born to Central and South American mothers experienced the lowest mortality rates at alternate times throughout 1999–2013. The difference between the highest (Puerto Rican) and lowest (Cuban) infant mortality rates among Hispanic-origin groups narrowed from 3.71 deaths per 1,000 live births in 1999 to 2.88 in 2013. During 1999–2013, the difference in infant mortality rates was narrower for mothers in the Hispanic-origin groups than for mothers in the five racial and ethnic groups.

PRETERM BIRTHS

In 2014, non-Hispanic black mothers had the highest percentage of preterm births of the five racial and ethnic groups, and Puerto Rican mothers had the highest percentage of preterm births of the five Hispanic-origin groups.

An infant's gestational age is an important predictor of his or her survival and subsequent health (64–70). Preterm birth prior to 37 weeks gestation affects infant mortality rates and racial and ethnic disparities in infant mortality (Figure 19) (71). The degree of

prematurity matters—infants born prior to 32 weeks gestation are at greatest risk of death during infancy, with the risk of infant death decreasing as gestational age increases (72).

In 2014, 7.7% of singleton births occurred before 37 weeks of gestation; 5.7% at 34–36 weeks; 0.8% at 32–33 weeks gestation; and 1.2% before 32 weeks (data table for Figure 20). In 2014, among the five racial and ethnic groups, non-Hispanic black women had the highest percentage of singleton births before 37 weeks (11.1%) and non-Hispanic Asian or Pacific Islander women had the lowest percentage (6.8%). Non-Hispanic black women also had the highest percentage of singleton preterm births at each preterm gestational age. The difference between the highest (non-Hispanic black) and lowest (non-Hispanic Asian or Pacific Islander) percentages of singleton preterm births among the five racial and ethnic groups was 4.3 percentage points (before 37 weeks), 2.0 percentage points (34–36 weeks), 0.6 percentage points (32–33 weeks), and 1.7 percentage points (before 32 weeks).

Among Hispanic-origin groups in 2014, Puerto Rican mothers had the highest percentage of singleton births before 37 weeks (9.1%) and Cuban mothers had the lowest percentage (7.2%). The difference between the highest (Puerto Rican) and lowest (Cuban) percentages of singleton preterm births among the Hispanic-origin groups was 1.9 percentage points (before 37 weeks) and 1.3 percentage points (34–36 weeks). Central and South American mothers had the lowest percentage of singleton births before 34 weeks. For preterm births before 34 weeks, the difference between the highest (Puerto Rican) and lowest (Central and South American) percentages was 0.2 percentage points (32–33 weeks) and 0.6 percentage points (before 32 weeks).

LOW-RISK BIRTHS DELIVERED BY CESAREAN SECTION

During 1999–2014 non-Hispanic black mothers experienced the highest percentage of low-risk cesarean deliveries among the five racial and ethnic groups (29.9% in 2014); Cuban mothers experienced the highest percentage of low-risk cesarean deliveries among the five Hispanic-origin groups (41.49–6 in 2014).

Cesarean deliveries comprise approximately one-third of all births in the United States (32.2% in 2014) and can place mothers and infants at increased risk for poor health outcomes (74). Over the past decade, professional medical groups have attempted to reduce low-risk cesarean deliveries defined as cesarean deliveries among full term (37 or more completed weeks of gestation), singleton, vertex (head first) births to women giving birth for the first time (75,76).

The percentage of low-risk births that were delivered by cesarean section increased from 19.5% to 26.6% during 1999–2005, stabilized during 2005–2009, and then decreased to 26.0% in 2014 (data table for Figure 21). Throughout the period 1999–2014, non-Hispanic black mothers experienced the highest percentage of low-risk cesarean deliveries (29.9% in 2014) among the five racial and ethnic groups, while non-Hispanic American Indian or Alaska Native mothers experienced the lowest percentage (21.5% in 2014). The difference between the highest (non-Hispanic black) and lowest (non-Hispanic American Indian or Alaska Native) percentages widened from 4.8 percentage points in 1999 to 8.4 percentage points in 2014.

Among Hispanic mothers, the percentage of low-risk births that were delivered by cesarean section increased from 18.7% to 24.6%

during 1999–2004, increased at a slower rate from 2004–2009, and then remained stable during 2009–2014 (data table for Figure 21). Throughout the period 1999–2014 Cuban mothers experienced the highest percentage of low-risk cesarean deliveries (41.4% in 2014), while Mexican mothers experienced the lowest percentage (24.1% in 2014). Among Hispanic-origin groups, the difference between the highest and lowest percentages of low-risk cesarean deliveries was stable during 1999–2002, widened sharply during 2002–2006, and then narrowed during 2006–2014. The difference between the highest (Cuban) and lowest (Mexican) percentages was 11.7 percentage points in 1999, 21.5 percentage points in 2006, and 17.3 percentage points in 2014.

CHILDREN AND ADOLESCENTS WITH OBESITY

In 2011–2014 for children and adolescents aged 2–19 years, Hispanic children and adolescents had the highest prevalence of obesity and non-Hispanic Asian children had the lowest prevalence.

Childhood obesity is a serious public health challenge in the United States and many other industrialized nations in the world (Figure 8) (19,77,78). Excess body weight in children is associated with excess morbidity in childhood and excess body weight in adulthood (13,14). Obesity among children and adolescents is defined as a body mass index at or above the sex- and age-specific 95th percentile of the CDC growth charts (15). Between 1999–2000 and 2013–2014, the percentage of children and adolescents aged 2–19 with obesity increased from 13.9% to 17.2% (79). However, among youth aged 2–19, the prevalence of obesity did not change from 2003–2004 through 2013–2014 (79).

In 2011–2014 for children and adolescents aged 2–19, the percentage with obesity was highest for Hispanic children and adolescents and lowest for non-Hispanic Asian children and adolescents. For those aged 2–19, the difference between the highest (Hispanic) and lowest (non-Hispanic Asian) percentages was 13.3 percentage points.

For children aged 2–5, the percentage with obesity was highest for Hispanic children and lowest for non-Hispanic white children. (The estimate for non-Hispanic Asian children aged 2–5 was not stable and is not shown.) The difference between the highest (Hispanic) and lowest (non-Hispanic white) percentages was 10.4 percentage points for children aged 2–5. For children aged 6–11, the percentage with obesity was highest for Hispanic children and lowest for non-Hispanic Asian children. For children aged 6–11, the difference between the highest (Hispanic) and lowest (non-Hispanic Asian) percentages was 15.2 percentage points.

In 2011–2014 for adolescents aged 12–19, the percentage with obesity was highest for Hispanic adolescents and lowest for non-Hispanic Asian adolescents. The difference between the highest (Hispanic) and lowest (non-Hispanic Asian) percentages was 13.4 percentage points for adolescents aged 12–19 years.

HYPERTENSION

In 2011–2014, non-Hispanic black men and women were the most likely to have hypertension compared with adults in the other racial and ethnic groups.

Hypertension is an important risk factor for cardiovascular disease, stroke, kidney failure, and other health conditions (80,81). In 2011–2014, 84.1% of adults with hypertension were aware of their status, and 76.1% were taking medication to lower their blood pressure (82). Despite improvement in increasing the awareness, treatment, and con-

trol of hypertension, diagnosis and treatment of hypertension among minority groups remains a challenge (83).

Hypertension is defined as reporting taking antihypertensive medication and/or having a measured systolic blood pressure of at least 140 mm Hg or a measured diastolic blood pressure of at least 90 mm Hg. The age-adjusted percentage of adults aged 20 and over with hypertension was stable during 1999–2014 (30.8% in 2013–2014) (data table for Figure 23). During 1999–2014, non-Hispanic black adults had the highest percentage with hypertension among the three racial and ethnic groups (42.7%, age-adjusted in 2013–2014), while with the exception of 1999–2000, adults of Mexican origin had the lowest percentage with hypertension (28.8%, age-adjusted in 2013–2014). The difference between the highest and lowest age-adjusted percentages of adults with hypertension among the three racial and ethnic groups was stable during 1999–2014; in 2013–2014, the difference between the highest (non-Hispanic black) and lowest (Mexican-origin) percentages was 13.9 percentage points.

In 2011–2014, the age-adjusted percentage of adult men and women with hypertension was similar (31.0% and 29.7%, respectively, data table for Figure 23). The difference between the highest (non-Hispanic black) and lowest (Hispanic) age-adjusted percentages of men with hypertension among the four racial and ethnic groups was 14.7 percentage points; for women, the difference between the highest (non-Hispanic black) and lowest (non-Hispanic Asian) was 19.0 percentage points in 2011–2014.

CURRENT CIGARETTE SMOKING

During 1999–2014, differences in cigarette smoking between racial and ethnic groups were larger for women than for men.

Smoking causes more than 480,000 deaths each year, accounting for about one in five deaths in the United States (84). Smokers are more likely to develop heart disease, stroke, and cancer. Smoking also increases the risk for diabetes, cataracts, rheumatoid arthritis, and stillbirth (85).

During 1999–2014, the age-adjusted percentage of adults aged 18 and over who were current cigarette smokers decreased from 25.2% to 19.0% for men and from 21.6% to 15.1% for women (data table for Figure 24). Within each of the four racial and ethnic groups, men were more likely to be current cigarette smokers than women.

In 2014 for men, the age-adjusted percentage of current cigarette smokers was highest for non-Hispanic black men (22.0%) and lowest for Hispanic men (13.8%). The difference between the highest and lowest age-adjusted percentages of current cigarette smokers among the four racial and ethnic groups remained stable during 1999–2014 because levels for men in all racial and ethnic groups declined similarly during this period. The difference between the highest (non-Hispanic black) and lowest (Hispanic) percentages for men was 8.2 percentage points in 2014.

For women, non-Hispanic white women consistently had the highest age-adjusted percentage of current cigarette smokers among the four racial and ethnic groups throughout 1999–2014 (18.3% in 2014), while non-Hispanic Asian women had the lowest age-adjusted percentage (5.1% in 2014). For women, the difference between the highest (non-Hispanic white) and lowest (non-Hispanic Asian) percentages narrowed from 17.5 percentage points in 1999 to 13.2 in 2014. During 1999–2014, racial and ethnic differences in cigarette smoking prevalence were larger for women than for men.

INFLUENZA VACCINATION

During 1999–2014, influenza vaccination was highest for those aged 65 and over and lowest for those aged 18–64, for all racial and ethnic groups.

Influenza is a serious illness that can lead to hospitalization and sometimes death. Influenza vaccination is especially important for people who are at risk of getting seriously ill from influenza, including those with chronic conditions, older adults, and young children.

The percentage of adults aged 18–64 who received an influenza vaccination in the past 12 months remained stable during 1999–2006 and then increased to 35.8% in 2014 (data table for Figure 25). This pattern was present for all racial and ethnic groups. Decreases in influenza vaccination coverage in 2005 were related to a vaccine shortage (86). For those aged 18–64, no racial and ethnic group was consistently the most likely to receive influenza vaccination during 1999–2014. In 2014, non-Hispanic Asian adults had the highest percentage for influenza vaccination receipt (41.3%) and Hispanic adults had the lowest percentage (27.9%). For adults aged 18–64, the difference between the highest and lowest percentages of adults receiving an influenza vaccination among the four racial and ethnic groups widened from 6.9 percentage points in 1999 (non-Hispanic white compared with Hispanic) to 13.4 in 2014 (non-Hispanic Asian compared with Hispanic).

For adults aged 65 and over, the percentage who received an influenza vaccination in the past 12 months increased from 65.7% to 70.1% during 1999–2014. During this period, trends in influenza vaccination coverage varied by racial and ethnic group, and no racial and ethnic group was consistently the most or least likely to receive influenza vaccination. In 2014, non-Hispanic Asian adults had the highest percentage for receipt of influenza vaccination (72.7%) and non-Hispanic black adults had the lowest (57.4%). For adults age 65 and over, the difference between the highest (non-Hispanic Asian) and lowest (non-Hispanic black) percentages of older adults receiving an influenza vaccination among the four racial and ethnic groups was stable during 1999–2003 and then narrowed to 15.3 percentage points in 2014.

HEALTH INSURANCE COVERAGE

During 1999 through the first 6 months of 2015 among adults aged 18–64, lack of health insurance coverage was highest among Hispanic adults.

Health insurance is a major determinant of access to health care. Children are less likely to be uninsured than adults aged 18–64 because they are more likely to qualify for public coverage, primarily Medicaid and the Children's Health Insurance Program (CHIP) (see data table for Figure 26 for estimates for children) (26,87). Passage of the Affordable Care Act (ACA) in 2010 (38) authorized states to expand Medicaid eligibility (88) and to establish the health insurance marketplace in 2014.

For adults aged 18–64, the percentage without coverage increased from 17.9% to 20.5% during 1999–2013, and then decreased to 12.7% in the first 6 months of 2015 (36). During this period, the trend for lack of coverage varied by racial and ethnic group.

During 1999–June 2015, Hispanic adults aged 18–64 had the highest percentage without coverage (27.2% in the first 6 months of 2015), and non-Hispanic white adults aged 18–64 had the lowest, except in the first 6 months of 2015, when non-Hispanic Asian adults had the lowest percentage without coverage.

The difference between the highest and lowest percentages of adults aged 18–64 without health insurance among the four racial

and ethnic groups narrowed from 1999–June 2015. This difference was 24.9 percentage points in 1999 (Hispanic adults compared with non-Hispanic white adults) and 19.9 percentage points in the first 6 months of 2015 (Hispanic adults compared with non-Hispanic Asian adults).

DIFFICULTY ACCESSING NEEDED DENTAL CARE DUE TO COST

During 1999–2014 among adults aged 18–64, nonreceipt of needed dental care due to cost was lowest among non-Hispanic Asian adults.

Oral health is integral to general health and wellbeing, and forgoing needed dental health care can have serious health effects (89). In general, fewer adults have dental coverage than medical coverage, and dental coverage tends to be less comprehensive (90–92). In 2012, 44% of dental expenditures among adults aged 18–64 were paid out of pocket, a higher out-of-pocket percentage than for any other type of personal health care expenditure (93).

The percentage of adults aged 18–64 who did not receive needed dental care in the past 12 months due to cost increased from 9.3% to 17.3% during 1999–2010, and then decreased to 12.6% in 2014 (data table for Figure 27).

During 1999–2014, non-Hispanic Asian adults aged 18–64 had the lowest percentage of not receiving needed dental care due to cost (6.3% in 2014) among the four racial and ethnic groups. No racial and ethnic group consistently had the highest percentage of not receiving needed dental care due to cost during 1999–2014. The difference between the highest and lowest percentages of adults not receiving needed dental care due to cost among the four racial and ethnic groups widened during 1999–2010, and then remained stable from 2010–2014 for those aged 18–64. This difference was 5.9 percentage points in 1999 (non-Hispanic black compared with non-Hispanic Asian) and 9.4 percentage points in 2014 (Hispanic compared with non-Hispanic Asian).

Mrs. BEATTY. Madam Speaker, we have heard a lot tonight. We have heard the call to action by Members. We have heard the relationship to poverty in health disparities, to the socioeconomic conditions of African Americans to health disparities. We have heard the relationship to death by guns to health disparities. We have heard the data and the statistics about the mortality rates from diseases like cardiovascular disease, the leading killer for women and African American women and men. We have heard about the effect of untreated diabetes and how that affects African Americans.

The list goes on and on, Madam Speaker. I could tell you whether it is obesity, whether it is stroke—and certainly as a stroke survivor, I understand firsthand the value and the importance of quality, affordable health care—that there are some Federal programs that actually work and bridge the gap. I could say wonderful things about the United States Health and Human Services Office of Minority Affairs that provides data and research and services for us.

But before I ask my colleague, Madam Speaker, to say a few words, I ran across something that was said, in my opinion, by one of the most power-

ful individuals that will go down in current history. And 20 years from now, Madam Speaker, if I were standing here talking about his legacy, health care would be one of them. Let me conclude my part with these brief words that he quoted on April 1 of this year:

“Our Nation was built on an enduring belief that we are all created equal—regardless of the color of our skin or the station into which we were born. From the ambitions we hold for ourselves to the way we take care of our health, this founding premise serves as the guidepost of our national life.”

Yet, to this day, Madam Speaker, minorities continue to experience the healthcare gaps that leave their communities our communities.

I will add this to his ending that, Madam Speaker, tonight, the Congressional Black Caucus asks that we recommit to taking action to overcome these disparities. And that person who will leave a great legacy for these words is no other than our President of these United States, President Barack Obama.

And now as we begin to close our hour, I yield to the gentleman from New York (Mr. JEFFRIES). I could not think of a better colleague, a better co-anchor, to come and share with us our call to action.

My colleague and classmate, Congressman JEFFRIES, is a scholar, someone who sits back, listens, and then comes with resolve. He is someone who is no stranger to this process of telling it like it is. He is someone who has spent a lot of time and years with his experience to speak for the individuals of his district. But tonight, Madam Speaker, I asked him to speak for the Congressional Black Caucus. I asked him to close us out on our call for action as we talk about the health disparities in our African American communities.

Mr. JEFFRIES. Madam Speaker, I thank my good friend, the distinguished gentlewoman from Ohio, and our phenomenal anchor for this CBC Special Order hour today and throughout the second session of the 114th Congress. It has been an honor and a privilege to work closely with her. She has done such a phenomenal job, not just on behalf of the people she represents in the great city of Columbus, Ohio, but all throughout the Nation in her various roles, and certainly in her leadership in the Congressional Black Caucus.

It is with a heavy heart that I stand on the floor of the House of Representatives today and, with great sadness, acknowledge the pain and the suffering and extend my condolences to those who have suffered this great tragedy in Orlando, Florida, the worst mass shooting in the history of the United States of America.

It is a complicated shooting. We understand that it most likely is an act

of terror, a hate crime of unspeakable proportions. There are indications that the shooter may have some degree of mental illness and a history of domestic abuse. The shooter appeared to have been, in some measure, on the FBI's radar.

But you can add all those things up and there is still something that is missing that we here in Congress have the capacity to deal with, and that is the fact that one individual was able to purchase a weapon of mass destruction—which should be reserved for war, not the hunting of human beings in this great democratic Republic—and inflict death on 49 individuals and maim in ways that are inhumane to more than 50 others.

Martin Luther King, Jr., once said: “In the end, we will remember not the words of our enemies, but the silence of our friends.”

During the 114th Congress, there have been more than 100 mass shootings. We often come to the floor of the House of Representatives and the Speaker or one of his designees stands at the rostrum and asks us, as Members of the House, to stand in a moment of silence. And then we go on with business as usual, having done nothing about the tremendous gun violence problem that we have in America.

The rest of the world is looking around and saying: What are they doing in the United States of America? Five percent of the world's population, 50 percent of the world's guns. It is estimated that there are more than 300 million guns circulating throughout this great land. The FBI and local law enforcement can't tell you where the overwhelming majority of them are because of legislative silence and malpractice.

This is an issue, of course, that has great impact on the African American community. Homicides are the leading cause of death through guns of younger African American men. So we in the CBC view it as a public health crisis certainly for our community. I think it is one that all Americans should view as a health crisis for the entire country.

But the thing that is also troubling—and we will have time to deal with this tragedy—is hopefully we will be able to take some commonsense steps in the right direction, including making sure that individuals who are on the terrorist watch list can't purchase weapons of mass destruction. How complicated is that to do?

But the thing that is striking for many of us in the African American community is that, when you look at some of the leading causes of death—heart disease being number one, and then, of course, diabetes and childhood obesity being problematic, certain forms of cancer, HIV/AIDS infection—many of these illnesses, these ailments that plague the neighborhoods that I

represent in central Brooklyn, in Bedford-Stuyvesant, in East New York, in Ocean Hill-Brownsville, in Canarsie, and in the west end of Coney Island, are preventable, preventable by better exercise, preventable by dealing with some of the environmental racism that many low-income communities of color have been subjected to, resulting in incredibly high rates of asthma and other forms of respiratory illness, preventable by better diet.

Senator BOOKER recently said to many of us—and this has stuck with me—that more African Americans in the United States of America die as a result of drive-throughs, not drive-bys. That is because the diet, the access to healthy food, is limited. The food deserts within which many African Americans, particularly at the lowest socioeconomic level, are forced to reside in are scandalous.

So we in the Congressional Black Caucus believe that we have to deal with these issues in a more meaningful, comprehensive fashion.

I am thankful that back at home in the west end of Coney Island, Coney Island Cathedral, one of the most important religious institutions in Brooklyn, is actively engaged in a public health campaign to deal with diabetes and heart disease and many of the other ailments that result from a poor diet that exists, a lack of access to healthy food in the Black community. It is a campaign that we want to take across the Nation.

We are thankful for the work that has been done by the Congressional Black Caucus and by President Obama through his leadership of the Affordable Care Act. We now know that over 20 million previously uninsured Americans now have access to quality, affordable health care—disproportionately African American.

That is a positive step in the right direction. But instead of trying to dismantle this monumental step forward, as House Republicans have attempted to do more than 60 times over the last few years, they have a clinical obsession with a law that has been declared constitutional—not once, but twice—by the United States Supreme Court.

Let's figure out ways to come together as a nation, despite our racial, religious, and ethnic differences, to deal with the disparities that exist in the African American community and beyond. And let us come together as a Congress and as a nation to deal with the scourge of hate, in its most recent form, directed at the LGBT community down in Orlando in such a horrific and invidious fashion.

We are better than this. We can do much better here in the United States Congress. The Congressional Black Caucus is here to lead the way on issues, worked in partnership hand in hand with our colleagues on the other side of the aisle, if they are just willing

to meet us some of the way, to deal with the issues of health disparities in the African American community and deal with the scourge of gun violence that takes our young boys and girls in shocking numbers and also impacts people all across the country.

I thank the distinguished gentleman for her leadership and for once again yielding to me and anchoring this Special Order in such a phenomenal way.

Mrs. BEATTY. Madam Speaker, I thank Congressman JEFFRIES.

Madam Speaker, as we close out tonight, I can't think of a better way to take my last 30 seconds than to speak to you and to speak to America and to ask that we take these last seconds in silence as a call to action to prevent the guns being on the street, as a call to action to reduce the health disparities. But in honor of the families in Orlando, we give them our commitment that we stand with them and that I stand with all of my friends and constituents and supporters who belong to the LGBT community.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise in honor of the special order hour titled "Bridging the Divide: A Call to Action by the Congressional Black Caucus to Eliminate Racial Health Disparities." I would like to thank my colleagues Congressman HAKEEM JEFFRIES and Congresswoman JOYCE BEATTY for hosting this timely special order.

Historically, racial and ethnic minorities are likely to have the highest uninsured rates and are less likely to receive preventive and quality health care. While the Affordable Care Act has helped minorities afford health insurance and access quality care, there is still a need to eliminate existing disparities. For example, the Department of Health and Human Services is currently working to expand access, end racial and ethnic discrimination, perform outreach to underserved communities, improve workforce diversity, and expand data collection and reporting.

While this is an ambitious plan, it is one that is extremely necessary. Unfortunately, coverage, access, and outreach may not be the only keys to eliminating disparities. Demographic characteristics contribute heavily to racial and ethnic health status. For example, research shows that privately insured African American and Hispanic adults fare worse than privately insured white adults along measures to access and use of care. Unfortunately, African Americans and Hispanics are less likely to have a regular provider than their white counterparts. The same research also showed that privately insured African Americans and Hispanics had less confidence in their ability to pay for medical costs.

Since social determinants like economic stability, education, and environment play such a large role in how we each view and access health care, many of the changes necessary to eliminate racial and ethnic disparities require a much larger plan than just a focus on health-related programs. Reducing disparities in health truly entails addressing racial and ethnic social determinants such as availability

of safe housing, affordable food, access to education, job opportunities, community-based resources, public safety, public transportation, and more.

Our society must make many changes before we can truly eliminate racial and ethnic health disparities because that also means eliminating disparities in many other sectors. I thank Congressman JEFFRIES and Congresswoman BEATTY for hosting this poignant special order.

□ 2045

TIBET

The SPEAKER pro tempore (Ms. MCSALLY). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 30 minutes.

GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent to revise and extend my remarks and to enter additional materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, this week, Washington, D.C., is blessed by the presence of His Holiness, the 14th Dalai Lama, Tenzin Gyatso, who is visiting the city from June 12 through June 16 for several events and meetings. This visit provides us not only the opportunity to listen to the Dalai Lama speak about the modern world and confronting conflict, but also to take a look at the crisis that faces Tibet and the Tibetan people and ask why the United States is not doing more to protect the rights and to support the autonomy of the Tibetan people.

As we seek to comprehend the senseless violence of yesterday's massacre of at least 49 people in Orlando, Florida, and the wounding of more than 50 others—most members of the LGBT community and many of Hispanic descent, all just enjoying their lives on a Saturday night—I can think of no better source of words of wisdom, tolerance, and peace than of His Holiness, the Dalai Lama.

Madam Speaker, I include in the RECORD an opinion piece by the Dalai Lama, entitled: "The Dalai Lama: Why I'm Hopeful About the World's Future."

[From the Washington Post, June 13, 2016]

THE DALAI LAMA: WHY I'M HOPEFUL ABOUT THE WORLD'S FUTURE

(By the Dalai Lama)

The 14th Dalai Lama, Tenzin Gyatso, is the spiritual leader of Tibet. Since 1959, he has lived in exile in Dharamsala in northern India.

Almost six decades have passed since I left my homeland, Tibet, and became a refugee. Thanks to the kindness of the government and people of India, we Tibetans found a second home where we could live in dignity and

freedom, able to keep our language, culture and Buddhist traditions alive.

My generation has witnessed so much violence—some historians estimate that more than 200 million people were killed in conflicts in the 20th century.

Today, there is no end in sight to the horrific violence in the Middle East, which in the case of Syria has led to the greatest refugee crisis in a generation. Appalling terrorist attacks—as we were sadly reminded this weekend—have created deep-seated fear. While it would be easy to feel a sense of hopelessness and despair, it is all the more necessary in the early years of the 21st century to be realistic and optimistic.

There are many reasons for us to be hopeful. Recognition of universal human rights, including the right to self-determination, has expanded beyond anything imagined a century ago. There is growing international consensus in support of gender equality and respect for women. Particularly among the younger generation, there is a widespread rejection of war as a means of solving problems. Across the world, many are doing valuable work to prevent terrorism, recognizing the depths of misunderstanding and the divisive idea of “us” and “them” that is so dangerous. Significant reductions in the world’s arsenal of nuclear weapons mean that setting a timetable for further reductions and ultimately the elimination of nuclear weapons—a sentiment President Obama recently reiterated in Hiroshima, Japan—no longer seem a mere dream.

The notion of absolute victory for one side and defeat of another is thoroughly outdated; in some situations, following conflict, suffering arises from a state that cannot be described as either war or peace. Violence inevitably incurs further violence. Indeed, history has shown that nonviolent resistance ushers in more durable and peaceful democracies and is more successful in removing authoritarian regimes than violent struggle.

It is not enough simply to pray. There are solutions to many of the problems we face; new mechanisms for dialogue need to be created, along with systems of education to inculcate moral values. These must be grounded in the perspective that we all belong to one human family and that together we can take action to address global challenges.

It is encouraging that we have seen many ordinary people across the world displaying great compassion toward the plight of refugees, from those who have rescued them from the sea, to those who have taken them in and provided friendship and support. As a refugee myself, I feel a strong empathy for their situation and when we see their anguish, we should do all we can to help them. I can also understand the fears of people in host countries, who may feel overwhelmed. The combination of circumstances draws attention to the vital importance of collective action toward restoring genuine peace to the lands these refugees are fleeing.

Tibetan refugees have firsthand experience of living through such circumstances and, although we have not yet been able to return to our homeland, we are grateful for the humanitarian support we have received through the decades from friends, including the people of the United States.

A further source for hope is the genuine cooperation among the world’s nations toward a common goal evident in the Paris accord on climate change. When global warming threatens the health of this planet that is our only home, it is only by considering the larger global interest that local and national interests will be met.

I have a personal connection to this issue because Tibet is the world’s highest plateau and is an epicenter of global climate change, warming nearly three times as fast as the rest of the world. It is the largest repository of water outside the two poles and the source of the Earth’s most extensive river system, critical to the world’s 10 most densely populated nations.

To find solutions to the environmental crisis and violent conflicts that confront us in the 21st century, we need to seek new answers. Even though I am a Buddhist monk, I believe that these solutions lie beyond religion in the promotion of a concept I call secular ethics. This is an approach to educating ourselves based on scientific findings, common experience and common sense—a more universal approach to the promotion of our shared human values.

Over more than three decades, my discussions with scientists, educators and social workers from across the globe have revealed common concerns. As a result we have developed a system that incorporates an education of the heart, but one that is based on study of the workings of the mind and emotions through scholarship and scientific research rather than religious practice. Since we need moral principles—compassion, respect for others, kindness, taking responsibility—in every field of human activity, we are working to help schools and colleges create opportunities for young people to develop greater self-awareness, to learn how to manage destructive emotions and cultivate social skills. Such training is being incorporated into the curriculum of many schools in North America and Europe—I am involved with work at Emory University on a new curriculum on secular ethics that is being introduced in several schools in India and the United States.

It is our collective responsibility to ensure that the 21st century does not repeat the pain and bloodshed of the past. Because human nature is basically compassionate, I believe it is possible that decades from now we will see an era of peace—but we must work together as global citizens of a shared planet.

Mr. MCGOVERN. Madam Speaker, by way of welcoming the Dalai Lama, I would like to say a few words about him and his leadership.

The Dalai Lama, the spiritual leader of Tibet, describes himself as a simple Buddhist monk. He was recognized as the reincarnation of the previous 13th Dalai Lama when he was only 2 years old, and he was only 6 when he began his monastic studies.

But years before he finished his education, when he was still a teenager, he was called upon to assume full political power after China’s invasion of Tibet in 1950. When in 1954 he went to Beijing for peace talks with Mao Zedong and other Chinese leaders, he was not yet 20. Five years later, with the brutal suppression of the Tibetan national uprising in Lhasa by Chinese troops, the Dalai Lama was forced to escape into exile. Since 1959, he has been living in northern India. That is more than 60 years of exile.

I have had the opportunity to meet the Dalai Lama on a number of occasions. He is a warm, generous, compassionate man with a great sense of humor. He is also a man of peace. He

has consistently advocated for policies of nonviolence even in the face of extreme aggression. In 1989, he was awarded the Nobel Peace Prize for his nonviolent struggle for the liberation of Tibet. He has received over 150 awards, honorary doctorates, and prizes in recognition of his message of peace, nonviolence, interreligious understanding, universal responsibility, and compassion. His is a voice for tolerance.

Unfortunately, as we all know, Tibet has not been liberated. In the late 1990s, under the Dalai Lama’s leadership, the Tibetan people formally put aside the goal of independence. Since then, they have been fighting, peacefully, for their autonomy within China; but that struggle is not going very well today. Part of the reason it is not going very well is that the international community seems to be more interested in not offending China than in vigorously supporting the human rights of the Tibetan people. It seems to me that my own government has fallen into that trap.

I am looking forward to the Dalai Lama’s visit this week, and I know that the leadership of the House and my colleagues on both sides of the aisle will welcome him with the greatest appreciation; but it is easy to praise the Dalai Lama, to meet with him, and to benefit from his teachings, yet not lift a finger to help the people of Tibet. The Dalai Lama and the Tibetan people deserve better.

Madam Speaker, last November I had the honor of joining Democratic Leader NANCY PELOSI and my colleagues JOYCE BEATTY, TED LIEU, ALAN LOWENTHAL, BETTY MCCOLLUM, and TIM WALZ on a historic congressional delegation to Tibet, Beijing, and Hong Kong.

I have long raised concerns about China’s human rights record in Tibet. As the first congressional delegation to enter Tibet since the 2008 unrest, our trip was an important opportunity to raise the voices of the Tibetan people, and we did just that. Everywhere we went, in every meeting we had, we talked about Tibet. We talked about the Dalai Lama and his strong bipartisan support in Congress. We talked about the importance of respect for people’s cultures and religions, and we talked about the need to strengthen and protect all of the human rights of the Tibetan people.

During the delegation visit, we felt we had a good exchange with Chinese officials and, especially, with university students both in Tibet and in Beijing. We saw our trip—and especially the delegation’s visit to Tibet—as an important gesture by the Chinese Government; but it was also clear to us that our visit was only a first step and that much more needed to be done. Since our return, we have been looking for ways to build on our visit and to advance the reforms needed for meaningful change.

Here are some of the things we identified that need to happen specifically with regard to Tibet:

The United States needs to open a consulate in Lhasa, Tibet;

More Members of Congress, more journalists, more members of parliament from other nations, and more people in general, including members of the Tibetan community here in the United States, need to be allowed to travel freely to Tibet;

Tibetans in China need to be able to travel freely as well;

The dialogue between Beijing and the Dalai Lama to resolve longstanding issues of Tibetan autonomy, religious practice, culture, language, and heritage needs to be renewed.

I came away from our visit believing even more strongly that the Dalai Lama is part of the solution to resolving Tibetan grievances.

Too often during our trip, we heard from some Chinese officials—not all, but some—expressions and characterizations of Tibet and the Dalai Lama that showed that some people's minds and imaginations are stuck in the past, in old prejudices. This concerned me greatly. The issue is not the past. The issue is the future of Tibet and its people.

Renewing dialogue must be genuine and productive, and it cannot be just another guise for wasting time or going through the motions. We need to see a dialogue based on good faith and on the mutual need to resolve outstanding issues in a way that is acceptable to all parties.

Undertaking such an initiative would be a positive reflection on the capacity of Chinese authorities to engage in constructive dialogue, and it would increase confidence the world over that the government is committed to reconciliation and ending abuses in Tibet.

The Chinese Government has invested a great deal in Tibet, and that was very clear to us, but that investment must not come at the price of an entire culture. You cannot confine a people's culture and heritage—their very sense of identity—to a museum or to a market of handicrafts.

The human rights of the Tibetan people must be strengthened and protected, and I returned from the delegation visit with a renewed commitment to continue to work with my colleagues in Congress, with Leader PELOSI, to push for the reforms that are needed to achieve this, and this is the reason we are here today.

Madam Speaker, I yield to our distinguished Democratic leader, who led this historic visit to Tibet, Leader PELOSI.

Ms. PELOSI. I thank the gentleman for yielding and for calling this Special Order this evening.

Special it is, indeed, as we welcome His Holiness, the Dalai Lama, to Washington, D.C. Tomorrow, in a bipartisan

way, House and Senate Democrats and Republicans will join in welcoming His Holiness. He is among one of the things we all agree on—his greatness and the honor he brings us with his visit.

Madam Speaker, I completely associate myself with every word of Mr. MCGOVERN's comments. He talked about our visit to Lhasa, to Tibet, and to other places in China. We called him Mr. MCGOVERN's spiritual leader of our visit. As the co-chair of the Lantos Human Rights Commission of the House of Representatives, he truly believes, as His Holiness says and as I heard him say today, that we are all God's children, and that is how we have to treat each other.

In listening to our colleagues of the previous Special Order, who were members of the Congressional Black Caucus, who discussed various issues of justice—social justice, health justice, and the rest—and who talked about Orlando, it focuses on how special His Holiness' visit is. In coming the day after the terrible massacre of many in the LGBT community, it is really something that should be a comfort to all of us. His Holiness' message of peace, of compassion, of respect for every person is a message of hope that is needed today, tomorrow, and the next day, which are the days His Holiness will be here, but it is needed as we go forward as well. He is a truly great man. When I awoke this morning so sad about what happened yesterday, I was full of hope about hearing what His Holiness would have to say about our responsibilities to each other.

Our colleague mentioned our November CODEL. It was something that many of us had been hoping to do for many years. We had been trying for 25 years to get a visa to visit Tibet, and the President of China gave us that opportunity. We went there to see, to learn, to observe, and to make judgments. We did not go there to burn bridges; we went there to build bridges. As Congressman MCGOVERN said, we saw some areas in which we could work together, and we came back with some resolve, hopefully, to get other bridge building done.

I have seen His Holiness on many occasions. When he first came to Congress, I was brand new in Congress. He came under the auspices of Mr. Lantos, for whom the Human Rights Commission is named, and he brought us together in a group to listen to His Holiness' plan of action. It included respect for the environment and autonomy for Tibet but not independence. That was over 25 years ago that he had been talking about autonomy. While sometimes the Chinese Government doesn't accept that characterization, it is why many of us support His Holiness. As I mentioned earlier, he has friends on both sides of the aisle, on both sides of the Capitol and also down Pennsylvania Avenue.

I remember with great pride when we presented His Holiness with a Congressional Gold Medal—again, with great bipartisan support. President Bush came. Not only that—and a bigger honor yet—Mrs. Laura Bush came as well. What an honor for His Holiness and what an honor for our country that our President showed that respect.

On that day when we talked about it, we had so many good things to say about His Holiness. One of the things was his unstinting support for peace as a positive example of how to make the world a better place—peace in the world, peace in our country, peace in our communities, peace in our families, peace in ourselves. That inner peace is what he has been preaching.

On this trip, we can see His Holiness as he embodies the wisdom and the courage to maintain what he calls a peaceful mind in a modern world, and we look forward to hearing what he has to say about that. In addition to saying we are all God's children and of the respect we need to have for each other and of the compassion that he advocates, His Holiness says that great changes start with individuals.

I will tell this story, which, I think, some may find amusing.

His Holiness is a gentle man. While he has big challenges and while he is the leader and the champion in the advocacy—I wouldn't use the word "fight" as he doesn't like words like that—for respecting the culture, the language, and the religion of the Tibetan people and the autonomy for them as a people, he does so in a very gentle way.

I met him here in the Capitol for the first time, and I saw him in Rio at the time of the Earth Summit in 1992, where he spoke as a religious leader. We also acknowledged that he was the first winner of the Nobel Prize—it was part of his proclamation and why he won—for his contribution in protecting the environment. It was the first environmental consideration in a Nobel Prize. How beautiful that was. I have seen him here many times, in California, in New York—you name it—and in Dharamsala, which is where he lives in India. Anyway, we were taking a delegation there to visit—a bipartisan, large delegation to visit him there.

□ 2100

And we saw some of the people right after the crackdown in Tibet—coincidentally, we had our trip planned for a long time, but it happened to occur right after that crackdown. So many people were coming in from Tibet telling us what they saw there. It was pretty brutal, the reports that they gave us, and it was so sad.

So later in the day, when we had lunch with the couple hundred lamas from all over India, that part of India, many of them Tibetan Buddhist lamas, I explained what I had seen that morning and how transformative it was to

see people get firsthand knowledge of the humanity of man and that we had to do something about it.

We had our Members there. One was going to help with this, and one was going to help with that. You know, there were all these things that we were going to do to help these people.

And then I said what I always said: if freedom-loving people do not speak out against oppression in Tibet because of our commercial interests with China, then we surrender all moral authority to speak on behalf of human rights anywhere in the world. Tibet remains a challenge to the conscience of the world, and we must respond to that.

When I was finished, His Holiness spoke to the lamas there, and he said to the lamas: Now, let us all pray so that we could rid Nancy of her negative attitudes.

Well, I thought I was making the fight, but I am not going to be holier than His Holiness. A gentle approach is what he thinks is best and respectful. I take some level of pride in telling our Chinese friends—and they are our friends. He is your friend, too, in terms of damping down any, shall we say, exuberance when we learn what we consider to be grave injustices and human rights violations.

In honor of His Holiness' 80th birthday last summer—Richard Gere is the chairman of the International Campaign for Tibet and has really been a champion for His Holiness and the Tibetan people—Richard Gere and I wrote a Wall Street Journal op-ed, and in it we said there is no better way to honor the Dalai Lama than by standing with him and the Tibetan people vowing to keep their cause alive. It is a beautiful culture, indeed.

To hear His Holiness, as I did today, speak in Tibetan, which I didn't understand except through translation, and have him explain that the Tibetan language is a beautiful language in specifics, in terms of explaining Buddhism and matters of faith and philosophy because of its intricacies. It enhances your appreciation and understanding of Buddhism to hear it in the words of the Tibetan language, and translated from Tibetan in terms of the intricacies of the language that you would need to translate it into English or another language.

So this language is important to the faith of Buddhism. It is important to the culture. It is important to the families. It is important, again, to the education of the children. And the attempts on the part of the Chinese to resettle Han Chinese, dilute the population of Tibetans in Tibet, is something that would be just really wrong, just plain and simple wrong. Again, it is a challenge to the conscience.

This morning, His Holiness spoke at the United States Institute of Peace, and he said real change comes through action. He said: You all ask me for my

blessing, and people say nice things, but real change comes through action.

If I understood it correctly in the translation, he said that karma is not necessarily just about fate. It is about acting, action, taking action. So we all need to take action in what we believe in.

Again, every opportunity I get—and I thank the distinguished gentleman, the conscience of our codel and chair of the Tom Lantos Commission on Human Rights. Every opportunity I get, and this is one of them that I treasure on the floor of the House, to say what an honor it is to even be in the same room, the same place with His Holiness, the Dalai Lama, a revered figure throughout the world.

The Dalai Lama's name is synonymous with everything that is good, and that is what we emphasized to our Chinese host. We had to move, as Mr. MCGOVERN said, beyond their out-moded thinking into another place.

In terms of His Holiness, tomorrow when he comes to the Capitol, I will look forward to thanking him for his tremendous, inspiring leadership. "Inspiration" is such an inadequate word when it comes to what he is. We thank him for sharing the strength of his determination in pursuit of peace.

He was speaking about it today in terms of something that might take some years. We may not see it, some of us—you might, Mr. MCGOVERN; I might not—a time when the world was completely at peace.

When he laughs, it is something very special. We hear the joyousness that transcends despair. In his words, we receive a message of hope and humanity when he is with us. In his presence, we feel inspired to make a difference, to make a difference in ourselves and in our world.

I talked earlier about President Bush coming to the Congressional Gold Medal ceremony, and I know that the President will be receiving His Holiness this week. Presidents have done that over time, which is a source of great pride for us in our country and in the relationship between His Holiness and our President. But it goes a long way back.

I will just close by saying, when His Holiness was a very little boy and he became the Dalai Lama, he received a gift from the President of the United States, Franklin Delano Roosevelt; and he loved it because it was a watch, and the watch had the phases of the Moon.

Actually, my Apple watch has the phases of the Sun.

The watch had the phases of the Moon, and how prescient President Franklin Roosevelt was to send this little boy this watch, who would become so interested in science and thinking and the brain and faith and what the connection was among all of those factors.

But again, the relationship between an American President and His Holiness,

the Dalai Lama, goes back to when he was a little boy, and it persists into his eighties now. That is something that, again, brings luster to us in our country that we have such a beautiful relationship with such a spiritual figure in the world.

So I look forward to welcoming him here tomorrow. Again, as I said to him today: You could not have come at a better time when we are so in mourning about what happened in Orlando to our LGBT loved ones, to their families, to the community in Orlando. We are grateful to the response of our first responders there and our law enforcement officials and local officials there.

Again, it is the spirituality that we need to recover and draw strength to go forward to make sure that we minimize any such actions that hopefully they never happen again. How wonderful that His Holiness is here to bring us that comfort.

With that, I am pleased and with great gratitude to the gentleman from Massachusetts (Mr. MCGOVERN) for being such a champion of human rights throughout the world. He and Mr. PRITS, his Republican counterpart, as co-chairs of the Tom Lantos Human Rights Commission, do a great service to our Congress and to our country. They honor our values, the respect for the dignity and worth of every person, recognizing that we are all God's children. We all have a spark of divinity in us, and they always are speaking truth to power. I thank them for their commitment and for their courage, and to you, Mr. MCGOVERN, for calling this Special Order today.

Mr. MCGOVERN. Madam Speaker, I thank the distinguished leader for being here, and I appreciate her leadership on this issue and her leadership on human rights issues.

One of the things that compels us to be here today is our continued concern about the human rights situation for the Tibetan people. And whether it is the latest annual report from the U.S. Commission on International Religious Freedom or whether it is the U.S. State Department's most recent human rights report, or almost any other report, quite frankly, by any major world respected human rights organization, we see that the conditions for the Tibetan people really are quite dire.

The Human Rights Watch report, entitled, "Relentless" talks about the detention and prosecution of Tibetans from 2013 to 2015 under China's "stability maintenance" campaign. The report is based on 479 cases of Tibetans detained or tried for political expression or criticism of government policy.

Human Rights Watch only included cases on which its staff was able to obtain credible information. One important source was the terrific database on political prisoners in China that was maintained by the Congressional Executive Commission on China. Without

going into a lot of details, let me just highlight a couple of takeaways.

Tibetans are now being detained for activities that used to be considered minor offences or not politically sensitive. Many of those detained and prosecuted come from parts of society not previously known for dissent: local community leaders, environmental activists, and villagers involved in social and cultural activities, as well as local writers and singers. I can go on and on and on.

I include into the RECORD the Human Rights Watch report, entitled, “Relentless,” Madam Speaker.

RELENTLESS: DETENTION AND PROSECUTION OF TIBETANS UNDER CHINA’S “STABILITY MAINTENANCE” CAMPAIGN

SUMMARY

We have followed the law in striking out and relentlessly pounding at illegal organizations and key figures, and resolutely followed the law in striking at the illegal organizations and key figures who follow the 14th Dalai Lama clique in carrying out separatist, infiltration, and sabotage activities, knocking out the hidden dangers and soil for undermining Tibet’s stability, and effectively safeguarding the state’s utmost interests [and] society’s overall interests.—Statement by Chen Quanguo, Tibet Autonomous Region Party Secretary, December 2013

This report documents the Chinese government’s detention, prosecution, and conviction of Tibetans for largely peaceful activities from 2013 to 2015. Our research shows diminishing tolerance by authorities for forms of expression and assembly protected under international law. This has been marked by an increase in state control over daily life, increasing criminalization of nonviolent forms of protest, and at times disproportionate responses to local protests. These measures, part of a policy known as *weiwen* or “stability maintenance,” have led authorities to expand the range of activities and issues targeted for repression in Tibetan areas, particularly in the countryside.

The analysis presented here is based on our assessment of 479 cases for which we were able to obtain credible information. All cases are of Tibetans detained or tried from 2013 to 2015 for political expression or criticism of government policy—“political offenses.”

Our cases paint a detailed picture not available elsewhere. Stringent limitations on access to Tibet and on information flows out of Tibet mean we cannot conclude definitively that our cases are representative of the unknown overall number of political detentions of Tibetans during this period. But they are indicative of the profound impact stability maintenance policies have had in those areas, and of shifts in the types of protest and protester Chinese authorities are targeting there.

Information on the cases comes from the Chinese government, exile organizations, and foreign media. Of the 479 detainees, 153 were reported to have been sent for trial, convicted, and sentenced to imprisonment. The average sentence they received was 5.7 years in prison. As explained in the methodology section below, the actual number of Tibetans detained and prosecuted during this period for political offenses was likely significantly higher.

Many detentions documented here were for activities that the Chinese authorities previously considered to be minor offenses or not politically sensitive. Many of those de-

tained came from segments of society not previously associated with dissent. In addition, many of the detentions took place in rural areas where political activity had not previously been reported. From 2008 to 2012, the Tibetan parts of Sichuan province had posted the highest numbers of protests and detentions on the Tibetan plateau, but in 2013 the epicenter of detentions shifted to the central and western areas of the Tibetan plateau, called the Tibet Autonomous Region (TAR) since 1965, which until 1950 had been under the government of the Dalai Lama.

Our research found that many of those detained and prosecuted were local community leaders, environmental activists, and villagers involved in social and cultural activities, as well as local writers and singers. In the previous three decades, the authorities had rarely accused people from these sectors of Tibetan society of involvement in political unrest. Buddhist monks and nuns, who constituted over 90 percent of political detainees in Tibet in the 1980s, represent less than 40 percent of the 479 cases documented here.

Almost all the protests and detentions identified in this report occurred in small towns or rural townships and villages rather than in cities, where most protests and detentions in prior years were reported to have taken place. This suggests that dissent has increased in rural Tibetan areas, where nearly 80 percent of Tibetans live.

Our data also shows an overall decline in the total number of Tibetans detained for political offenses between 2013 and 2015, though this may be an artifact of the limitations on information, detailed in the methodology section below. Notably, however, the totals for these three years are significantly higher than for the 10 years before 2008 when stability maintenance policies were expanded following major protests centered in Lhasa (Ch.: Lasa), the capital of the TAR.

The changing nature of unrest and politicized detention in Tibet correlates with new phases in the stability maintenance campaign in the TAR and other Tibetan areas. Since 2011, authorities have intensified social control and surveillance at the grassroots level, particularly in the rural areas of the TAR. This has included the transfer of some 21,000 officials to villages and monasteries in the TAR, where they are tasked with implementing new management, security, and propaganda operations, and, more recently, the deployment of nearly 10,000 police in Tibetan villages in Qinghai. This has led to a surge in the creation of local Communist Party organizations, government offices, police posts, security patrols, and political organizations in Tibetan villages and towns, particularly in the TAR.

The implementation of these measures appears to explain many of the new patterns of detention, prosecution, and sentencing documented in this report. It was only after the rural phase of the stability maintenance policy in the TAR was implemented from late 2011 that the number of protests and resulting detentions and convictions increased dramatically in that region.

These detentions, occurring primarily in rural areas, indicate that the stability maintenance policy in the TAR has entered a third phase. The first phase entailed paramilitary operations in the immediate wake of the 2008 protests in Lhasa, when the authorities detained several thousand people suspected of involvement in those protests or associated rioting. The second phase, which began in late 2011 and is ongoing, involved

the transfer of officials to run security and propaganda operations in villages, as described above. The third phase, which dates to early 2013, has involved increasing use of the surveillance and security mechanisms established during the second phase in rural villages of the TAR to single out activities deemed to be precursors of unrest. This has meant that formerly anodyne activities have become the focus of state attention and punishment, including social activities by villagers that had not previously been put under sustained scrutiny by the security forces.

In the eastern Tibetan areas—comprising parts of Qinghai, Sichuan, Gansu, and Yunnan provinces—politicized detentions also appear to correlate with stability maintenance measures. But in these areas, the government’s measures have been aimed primarily at stopping self-immolations by Tibetans protesting Chinese rule, most of which have taken place in the eastern areas. Beginning in December 2012 the authorities there conducted an intensified drive to end self-immolations among Tibetans that resulted in a sharp increase in detentions and prosecutions of Tibetans for alleged connections to self-immolations, often with tenuous legal basis.

The government’s introduction of grassroots stability maintenance mechanisms in the TAR and of measures against self-immolation in the eastern areas, including in many previously quiet rural areas, has resulted in certain Tibetan localities becoming sites of repeated protests and detentions, producing what could be called protest “cluster sites,” previously unseen in Tibetan areas. These localities saw greater numbers of politicized detentions, recurrent cycles of protest and detention, higher average sentencing rates compared to other areas, and longer sentences for relatively minor offenses.

During 2013–2015, lay and religious leaders of rural communities often received unusually heavy sentences for expressions of dissent, especially if they were from a protest cluster site. Having a sensitive image or text on one’s cellphone or computer could also lead to a long prison sentence, especially though not only if it had been sent to other people. Among those who received the longest sentences were people who tried to assist victims of self-immolations, leaders of protests against mining or government construction projects, and organizers of village opposition to unpopular decisions by local officials. Such activities, most of which were not explicitly political and did not directly challenge the legitimacy of the state, received markedly longer sentences than people shouting slogans or distributing leaflets in support of Tibetan independence.

The incidents described in this report indicate that outbursts of unrest and waves of politicized detentions occurred in specific localities at certain times rather than being evenly dispersed across the Tibetan areas. But the range of locations and the different social levels of protesters involved suggest that political, environmental, and cultural discontent is widespread among Tibetans in many parts of the plateau.

Deaths and ill-health of detainees also continued to be a serious problem in the period covered by this study. Fourteen of those detained, 2.9 percent of the total, were reported to have died in custody or shortly after release, allegedly as a result of mistreatment.

The cases also involve the detention of children, including a 14 and a 15-year-old, both monks, and at least one 11-year-old

child detained after his father self-immolated.

The detentions, prosecutions, and convictions documented here reflect the impact of intensive new efforts by officials in Tibetan areas to prevent any repeat of the Tibet-wide protests that occurred in the spring of 2008. Yet the new policies have led to apparently unprecedented cycles of discontent in certain rural areas, and an overall increase in the types of activities that are treated as criminal challenges to the authority of the Communist Party or the Chinese state. The failure of the central government and local authorities to end these abusive policies and roll back intrusive security and surveillance measures raises the prospect of an intensified cycle of repression and resistance in a region already enduring extraordinary restrictions on basic human rights.

RECOMMENDATIONS

To the Government of China

Unconditionally release from custody all persons detained without charge or convicted for peacefully exercising their rights to freedom of expression and belief, or for other conduct protected by international human rights law.

Allow independent observers—including journalists, human rights monitors, and United Nations special procedures—unimpeded access to all areas covered by the “stability maintenance” campaign to verify the extent of human rights violations stemming from the campaign’s implementation.

Ensure that all persons taken into custody have immediate access to lawyers and family members. Those taken into custody should be released unless promptly brought before a court and charged with an offense.

End the collective punishment of community members for the actions, criminal or not, of local leaders or other members of their community.

Conduct credible, transparent, and impartial investigations into all incidents from 2013 to 2015 that resulted in alleged extrajudicial killings, or alleged torture or other ill-treatment in custody. Make the findings of those investigations public and fairly prosecute anyone responsible for such abuses.

Conduct credible, transparent, and impartial investigations into arbitrary detentions and deaths stemming from the March 2008 protests in Lhasa and across Tibetan areas.

End interference by officials, party representatives, and the security forces in monasteries and other religious institutions.

To the United Nations

The UN secretary-general should urge China to honor the offer it made before the Human Rights Council in March 2009 to invite the UN high commissioner for human rights “at a time mutually convenient to both sides.”

The UN high commissioner for human rights should specifically request to visit the Tibetan Autonomous Region and Tibetan Autonomous Areas in Qinghai and Sichuan provinces.

The UN high commissioner for human rights, as well as the special rapporteurs and working groups on torture, enforced disappearances, and independence of judges and lawyers, should reiterate their requests to visit the region to assess the human rights situation.

To Concerned Governments

Urge the Chinese government to implement the following measures in Tibetan areas: provide information on all persons detained in connection with protests; end arbitrary

detention and torture and other ill-treatment in detention; impartially investigate the use of excessive or lethal force by the security forces; and discipline or prosecute as appropriate members of the security forces implicated in serious abuses.

Extend full and active support to the international investigation into the Tibetan protests led by the Office of the United Nations High Commissioner for Human Rights.

Urge the Chinese government to review the official policies and practices in Tibetan areas that have contributed to unrest.

Speak out, when cooperating with China on law enforcement or counterterrorism efforts, against the use of trumped-up public order and terrorism allegations to persecute or curtail the human rights of ethnic groups.

Mr. MCGOVERN. Madam Speaker, this Congress has weighed in many times and in many ways on United States policy concerning Tibet. One of the most significant things we did was to approve the Tibetan Policy Act of 2002, which is supposed to guide U.S. Government policy. It encourages dialogue between the Chinese Government and representatives of the Dalai Lama, and it created the post of Special Coordinator for Tibetan Issues within the Department of State.

Last July, in recognition of His Holiness, the Dalai Lama’s 80th birthday, the House approved H. Res. 337, which cited the Tibetan Policy Act. In that resolution, Congress strongly encouraged the Government of the People’s Republic of China and His Holiness to hold substantive dialogue, without preconditions, in order to address Tibetan grievances and secure a negotiated agreement for the Tibetan people.

We also called for the establishment of a U.S. consulate in Lhasa.

We urged the immediate and unconditional release of Tibetan political prisoners, including the 11th Panchen Lama, and Tenzin Delek Rinpoche, a Tibetan monk who tragically and unnecessarily died in Chinese custody shortly after.

We called on the United States Government to underscore that any government’s interference in the Tibetan reincarnation process is a violation of the internationally recognized right to religious freedom.

We called upon the Government of China to allow U.S. officials and journalists and other citizens unrestricted access to Tibetan areas of China, as we allow Chinese officials and citizens access to the United States’ territory.

We asked that the United States and international governments, organizations, and civil society renew and reinforce initiatives to promote the preservation of the distinct religious, cultural, linguistic, and national identity of the Tibetan people.

We urged the United States to use its voice and vote to encourage development organizations and agencies to design and implement development projects that fully comply with the Tibet Project principles. These principles are meant to ensure that the

needs of the Tibetan people guide all development in Tibetan areas; that their projects respect Tibetan culture, traditions, knowledge, and wisdom; and that the development initiatives neither provide incentives for nor facilitate the migration and settlement of non-Tibetans into Tibet, nor the transfer of ownership of Tibetan land or natural resources to non-Tibetans.

All of these recommendations for what the United States Government should be doing are just as valid today as they were last year because very little progress has been made in the last year. I say “very little” because we have acknowledged the important gesture China made in allowing last fall’s codel to travel to Tibet, but that is about all that has happened, and the Dalai Lama is about to be a year older.

If we are not going to get moving on those longstanding recommendations, let me suggest some other things we could try. We could start a campaign to get China to allow the Dalai Lama to return to Tibet. Article 13 of the Universal Declaration of Human Rights says that everyone has the right to freedom of movement and residence within the borders of each state and, two, everyone has the right to leave any country, including his own, and to return to his country. It is time to let the Dalai Lama return to his country.

This House could pass a bill that I introduced, the Reciprocal Access to Tibet Act, basically saying that, if the Chinese Government restricts U.S. officials and U.S. citizens access to Tibet, then we should consider limiting the access of Chinese officials when they visit the United States.

We could make sure that the U.S. Government invites the Dalai Lama to every event on every occasion where his decades of knowledge, experience, and reflections would be helpful for addressing the world’s problems. The Dalai Lama is a world spiritual and philosophical leader who should be contributing to global debates on countering violent extremism and on fostering peace in war-torn countries. These are just a couple of topics on which I am convinced we could all benefit from his wisdom.

We could insist that Tibet be part of our climate change discussions with China. Climate change is one of the few topics on which the U.S. and China have found common ground. It is a critically important topic for Tibet, given its fragile environment and its critically important reserves of freshwater. Tibet is warming three times as fast as the rest of the world, but it is absent from the global climate change debate.

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The Chinese leadership has acknowledged at the highest levels the scale of the environmental crisis it faces. Conserving the Tibetan Plateau is surely a

shared interest, and it can only be achieved with the full participation of the Tibetan people.

It is time to rally around some of these ideas or to find others. It is time to do something different on Tibet. It is time for us to think differently and to think out of the box on ways that we can advance dialogue with China, not in a confrontational way, but in ways to get China to understand the importance of recognizing the human rights of the Tibetan people and recognizing the importance of His Holiness the Dalai Lama and allowing him to return to his homeland.

Madam Speaker, many of my colleagues wanted to be here today to speak on this. I include the statements of the gentleman from Massachusetts (Mr. CAPUANO) and the gentleman from Minnesota (Mr. WALZ) in the RECORD.

Last week the gentleman from New Jersey (Mr. SMITH), the gentleman from Wisconsin (Mr. POCAN), and the gentleman from Wisconsin (Mr. SENBRENNER) submitted their statements to the RECORD.

In closing, again, I would urge all of my colleagues to join with the leader and myself in welcoming His Holiness the Dalai Lama to Washington, D.C., to the United States, wishing him good health and praying that reconciliation between the Tibetan people and the Chinese Government happens very, very soon.

Madam Speaker, I yield back the balance of my time.

Mr. WALZ. Madam Speaker, I believe that the U.S. must remain committed to defending human rights and personal freedoms both within the U.S. and abroad. As our country continues to advance U.S.-China relations, we must never forget the people of Tibet. Restrictions on human rights and religious freedom in Tibet have been a growing concern to many. As a member of the Congressional Executive Committee on China, I share this concern. While Chinese investments have undoubtedly helped to modernize Tibet, these investments must not come at the expense of the rich cultural, linguistic, and religious heritage of the Tibetan people. We must continue to support the protection of traditional Tibetan culture.

As you may know, I had the opportunity to be one of the first groups of Americans to travel to China and teach Chinese high school students in 1989. During that trip, I also traveled to Tibet in 1990 and, most recently, I have returned as a member of the Congressional Delegation visiting China and Tibet. The boosted economic growth, higher household incomes, and constructed railway projects have facilitated the rapid modernization of the Tibet Autonomous Region. However, we need to continue to have constructive dialogues with China to ensure the preservation of traditional Tibetan culture and Tibet's fragile ecology.

The Congressional Delegation trip to Tibet provided an opportunity to have a healthy dialogue, and I want to thank our Chinese friends for engaging with us in a discussion over the most sensitive issues concerning Tibet. As a southern Minnesotan, I understand the impor-

tance of spurring economic growth while simultaneously protecting natural wonders and culture. With this in mind, I believe that Tibetans must receive the necessary rights that will allow them to protect their culture, language, religion, and environment.

The U.S. was founded on the ideas of universal freedom, and I believe that we must continue to urge the Chinese government to provide less regulated religious freedom to the Tibetans. I strongly believe that a critical step to achieving religious freedom in Tibet is including the Dalai Lama in future dialogues. I have had the pleasure of meeting His Holiness on three occasions, and I share his desire to preserve Tibetan culture and resolve other issues concerning Tibet. Lastly, I encourage the Chinese government to agree to establish a U.S. Consulate in the Tibetan city of Lhasa because I believe diplomacy and talking through our concerns and partnerships under the lens of transparency can only strengthen the relationship between our two countries.

I will continue to support attempts to have productive dialogues with the Chinese government concerning the future of Tibet. Improvements in the quality of life, access to clean water, and access to health care services in Tibet must also include efforts to preserve the Tibetan way of life.

Mr. CAPUANO. Madam Speaker, I rise to pay tribute to His Holiness the Dalai Lama. He has come to Washington to be present when the National Endowment for Democracy (NED) awards its Democracy Service Medal posthumously to another heroic spiritual leader, Tenzin Delek Rinpoche, who died in captivity in China in July of last year. The NED will also honor the Central Tibetan Administration, based in Dharamshala, India, for its commitment to freedom and democracy. It is fitting, too, as Prime Minister Narendra Modi concludes his visit, to recognize the generosity India has shown to exiles seeking political and religious liberty within its borders.

With His Holiness and with all Tibetans, we grieve for all they have endured since the Chinese invasion, the sorrows of those who live in exile and the sufferings of those who remain. I am outraged that oppression and murder continue unabated. With His Holiness and with Tenzin Delek Rinpoche's cousin Geshe Nyima, representing his bereaved family, we mourn the shameful persecution and tragic death of a man committed to nonviolence. I urge the House to approve H. Res 584, urging President Obama to seek an independent investigation of his death and to call publicly for an end to the repressive policies of the People's Republic of China in Tibet. It has been in committee for many months.

Elie Wiesel, like His Holiness awarded the Nobel Peace Prize, exhorts us: There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest. Indeed, we do protest, and further we should never cease to hold oppressors accountable. The people of Tibet, inspired by the Dalai Lama, continue to cherish their culture and traditions. I wish them all his faith and courage, today, tomorrow and every day until Tibet is free.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH (at the request of Mr. MCCARTHY) for today on account of family obligations.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1762. An act to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the "Loren R. Kaufman VA Clinic".

H.R. 2212. An act to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

H.R. 2576. An act to modernize the Toxic Substances Control Act, and for other purposes.

ADJOURNMENT

Mr. MCGOVERN. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 14, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

5666. Under clause 2 of rule XIV, a letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 21-411, "School Attendance Clarification Amendment Act of 2016", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814), was taken from the Speaker's table, referred to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5049. A bill to provide for improved management and oversight of major multi-user research facilities funded by the National Science Foundation, to ensure transparency and accountability of construction and management costs, and for other purposes; with an amendment (Rept. 114-619). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5312. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; (Rept. 114-620). Referred to the Committee of the Whole House on the state of the Union.

Mr. STIVERS: Committee on Rules. House Resolution 778. Resolution providing for consideration of the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; and providing for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; (Rept. 114-621). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BUCHANAN (for himself, Mr. LEVIN, Mr. BOUSTANY, Mrs. BLACK, Mr. REED, Mr. KELLY of Pennsylvania, Mr. DOLD, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, and Ms. LINDA T. SANCHEZ of California):

H.R. 5456. A bill to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes; to the Committee on Ways and Means.

By Mr. JODY B. HICE of Georgia (for himself, Mr. CHAFFETZ, Mr. COLLINS of Georgia, Mr. ALLEN, Mr. TOM PRICE of Georgia, Mr. CARTER of Georgia, Mr. WESTMORELAND, Mr. CRAMER, Mr. LOUDERMILK, Mr. GOSAR, Mr. WHITFIELD, Mr. GRAVES of Georgia, Mr. WALKER, Mr. PITTINGER, Mr. BUCK, Mr. ROGERS of Alabama, Mrs. WALORSKI, Mr. RODNEY DAVIS of Illinois, Mr. KATKO, Mr. THOMPSON of Pennsylvania, Mr. ROSKAM, Mrs. MIMI WALTERS of California, Mr. AUSTIN SCOTT of Georgia, Mr. WOODALL, Mr. BRAT, Mr. WALBERG, Mr. ROKITA, Mr. MESSER, Mr. ADERHOLT, Mr. WESTERMAN, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. BROOKS of Alabama, Mr. KELLY of Pennsylvania, Mr. BARR, Mr. NEWHOUSE, Mr. SESSIONS, Mr. RUSSELL, Mr. WEBER of Texas, Mr. FLEMING, Mr. ROUZER, Mrs. HARTZLER, Mr. COSTELLO of Pennsylvania, Mr. ROE of Tennessee, Mr. BLUM, Mr. LONG, Mr. MOONEY of West Virginia, Mr. MACARTHUR, Mr. ROTHFUS, Mr. POLIQUIN, and Mr. ISSA):

H.R. 5457. A bill to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes; to the Committee on Natural Resources.

By Mr. STEWART:

H.R. 5458. A bill to provide for coordination between the TRICARE program and eligibility for making contributions to a health savings account, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN (for himself, Mr. MCCAUL, Mr. RATCLIFFE, and Mr. PAYNE):

H.R. 5459. A bill to amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, and for other purposes; to the Committee on Homeland Security.

By Mr. PAYNE (for himself and Mr. DONOVAN):

H.R. 5460. A bill to amend the Homeland Security Act of 2002 to establish a review process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes; to the Committee on Homeland Security.

By Mr. POLIQUIN (for himself and Mr. HILL):

H.R. 5461. A bill to require the Secretary of the Treasury to submit a report to the appropriate congressional committees on the estimated total assets under direct or indirect control by certain senior Iranian leaders and other figures, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself, Mr. TONKO, Mrs. DINGELL, Mr. KENNEDY, Mr. HASTINGS, Ms. CLARKE of New York, and Mr. ENGEL):

H.R. 5462. A bill to amend title XIX of the Social Security Act to provide for a State Medicaid option to enhance administrative matching funds to support statewide behavioral health access program activities for children under 21 years of age, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MURPHY of Florida:

H.R. 5463. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

By Mr. POLIQUIN:

H.R. 5464. A bill to provide that certain project works on the St. Croix River, Maine, are not required to be licensed by the Federal Energy Regulatory Commission; to the Committee on Energy and Commerce.

By Mr. VEASEY (for himself, Mr. CASTRO of Texas, Mr. VELA, Mr. HINOJOSA, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, Mr. GENE GREEN of Texas, Ms. JUDY CHU of California, Ms. PLASKETT, Mr. HASTINGS, Mr. NADLER, Mrs. KIRKPATRICK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DOGGETT, and Mr. HONDA):

H. Res. 777. A resolution recognizing Mayte Lara Ibarra, and Larissa Martinez for their bravery and leadership in addressing anti-immigrant sentiments voiced by United States politicians; to the Committee on the Judiciary.

By Mr. JONES (for himself, Mr. MASSIE, and Mr. LYNCH):

H. Res. 779. A resolution enforcing the Constitution's separation of powers and the congressional prerogative of disclosure under the speech or debate clause by directing the Chairman and ranking minority member of the Permanent Select Committee on Intelligence of the House of Representatives to publish in the Congressional Record the 28-page chapter which was redacted from the

December 2002 Final Report of the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11, 2001; to the Committee on Rules.

By Mr. SMITH of New Jersey (for himself, Ms. BASS, Mr. ROYCE, and Mr. ENGEL):

H. Res. 780. A resolution urging respect for the constitution of the Democratic Republic of the Congo in the democratic transition of power in 2016; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BUCHANAN:

H.R. 5456.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to "provide for the common Defence and general Welfare of the United States."

By Mr. JODY B. HICE of Georgia:

H.R. 5457.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states:

"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

By Mr. STEWART:

H.R. 5458.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1.

By Mr. DONOVAN:

H.R. 5459.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. PAYNE:

H.R. 5460.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. POLIQUIN:

H.R. 5461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution. "To regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes;"

By Mr. LOEBSACK:

H.R. 5462.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. MURPHY of Florida:

H.R. 5463.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. POLIQUIN:

H.R. 5464.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 grants Congress the power to "regulate Commerce with foreign Nations, and among the several states."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 402: Mr. ALLEN.
H.R. 465: Mr. ROHRBACHER.
H.R. 592: Mr. LATTA.
H.R. 605: Mr. TIPTON.
H.R. 608: Mr. BUTTERFIELD, Mr. CAPUANO, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, and Mr. RYAN of Ohio.
H.R. 670: Mr. LANGEVIN.
H.R. 835: Mr. JOLLY.
H.R. 923: Mr. BRADY of Texas, Mr. WITTMAN, and Mr. POMPEO.
H.R. 1076: Mr. BEYER and Mr. POCAN.
H.R. 1095: Ms. TSONGAS.
H.R. 1116: Mr. LONG.
H.R. 1209: Mr. SCHRADER.
H.R. 1211: Ms. DEGETTE.
H.R. 1221: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1706: Mr. RYAN of Ohio.
H.R. 1726: Mr. BEYER.
H.R. 1771: Mr. GUTHRIE.
H.R. 1904: Mr. LOWENTHAL and Ms. STEFANIK.
H.R. 1905: Mr. LOWENTHAL and Ms. STEFANIK.
H.R. 2058: Mr. PETERSON and Mr. MARINO.
H.R. 2189: Mr. WILSON of South Carolina.
H.R. 2216: Ms. SPEIER.
H.R. 2257: Mr. RUSH.
H.R. 2461: Ms. NORTON and Mrs. KIRKPATRICK.
H.R. 2483: Ms. STEFANIK.
H.R. 2633: Ms. MOORE.
H.R. 2641: Ms. LORETTA SANCHEZ of California.
H.R. 2646: Mr. MOOLENAAR and Ms. GRANGER.
H.R. 2680: Ms. CLARK of Massachusetts.
H.R. 2737: Mr. GARAMENDI, Mr. FRANKS of Arizona, Mr. LANGEVIN, Mr. HANNA, Ms. HERERA BEUTLER, Mrs. LAWRENCE, Mr. REICHERT, Mr. DELANEY, Mr. BRADY of Pennsylvania, Mr. RUSH, Mr. MOOLENAAR, and Mr. CUMMINGS.
H.R. 2739: Mr. FLORES, Mr. HUDSON, Mr. DONOVAN, Mr. CARTWRIGHT, Mr. BUCSHON, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 2759: Mr. COFFMAN.
H.R. 2817: Mr. DONOVAN.
H.R. 2846: Mr. LARSON of Connecticut.
H.R. 2903: Mr. MICA, Mr. CULBERSON, Mr. ROTHFUS, and Mr. SENSENBRENNER.
H.R. 2948: Mr. MOONEY of West Virginia.
H.R. 2963: Mr. COURTNEY and Mrs. NAPOLITANO.
H.R. 3094: Mr. GOSAR.

H.R. 3119: Mr. REICHERT and Mr. LOWENTHAL.
H.R. 3229: Ms. ESTY.
H.R. 3235: Ms. GRAHAM and Ms. DEGETTE.
H.R. 3535: Mr. FATTAH.
H.R. 3546: Mr. CURBELO of Florida.
H.R. 3844: Mr. LOWENTHAL.
H.R. 3870: Mr. POLIQUIN and Mr. CURBELO of Florida.
H.R. 4013: Mr. HASTINGS and Mrs. NAPOLITANO.
H.R. 4059: Mr. COLE.
H.R. 4137: Mr. CARSON of Indiana.
H.R. 4223: Ms. SLAUGHTER.
H.R. 4247: Mr. NUNES and Mr. COLE.
H.R. 4262: Mr. BUCSHON.
H.R. 4352: Mr. HECK of Washington.
H.R. 4365: Ms. GRAHAM.
H.R. 4381: Mr. BLUM, Ms. STEFANIK, and Mr. NUNES.
H.R. 4488: Mrs. DINGELL.
H.R. 4499: Ms. JENKINS of Kansas and Mr. COLLINS of New York.
H.R. 4514: Mr. DONOVAN, Mr. KING of Iowa, and Mr. VEASEY.
H.R. 4567: Mrs. NAPOLITANO.
H.R. 4574: Ms. STEFANIK.
H.R. 4582: Mr. LAMALFA and Mr. LOWENTHAL.
H.R. 4592: Mr. JOHNSON of Georgia and Mr. MCDERMOTT.
H.R. 4625: Ms. GRAHAM, Mr. GRIJALVA, Mr. HIGGINS, Ms. SLAUGHTER, and Mr. MCNERNEY.
H.R. 4646: Mr. CARSON of Indiana.
H.R. 4653: Mr. SCHRADER.
H.R. 4695: Ms. LOFGREN, Ms. MATSUI, and Ms. SLAUGHTER.
H.R. 4715: Mr. LAMBORN.
H.R. 4730: Mr. JODY B. HICE of Georgia and Mr. ROSS.
H.R. 4764: Mr. DONOVAN.
H.R. 4770: Mr. KIND.
H.R. 4773: Mr. FINCHER.
H.R. 4798: Mr. VAN HOLLEN, Mrs. DAVIS of California, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4816: Mr. ADERHOLT.
H.R. 4818: Mr. AUSTIN SCOTT of Georgia.
H.R. 4819: Mr. CRAMER.
H.R. 4828: Mr. BILIRAKIS and Mr. AUSTIN SCOTT of Georgia.
H.R. 4869: Mrs. WAGNER.
H.R. 4893: Ms. FRANKEL of Florida.
H.R. 4927: Ms. KAPTUR.
H.R. 4939: Ms. JACKSON LEE.
H.R. 5008: Mr. NOLAN and Ms. TSONGAS.
H.R. 5012: Mr. AGUILAR.
H.R. 5025: Ms. SCHAKOWSKY, Mr. ISRAEL, and Ms. KUSTER.
H.R. 5061: Mr. DOLD.
H.R. 5073: Ms. MOORE.
H.R. 5143: Mr. MCHENRY.
H.R. 5166: Mr. KNIGHT, Mr. SESSIONS, Mr. PITTS, Mr. DELANEY, and Mr. LOWENTHAL.
H.R. 5171: Mrs. NOEM, Mr. SMITH of Nebraska, and Mr. NUNES.
H.R. 5187: Mr. BLUM, Mr. KNIGHT, and Mr. NUNES.
H.R. 5190: Mr. KNIGHT.
H.R. 5207: Ms. FRANKEL of Florida.
H.R. 5230: Mr. BENISHEK.
H.R. 5249: Mr. WELCH.

H.R. 5258: Mr. CURBELO of Florida.
H.R. 5263: Mr. LANCE.
H.R. 5275: Mr. GOSAR.
H.R. 5287: Ms. PINGREE.
H.R. 5292: Ms. DELBENE, Ms. NORTON, Ms. GRAHAM, Mr. ROSS, Mr. JONES, Mr. JOYCE, Mr. THOMPSON of Mississippi, Ms. ESHOO, Mrs. KIRKPATRICK, Mrs. COMSTOCK, Mr. ASHFORD, Ms. JUDY CHU of California, and Mr. MEADOWS.
H.R. 5313: Mr. ELLISON.
H.R. 5346: Mr. DONOVAN.
H.R. 5392: Mr. RODNEY DAVIS of Illinois, Mr. MOOLENAAR, Mr. NEWHOUSE, Mr. COLE, Mr. DOLD, Mr. BENISHEK, Mr. PALAZZO, Mr. HUNTER, Mr. KATKO, Mr. POLIQUIN, Ms. STEFANIK, Mr. JOYCE, Mr. SHIMKUS, and Mr. BISHOP of Michigan.
H.R. 5395: Ms. GRANGER.
H.R. 5396: Ms. MOORE.
H.R. 5405: Mrs. BROOKS of Indiana, Mr. WEBER of Texas, and Mr. BUTTERFIELD.
H.R. 5411: Ms. DEGETTE.
H.R. 5421: Mr. HULTGREN.
H.R. 5429: Mr. NEUGEBAUER.
H.R. 5443: Mr. KENNEDY and Ms. CASTOR of Florida.
H. Con. Res. 114: Mr. ROSS.
H. Res. 14: Mr. ASHFORD.
H. Res. 210: Mr. DONOVAN.
H. Res. 220: Mr. HUIZENGA of Michigan and Mrs. WATSON COLEMAN.
H. Res. 343: Ms. JACKSON LEE, Mr. JEFFRIES, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PASCRELL, Mr. YOHIO, and Mrs. WATSON COLEMAN.
H. Res. 494: Mr. WEBSTER of Florida and Mr. ROSS.
H. Res. 549: Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. FOSTER, and Mr. RYAN of Ohio.
H. Res. 613: Mr. ISSA.
H. Res. 625: Mr. YODER.
H. Res. 650: Mr. CICILLINE.
H. Res. 694: Mr. PAYNE, Mr. COURTNEY, Ms. TSONGAS, Mr. YARMUTH, Mr. TONKO, and Mr. BLUMENAUER.
H. Res. 750: Ms. FRANKEL of Florida, Mr. CICILLINE, Mr. WEBER of Texas, Mr. LEVIN, Mr. SCHWEIKERT, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H. Res. 769: Mr. WELCH, Ms. NORTON, Mr. HECK of Washington, Mr. GRAYSON, Mr. DAVID SCOTT of Georgia, Mr. HIGGINS, Ms. LINDA T. SANCHEZ of California, Mr. YARMUTH, Mr. POLIS, Miss RICE of New York, and Mr. BEN RAY LUJAN of New Mexico.

PETITIONS, ETC.

Under clause 3 of rule XII,

68. The SPEAKER presented a petition of the Council of the District of Columbia, relative to Council Resolution 21-292, entitled "Sense of the Council in Support of a 'Statehood or Else' Signature Campaign Resolution of 2015"; which was referred to the Committee on Oversight and Government Reform.

EXTENSIONS OF REMARKS

REMEMBERING NOPD OFFICER
NATASHA HUNTER

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life of Officer Natasha Hunter, a 12-year veteran of the New Orleans Police Department. Officer Hunter embodied every quality you could dream of in a public servant. To her, being a police officer was more than just a job. It was an opportunity to help people when they had a problem, console them through a tough time, and inspire them to be something greater than they ever thought they could be.

Impactful police work is more than protecting and serving. It is becoming part of the fabric of the community, and few officers are as deeply woven into the city of New Orleans as Officer Hunter. She was a hero, taken from us and her family far too early by an avoidable tragedy.

On June 5, 2016 Officer Hunter sustained grave injuries from being struck by a drunk driver while in her police unit. Two days later on June 7, she succumbed to her injuries and passed away.

This loss hits especially hard because a 5-year old girl has just lost her mother. A mother that loved her, provided for her, and did her best to make the community she grew up in safe.

I share in the pain that the city has endured since her passing and I will always remember Officer Hunter's gallant sacrifice and unconquerable dedication every time she put on her uniform. My deepest condolences and prayers are with Officer Hunter's family, her fellow officers, but especially her young daughter Jasmine. Your mother will always protect you as she has protected all of us her entire career.

IN HONOR OF CARL E.
FITCHETT JR.

HON. RENEE L. ELLMERS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mrs. ELLMERS of North Carolina. Mr. Speaker, today I rise to seek to honor the life of Carl E. Fitchett, Jr., who passed away May 29, 2016 in Smithfield, North Carolina at the age of 93.

Mr. Fitchett had a fierce passion for serving his community, as made apparent through his past roles as director of the N.C. Oil Jobbers Association, president of the Dunn Chamber of Commerce, and Commander of the American Legion. He also served as president of the Dunn Rotary Club which awarded him the

Man of the Year award in 1958, and was a deacon, elder, and trustee at First Presbyterian Church of Dunn. In addition to his volunteer leadership roles in the Dunn community, Carl served in World War II and owned and operated Fitchett Oil Co., retiring in 1991.

Mr. Fitchett is survived by his wife, Vivian; two children, Carl and Vivian; and four grandchildren, Duncan, Margaret, Austin and Katherine.

Carl Fitchett, like so many of our community leaders, sacrificed time to better the lives of those around him. He spent his entire life helping those in Harnett County, and we are forever indebted to him for his dedication in serving the local community, especially his hometown of Dunn. He truly embodied the role of the local hero.

NEED TO ELIMINATE HEALTH DISPARITIES IN RURAL AND UNDERSERVED MINORITY COMMUNITIES

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. SEWELL of Alabama. Mr. Speaker, in light of the myriad of issues facing Americans living in poverty, I am disappointed that my Republican colleagues chose a drug treatment center as the location to unveil their anti-poverty proposal last week. Assuming the poor are more prone to impulsivity and addiction ignores the reality that poverty is often the result of a constellation of compounding difficulties that are exacerbated by poor access to healthcare and our nation's historic disinvestment in public health. Today, I am here to highlight the impact these complications have on my most vulnerable constituents and the role we all play in addressing them.

The harsh disparities faced by my constituents in Alabama's Black Belt intersect at the nexus of poverty, demographics, and geographic access.

Women in certain parts of my district have to drive to distant counties, sometimes two hours, to give birth to their babies. Folks in Choctaw County, Alabama have to travel over 100 miles to the closest full-service urban hospital or to see a specialist. In 6 of the 14 counties I represent, there are fewer than 5 primary care physicians, county-wide.

The prostate cancer death rate in Alabama for black men was triple that of white men from 2000 to 2010. For all cancers, the mortality rate among blacks was more than double that of the white population during the same time period.

There are many settings that would have better told the story of struggling Americans than an addiction treatment center. An emergency room in a rural hospital in my district would have been a great place to start.

In this setting, the group would meet the working Alabamians who fall into our state's Medicaid gap. With the lowest Medicaid eligibility cap in the country, the working poor are left with no option for affordable health coverage.

Because of financial constraints, these individuals ignore small health care concerns until they compound to make for an emergency situation, which can only be addressed in the expensive setting of an emergency room. There are many who leave the emergency room less able to work and provide for their families because of the long-term impact of allowing untreated health issues to compound.

In addition to severe access issues, generations of men and women in Alabama's 7th District have been negatively impacted by the tortured legacy of the Tuskegee Syphilis Study. While I applaud decisions to provide medical benefits to the family members infected, and the apology issued by President Clinton in 1997, these actions only began to address the damage this 40 year experiment had on our most vulnerable communities.

There are decades of research that show that minorities often do not seek treatment for conditions because of distrust of health care providers regarding diagnosis, prognosis, and treatment. The mistrust the Tuskegee study generated interferes with attempts to combat HIV/AIDS, sickle cell anemia, uterine fibroids, prostate cancer and a myriad of other conditions that disproportionately impact minority groups.

If we are serious about addressing health disparities in rural and underserved communities, we must start by working to restore the faith all of our constituents have in the medical establishment, particularly public health programs, vaccinations, and clinical trials. We should view this as an issue needing as much intervention as drug abuse and inner-city violence.

I was sent to Congress by one of the most underserved constituencies in the country to build upon programs that work and craft new proposals to reverse this cursed course. I look forward to working with my colleagues to strengthen the Medicare and Medicaid programs, invest in health education and medical research, and incentivize providers to practice in rural and underserved communities.

RECOGNIZING BLUE MONDAY AND
THE IMPORTANCE OF MEN'S
HEALTH

HON. DAVID A. TROTT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. TROTT. Mr. Speaker, I rise today, on Blue Monday, to bring awareness to the health issues faced by men across the country.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The importance of striving for a healthy society is something we can all agree on. Despite the fact that one in seven men will be affected by prostate cancer, men's health doesn't always receive the attention it deserves. Men are more at risk for heart disease, cancer, diabetes, depression, and many more illnesses, yet nearly one in ten have not seen a physician in more than five years, and as many as 70 percent have waist sizes exceeding healthy standards. These issues affect not only men, but our whole families, and we should all work together toward healthier lifestyles.

I would like to recognize the efforts of the Men's Health Foundation in Southeast Michigan in helping men take steps to better health. Blue Monday kicks off International Men's Health Week which provides important educational opportunities to increase awareness for detection and prevention of the diseases that kill millions of our fathers, husbands, brothers, and sons each year. I would encourage all men to celebrate Blue Monday by getting screened, exercising, and eating right to help reduce the risk of prostate cancer and other diseases.

I would like to give a special thanks to Dr. Michael Lutz for his efforts to address men's health issues in our community and wish everyone a happy Blue Monday.

HONORING EDNA BEVERLY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Edna Beverly.

Mrs. Beverly was born on a plantation in Sidon, Mississippi to the late Roosevelt and Betsy Oliver. Mrs. Beverly had to go to the field with her grandparents (the late Albert and Emma Oliver) and parents, where they were sharecroppers earning \$5 a week. She had to stay near the water truck because she was young. She would not be afraid because she could see and hear them singing spirituals, until they were out of site. She would then be there alone for hours until they returned. Her parents and grandparents encouraged her to do and be the best that she could be.

Mrs. Beverly attended elementary school on the plantation at St. John Baptist Church Elementary. The school consisted of only one classroom.

Her family decided to relocate to Chicago, Illinois when she was only 12 years old. Mrs. Beverly attended Marshall High School and Taylor Business Institute in Chicago, where she graduated with honors receiving a degree in Computerized Accounting.

She accepted her call to the Ministry in 1991, obtained her license in 1995 and was ordained in 1996.

Mrs. Beverly worked with the youth department, teaching Sunday School, Bible Study, and spiritual songs for many years.

She later moved to Ruleville, Mississippi in 2001, and married Mr. Marvin Beverly, who

was a school teacher at Ruleville Central High School. They were happily married until his death in 2005.

She worked for several years as a remedial reading tutor at Ruleville Central Elementary School serving 437 students.

Mrs. Beverly has received several awards: a Certificate of Appreciation from Governor Haley Barbour; AmeriCorp Leadership Community Service; and Congressional Community Service.

She became the first black City Clerk/Tax Collector for the City of Ruleville in 2005.

Mrs. Beverly's greatest passion is her Ministry and her love for children. She is currently serving as Sunday School Superintendent, and assisting her Pastor, Rev. Claude Raine, at Mallalieu United Methodist Church in Ruleville.

Mrs. Beverly is the proud mother of four wonderful children, the grandmother of ten amazing grandchildren, and the great grandmother of one.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Edna Beverly for her dedication to serving others and giving back to the African American community.

TRIBUTE TO NATIONAL DANCE WEEK FOUNDATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, many individuals and organizations strive to bring awareness, enlightenment and entertainment to our community through culture and dance; and

Whereas, The National Dance Week Foundation was formed in 1981 to bring greater recognition to dance; giving us a unique opportunity for our nation to showcase the different musicians, writers, producers, promoters, performers and dancers who have contributed to making Dance a heavyweight in the industry of entertainment around the world; and

Whereas, today we celebrate the kickoff of National Dance Week in the Fourth Congressional District by witnessing performers showcase Dance to our community; and

Whereas, Mrs. Susan Winfrey Dupar of Covington, Georgia serves as an Ambassador for the National Dance Week Foundation, is promoting and instructing the young and old in dancing, she is giving of herself to make a difference in the lives of others. Our beloved District has found a jewel in the art of dancing, it promotes fun fitness and dance touches the minds and souls of untold millions; and

Whereas, our community has been strengthened in times of joy and sorrow through dance; putting rhythm in our feet, adrenalin in our blood and pizzazz in our spirits; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the gift of Dance as a unique and wonderful cultural contribution

to our District, the Nation and the world; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim April 22, 2016 as National Dance Week Foundation Day in the 4th Congressional District.

Proclaimed, this 22nd day of April, 2016.

HONORING THE LIFE OF RALPH KETNER

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Mr. Ralph Ketner, co-founder of the grocery store chain Food Lion, who passed away at the age of 95 on Sunday, May 29, 2016. Our thoughts and prayers are with the entire Ketner family as they mourn the loss of this great man.

Never one to shy away from a challenge, Mr. Ketner learned early on the value of a hard day's work, receiving a single penny for each chicken he plucked at his family's house. While it was far from glorious work, that never bothered Mr. Ketner and he used the lessons from those early days to launch one of the most successful grocery store chains in the country. In 1957, Ralph Ketner opened the first Food Town store in Salisbury, North Carolina. When the store initially opened, it struggled to differentiate itself from the competition until he took a major risk and began an aggressive price cutting program. However, the risk paid off and the results were revolutionary. With the rallying cry of "Lowest Food Prices in North Carolina," Mr. Ketner went from having one store to owning one of the largest grocery franchises.

Even though his professional accomplishments are outstanding, Mr. Ketner's proudest achievements came in what he was able to give back to the community through his many philanthropic works. During his lifetime, he never forgot to thank those that made it all possible and helped whenever he could. After the success of Food Lion, Mr. Ketner donated millions of dollars to support various education projects including the development of the business school at Catawba College which now proudly bears his name.

Ralph Ketner was a remarkable man known for his dedication, passion, and kindness. You would be hard pressed to find anyone who does not speak of him with the utmost respect and admiration. I will always cherish the time I spent with Mr. Ketner. I will never forget his friendship, humor, and sound advice. While we mourn the loss of Mr. Ketner, there is no doubt that his legacy will live on through not only his professional success but also the countless lives he was able to touch.

Mr. Speaker, please join me today in commemorating the remarkable life of Mr. Ralph Ketner.

HONORING MARTIN GROGER
PENNY STORE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Vicksburg, Mississippi's tiniest and oldest grocery store, Martin Grocer Penny Store. Martin Grocer Penny Store has been a thriving force in Vicksburg, MS for nearly fifty years.

Martin Grocer Penny Store was a single-room grocery attached to Ms. Exelena Martin's home. The store remains mostly in its original condition. The loud clank of the cowbell alerted Ms. Martin when she had customers. The ceiling slants at a steep pitch and is less than 6 feet high at the northern wall. Two bare light bulbs provided all the light shoppers needed in the full service store which had no particular hours.

The 83-year-old Exelena Martin decided it was time to retire in November 2015. Martin's is an example of a small business weathering the test of time.

Mr. Speaker, I ask my colleagues to join me in recognizing Martin Grocer Penny Store for its longevity and dedication to serving Vicksburg, MS.

RECOGNIZING THE 100TH ANNIVERSARY OF THE GIRL SCOUT GOLD AWARD

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. HASTINGS. Mr. Speaker, I rise today to recognize the 100th anniversary of the Girl Scout Gold Award, the highest and most prestigious award in the Girl Scouts organization, which has produced one million young women as leaders and change agents in their communities.

Since 1916, this award has honored high school-aged Girl Scouts who answer the call to "Go Gold" and put in years of research and hard work to facilitate large-scale community service projects. The impact these young women are having on the world around them far exceeds their average age of 17 years old.

As the Girl Scouts' highest achievement, Gold Award recipients who enlist in the U.S. armed forces may enter at one rank higher than other recruits. Universities and colleges around the country also offer scholarships to young women who receive this award.

Sarah Banach, of Enfield, Connecticut, created and implemented coding lesson plans for young women at her local middle school to help bridge the gender gap in STEM-related fields. Loren McClendon, of Jacksonville, Fla., trained almost 500 adults in her community on how to recognize warning signs of strokes. Kaitlin Greenough, of Zephyrhills, Fla., developed an entire curriculum to teach elementary school-aged children about the Florida water system and water conservation. These are just

a few of the countless community service projects taken on by Girl Scouts from the illustrious ranks of Gold Award recipients.

As an organization, the Girl Scouts have allowed millions of girls nationwide to become involved in their communities and take on leadership roles while building courage, confidence and critical life skills. There are currently 3 million Girl Scouts nationwide and 50 million alumnae, a testament to founder Juliette "Daisy" Gordon Low's original mission to empower girls with confidence, courage, and character.

Mr. Speaker, it gives me great pride to recognize this organization, particularly my local troop, the Girl Scouts of Southeast Florida, in Congress. I am inspired by what these esteemed Gold Award recipients have been able to accomplish in 100 years and look forward to seeing them succeed for many more years to come.

TRIBUTE TO SHERRIE ADAMS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, our greatest and most valuable assets are our children. Our children are the future and are educated and shaped by our teachers; and

Whereas, Mrs. Sherrie Adams is a teacher in DeKalb County, Georgia and an educator at Smoke Rise Elementary School, who has demonstrated twenty-nine years of dedicated leadership and raising student achievement in my district; and

Whereas, Mrs. Adams has been awarded the honor of Teacher of the Year 2016, recognizing her exceptional teaching style at Smoke Rise Elementary School; and

Whereas, this phenomenal woman is active at Smoke Rise Elementary School, her sorority, Delta Sigma Theta Sorority, Inc., and the YMCA in Decatur, Georgia; and

Whereas, Mrs. Adams can be described as a Proverbs 31 woman. She is the wife of Dr. Michael S. Adams, Sr., the mother of Michael, Jr., and Matthew. She is devoted to serving our community daily as an educator who imparts knowledge and skills for the overall success of our children. She is a motivator, an innovator and a model citizen who gives and asks for nothing in return; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Sherrie Adams for her leadership and service to my District and in recognition of this singular honor as 2016 Teacher of the Year at Smoke Rise Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 4, 2016 as: Mrs. Sherrie Adams Day in the 4th Congressional District.

Proclaimed, this 4th day of May, 2016.

CELEBRATING THE HISTORY OF
ST. LUCAS LUTHERAN CHURCH

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. KAPTUR. Mr. Speaker, I rise today to recognize St. Lucas Lutheran Church in South Toledo. On Sunday, June 12, the church dedicated a state historic marker as part of its 130th anniversary celebration. The celebration began on Mothers Day 2016 with a concert featuring the Toledo Symphony's Brass Quintet.

St. Lucas is a progressive Lutheran Church wrapping itself around its congregants in their faith journeys. It describes itself as "a faith community of many ministries and many ministers. In all we do we strive to glorify Jesus Christ."

The church began on March 21, 1886 when a group of people met in the home of Louis Burman to discuss the formation of a Lutheran church in Toledo's southern neighborhood to serve the Germans settling there. Though first meeting in borrowed space, by 1887 the congregation had its own church building and parsonage on Walbridge Avenue. With both German and English services, a Ladies Aid Society, Young People's Society and choir, the church was well established. Though these organizations were briefly disbanded, by 1897 they were a permanent part of the mission of St. Lucas. That same year, a monthly paper was published in coordination with two other congregations, with an eventual readership in 1200 homes.

As it grew, the church outgrew its space and the last services in St. Lucas' first church building were held on May 8, 1910. The new building was a reflection of the church's origins as a German mission church and built in the Gothic revival style. During the 1911 dedication celebration of the new church building, the congregation received a German language Bible inscribed by Kaiser Wilhelm II. The dedication also saw the first English-speaking sermon, offered by Pastor Hugo Hamfeldt. Soon Sunday services were spoken in English. The church undertook renovations in 1931, 1945, 1961 and as part of its 1986 centennial celebration in order to "enhance and update the worship atmosphere." In the 1960s as the ecumenism movement flourished, St. Lucas was a charter member of the Old South End's ecumenical organization known as CROSS (Christians Relating Our Savior on the South Side.) CROSS has engaged in exchanges in the pulpit, Thanksgiving Eve and Unity Good Friday services, Feed Your Neighbor food pantry and children's summer services. As the neighborhood changed, St. Lucas continued to adapt itself, "taking risks for the sake of the Gospel." It now sits in the heart of a neighborhood with many challenges, yet the church soldiers on meeting the needs of its congregation and neighborhood through outreach.

Now as it comes to its 130th anniversary, St. Lucas Lutheran Church proudly dedicates a historic marker outlining the church's history in the neighborhood. A special feature of the dedication ceremony is the world premiere of a hymn which was commissioned especially

for the 130th anniversary. With words and music by the parish's husband and wife team of Michael and Karen Biscay, Choirmaster Ron Lang conducts the St. Lucas Choir, accompanied by organist Jamie Dael in the fast-ever performance of the anthem. At its 125th anniversary, the Biscays wrote a hymn in tribute to the congregation's German heritage and this work is also featured in Sunday's dedication ceremony. I was pleased to join the congregation and members of our community in celebrating this joyous occasion.

St. Lucas Lutheran Church stands today in testament to the faith and perseverance of its members through the ages. Generations have worshiped together, prayed together, served together. Truly, it can be said of St. Lucas that its congregation has lived the Gospels and Christ's message as written in Matthew 12:30–31 to "Love the Lord your God with all your heart and with all your soul and with all your mind and with all your strength . . . Love your neighbor as yourself." As the congregation of St. Lucas Lutheran Church continues on its faith journey, living the Gospel and sharing Christ's message of Love, it stands on a rich and deep history. The Ohio Historic Marker records that history as the church turns forward to a future strong in its faith.

HONORING MAYOR MARCUS
WALLACE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable young entrepreneur and Mayor, Mayor Marcus Wallace of Edwards, Mississippi.

Marcus L. Wallace was raised in Edwards, MS. He attended school in Edwards and graduated from Southern University, Baton Rouge, LA in 1992, with a B.S. in Marketing. He is a successful businessman, serving as President and CEO of MAC & Associates, LLC. Additionally, Mr. Wallace is President of the Wall Group, a Sports & Entertainment Firm.

As a young entrepreneur who had a plan to become a general contractor, he has grown his company from \$500 projects to multimillion dollar projects, consisting of constructions of virtually every kind. To further expand the scope of his company's services, Mr. Wallace established MAC & Associates, LLC, a division of MAC Construction Company. Mr. Wallace and the company's principals, collectively, have over 50 years of expertise in government, commercial, and private sector construction management. MAC Construction Company of Mississippi is licensed, bonded and insured. During the past 16 years, MAC has completed several projects throughout the state of Mississippi. It is one of the fastest growing minority owned construction firms in Mississippi. Mr. Wallace is the largest minority owner of the new Westin Hotel (under construction) in downtown Jackson and has ownership in the Iron Horse Grill.

In addition to his Construction prowess, Mr. Wallace has been a Sports Agent for professional athletes in the NBA and NFL, managed

recording artists in the music industry and promoted concerts and comedy shows, and has extensive experience in the communication and transportation industries.

On December 8, 2014, Mr. Wallace was sworn in as Mayor of Edwards, MS. He hit the ground running even before his inauguration and hasn't slowed down. His inaugural decisions sent a strong message about his focus. Instead of hosting a celebratory event, he redirected the funds to help families in Edwards. He provided shoes for kids in Edwards and made Christmas special for children by delivering toys during the Christmas holidays. From those simple steps, his path has not wavered. His focus is on the citizens of Edwards, a town he acknowledges "needs everything". Mayor Wallace sees himself as "front line soldier" intent upon seeing that they get it. During Mayor Wallace's first year in office, the Town of Edwards has experienced a transformation unparalleled in its history. The following are major accomplishments during May for Mayor Wallace's tenure:

The police department has received new police cars, new uniforms, a new police chief, and the establishment of a Crime Task Force. Crime is down by 60 percent.

Edwards and Cal-Maine Foods partnership for infrastructure improvement: Cal-Maine provided financial assistance to Edwards for optioning the electrical easement that will serve power to their new pullet facility. Also, Cal-Maine hired a company to clear the roadside and repair the road from Highway 80 to the railroad. The partnership is valued at over \$75,000, with a \$10,000 cash contribution to the town.

Amnesty Day: Over \$200,000 was collected during Amnesty Day.

Community Building and Livestock Building Demolition: Edwards received \$150,000 from Mississippi Development Authority (MDA) and \$80,000 from Block Grant Funds.

New Legal Appointments: Mayor Wallace appointed a new legal team that consisted of Judge Frank Sutton as Edwards' new Municipal Judge, Mrs. Greta Mack-Harris as Municipal Prosecutor, and Mr. Omar Nelson as the town's attorney.

Edwards received a \$20,000 grant from MDOT to enhance the Edwards' exits on Interstate 20, east and west bound.

Established the Mayor's Annual Town Clean-Up Day.

Balanced the Town's budget.

Mr. Wallace is a committed civic leader and strong supporter of communities throughout central Mississippi. He is a born leader, respected for both his character and work ethics.

Mr. Speaker, I ask my colleagues to join me in recognizing Mayor Marcus Wallace for his dedication to serving our great state of Mississippi.

TRIBUTE TO DAPHNE KING

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, our greatest and most valuable assets are our children. Our children are the future and are educated and shaped by our teachers; and

Whereas, Mrs. Daphne Jackson King is a teacher in DeKalb County, Georgia and an educator at Dunaire Elementary School, who has demonstrated thirty two years of dedicated leadership and raising student achievement in my district; and

Whereas, Mrs. King has been awarded the honor of Teacher of the Year 2016, recognizing her exceptional teaching style at Dunaire Elementary School; and

Whereas, this phenomenal woman is active at Dunaire Elementary School, her church, and in her community, in Decatur, Georgia; and

Whereas, Mrs. King can be described as a Proverbs 31 woman. She is a wife, mother, daughter and a sister. She is devoted to serving our community daily as an educator who imparts knowledge and skills for the overall success of our children. She is a motivator, an innovator and a model citizen who gives and asks for nothing in return; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Daphne Jackson King for her leadership and service to my District and in recognition of this singular honor as 2016 Teacher of the Year at Dunaire Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 11, 2016 as: Mrs. Daphne Jackson King Day in the 4th Congressional District.

Proclaimed, this 11th day of May, 2016.

CONGRATULATING FLORIDA
INTERNATIONAL UNIVERSITY ON
THE GRAND OPENING OF THE
FIU IN D.C. OFFICE

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. WILSON of Florida. Mr. Speaker, I rise today to congratulate Florida International University on the grand opening of the FIU In D.C. office located just steps from the U.S. Capitol. Since opening its doors in 1965, FIU has grown to become the number one university in awarding bachelor's and master's degrees to Hispanic and other minority students. With the new expansion, FIU has ensured that students seeking opportunities in our nation's capital have the resources they need to succeed.

In the past five years, hundreds of FIU Panthers have come to D.C. as interns and fellows to work for non-profits, federal agencies and private firms. From the White House to the halls of Congress, FIU students have also been an integral part of the executive and legislative branches of government. As the faces of FIU in D.C., interns and fellows learn about federal policy and expand their professional network. I am sure that my colleagues agree when I say our congressional FIU interns are Worlds Ahead.

Blocks away from Capitol Hill, FIU's new office will bring together ideas, connections and

solutions through speaker series and research seminars. Local alumni and visiting faculty will connect and learn in the brand new 3,500-square-foot space that includes classrooms, conference areas and a multi-purpose tech center.

Under the leadership of President Mark B. Rosenberg, FIU has seen exponential growth in both the student body and its facilities. In promoting a strong alumni network, he has ensured FIU's future is as bright as its students. I am especially proud of the work the FIU faculty and administration do to promote exceptional learning and professional development.

The opening of this D.C. office is a testament to FIU providing ladders of opportunity to graduates and others. Congratulations on the new office and I look forward to FIU making an even greater impact in our nation's capital.

HONORING DIANTHIA FORD-KEE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Diantia Ford-Kee, who is a director, leader, and educator.

While at Fayetteville State, Ford-Kee competed in basketball and softball. There she was a member of the 1979 CIAA Women's Basketball Championship Team and the 1982 CIAA Softball Championship Team. Ford-Kee earned several All Conference and Tournament Team honors and was selected MVP of the 1982 Softball Championship Tournament. In 1982, she was selected Fayetteville State University's Athlete of the Year and was the youngest inductee into Fayetteville State University's Athletic Hall of Fame (1997).

After earning her Master of Arts degree in Public Affairs from Northern Illinois University, Ford-Kee joined Shaw University as the Lady Bears' head volleyball and softball coach and assumed the role of Senior Woman Administrator (SWA).

She guided her volleyball program to a Tournament Championship in 1995 while earning four CIAA Softball Championships (1993, 1994, 1996, and 2003). Among several other accolades, Ford-Kee was a two-time Volleyball Coach of the Year (1995 and 2001) and four-time Softball Coach of the Year (1993, 1994, 1996, and 2003).

In 2004, Ford-Kee became Shaw University's Associate Athletics Director. During that time, she was named the National Association of Collegiate Women Athletic Administrators (NACWAA)—2006 NCAA Division II Female Athletic Administration of the Year.

Ford-Kee served five impactful years (2008–13) as the Director of Athletics at Lincoln University (PA) where she was credited with the improvement of retention and graduation rates of student-athletes. She successfully headed the transition from NCAA Division III to Division II and the return of Lincoln University to the CIAA.

Ford-Kee was honored by the Black Women in Sports Foundation for her accomplishments at Lincoln University and in the field of athletics with the Legends Award. She has re-

ceived several honors in the state of North Carolina; she was a 1998 inductee in the Wake County Academy for Women for Athletics and a 1999 nominee of the Governor's Distinguished Woman Award for Athletics.

In October of 2009, she was honored as the recipient of the Northern Illinois University's College of Liberal Arts & Sciences Golden Anniversary Alumni Award. Ford-Kee was one of fifty alumni who have distinguished themselves in the careers that have contributed to the worlds of education, science, scholarship, business, law, medicine, community leadership and engagement, philanthropy and government service.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Diantia Ford-Kee, a Director, Leader and Educator for her dedication to serving others and giving back to the African American Community.

IN RECOGNITION OF ROBERT D. DEAN, FOUNDING CHAIR LEUKEMIA & LYMPHOMA SOCIETY'S MAN & WOMAN OF THE YEAR CAMPAIGN GREATER SACRAMENTO AREA CHAPTER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. MATSUI. Mr. Speaker, I rise today in recognition of Robert D. Dean, Founding Chair of the Leukemia & Lymphoma Society's Man & Woman of the Year campaign for the Greater Sacramento Area Chapter. As 2016 marks the 20th anniversary of this important event, I ask all my colleagues to join me in honoring Mr. Dean for his leadership and commitment in the community to raising awareness and vital funds in the fight against blood cancer.

In 1997, in the aftermath of losing his son Bobby to leukemia at the age of 19, Mr. Dean set forth to honor his son's memory by founding an annual event that would unite adults, students, families, businesses, schools, and organizations from throughout the Sacramento region to partner with the Leukemia & Lymphoma Society to raise funds for blood cancer research, and to provide patient services for those suffering from the disease. Over the past 20 years, the Man & Woman of the Year event has brought together hundreds of volunteers, many who themselves are cancer survivors, to work towards finding a cure.

In great part due to Mr. Dean's dedication to this cause, nearly \$5 million has been raised, which has helped to fund breakthrough research and lifesaving therapies that have dramatically increased survivorship in both adults and children. In taking a stand against blood cancer, Mr. Dean has continued to honor his son in the most meaningful way—by giving hope to others.

Mr. Speaker, I am honored to pay tribute to Robert D. Dean, Founding Chair of the Leukemia & Lymphoma Society's Man & Woman of the Year campaign, as he celebrates the 20th anniversary of this important community event. I ask all my colleagues to join me in honoring his exemplary volunteerism on behalf of cancer patients and families, as well as his

ongoing dedication to the fight against blood cancer.

TRIBUTE TO GERMAINE COLES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are destined to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Germaine Coles has answered that call by giving of herself as an Educational Support Specialist at Dunaire Elementary School, and as a mother, sister, daughter and friend; and

Whereas, Ms. Coles has been chosen as the 2016 Educational Support Professional of the Year, representing Dunaire Elementary School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, unyielding support and words of encouragement; and

Whereas, Ms. Coles is a virtuous woman, a courageous woman and a fearless leader whose unequivocal vision, talents and passion, help to ensure that our children receive the support and education that is relevant for today, and well into the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Germaine Coles for her leadership and service for our District and in recognition of this singular honor as the 2016 Educational Support Professional of the Year at Dunaire Elementary School; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim May 11, 2016 as: Ms. Germaine Coles Day in the 4th Congressional District.

Proclaimed, this 11th day of May, 2016.

HONORING LUCILLE SHIRLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Ms. Lucille Shirley.

Lucille Shirley was born February 23, 1948 to the late George and Margaret Shirley, in McComb, Mississippi. She completed her public education in the McComb Public Schools, graduating high school in 1967.

Lucille decided to join the military and enlisted January 25, 1968, completed Basic Training in Fort McClellan, Alabama and received advanced training at AIT in Fort Benjamin Harris, Indiana. Her military experience spans fifteen years and includes: Fort Sill, Oklahoma—Clerk Typist; Fort Jackson, South Carolina—Drill Sergeant; Fort Bragg, North

Carolina—Drill Sergeant; U.S. Army Base Zweibrücken, Germany—Administration; U.S. Army Base Busan, Korea—Staff Sergeant; Jackson, Mississippi—Receptionist; Jackson, Mississippi—Armed Forces Recruiting Station; 71L30 Administrative Specialist—10 years; and 71N30 Traffic Management Coordinator—5 years.

Lucille went to Jackson, Mississippi in 1977 and remained until 1979. While in Jackson, she was invited to a revival at Greater Bethlehem Temple Church. Little did she know that this revival would change her life. In October 1979, she was baptized in the name of the Lord Jesus Christ and received the gift of the Holy Ghost, evidenced by speaking in tongues as the spirit gave utterance.

Lucille's other work experiences were: Krystal's Restaurant—Management 1980–1982; W.H. McCoy Federal Building 1982–1983; Mississippi Veteran's Medical Center 1993–1998; Greater Bethlehem Temple Church—Food Service 1993–2011; and Jackson Public School District—Special Education Transportation Attendant 2012–Present.

Lucille also has many honors and recognitions: National Defense Service Medal; Army Commendation Medal; Good Conduct Medal—4TH Award; Expert Badge M-16 Rifle Bar; Army Service Ribbon; NCO Professional Development; Overseas Service Ribbon; after all her successes she was also a cancer survivor—5 Years.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Lucille Shirley for her dedication to serving others and giving back to our community.

IN RECOGNITION OF REVEREND ROBERT OSHITA AND REVEREND PATTI OSHITA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the retirement of my good friends, Reverend Robert "Bob" Oshita and Reverend Patti Oshita, of the Buddhist Church of Sacramento Hongwanji Betsuin. As the community celebrates the departure of two excellent leaders, I ask all my colleagues to join me in honoring their remarkable contributions to the Buddhist Church of Sacramento and the greater Sacramento community.

It is a great pleasure to recognize Reverend Bob and Reverend Patti, as Reverend Patti had served as Executive Assistant for my late husband, the Congressman Robert T. Matsui. Reverend Bob began ministering at the Buddhist Church of Sacramento in 1984 after completing both undergraduate and graduate degrees at the University of California, Berkeley and ministerial training in Kyoto, Japan. Two years later, Reverend Bob married Reverend Patti, who attended California State University, Sacramento and also studied in Japan for her ministerial ordination. Together, they have become an institution at the Buddhist Church of Sacramento. Reverend Bob was the 36th minister of the Buddhist Church of Sacramento, and has served the church for 32

years. Reverend Patti was an assistant minister of the church and taught Sunday Dharma School classes. Both have proved to be excellent community leaders, leading with humility and providing comfort and guidance for those in need.

It is under the leadership of Reverend Bob and Reverend Patti that the membership of the Buddhist Church of Sacramento has grown to just under 1000 households. Through seeking out genuine human connections, Reverend Bob and Reverend Patti have promoted a more unified community, both within the Buddhist Church of Sacramento and beyond. The dedication Reverend Bob and Reverend Patti have demonstrated is exemplary and the wisdom they have spread in the Sacramento area is truly invaluable.

Mr. Speaker, I am honored to pay tribute to exceptional community members Reverend Bob Oshita and Reverend Patti Oshita as they celebrate their service to the Buddhist Church of Sacramento and the Sacramento community. I ask all my colleagues to join me in honoring their outstanding work and wishing them the best in retirement.

TRIBUTE TO AFRICAN AMERICAN DAY OF PRAYER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, citizens of different cultures strive to bring awareness and enlightenment to our community; and

Whereas, the African American culture has been and continues to be a great gift to our nation through its inventions, music, literature, dance, food, art, native crafts and religion; and

Whereas, the power of prayer has sustained the African American race through generations. It continues to be a great tool in breaking bondages, bringing blessings and strengthening communities. Prayer brings about change to deliver, restore, build and resurrect; and

Whereas, our beloved District is blessed to have citizens that believe in the power of prayer; and

Whereas, our community has been strengthened in our awareness, our lives have been touched, and our spirits uplifted through the prayers that go up daily for the benefit of our District and our Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize all of the individuals that give of themselves for the betterment of others and to recognize this sacred day of prayer in the African American Community; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 4, 2016 as: The African American Day of Prayer Day in the 4th Congressional District.

Proclaimed, this 4th day of June, 2016.

BLUE SKY FOUNDATION—BOOTS ON THE COURT PROGRAM

HON. MICHAEL T. MCCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. MCCAUL. Mr. Speaker, I rise to recognize Dick Stockton and his wife Liz of Wellington, Florida for their continuous support for our men and women in uniform and their families through their charitable non-profit the Blue Sky Foundation.

As avid tennis players with successful careers on and off the court, Dick and Liz's passion for the game of tennis and community has resulted in a combined 40 years either playing the game, teaching the game, or giving back to their community through the game of tennis.

It was this mutual love of tennis and community that led Dick and Liz to establish Blue Sky Foundation, Inc. in 2008. This non-profit charitable organization was originally established with the goals of raising funds for different children's charities in order to give them a hope for a better tomorrow through sporting event fund raisers.

However, also seeking a way to pay tribute to past and current service members for their sacrifice to our country, Dick and Liz created the "Boots on the Court Program" which offers free tennis clinics from former tour players and certified teaching professionals to active service members, spouses, children, veterans, and wounded warriors.

Since their first clinic in July of 2013, Boots on the Court has traveled to 12 different locations and put on more than 18 different events across the nation and touched countless numbers of lives.

This month, on June 18th, Boots on the Court will be hosting their next event right here in Washington D.C. at Joint Base Andrews.

Mr. Speaker, I would like to encourage all military men and women in the area to attend this fantastic event and once again thank Dick and Liz Stockton and the staff at Blue Sky Foundation for their continued support of communities and military men and women across the nation.

HONORING L'DINA ROBINSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Ms. L'Dina Robinson, the Daughter Ruler and State President of the Greystone Temple of Daughter Elkton's. Ms. Robinson has held this position since 1957. Ms. Robinson has been a daughter member of the L. K. Atwood Elk's Lodge Number 518 located on Lynch Street since 1952, some 59 years.

Ms. Robinson is a product of the city of New Orleans, Louisiana. She attended and graduated from Gilbert Academy High School. She also attended and graduated from Dillard University located in Louisiana. Ms. Robinson's

work histories include: Office manager for the Historical Edward Lee Hotel of West Church Street and Instructor at Campbell College located on Lunch Street. Ms. Robinson worked many years for the United States Veterans Administration Regional Office. She was first employed as a clerk and she retired as a senior executive several years ago.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. L'Dina Robinson for her dedication to serving.

TRIBUTE TO REV. DR. STAFFORD
WICKER

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Reverend Dr. Stafford J.N. Wicker is celebrating forty (40) years in ministry and providing stellar leadership to his church; and

Whereas, Reverend Dr. Stafford J.N. Wicker under the guidance of God has pioneered and sustained Antioch African Methodist Episcopal Church as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless and is a beacon of light to those in need; and

Whereas, Reverend Dr. Wicker is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, and most of all a visionary who has shared not only with his Church, but with our community and the nation his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend Dr. Stafford J.N. Wicker as he celebrates forty years in pastoral leadership; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 5, 2016 as: Reverend Dr. Stafford J.N. Wicker Day in the 4th Congressional District.

Proclaimed, this 5th day of June, 2016.

HONORING CHARLEEN R. SZABO

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. DEUTCH. Mr. Speaker, I rise today, along with the Honorable LOIS FRANKEL, the Honorable PATRICK MURPHY, and the Honorable ALCEE HASTINGS, to recognize Charleen R. Szabo. Ms. Szabo will retire as the Director of the West Palm Beach VA Medical Center on June 30, 2016. We commend Ms. Szabo's career and offer our sincerest gratitude for her dedication of nearly 42 years of service to our veterans.

Ms. Szabo received her undergraduate degree from Utica College of Syracuse University and was later awarded her Master's degree from State University College of New

York at Brockport. Charleen began her career at the Batavia, New York VA Medical Center before transferring to the Miami, Florida VA Medical Center. Throughout her career, she has devoted herself to the Richmond, Virginia VA Medical Centers in Richmond, Virginia; Newington, Connecticut; Batavia, New York; Lebanon, Pennsylvania; and Miami, Florida.

As director of the West Palm Beach VA Medical Center, she has made it a priority to direct the Center with respect and care for the needs of all local veterans. Ms. Szabo has worked endlessly to improve the lives of our veterans. She embodies the VA's mission to "Honor America's Veterans by providing exceptional health care that improves their health and well-being."

The legacy Charleen Szabo leaves behind is a true testament to her commitment to the U.S. Department of Veterans Affairs and to the men and women who served and protected our Nation. Her legacy will have a long-lasting impact on the West Palm Beach VA Medical Center for years to come. We offer Ms. Szabo our warmest congratulations and wish her a rewarding and rich retirement.

HONORING MRS. ORA B. PHIPPS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Ora B. Phipps.

Ora B. Peoples was born on October 21, 1928 to the late Rev. Claiborne and Elizabeth Peoples in Coahoma, MS. She was educated in her early years by the Coahoma County School system in a one room, one teacher, all black school. She attended Aggie High School and a college by Coahoma College. She grew up in a farming family. Often their school schedule was set around the farmers. Many students would drop out of school because work was more important than education. This stuck with her and later became very instrumental in shaping her and her family's life. She has 10 children (seven girls and 3 boys) which are the joy of her life.

In 1951 she moved to Marks, MS where she later married Armstead Phipps. They were both concerned about education. Their children were some of the first to integrate Marks Jr. High School better known then as the white school or bulldog. Their children suffered the abuse and ridicule that came with the movement but as parents they were committed to see this process through.

Armstead Phipps, husband, participated in the James Meredith March against Fear in 1966 in which he collapsed and died in the process of fighting for Civil Rights. He suffered a heart condition in which he was warned not to participate but he thought the cause was too important not to. He felt that his children would benefit from the integration of the school system. He said he would like to shake hands with Dr. Martin Luther King and Dick Gregory then everything would be alright. He asked his wife, Ora Phipps, to promise him that if anything happened that she would send their children to the white school. She kept

that promise. At the time of his death a voter registration card was found in his wallet, which was one of his proudest achievements. His funeral was eulogized by the late Rev. Martin Luther King, Jr. at the Valley Queen Church in Marks, MS. That voter registration card was shown to the congregation at the funeral by Dr. King.

Ora B. Phipps was very instrumental in starting the first head start program in Marks, MS in the home of Mr. Brady on Martin Luther King Drive. They had no school buses to get the children to school. She and many other people solicited drivers, teachers, social workers, cooks, and everything necessary to start the program all by volunteers. The program then advanced to local churches in surrounding areas, finally the proposal to start and fund the program was submitted to the school board in Hotel Heidelberg at Jackson, MS. She was a visionary and a self-starter.

Her hobbies consist of gardening where she spends countless hours in the yard. This is a community garden in her yard where she gives to anyone that asks. She is known by everyone in the community for her giving nature and love for the people. She still is an active member of the Church of Christ in Lambert, MS.

Ora Phipps was honored in Birmingham, Alabama with the Southern Rural Black Women Initiative for Economic and Social Justice Award on March 6, 2010 for her brave efforts in fighting for social and economic justice.

Mr. Speaker, please help us to congratulate Mrs. Ora B. Phipps for her part in history.

TRIBUTE TO MOTHER
MINNIE JONES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, for thirty-six years, Mother Minnie Jones served as President of the Beulah Baptist Church Mother Board Number 2, in Decatur, Georgia. We are all thankful this virtuous woman of God accepting her call to serve in the leadership role of the Mother Board, assisting and serving the members of the congregation; and

Whereas, Mother Jones began her membership at Beulah in 1952 and since joining the church, she has provided service to citizens from all walks of life. In 1978, Mother Jones initiated the formation of the Junior Mother Board at Beulah. She served in various other ministries at the church such as the Golden Eagles, the Missionary Board, and the Usher Board. She is a devoted wife, mother, grandmother and great-grandmother; and

Whereas, this energetic, phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all. She is a powerful prayer warrior and intercessor for the congregation; and

Whereas, Mother Jones is a cornerstone in our community who has enhanced the lives of

thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mother Jones on her outstanding years of leadership and service to the Beulah Baptist Church Mother Board Number 2; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 11, 2016 as: Mother Minnie Jones Day in the 4th Congressional District.

Proclaimed, this 11th day of June, 2016.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Ms. LEE. Mr. Speaker, on roll call no. 289, had I been present, I would have voted "yes."

On roll call no. 290, had I been present, I would have voted "no."

On roll call no. 291, had I been present, I would have voted "yes."

On roll call no. 292, had I been present, I would have voted "no."

On roll call no. 293, had I been present, I would have voted "yes."

On roll call no. 294, had I been present, I would have voted "no."

On roll call no. 295, had I been present, I would have voted "no."

On roll call no. 296, had I been present, I would have voted "no."

IN RECOGNITION OF LARRY DOMINO

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

"IF THERE BE ANY TRUER MEASURE OF A MAN THAN BY WHAT HE DOES, IT MUST BE BY WHAT HE GIVES."

Mr. BRADY of Texas. Mr. Speaker, the English clergyman Robert South never met Larry Domino, but his words sum up exactly how Larry's family, friends and extended family of former athletes view this remarkable man.

Larry Domino wasn't born in Texas, but it seems he got to the Lone Star State as soon as he could. When Larry arrived from Depew, New York 35 years ago, he already had a heart as big as any native born son. After all, he is a diehard Buffalo Bills fan.

He's also a born educator. Larry Domino first earned his place in education with a degree from Buffalo State College and then earned a Masters from Sam Houston State University. Over the past three and half decades, Larry has taught, coached and been a school administrator in both the Aldine and Klein districts. Currently, he is a beloved Associate Principal at Klein's Doerre Intermediate School.

When Larry married the love of his life, Tina Lee, 27 years ago next month, his Texas sized heart expanded. Then it grew even bigger when they welcomed the lights of their

lives—daughters, Brita Susan and Lauren Ansley in 1995 and 1998.

Whether Larry Domino is known as teacher, dad, coach, or principal, generations of eager young people have achieved their dreams because Mr. D. believed in them.

Chonda Besse says "Mr D is a man of few words," but he taught her that "sometimes a few words are all it takes to change someone's life." She is honored to be thought of as a "daughter" in the Domino family.

One of his former swimmers at Eisenhower High School, Lisa Jost, remembers how Coach Domino told her "that I could do anything I set my mind to doing, and that I could trust myself to do it well." She held on to that because "it had to be true if Coach said it." She says as a new teacher, her coach is still inspiring her.

Dr. Tina Elkins says what made Coach Domino different was that he coached them in and out of the water, providing a foundation that helped her become who she is today.

It's not just students who were impressed either, Eisenhower Principal Fred Richardson notes Coach Domino's "ability to develop relationships, with teachers, students and parents" and the "positive difference in the lives of many."

As Buffalo Bills coach Mary Levy says "Where else would you rather be than right here, right now?" Coach Domino, you found your best right here in Texas. And Texas is better off for your service to generations of young people who just needed someone to believe in them.

TRIBUTE TO SGT. MAJOR STANLEY HAYES

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia, Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to sacrifice for our country through military service; and

Whereas, Command SGT. Major Stanley Lynn Hayes has served in the United States Army, giving thirty years to our nation as a soldier. He has received numerous Military Citations for his leadership and service; and

Whereas, Command SGT. Major Hayes has shared his time and talents as a family man, serviceman and mentor, giving the citizens of the United States a person of great worth, a fearless leader and a servant to all advancing the lives of others, through service to our country in the armed forces; and

Whereas, Command SGT. Major Hayes is an ideal husband, father, grandfather, brother and son; and

Whereas, Command SGT. Major Hayes is a remarkable and courageous man who gives of himself, in defense of this nation; and

Whereas, Command SGT. Major Hayes along with his family and friends are celebrating today a remarkable milestone, his retirement from the United States Army; we pause to acknowledge a man who is a cornerstone in our community; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Command SGT. Major Hayes on his retirement and to wish him well and recognize him for an exemplary life which is an inspiration to all; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 5, 2016 as: Command SGT. Major Stanley Lynn Hayes Day in Georgia's 4th Congressional District.

Proclaimed, this 5th day of June, 2016.

PERSONAL EXPLANATION

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mrs. MILLER of Michigan. Mr. Speaker, on Friday, June 10, 2016, I missed the following votes: the Ellison amendment to H.R. 5325, the Blackburn amendment to H.R. 5325, the Takano amendment to H.R. 5325, the Pearce amendment to H.R. 5325, final passage of H.R. 5325, adoption of H. Con. Res. 89, and adoption of H. Con. Res. 112.

Had I been present, I would have voted "no" on the Ellison, Takano and Pearce amendments to H.R. 5325 and "yes" on the Blackburn amendment to H.R. 5325, final passage of H.R. 5325, adoption of H. Con. Res. 89, and adoption of H. Con. Res. 112.

MR. RICHARD JOHN TUSCANI

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. ZELDIN. Mr. Speaker, I rise today to pay a special tribute Mr. Richard John Tuscani.

Richard was born on June 13, 1916 and is known to be the oldest living WWII veteran in Suffolk County, NY. Originally from Corona, Queens, Mr. Tuscani has managed to see and do more than most people could hope to accomplish in two lifetimes.

Richard is a highly decorated WWII veteran, having served in New Guinea and the Philippines. During his time in the service, Mr. Tuscani received three Bronze Stars in addition to other awards such as the Victory Medal, the Philippines Presidential Unit Citation Badge and the Meritorious Service Award. The three Bronze Stars he received are for surviving a battle in Leyte, Philippines, another for surviving a kamikaze attack in New Guinea, and the last for the Philippines Liberation. Richard has also been extremely active in the community as well. During his historic lifetime, Richard was a fireman in New York City, oil truck driver, New York City building inspector, bus driver, local dock master, and school bus matron. His strong sense of civic duty and dedication to the community in the many professions he's undertaken exemplify just how incredible of a person he is.

Richard, an avid history and geography buff, likes to spend most of his time reading, studying history, and watching his New York Yankees. His late wife, Helen, was crowned "Miss

Swift" at the New York World's Fair in 1939. He has a son, Richard G, and a daughter, June, who was born while Mr. Tuscani was overseas.

I would like to thank Richard, who will be turning 100 years old on June 13, 2016, for his years of dedication and service to our country and community. What he has managed to accomplish during his lifetime and give back to the country cannot be summarized in a few words; however it is important we honor these types of individuals as best we can. It is my hope that many will follow in his footsteps and give back to our country as graciously as he did. People like him are a rare breed and they help make not only our country, but our world a much safer and better place

TRIBUTE TO BETTY BAISDEN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, reaching the age of 80 years is a remarkable milestone; and

Whereas, Mrs. Betty Jane Baisden was born on March 19, 1936 and today she is celebrating that milestone; and

Whereas, Mrs. Baisden has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; she has been a devoted Christian since her childhood days to present as President of the Mothers Board at Mt. Vernon Baptist Church in Atlanta, Georgia; and

Whereas, Mrs. Baisden is celebrating her 80th Birthday with her family members, church members and friends here in Georgia, she celebrates a life of blessings; as a Mother, Grandmother, friend, community servant and leader; and

Whereas, the Lord has been her Shepherd throughout her life and she prays daily and is leading by example a blessed life; an advocate, faithful matriarch and a community leader; and

Whereas, we are honored that she is celebrating the milestone of her 80th birthday in the 4th District of Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Betty Jane Baisden for an exemplary life which is an inspiration to all, now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim March 19, 2016 as: Mrs. Betty Jane Baisden Day in the 4th Congressional District of Georgia.

Proclaimed, this 19th day of March, 2016.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took of-

fice, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,219,465,874,275.48. We've added \$8,592,588,825,362.40 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO MOTHER ROVELMA THOMAS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, for ten years, Mother Rovelma Thomas served as President of the Beulah Baptist Church Mother Board Number 1, in Decatur, Georgia. We are all grateful for this virtuous woman of God accepting her call to serve in the leadership role of the Mother Board; and

Whereas, Mother Thomas began her membership at Beulah in 2000 and since joining the church, she has provided service to citizens from all walks of life. She has educated and mentored through various church ministries such as the Golden Eagles and the Ernestine Smith Bible Class. She is a devoted wife, mother, grandmother and great-grandmother; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all, to ensure that the love of God touches everyone; and

Whereas, Mother Thomas, a twenty-three year veteran of Decatur City Schools, is a cornerstone in our community who has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mother Thomas on her outstanding years of leadership and service to the Beulah Baptist Church Mother Board Number 1; now therefore, I, HENRY C. "HANK" JOHNSON, JR., do hereby proclaim June 11, 2016 as: Mother Rovelma Thomas Day in the 4th Congressional District.

Proclaimed, this 11th day of June, 2016.

A HEROIC ACT AT THE SIDE OF THE HIGHWAY

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize Sean Kehren of Pine City, Minnesota who heroically saved a woman he had never met before from a fiery car crash on a busy interstate highway in Northern Minnesota. Sean was traveling south back to the University he attends after attending the eighth Congressional District Democratic Convention

in Duluth, Minnesota when the car in front of his veered off the road, crashed into a tree and caught fire.

Sean ran to the driver's door of the car to see if the driver was injured. When he saw flames underneath the vehicle, Sean decided it was time to act and he pulled the driver out of the car. Then, with the assistance of the passengers in his car, he carried the driver to safety away from the burning vehicle. After rescuing the driver, Sean even accompanied her to a local hospital and helped her contact relatives so that she could be surrounded by her family after her accident.

When Sean was asked what motivated him to act so courageously, he was very humble. Sean said he was just doing the right thing and helping out a person in need. I ask my colleagues to join me in thanking Sean for his selfless actions which put his own safety in jeopardy to save a stranger.

JUNE 12, 1987: RONALD REAGAN ADDRESSES PRESIDENT MIKHAIL GORBACHEV

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. POE of Texas. Mr. Speaker, yesterday, June 12th marks an important date in United States policy. Twenty-nine years to the day, President Ronald Reagan traveled to Berlin to speak out against communism and call on the President of the Soviet Union, Mikhail Gorbachev, to tear down the Berlin Wall. This would become known as his famous "tear down this wall" speech.

The Berlin Wall grew in the aftermath of the Second World War. In 1945, the Allies split a defeated Germany into four allied occupation zones. The eastern part of the country went to the Soviet Union and the Western part of Germany went to the United States, Great Britain, and later France. Even though Berlin sat entirely in the Soviet territory, it too was divided into Eastern and Western occupation zones with the Soviets taking the East and the other allies taking the West part of the city.

As Berlin was split apart, so too was the relationship between the democratic United States and communist Soviet Union. These stark differences in political ideologies led to extreme tension in that area, and around the world.

So much so that the Soviet Union would often play the role of mischief maker in Germany. In 1948 the USSR began a blockade on West Berlin in the hopes of driving out the Western influences. However, due to the ingenious Berlin Airlift, the blockade was called off the following year. Following a decade of relative calm, the Soviet Union was once again up to no good. They were embarrassed by the steady flow of refugees from the Communist East into the Capitalist West part of Germany. In the first 11 days of August in 1961, 16,000 East Germans fled to West Germany. On August 12th alone, 2,400 people defected.

It was then that Soviet Premier Khrushchev closed the border between East and West Berlin for good. In 1961 the Berlin Wall officially came into existence. It stood 12 feet tall

and 4 feet wide until the fall of communism. During that time, the only way to cross the border was through one of three checkpoints: Alpha, Bravo, and Charlie. But travelers were rarely allowed to cross the border.

The mischief of the USSR divided a city and separated friends, families, and loved ones. If you tried to cross the border you could be shot. At least 171 people died trying to escape to freedom. The Berlin Wall not only literally divided a city for 30 years, but stood as a brutal reminder of how cruel communism could be. It wasn't until communism began to thaw, with the help of President Reagan change was made.

On June 12, 1987, President Reagan traveled to Berlin to view the wall. That afternoon, at the foot of the Brandenburg Gate, he made a speech that would reverberate across the world and through time.

He spoke directly to Gorbachev and said, in part, "Behind me stands a wall that encircles the free sectors of this city, part of a vast system of barriers that divides the entire continent of Europe . . . Standing before the Brandenburg Gate, every man is a German, separated from his fellow men. Every man is a Berliner, forced to look upon a scar . . . in the West today, we see a free world that has achieved a level of prosperity and well-being unprecedented in all human history. In the Communist world, we see failure, technological backwardness, declining standards of health, even want of the most basic kind—too little food. Even today, the Soviet Union still cannot feed itself. After these four decades, then, there stands before the entire world one great and inescapable conclusion: Freedom leads to prosperity. Freedom replaces the ancient hatreds among the nations with comity and peace. Freedom is the victor . . . There is one sign the Soviets can make that would be unmistakable, that would advance dramatically the cause of freedom and peace. General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!"

The borders between East and West Germany were finally reopened in November 1989 and the official demolition of the Berlin Wall began on June 13, 1990, exactly 3 years and 1 day following President Reagan's speech. The June 12, 1987, speech given by President Reagan will be remembered forever as a win for freedom.

And that's just the way it is.

IN HONOR OF THE 100TH BIRTHDAY OF JAMES CECIL LINDLEY

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the birthday of James Cecil Lindley. He will turn 100 on July 20th.

Mr. Lindley was born on July 20, 1916, in Randolph County, Alabama to James Pierce

Lindley and Lettie Lipham Lindley. He attended school at New Home and Randolph County High. For college, he attended Snead College, Jacksonville State University and obtained a Master's Degree at the University of Alabama.

Mr. Lindley did his basic training for the Army in June of 1942 in Miami, Florida. He then went to Air Force training at Fort Logan, Colorado and later Peterson Field in Colorado Springs, Colorado.

He served in the 5th Air Force with the 20th mapping squadron. During World War II, he served in the Philippines. Mr. Lindley was discharged after World War II at Camp Shelby in October 1945.

Mr. Lindley married Audrey Cofield and had two children: Don and Doyle (deceased). He also has a daughter-in-law, Sheila Ponder Lindley. He was blessed with four grandchildren: Tracy Lindley, James Robert (Rob) Lindley (deceased), Cinda Lindley and Kerrie Lindley. And also blessed with four great-grandchildren: Lindley Thompson, Nic Thompson, Alycia Guyer and Eric Guyer.

Mr. Lindley taught vocational education in Piedmont and later in Oxford. He moved to Montgomery in 1964 as State Supervisor of Vocational Education (VICA) and later was inducted into the Alabama Educational Hall of Fame.

Mr. Speaker, please join me in recognizing the life and achievements of James Cecil Lindley and wishing him a happy 100th birthday.

2016 PORT CITIES WOMAN OF THE YEAR

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. NOLAN. Mr. Speaker, I rise today to recognize June Kreutzkamp of Duluth, Minnesota for her service to her hometown. June is the 2016 recipient of the Woman of The Year Award given out at the annual Port Cities luncheon which celebrates the cities of Duluth, Minnesota and Superior, Wisconsin together known as the Twin Ports.

June is an active volunteer at many organizations in the Duluth region. She is a board member of the Duluth Public Library, a member of St. Luke's volunteer service guild, and a teacher at the University for Seniors, just to name a few. In addition, June also serves as a lay minister at First United Methodist Church and an Election Judge.

The Twin Ports communities are thankful for June's hard work and dedication. Throughout decades of service to others, June has shown that she exemplifies what makes the Twin Ports the great community that it is today. I ask my colleagues to join me in recognizing 2016's Port Cities Woman of the Year: June Kreutzkamp.

A MEMORIAL TRIBUTE TO JUDGE EDMUND V. LUDWIG

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 13, 2016

Mr. POE of Texas. Mr. Speaker, I rise today to honor the memory of Judge Edmund V. Ludwig of Doylestown, Pennsylvania, a retired U.S. District Court judge and prominent figure in the legal, cultural, and historic life of Bucks County who died on May 17, 2016, three days short of his 88th birthday.

In June 1985, on the recommendation of U.S. Senators, John Heinz III and Arlen Specter, President Ronald Reagan nominated Ludwig to fill the seat vacated by Judge Raymond Broderick. The Senate confirmed the appointment, and Judge Ludwig took the bench on Oct. 17, 1985. He became a senior judge on May 20, 1997, and gradually reduced his workload until retiring a couple of years ago.

In 1996, Judge Ludwig ordered Major League Baseball umpires to work through the World Series after they threatened to boycott games in the wake of the Roberto Alomar spitting incident.

Angry over a third-strike call, Alomar, the Baltimore Orioles star second baseman, spit at umpire John Hirschbeck. Alomar claimed that the umpire had uttered a racial slur. Hirschbeck was furious at Alomar's comments, and other umpires were outraged by the incident.

However, Judge Ludwig stayed above the fray.

"These umpires are the best, and without them, the harm to baseball will be irreparable," he ruled. "The game of baseball occupies a special place in this country and it belongs to the millions of fans."

Jeremy Heep, the judge's law clerk in the mid-1990s and now a partner at the Pepper Hamilton firm, said his former boss epitomized a true public servant.

"He was a wonderful judge in his own right, but in addition to that, he used the inherent prestige that came with the robe to influence society in a good way. It was a wonderful thing to watch," Heep said.

"He would quietly go behind the scenes, pick up the phone, and call people. He would further very good causes—promoting juvenile justice, improving mental health services in Pennsylvania, and getting the bar to improve indigent representation."

An educator as well as a jurist, Judge Ludwig held faculty positions at Hahnemann University, Temple Law School, Villanova Law School, and the University of Pennsylvania.

Among his many honors was the Justice William J. Brennan Jr. Distinguished Jurist Award from the Philadelphia Bar Association in 2005.

Born in Philadelphia, he was the son of Henry and Ruth Viener Ludwig. He graduated from Germantown Friends School in 1945 and earned degrees from Harvard College and Harvard Law School. A Korean War veteran, he was honorably discharged with the rank of captain from the Army Judge Advocate General's Corps, after which he took up private practice in Doylestown. In 1968, Judge Ludwig

was elected to Bucks County Court and served until 1985.

In 1995, he founded the Doylestown Historical Society, of which he served as chair until 2011. Tina Mazaheri, the society's founding secretary, who served with him on its board of directors, said the judge wanted to ensure that future generations would have the means to enjoy the town and its history.

Judge Ludwig helped establish social service programs, and served on the boards of groups focused on youth and juvenile justice, mental health, alternatives to incarceration, support for women, and rights for the disabled. In 1971, he cofounded TODAY Inc., a residential drug treatment program, and served on its board until 1985.

Part of his effectiveness lay in his tenacious pursuit of any project he tackled. Ultimately, though, Judge Ludwig "was always about making sure that people who needed help got help, and about recognizing those who gave the help, but not himself," Mazaheri said.

An avid reader, Judge Ludwig enjoyed Shakespeare, poetry, and historical fiction. He delighted in telling jokes and exploring the art of the pun. He played and watched tennis, and loved to eat out at local restaurants with family and friends.

He was married to Elizabeth Serkin for 18 years before they divorced. They had four children.

He also was divorced from Sara Webster.

Besides his former wives and daughter, he is survived by sons Edmund V. Jr., Toby, and David, and five grandchildren. A grandson preceded him in death.

And that is just the way it is.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 14, 2016 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 15

10 a.m.

Committee on Appropriations
Subcommittee on Financial Services and General Government
Business meeting to mark up an original bill entitled, "Financial Services and

General Government Appropriations Act, Fiscal Year 2017".

SD-138

Committee on Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

SR-253

Committee on Foreign Relations
Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues
To hold hearings to examine barriers to education globally, focusing on getting girls in the classroom.

SD-419

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine implementing the Child Care Development Block Grant Act of 2014, focusing on perspectives of stakeholders.

SD-430

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine America's insatiable demand for drugs, focusing on examining solutions.

SD-342

2 p.m.

Committee on Commerce, Science, and Transportation
Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard
To hold hearings to examine assessing the Coast Guard's increasing duties, focusing on drug and migrant interdiction.

SR-253

Committee on Finance
To hold hearings to examine challenges and opportunities for United States business in the digital age.

SD-215

2:15 p.m.

Committee on Foreign Relations
To hold hearings to examine United States policy in Libya.

SD-419

2:30 p.m.

Committee on Energy and Natural Resources
Subcommittee on National Parks
To hold hearings to examine S. 2839 and H.R. 3004, bills to amend the Gullah/Geechee Cultural Heritage Act to extend the authorization for the Gullah/Geechee Cultural Heritage Corridor Commission, H.R. 3036, to designate the National September 11 Memorial located at the World Trade Center site in New York City, New York, as a national memorial, H.R. 3620, to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, H.R. 4119, to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, S. 211, to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, S. 630, to establish the Sacramento-San Joaquin Delta National Heritage Area, S. 1007, to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park, S. 1623, to establish

the Maritime Washington National Heritage Area in the State of Washington, S. 1662, to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, S. 1690, to establish the Mountains to Sound Greenway National Heritage Area in the State of Washington, S. 1696 and H.R. 482, bills to redesignate the Ocmulgee National Monument in the State of Georgia, to revise the boundary of that monument, S. 1824, to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, S. 2087, to modify the boundary of the Fort Scott National Historic Site in the State of Kansas, S. 2412, to establish the Tule Lake National Historic Site in the State of California, S. 2548, to establish the 400 Years of African-American History Commission, S. 2627, to adjust the boundary of the Mojave National Preserve, S. 2807, to amend title 54, United States Code, to require State approval before the Secretary of the Interior restricts access to waters under the jurisdiction of the National Park Service for recreational or commercial fishing, S. 2805, to modify the boundary of Voyageurs National Park in the State of Minnesota, S. 2923, to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Park for the Arts", S. 2954, to establish the Ste. Genevieve National Historic Site in the State of Missouri, S. 3020, to update the map of, and modify the acreage available for inclusion in, the Florissant Fossil Beds National Monument, S. 3027, to clarify the boundary of Acadia National Park, and S. 3028, to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness.

SD-366

Special Committee on Aging

To hold hearings to examine innovations to promote Americans' financial security.

SD-562

JUNE 16

9 a.m.

Select Committee on Intelligence
To hold hearings to examine certain intelligence matters.

SH-216

9:30 a.m.

Committee on Armed Services
To hold hearings to examine the nomination of General David L. Goldfein, USAF, for reappointment to the grade of General, and to be Chief of Staff, United States Air Force.

SD-G50

Committee on Foreign Relations

To hold hearings to examine our evolving understanding and response to transnational criminal threats.

SD-419

10 a.m.

Committee on the Judiciary
Business meeting to consider S. 247, to amend section 349 of the Immigration and Nationality Act to deem specified activities in support of terrorism as renunciation of United States nationality, and the nominations of Donald Karl Schott, of Wisconsin, to be United States Circuit Judge for the Seventh

Circuit, Stephanie A. Finley, of Louisiana, to be United States District Judge for the Western District of Louisiana, Claude J. Kelly III, of Louisiana, to be United States District Judge for the Eastern District of Louisiana, Winfield D. Ong, of Indiana, to be United States District Judge for the Southern District of Indiana, and Carole Schwartz Rendon, of Ohio, to be United States Attorney for the Northern District of Ohio.

SD-226

10:30 a.m.

Committee on Appropriations

Business meeting to mark up an original bill entitled, "Interior, Environment, and Related Agencies Appropriations Act, 2017", and an original bill entitled, "Financial Services and General Government Appropriations Act, 2017".

SD-106

11 a.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine keeping the American dream alive, focusing on creating jobs under the National Labor Relations Board's new joint employer standard.

SR-428A

JUNE 21

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the semi-annual monetary policy report to the Congress.

SH-216

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold an oversight hearing to examine the Bureau of Land Management's Planning 2.0 initiative.

SD-366

Committee on Health, Education, Labor, and Pensions

Subcommittee on Primary Health and Retirement Security

To hold hearings to examine small business retirement pooling, focusing on examining open multiple employer plans.

SH-216

JUNE 22

2:15 p.m.

Committee on Indian Affairs

To hold an oversight hearing to examine accessing Department of Agriculture rural development programs in native communities.

SD-628

2:30 p.m.

Committee on Environment and Public Works

Subcommittee on Clean Air and Nuclear Safety

To hold hearings to examine pathways towards compliance of the National Ambient Air Quality Standard for ground-level ozone, including S. 2882, to facilitate efficient State implementation of ground-level ozone standards, and S. 2072, to require the Administrator of the Environmental Protection Agency to establish a program under which the Administrator shall defer the designation of an area as a non-attainment area for purposes of the 8-

hour ozone national ambient air quality standard if the area achieves and maintains certain standards under a voluntary early action compact plan.

SD-406

JUNE 23

10 a.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold hearings to examine customer service and billing practices in the cable and satellite television industry.

SD-342

JULY 13

10:30 a.m.

Committee on Appropriations

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies

To hold hearings to examine a review of the Department of Veterans Affairs' electronic health record (VistA), progress toward interoperability with the Department of Defense's electronic health record, and plans for the future.

SD-124

POSTPONEMENTS

JUNE 16

10 a.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Regulatory Affairs and Federal Management

To hold hearings to examine reviewing the rulemaking records of independent regulatory agencies.

SD-342

SENATE—Tuesday, June 14, 2016

The Senate met at 10:02 a.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of mountains, stars, and boundless spaces, to You we lift our hearts with gratitude for Your mercy and grace. You are the source of our hope and strength, for we receive guidance from Your faithfulness.

Protect our Senators with shields of honor and integrity as they put their hope in You. May they patiently wait for the unfolding of Your loving providence, remembering that our times are in Your hands. Lord, give them the wisdom to bless every good deed by whomsoever it may be done, rising above strife and division to a unity that heals. May they seek You with such intensity that they will experience the joy of Your continuous presence.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MASS SHOOTING IN ORLANDO, NATIONAL DEFENSE AUTHORIZATION AND COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS BILLS

Mr. MCCONNELL. Madam President, the terrorist attack in Orlando continues to horrify our country. The FBI and our intelligence community will determine whether that terrorist was in direct contact with ISIL or inspired by ISIL. Either way, this much we know already: ISIL is a disgusting group who crucifies children, enslaves women, and throws gay men to their deaths from rooftops. They are determined to continue exporting their signature brand of inhumanity to our country.

The principal way we can prevent ISIL-inspired or directed attacks is to defeat ISIL. The President has led a campaign intended to contain ISIL which has been insufficient to prevent the attacks in Paris or Brussels or inspired attacks, such as in San Bernardino.

We need to do what we can to fight back now to prevent more heartbreak like we saw this weekend. That means, for instance, better preparing this administration and the next one, regardless of party, to deal with threats like ISIL, and we can do so by passing the National Defense Authorization Act before us. It will provide our men and women in uniform with more of the tools they need to take on these threats. It will strengthen our military posture. In short, it will enhance our ability to take on the challenges currently facing us and better prepare us for those we will face in the future, all while supporting our soldiers with better benefits, improved health care, and the pay raises they have earned.

I thank the Senators from both sides who worked diligently to move this bill forward. My gratitude extends most deeply to the chairman of the Armed Services Committee. Senator MCCAIN has been unwavering in his support for our men and women in uniform. He also understands man's capacity for inhumanity to man better than most of us, and that is why he is so dedicated to taking on these threats. He knows that passage of this bill will present a serious and necessary step toward a safer country that we all want because, look, we are a nation at war. We are a nation under attack. We need to continue taking action to protect our country.

This bill will send a strong signal to the men and women in uniform, it will send a strong signal to our allies, and it will send a strong signal to our ad-

versaries. We need to pass it, and we need to pass it today.

We will have other opportunities this week to keep our country safe and to take on terrorism. We need to defeat, not contain, ISIL, and we need the tools necessary to take down terrorists inspired by its brutal ideology.

The appropriations bill we are about to consider offers important opportunities to continue this debate. We need to be able to better address the threat of lone wolf terrorists. We need to be able to connect the dots of terrorist communications in order to disrupt their plans. Republicans have offered ideas to take action in areas like these.

The underlying bill, which passed unanimously out of committee, will advance a lot of important priorities, such as funding for agencies—like the FBI—to fight terrorism and funding designed to help defend against cyber security threats.

Chairman SHELBY and Ranking Member MIKULSKI worked diligently to advance this bill out of committee and bring it to the floor. Members should work with these bill managers if they have ideas they think will make the bill stronger. I mentioned some of them already.

We have made important progress on appropriations bills so far this year. We can continue that progress this week and take further steps to keep our country safe from terrorism.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

MASS SHOOTING IN ORLANDO AND DONALD TRUMP'S RHETORIC

Mr. REID. Madam President, throughout history, in times of crisis and tragedy, the American people look to leaders for one thing: leadership. Americans don't want to hear excuses. We don't want to hear self-congratulations, nor do we want to hear scapegoating. It is a very simple concept: We want our leaders to lead.

In the aftermath of Sunday's shooting at the Pulse nightclub in Orlando, FL, a place of celebration for the LGBT community, Donald Trump proved that he is as terrible a leader as he is a businessman. Trump proved he is not the person to lead our Nation through difficult times or, in fact, anytime. Trump failed the most important of tests for a Presidential candidate: how

to respond in a crisis. When our citizens are under attack, how do you respond? Donald Trump failed that test. Trump proved he is not the person to lead our Nation through a crisis. He is not Commander in Chief material—underlined and underscored.

It doesn't matter what the problem has been, Trump has failed. Trump isn't the person we want to have his finger on the nuclear button because he is clearly incapable of that responsibility. That is not just me saying it; even the junior Senator from Florida has questioned whether Trump can be trusted with such an enormous obligation. But the fact that Donald Trump can't be trusted with the nuclear codes hasn't stopped Senator RUBIO or many other Republicans from endorsing Trump for the highest office in the land. There is absolutely no question—none—that Donald Trump is not capable enough or experienced enough to have this high-level responsibility. We expect more from a Commander in Chief.

Here is how Trump responded to Sunday's massacre—classic Trump. Within hours of the shooting, Trump first congratulated himself and then began to immediately denigrate Muslim Americans. Trump then suggested that our President and one of Secretary Clinton's aides may be in league with Islamic terrorists. Let me repeat that. Donald Trump suggested that President Obama and one of Secretary Clinton's aides may be in league with Islamic terrorists. Is that outrageous? Of course it is.

It is outrageous for Donald Trump to suggest that the President of the United States, our Commander in Chief, would support terrorists and the murder of innocent Americans, but yesterday, 1 day after the mass shooting—it is the worst in modern American history—Trump, the standard bearer for the Republican Party, went even further. Trump delivered one of the most un-American speeches ever from a major party nominee—ever. Trump was hateful and vicious. He was Donald Trump. He was everything that Republicans knew him to be when they made him the party's nominee. Donald Trump used his remarks to foment hatred against millions of innocent Americans based solely on what? Their religion. He denigrated Muslim Americans—all 8 million of them. The Republican nominee suggested that all Muslim Americans were complicit in the Orlando shooting, saying that they, Muslim Americans, “know what's going on.” Trump also renewed his call for a ban on all Muslims coming into the United States. The Trump speech was, as one news outlet called it, “a dangerous mix of ignorance and arrogance.”

If you are the parent of a Muslim American, how do you explain his speech to your child? If you are not a

Muslim parent, how do you explain Trump's speech to your child? You can't. How do you look your son or daughter in the eye and explain that a man running for President is telling your classmates to be suspicious of you and to doubt your loyalty based purely on your religion? You can't explain it. I can't explain it. It is not possible to explain because this level of hate is not comprehensible. It is incomprehensible that any Presidential nominee would foster and promote systemic bigotry, as Trump often does. It is reprehensible and un-American for the nominee of any major party or any party to declare millions of Americans guilty until proven innocent purely by virtue of their religion.

These are frightening times, and I understand that, and Trump's fear and paranoia are making us feel less safe. Trump is fanning the flames of violence and menace. There have already been reports of threats and obscenities being yelled at Muslims in Florida, Chicago, Seattle, and all across the country. Mosques all around the country have been threatened. Donald Trump's rhetoric has been encouraging this scary behavior.

What we have seen from Trump in the 2 days since the Orlando shooting is rank and reckless, but no one should be surprised—this is vintage Donald Trump.

Contrast Donald Trump's actions with the response from our Nation's Muslim communities. Muslim leaders all over America were some of the first to condemn this attack and rally in support of the LGBT community, and the Muslim community has taken part in the blood drive to help victims of the attack, as they always step forward.

But while Americans within the Muslim and LGBT communities are trying to unite Americans in the aftermath of Sunday's shooting, Donald Trump is doing just the opposite. He is doing what he is so good at doing—dividing. Then, in the wake of this awful massacre, Trump tried to cast himself as a friend of the LGBT community. How about that? But it didn't take minutes for a spokesman from the Human Rights Campaign, the Nation's largest gay rights group, to state that Trump is “no friend” of the community. What does this say about the Republican Party, that they are endorsing this vile man? It doesn't say much. What does it say about Republican Senators who are backing Trump for President? Not much. What does it say about the Senate Republican leadership, about the Senate Republican leader, who is supporting Trump? Not much. Every time the senior Senator from Kentucky reaffirms his commitment to support Trump he is validating Trump's behavior. He is giving credence to Donald Trump's rabid anti-everything speech—his un-American stance against Mus-

lims, women, Latinos, Blacks, people with disabilities, immigrants, veterans, and others.

If the Senators I have mentioned accept this kind of rhetoric as part of our political dialogue, they are all guilty of normalizing hatred. Senate Republicans are doing just that. When the leader of a major party is promoting unhinged conspiracy theories and calling for hatred against his fellow Americans based solely on their religion, we are in dangerous and uncharted waters. We must make clear that Donald Trump does not speak for us. I am trying to do that. We must stand arm in arm with our Muslim allies around the world who have been victims of terrorism, who say to the radicals: not in my name, not in my name. Remember, Muslims around the world are helping us defeat the terrorists. Who has suffered so much because of this crazy brand of hatred? Who has suffered more than anyone else? Muslims. We don't know how many are dead in Iraq following the invasion—half a million? We know there are at least 300,000 in Syria—Muslims. We must stand arm in arm with our Muslim allies in the world who are victims of this terrorism.

Any Republican who cherishes the American values of religious freedom and tolerance should immediately do the same and say: not in my name. Republican Senators should say: not in my name. Republicans must do what they haven't had the courage to do—stand up to Trump and say: No more, stop it. He is not a leader. He is unfit to be our President and unfit to stand for the values on which this great country was founded.

As for the Republican leader in the Senate, Senator MCCONNELL should be the first to condemn Trump's hateful rhetoric and reject his Presidential candidacy. Let's hope the senior Senator from Kentucky can bring himself to do just that and do it soon.

Madam President, what is the business of the day?

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 4607, to amend the provision on share-in-savings contracts.

Reed (for Reid) amendment No. 4603 (to amendment No. 4607), to change the enactment date.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11 a.m. will be equally divided between the two managers or their designees.

The Senator from Rhode Island.

AMENDMENT NO. 4603 WITHDRAWN

Mr. REED. Madam President, I withdraw amendment No. 4603.

The ACTING PRESIDENT pro tempore. The amendment is withdrawn.

The Senator from Florida.

AMENDMENT NO. 4670 TO AMENDMENT NO. 4607

Mr. NELSON. Madam President, I call up amendment No. 4670.

The ACTING PRESIDENT pro tempore. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. NELSON] proposes an amendment numbered 4670 to amendment No. 4607.

Mr. NELSON. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the amendment)

On page 1, between lines 3 and 4, insert the following:

SEC. 829B. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) **INEFFECTIVENESS OF SUPERSEDED REQUIREMENTS.**—Sections 1036 and 1037 shall have no force or effect, and the amendments proposed to be made by section 1037 shall not be made.

(b) **IN GENERAL.**—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(c) **AWARD OF CONTRACTS.**—In awarding a contract under subsection (b), the Secretary of Defense—

(1) subject to paragraph (2) and subsection (d), and notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle; and

(2) may only award contracts utilizing an engine designed or manufactured in the Russian Federation for phase 1(a) and phase 2 evolved expendable launch vehicle procurements.

(d) **LIMITATION.**—The total number of rocket engines designed or manufactured in the Russian Federation and used on launch vehicles for the evolved expendable launch vehicle program shall not exceed 18.

Mr. NELSON. Madam President, I want to thank the leaders of our Armed Services Committee for working out what had been a difficult situation going forward with regard to as-

sured access to space over a 6-year period starting in fiscal year 2017 and going through fiscal year 2022. We have been able to work this out, and that is the subject of the amendment I have just called up.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, does that complete the work on the amendment?

The ACTING PRESIDENT pro tempore. The amendment is the pending business.

Mr. MCCAIN. Madam President, I just want to say to the Senator from Florida that I thank him for his intermediary work and his effort to reach this compromise. He brings unique credentials to this issue, given his experience up in space. Although some have argued that he has never returned, I don't agree with that assessment. But seriously, I thank the Senator from Florida for his intermediary work, without whom this compromise would not have been achieved.

I know the Senator from Florida shares my commitment to freeing this Nation from dependency on the use of Russian rocket engines which then provide an economic boost—in some cases billions of dollars—to Vladimir Putin and his cronies. So I just want to make a special note of appreciation to the Senator from Florida.

Mr. NELSON. If the Senator will yield, I just wish to thank him for his comments. Indeed, some folks wish that I were still in orbit, and I understand that.

I want the Senator to know that I have great affection and great respect for the chairman of our committee and for him and for the Senator from Alabama to be reasonable in finding an accommodation about this so that this country would have assured access to space. Certainly, the Senator from Illinois, as the ranking member of that Defense Appropriations Subcommittee, likewise, has also been in the mix. I am very grateful that this issue is behind us and we can move on.

I might note that there is one technical change we will have to make in the conference committee. It is technical in nature, but it is necessary to get the language right.

I thank the chairman of our committee.

Mr. DURBIN. Will the Senator yield for a question?

Mr. NELSON. The Senator from Arizona has the floor.

Mr. DURBIN. If I could ask for the floor for 2 minutes, I thank the Senator from Florida for his leadership on this issue. It has been a contentious, hotly debated, and in some ways divisive issue between appropriations and authorization committees in the Senate. When Senator NELSON told me he was willing to step up and try to be that bridge over troubled waters, I wel-

comed his entry into that conversation.

I thank him, Senator GARDNER, Senator BENNET, Senator COCHRAN, Senator SHELBY, Senator MCCAIN, and all who have engaged in this. We have come to the right place, where we are going to be promoting competition, which is good for taxpayers, and we are also going to do it in a way that protects our national security interests.

I thank the Senator from Florida for his leadership on this issue.

Mr. MCCAIN. Madam President, the vote is scheduled for 11 o'clock this morning, and we will be voting on the Defense authorization bill. Unfortunately, we have a situation on the objections of a Senator or Senators that their amendment is not allowed because of the objections of another Senator. In other words, we now have a situation where there are Senators in the Senate for whom it is either their way or the highway, and if they are not having an amendment that is agreed to, then they will object to other Senators' amendments no matter whether those amendments have any validity or any support.

There are a number of them, but there is one that particularly bothers me, which will probably cost the lives of some brave men—mostly men but maybe some women—who assisted us as interpreters in Afghanistan. They are on the list. The Senator from South Carolina pointed out the night letters that go to the interpreters that they are going to be killed—they and their families—for cooperating with our military and our civilians who are over there, whose work does save lives.

The Senator from South Carolina has been there many, many, many times and has worked with these interpreters. So I will let him speak on this issue. But really, by not allowing this amendment—where the vote would probably be 99 to 1 because we reached an agreement with the chairman of the Judiciary Committee and also with Senator SESSIONS—we are unable. We are unable to provide for the ability of these interpreters to come to the United States because of an unrelated amendment.

I say to my colleagues, that is not the way the Senate should operate. Each amendment should be judged on its own merits or demerits and debated and voted on. So this practice—and we are about to see it on a managers' package now from the other side because their amendment is being objected to—is that we don't move forward with legislation that literally is going to cause the loss of innocent people's lives, whose only crime is that they cooperated and assisted the United States of America and our military in carrying out their duties in Afghanistan. That to me—that to me—is a shameful chapter. It is a shameful comment on the United States of

America and honoring our commitments to the brave people who helped us and literally saved American lives.

I ask my colleague from South Carolina, who actually has dealt with these people on many, many occasions, what his view is on this particular issue.

Mr. GRAHAM. I thank the Senator from Arizona.

I want to put this issue and what we are trying to do in the context of what has happened in the last couple of days and what I think is going to happen in the future.

No. 1, there is strong bipartisan support to increase the number of visas available to Afghans who have actively helped us in the war against the Taliban and Al Qaeda in Afghanistan. The reason this is so important is that it is impossible for America to defend herself without partners.

To those who suggest you can win the war against radical Islam without partners, you have no idea what you are talking about. To those who suggest we can't let people come to our country after they risk their lives protecting our soldiers and civilians in Afghanistan and who are protecting us, then you don't understand the war at all. This is radical Islam against the world, not just the Islamic faith. The world should be at war with radical Islam.

As to what happened in Florida, there is no doubt in my mind that these young people were killed by a radical Islamic sympathizer because they were gay. In a radical Islam world, gay people are sentenced to death just simply for being gay. They are thrown off the roofs of homes by ISIL inside of Syria and Iraq. So don't make any mistake about it, the reason these people were killed is because radical Islam judges them to be unworthy of life.

Please make no mistake about it, radical Islamists would kill everybody in this Chamber because we will not bend to their will in terms of religion. Please make no mistake about it, most people in the faith are not buying what these nut jobs are selling.

I have been to Iraq and Afghanistan 37 times, and I can tell you thousands have died fighting radical Islam in Iraq, in Syria, and in Afghanistan because they don't want to live under the thumb of religious Nazis. So the thousands who have helped us as interpreters and who have gone outside the wire with us to make us a more effective fighting force, they have literally risked their lives and their families' lives, and if we don't give them an out, an exit, they are going to get killed, and it is going to be hard to have anybody help us in the future.

I have told Senator LEE, whom I have a strong disagreement with about his approach to the war—basically saying an American citizen has to be treated as a common criminal, not an enemy

combatant, for collaborating with the enemy—we have our differences, but I have removed my objection to his amendment with the understanding that I get a vote on my amendment—the Heitkamp amendment—about the Ex-Im Bank, where thousands of jobs are being lost. I want to put on the record that I am ready to let Senator REED move forward if we can get a vote on Ex-Im Bank, where thousands of jobs are at stake.

But we are not voting on any of this. The managers' package is not being voted on. So this is a low point right now. There is very serious business that is being conducted in the Senate that can't move forward because individuals have decided: If I can't have everything I want, nobody is going to get anything.

The bottom line is, the managers' package should move forward. There are a lot of good things in that package. There is a sense-of-the-Senate resolution in that package, coauthored by Senator JACK REED and me, urging President Obama to keep the 9,800 American troops in Afghanistan until conditions warrant their withdrawal; that if he decides to keep the force in place, we support him; if we go to 5,500, Afghanistan is going to fall apart. That is a really big statement in a bipartisan fashion.

As to what happened in Orlando and why it is so important, I have been trying to fight a war, not a crime. For years now, I have been suggesting that the difference between a war and a crime is important. The FBI closed the file on this man because they didn't have enough evidence to charge him with a crime. My goal is to prevent terrorist attacks, not respond to them.

Here is the world I would like to construct; that if by your actions—not by being a Muslim or being this or being that—if by the way you behave and the way you act and the way you talk and the way you engage, you should be treated differently. If you are expressing sympathy to ISIL and other radical Islamic groups, if you threaten your coworkers, telling them that your family is a member of Al Qaeda, if you are associated with a known terrorist and you attend a mosque that is trying to radicalize people, the FBI should never close the file until they are sure you are not a threat, in terms of attacking our homeland. That is the difference between fighting a war and fighting a crime. I am trying to prevent the next attack, not respond to it.

This is not a gun control issue, folks. If gun control could protect the country from attacks by radical Islamists, there would be no Paris. The French have the strongest gun laws on the planet and over 100 French citizens died at the hands of Islamists using weapons: bombs, planes, guns. It is not the instrumentality, it is the attitude. So this is not a gun control problem.

We are at war and we are treating it like a crime.

On the Republican side, this is not about banning all Muslims. This man was an American citizen born in Queens. This idea of shutting America off to everybody in the Muslim faith makes it harder to win the war, not easier. We need partners in the faith to destroy radical Islam. It is through that partnership that we will make America safe. So when people call for gun control, you don't understand what is going on here. This is not a gun control issue. If it were, there would be no attacks in Europe. This is a radical Islamic effort—sometimes individually, sometimes collectively—to break our will, destroy our way of life, and we are not dealing with it sufficiently. We should have an approach to this problem as though we are at war. We should follow people who are sympathetic to the enemy, monitor their behavior to prevent what happened in Florida, gather intelligence. We should never close a file against a suspected sympathizer to ISIL because we can't prove a crime. We should keep the file open as long as they are a threat.

I appreciate all Senator MCCAIN has done to strengthen the military. To those who voted against increasing military spending by \$18 billion at a time that the military is being gutted, you made a huge mistake. If you want to deal with radical Islam, destroy it over there before it continues to come here, and to do that we need a stronger military. Our Navy and Army are going to be the size of 1940 and 1950, respectively. We are cutting the Marine Corps. We are cutting our ability to defend ourselves, and this \$18 billion amendment would restore money to help the military more effectively deal with radical Islam over there so we don't have to fight it here.

To those who look at this as a gun control issue, you are missing the point. To those who think we should not restore spending, you are not listening to our commanders. Our commanders are begging for more money to more effectively support the force in a struggle we can't afford to lose. To those who think we should declare war on the Islamic faith itself, you have no idea how dangerous that model is. To those who want to close a file because we can't prove a crime when we know the person we are looking at has weird, strange beliefs and is actually acting on these beliefs, then you are making a huge mistake.

Until America gets our attitude adjusted, until we change our policies, until we restore our ability to defend ourselves, this is going to continue.

The President continues to marginalize this, downplaying the threats. This was directed. I don't have any idea that al-Baghdadi called this guy up and said: Go to a night club and shoot on this day, but I know al-

Baghdadi has called on everybody sympathetic to his cause to attack during the holy month of Ramadan; attack in place, don't come to Syria. So that is a direction.

It was clear to me, this man had been interviewed on three separate occasions by the FBI, that he was expressing sympathy and allegiance to radical Islam, and that he was associated with a man who went from Florida to Syria, back to Florida, back to Syria, who became a suicide bomber for al-Nusra. There is no way in hell this file should have ever been closed because of political correctness. It should have stayed open until we were sure he was not a threat to us. The goal is to prevent these things, not react to them.

I want to tell you right now that the things we are not talking about in this bill and we can't vote on in this bill are making us less safe. Not allowing these Afghan interpreters—who have risked their lives to protect us by helping us over there—to come to America in larger numbers is going to make it harder to have partners. By insisting that these budget cuts stay in place and not increasing military spending at a time of desperate need is a huge mistake. To my friends on the left and the Libertarians who want to turn the war into crime, it is the biggest mistake of all.

So this is very sad that the U.S. Senate seems to not be able to adjust to the reality that exists and that we all have our petty grievances and we can't move forward as one to strengthen the military, to give our intelligence community the tools they need to protect us, and to have a game plan to win a war we can't afford to lose. In my opinion, we are not having votes that are very important, for no good reason, and this will come back to haunt us.

Last week—and I will end with this—Senator McCain and I were talking about the threats we face. I have been trying the best I can to articulate the difference between fighting a crime and fighting a war. I know what the enemy wants. They want to destroy our way of life and everything we hold near and dear. They want to kill anything that is different. They want everything that America refuses to give them. We are never going to give them what they want, which is the ability to be yourself, the ability to worship God the way you choose, if at all, the ability to be different, the ability to speak your mind and to elect your leaders. That is what they want. We can't afford to give it to them, and we don't have the right attitude or the policies to end a war. It will end one day. People are not buying what radical Islam is selling within the faith. But the longer it goes on, the more endangered we are, and our policies are not working. I am trying my best to change them in a responsible way, consistent with our Constitution, consistent with our values.

I find myself on the floor of the Senate 48 hours after the largest attack since 9/11 unable to move forward on things that matter.

Mr. ALEXANDER. Madam President, section 578 of this year's National Defense Authorization Act, NDAA, is an inappropriate place from which to impose mandates on nearly 20,000 public elementary and secondary schools in 1,225 public school districts across the country.

Legislative language is included in the NDAA this year that dictates disruptive policies on public schools that would create a complicated and confusing system where one school system follows established background checks under State or local law, while a neighboring county must now comply with a new unfunded Federal mandate. This language should not be included in the final version of this bill.

The U.S. Senate takes seriously the goal of ensuring the safety of the more than 50 million children in our 100,000 public schools, including federally connected children. These issues have been and should be discussed, debated, and legislated within the appropriate committees of jurisdiction. Measures related to education are within the jurisdiction of the Senate Health, Education, Labor and Pensions Committee under Rule XXV of the Standing Rules of the Senate, as well as within the jurisdiction of the House Committee on Education and the Workforce under Rule X of the Rules of the House of Representatives for the 114th Congress.

So while it may be appropriate for the Armed Services Committee to dictate background check policies for the 172 schools operated by the Department of Defense, it is not appropriate to use the authorization bill for the Department of Defense to impose mandates on nearly 20,000 public elementary and secondary schools in 1,225 public school districts across the country.

These 20,000 public schools, out of 100,000 total, are being singled out because they receive "Impact Aid" funds from the Federal Government under title VII of the Elementary and Secondary Education Act, ESEA, of 1965. The purpose of the program is to "fulfill the Federal responsibility to assist with the provision of educational services to federally connected children in a manner that promotes control by local educational agencies with little or no Federal or State involvement."

According to the Government Accountability Office, 46 States already require background checks of some kind for all public school employees, and 42 States have established professional standards or codes of conduct for school personnel. Section 578 of the NDAA would create confusion for all those States and localities, as they are forced to navigate two sets of potentially conflicting background checks policies.

Mr. KAINE. Madam President, today I wish to speak about the fiscal year 2017 National Defense Authorization Act, NDAA. I want to thank Senator McCain and Senator Reed for all their work on this Defense bill. This year's floor process has been challenging to say the least, but with their leadership and that of their staff directors, Chris Brose and Liz King, I am confident we can find a meaningful path forward.

I supported this bill out of committee in hopes of having a vigorous debate on some of the proposals I had expressed concern over regarding Defense reform. It was my belief that the public release of this bill would invite greater scrutiny by officials in the Department of Defense to inform floor debate. In anticipation of their concern, I again submitted an amendment that I had offered in committee to initiate a commission on Defense reform to assist Congress in considering future legislation. I have been surprised at the absence of comments about many of the reform proposals. This has contributed to a sense that the concepts were welcome and being embraced by the Department. It wasn't until the administration's response was released, in the midst of the bill being on the Senate floor, that concern was finally noted.

Despite my belief that some of our proposals lack sufficient analysis and have gone too far, I do share the chairman's concern over whether the Department has the ability to adapt and remain successful in today's security environment. I am also concerned that the Department may in fact be mired in duplicative process and complicated organizational designs. Many of the witnesses in front of the Armed Services Committee testified to these facts, but several went on to recommend caution.

On November 10, 2015 in front of a hearing by this committee, Jim Thomas from the Center for Strategic and Budgetary Analysis said, "all of these ideas would require detailed analysis to fully understand their strengths and avoid outcomes that might inadvertently leave us worse off." At that same hearing, we heard from James Locher, a former staff member of the Senate Armed Services Committee during the Goldwater-Nichols reform, who stated "pinpointing problems was the committee's sole focus for eighteen months. As part of this thorough process, the committee staff produced a 645-page staff study with detailed analyses of each problem area. . . . a hasty reform without a deep appreciation for the origins of the behaviors that currently limit Pentagon effectiveness would be a mistake." Additional comments by witnesses like the Honorable David Walker, "there needs to be a fundamental review and reassessment of the current organizational structure and personnel practices," or former Under Secretary of Defense Michele

Flournoy, "it is imperative that we think through the second and third order effects of any changes proposed. . . great care should be taken to hear the full range of views and consider the unintended consequences," should have provided the necessary direction and caution to this committee to pursue a deliberative, well-researched, and open approach.

Many of the reform provisions were drafted by the committee's very skilled professional staff. While I have the full confidence that they crafted proposals to address various challenges in the Department, it is ultimately the responsibility of the members to fully understand them. Despite the numerous hearings and countless witnesses, the only theme that emerged was that reform was needed interspersed with a few conceptual suggestions. To date, no study has proposed the legislation contained within this bill. No officials offered their views for consideration until the bill was on the Senate floor.

In the absence of a debate on the merits of an independent study, investigative work, or official Department views, I suspect many of my colleagues do not have confidence that the proposals address the Department's challenges. Should we require the chairman of the Joint Chiefs to consult with and seek the advice of others? Should the headquarters be reduced in addition to previous reductions? Is an additional 15 percent of staff adequate in a time of war or crisis? Will the new Under Secretary for Research and Engineering make the Department's acquisition process run more efficiently? Last year we removed a pay increase for general officers; this year, we reduced their number by 25 percent. The combination of these two provisions makes me wonder whether we are doing all we can to cultivate the next Eisenhower, Halsey, Abrams, or Dunford.

We made significant reforms in previous years empowering acquisition professionals to have flexibility and offer service chiefs greater ownership of their acquisition programs. We have also charged the Department with necessary authorities to "hire top talent" in an attempt to drive innovation. Many of us in the Senate have demanded a more comprehensive military strategy in countering the myriad of threats around the globe. In addition, this bill encourages numerous outreach and coordination programs with our allies and partners. These requests are not hollow or zero-sum. People are required to assist our service chiefs with acquisition programs. People develop more comprehensive doctrines and offset strategies. Hiring and retaining top-talent means just that.

What impact will the reorganization of the Department and significant changes in personnel policies have on our operations in the midst of a two-front cold war and expanding conflict

in the Middle East? Do we challenge the advice our Chairman of the Joint Chiefs is providing? How do we get "top talent" if each spring we reorganize and cut our Department of Defense workforce? How will a reduction in general and flag officers impact current and future senior officers? What are the secondary effects to changes in combatant command responsibilities? How will our allies and adversaries interpret the reduction or disappearance of general officers in overseas billets? I submit that most of my colleagues do not know the answers to these questions, but I would encourage them to consider them prior to taking similar drastic action in the future.

I share the chairman's desire to improve the organization and capability of the Department of Defense. I know he has reached a comfort level with the reform proposals contained within, that in time I may better understand their impacts. However, I am mindful of the cautions relayed by many of our witnesses. We should take our independent oversight responsibility very seriously. I remain committed to working with my colleagues in a bipartisan fashion and seek a more measured and informed approach to any legislation that has the potential to negatively impact the very Department we seek to improve. It is in this spirit that I offered my amendment on establishing a commission to study Defense reform.

Mr. DAINES. Madam President, I wish to enter into a colloquy with my colleague from Arizona.

The National Defense Authorization Act is the most critical piece of legislation for our national security that we debate each year, and I thank my colleague from Arizona, the chairman of the Armed Services Committee, for his hard work on this legislation.

One important provision that should be in the final NDAA is the elevation of Cyber Command. Cyber warfare is taking place every day. It is a domain of war that our Nation must dominate just as we do on land, at sea, and in the air. At the rate electronic warfare is growing, I believe elevating Cyber Command to a combatant command is vital to ensuring that the United States is fully prepared for cyber warfare and has unparalleled capabilities in that domain.

Does my colleague from Arizona feel the same?

Mr. MCCAIN. Madam President, I strongly agree with my friend from Montana.

Elevating Cyber Command is one of the most critical pieces to ensuring our Nation is at the forefront of the rising threats abroad. Earlier this year in the Armed Services Committee, I held a hearing on Cyber Command. I was told by the commander of Cyber Command, ADM Mike Rodgers, that this elevation would make them faster, generating better mission outcomes. These are the

individuals we have leading the fight against ISIS on the newly established online battlefield—better mission outcomes is something we need.

At a time when we are also debating what the entire combatant command structure should look like, one thing is clear: Cyber is growing, and its command structure needs to grow as well. I look forward to ensuring this debate is settled in conference and Cyber Command is elevated to a combatant command.

Does my colleague from Montana agree?

Mr. DAINES. Madam President, I do share my colleague from Arizona's commitment to elevate Cyber Command to a combatant command in conference. The House NDAA includes a provision to elevate Cyber Command, and I stand with eight bipartisan Members of the Senate, including my colleague from Arizona, who support this effort. It is paramount that the final fiscal year 2017 NDAA that goes to the President's desk includes this provision.

Can my colleague from Arizona further describe the value that elevating Cyber Command would bring?

Mr. MCCAIN. Madam President, for years, our enemies have been setting the norms of behavior in cyber space while the White House sat idly by hoping the problem will fix itself. With the elevation of Cyber Command, we are able to ensure we set ourselves on the right course for this new form of warfare. And we will do it without creating a hollow force. Just as it would be unacceptable to send a soldier to battle without a rifle, it is unacceptable to deprive our cyber forces the basic tools they need to execute their missions. We must remain committed to ensuring Cyber Command has the authority, the funding, and the tools it needs to succeed.

I look forward to the continued work on this issue with my colleague from Montana and to working in conference to ensure this elevation. I understand my colleague from Montana has ensured the Defense appropriations legislation complements our efforts in cyber command.

Can you elaborate on your efforts?

Mr. DAINES. My colleague from Arizona is correct. My provisions in the Defense appropriations legislation states that the Department of Defense has the funding needed to elevate Cyber Command to a combatant command this year. We cannot wait for our enemies to outmaneuver us on this new battlefield. Elevating Cyber Command to a combatant command is one of the best ways we can ensure our troops have the authority they need to succeed.

I want to thank my colleague from Arizona for his commitment to a continued effort on the elevation of Cyber

Command and thank him for his continued hard work on behalf of the men and women of our Armed Forces.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, if we can get consent, and individual Senators will relinquish their objections, the Senate is ready to vote on the Shaheen amendment on special immigrant visas for Afghan interpreters, which will save lives, the Moran amendment on Guantanamo, the Gillibrand amendment on the Uniform Code of Military Justice, the Murray amendment on cryopreservation of eggs and sperm, the Corker amendment to authorize the activities of the State Department. We are ready to debate and vote on all of those.

So I hope that if there is objection, the Senators involved will relinquish their objections so we can move forward with those amendments and have final passage.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent that it be in order to offer amendment No. 4310, notwithstanding rule XXII, and the Senate vote in relation to the amendment; and that the amendment be subject to a 60-affirmative-vote threshold, with no second-degree amendments in order prior to the vote.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCAIN. Madam President, with the greatest reluctance, I object on behalf of one Member on this side. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCAIN. Madam President, could I also say, as I object—reserving the right to object—the Gillibrand amendment, I do not support, but the Gillibrand amendment deserves debate and a vote in this body. It is a serious issue of the utmost seriousness in the military. The Chair certainly understands that. It has to do with sexual assaults in the military, and it deserves the attention of the entire U.S. Senate—debate and vote. Unfortunately, there is objection.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I rise to speak about the amendment.

Under our current military justice system, when a servicemember is accused of sexual assault, the decision to prosecute isn't actually made by a trained prosecutor or a lawyer of any kind. In fact, it is made by a colonel or a brigadier general or another high-ranking military officer.

Our commanders are the best in the world when it comes to tactics and strategy, but most of them have little to no experience in legal or criminal

matters. And why should they have that experience? Our commanders are not prosecutors. They are not lawyers. They are warfighters, and their job is to keep our country safe, not make legal judgments about whether to prosecute a rape.

The current military justice system has failed our sexual assault survivors for too long.

This amendment very simply takes the decision about whether to prosecute these crimes and gives it to trained, experienced, independent military prosecutors.

We have all the evidence we need that this problem has not gotten better in the last year. We have more data. We have looked at more case files. We have heard from more survivors. It is clear little has changed, despite the Department's persistent claims that things are getting better, that they are making progress.

When the Department of Defense estimates that there are 20,000 servicemembers who are sexually assaulted in a year, that is not progress. When 8 out of every 10 military sexual assault survivors don't report the crime, that is not progress. When 62 percent of survivors are being retaliated against, that is not progress. When more than half of those retaliation cases—58 percent of them—are perpetrated by someone in the chain of command, that is not progress. When the percentage of survivors willing to report openly has declined for the past 5 years, that is not progress. When it was confirmed by the Associated Press that the Pentagon blatantly misled the Senate in order to skew our debate, that is perhaps the ultimate sign that there has been no progress.

Our military justice system is broken. It is failing our members. And no matter how many marginal reforms we make, as long as commanders with no legal experience are continuing to make important legal decisions on whether to prosecute violent sex crimes, we are not going to solve the problem. Once and for all, let's take the decision to prosecute these crimes and give it to trained, independent military prosecutors. Let's give our military servicemembers a justice system that is worthy of their service.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, we have cleared the following amendments to go by voice vote on this side. I understand there are objections on the other side to this list. I want the record to reflect what is on the table from this side. I dislike getting into this back-and-forth because it really serves no purpose, but I ask unanimous consent that the managers' package as portrayed here be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection to the printing?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

4604, Shaheen; 4141, Corker; 4070, Moran; 4444, Murray; 4090, Burr; 4123, Blumenthal, as modified; 4362, Brown; 4142, Nelson; 4216, Booker; 4392, Cantwell; 4421, Warner; 4461, Manchin; 4426, Boxer; 4596, Wyden; 4297, Donnelly; 4321, Schatz; 4416, Kaine; 4389, Udall; 4431, Schumer; 4527, Casey; 4210, Tester; 4591, Reed; 4678, Reid; 4675, Bennet; 4564, Carper; 4232, Heller; 4376, McCain; 4094, Inhofe; 4195, Rubio; 4243, Portman.

4263, Gardner; 4316, Rounds; 4449, Barrasso; 4136, Hoeven; 4265, Cochran; 4478, Hoeven; 4096, McCain; 4418, Perdue; 4424, Moran; 4500, Johnson; 4399, Daines; 4622, Flake; 4400, McCain; 4377, Hatch; 4155, Boozman; 4242, Peters; 4348, Baldwin; 4372, Nelson; 4427, Boxer; 4428, Boxer; 4443, Murray; 4453, Heinrich; 4471, Peters; 4528, McCaskill; 4577, Schatz.

4583, Warner; 4584, Tester; 4589, Heinrich; 4602, Udall; 4630, Brown; 4631, Peters; 4635, Brown; 4642, Booker; 4073, Paul; 4128, McCain; 4214, Kirk; 4419, Wicker; 4465, Johnson; 4552, Perdue; 4555, Lankford; 4587, Collins; 4601, Rubio; 4617, Portman; 4619, Inhofe; 4620, Ernst; 4638, Kirk; 4666, Murkowski.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

MASS SHOOTING IN ORLANDO

Mrs. MURRAY. Madam President, I want to start by offering my condolences to the families and loved ones of the victims of Sunday's heinous attack in the city of Orlando and to everyone who was affected by this terrible tragedy and act of terror.

While our hearts are with the families and the communities right now, in the coming days we should have a robust debate about how we can all come together to do everything possible to prevent tragedies like that from happening again.

Madam President, I want to turn to the bill we are considering today, the National Defense Authorization Act, which has been described as one that will modernize the military health system and give the men and women of our military better quality care, better access, and a better experience. It has been described as upholding commitments to our servicemembers. I wish I could stand here and say that I agree with that 100 percent, but there is a glaring problem in this bill. It is a problem that really cuts against the idea that our country should be there for the men and women of our military, who risk so much on our behalf, no matter what.

Go to page 1,455 of this massive bill. Buried in a funding chart, there is one line that would zero out a new program intended to help men and women in our military who suffer catastrophic injuries while fighting on our behalf. I don't know how this line got in there. I don't know who thought it was a good idea. I don't know why, but I do know what this is: It is absolutely wrong, and we ought to fix it. That is why I have come to the Senate floor repeatedly over the past week to urge my colleagues to correct this shameful

change, and with the clock running down on this bill, now is the time to act.

Let me give this some context. Six months ago the Pentagon announced a pilot program to offer our servicemembers who are getting ready to deploy an opportunity at cryopreservation; in other words, freezing their eggs or sperm. It gave deploying servicemembers not just the ability to have reproductive options in the event they are grievously injured but some deserved peace of mind. It meant they don't have to worry about choosing between defending their country or a chance at having a family someday. This new program was met with widespread praise and relief. It reflected a basic level of respect for servicemembers who are willing to risk suffering catastrophic injuries on our behalf.

I was hoping this new program was a step we could build on, a move in the right direction, an important part of our larger work to help our warriors who have sustained grievous injuries achieve their dream of starting a family. That is why I was so disturbed when I learned this bill would move us in the other way.

Despite what some of my colleagues have been saying, my amendment very deliberately states that it will not divert money from any other important health programs.

I am here again today to ask unanimous consent to have a vote on my amendment that would restore this pilot program. It is hard to imagine any of my colleagues standing up to say that men and women who are willing to make the ultimate sacrifice for their country and for all of us should be denied a shot at their dream of a family. I am hopeful we can have a vote on this, and I encourage my colleagues to support it and step away from what would be a truly shameful mistake.

Madam President, I ask unanimous consent that it be in order to offer amendment No. 4490, relating to fertility treatments, and that the Senate vote in relation to the amendment, with no second-degree amendments in order prior to the vote.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCAIN. Madam President, with reluctance—and I apologize to the Senator from Washington. This is another amendment that deserves debate and a vote.

Another amendment that has not been brought up that deserves debate and a vote is the issue of women being registered for Selective Service. I want to make it very clear that I have wanted and this body wanted a vote on whether women should be registered for Selective Service, and it was not allowed—not by this individual but only one.

I ask unanimous consent that the Senator from Indiana be recognized, in addition to my time, for 3 minutes—

The ACTING PRESIDENT pro tempore. Is there objection to the pending request?

Mr. MCCAIN. And that the 3 minutes be taken out of Senator REED's time, to the Senator from Indiana.

Mrs. MURRAY. Is there objection to my request?

The ACTING PRESIDENT pro tempore. Is there objection to the pending request?

Mr. MCCAIN. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Is there objection to the request from the Senator from Arizona?

Without objection, it is so ordered.

AMENDMENT NO. 4670, AS MODIFIED

Mr. MCCAIN. Madam President, I ask unanimous consent to modify the Nelson amendment No. 4670 with the changes at the desk.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The amendment is modified.

The amendment, as modified, is as follows:

On page 1, between lines 3 and 4, insert the following:

SEC. 829B. COMPETITIVE PROCUREMENT AND PHASE OUT OF ROCKET ENGINES FROM THE RUSSIAN FEDERATION IN THE EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM FOR SPACE LAUNCH OF NATIONAL SECURITY SATELLITES.

(a) **INEFFECTIVENESS OF SUPERSEDED REQUIREMENTS.**—Sections 1036 and 1037 shall have no force or effect, and the amendments proposed to be made by section 1037 shall not be made.

(b) **IN GENERAL.**—Any competition for a contract for the provision of launch services for the evolved expendable launch vehicle program shall be open for award to all certified providers of evolved expendable launch vehicle-class systems.

(c) **AWARD OF CONTRACTS.**—In awarding a contract under subsection (b), the Secretary of Defense—

(1) subject to paragraphs (2) and (3), and notwithstanding any other provision of law, may, during the period beginning on the date of the enactment of this Act and ending on December 31, 2022, award the contract to a provider of launch services that intends to use any certified launch vehicle in its inventory without regard to the country of origin of the rocket engine that will be used on that launch vehicle; and

(2) may award contracts utilizing an engine designed or manufactured in the Russian Federation for only phase 1(a) and phase 2 evolved expendable launch vehicle procurements.

(3) **LIMITATION.**—The total number of rocket engines designed or manufactured in the Russian Federation and used on launch vehicles for the evolved expendable launch vehicle program shall not exceed 18.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Madam President, I will try to be very brief. I know time is constricted.

When I first came to the Senate, we had Members on both sides who had

principled positions on any number of issues, but we rarely, if ever, because of our principled stand, denied the opportunity for debate and vote. The Senate is here for the purpose of debating and voting. Sometimes we win, and sometimes we lose. The consequences are recorded, and the bill goes forward—as this one would—to be combined with the House, to go to conference, and finally issue a resolution.

We are not talking about just any piece of legislation here; we are talking about the national security and national defense for our Nation. There are important issues that need to be debated and need to be voted on. Yet we are denied that opportunity. Someone on our side was denied that opportunity. The other side has every right to say: Well, if you are going to play that game, we are going to play that game. That is not how the Senate should operate.

The Senator from New York and the Senator from Washington on the Democratic side have principled amendments. I don't support the amendment from the Senator from New York, but it ought to be debated and it ought to be voted on and it ought to be worked through. That is why we are sent here. No wonder the public across the Nation is so frustrated with us—because we are in total stalemate.

Senator MCCAIN and Senator REED have made every possible effort to move this process forward. Yet here we are. As we know, under the procedures, one person has the right to stop anything from going forward if they use those procedures, and that has happened. It is very unfortunate.

In comparison to my time here earlier when we functioned as the U.S. Senate, we are in total dysfunction because people are not willing to go forward and debate and accept the fact that they win or they lose but the process goes forward.

I thank my colleague from Arizona and colleague from Rhode Island for the opportunity to speak, and I yield back.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to use 1 minute of debate time from the Democratic side.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. I would like to say that my friend from Indiana, who has been a Member of this body for many years and has served in a variety of functions for this Nation, is exactly right. We are now in a situation where, because someone doesn't get a vote on their amendment, everybody else's amendment is not agreed to. That is not the way the Senate was intended to function. That is not the way the Senate should function.

We just heard of two amendments that I strongly object to—both of them—but I want debate and votes on them. Unfortunately, we now have a situation, frankly, on both sides where unless people get their amendment, nobody gets their amendment.

We are now, among other things, putting the lives of the interpreters who have served this Nation and saved American lives in danger by refusing to take up the Shaheen amendment, which allows some of these people to come to the United States of America. When some of them start dying, my friends—and they will, because they get the night letters that they are going to be assassinated, they and their families—I hope they understand what is at stake here, and I certainly wouldn't want that on my conscience.

In addition to my friend LINDSEY GRAHAM's comments about Paris—and we will have plenty of time to talk about it—my favorite quote of all that epitomizes the failure of this President is from January 2014: “The analogy we use around here sometimes, and I think it is accurate, is if a JV team puts on Lakers uniforms, that doesn't make them Kobe Bryant.” My friends, that statement will live in infamy. That will go down with “peace in our time.” “If a JV team puts on Lakers uniforms, that doesn't make them Kobe Bryant.” ISIS is the same as a JV team putting on a Lakers uniform. There has been nothing that I know of more revealing of the attitude and policies of this administration, which is directly responsible, in my view, for the ultimate conclusion of what happened in Orlando.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Madam President, I am once again on the Senate floor in a series of conversations we have had with my colleagues about the importance of my amendment I would like pending to this national defense authorization bill.

I am discouraged and disappointed that over the weekend no resolution on a variety of issues has been reached, and therefore there would be objection once again if I offered this amendment.

What I am attempting to do and what we have talked about so many times here on the floor and in the hallways of Congress is that Kansans generally are opposed to the closing of Guantanamo Bay as a detention facility and particularly opposed to bringing these detainees to the United States and especially opposed to bringing the detainees to Fort Leavenworth, KS. Unfortunately, this bill includes an amendment offered in committee that allows for the design and planning and construction of a facility, and my amendment is the simple removal of those provisions from this legislation.

It is clear to me that throughout the entire time of the administration of

this President, this administration has been unable to provide any cohesive, comprehensive, legally justifiable closure and relocation plan. Yet this plan authorizes the planning and design.

So I rise to once again express my dissatisfaction and anger with the Senate for its inability to do its job. Whether or not my amendment would prevail at the moment is not the issue; it is whether or not there can even be a vote on what I consider to be a very important issue to Kansas and to the country.

I appreciate the efforts by the chairman of the committee, who has assured me that he supports this amendment, and through no fault of his own, we are unable to take a vote to demonstrate that support in the Senate.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I say to the Senator from Kansas, we had an agreement to have this taken by voice vote, just as we had an agreement to take up the Shaheen amendment as well, with overwhelming support in the Senate to save the lives of these interpreters. Unfortunately, one or two individual Senators blocked any progress on that.

I want to assure the Senator from Kansas that we will do what is necessary to ensure that this amendment is enacted into law.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Madam President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Madam President, I wish to underscore what the chairman has said. We worked very closely with Senator MORAN, Senator SHAHEEN, and many others, including Senator GILLIBRAND and Senator MURRAY, to come up with a package.

As the chairman announced previously, if this package had moved, it would have also unlocked numerous other amendments that we had cleared on both sides. But, unfortunately, because of the objection of an individual whom the chairman has cited, we are now coming to final passage.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, all postclosure time on S. 2943 has expired.

VOTE ON AMENDMENT NO. 4670, AS MODIFIED

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 4670, as modified, offered by the Senator from Florida, Mr. NELSON.

Is there any further debate on the amendment?

The Senator from Rhode Island.

Mr. REED. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the Nelson amendment No. 4670, as modified.

The amendment (No. 4670), as modified, was agreed to.

VOTE ON AMENDMENT NO. 4607, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4607, as amended, offered by the Senator from Arizona, Mr. MCCAIN.

Is there any further debate?

The amendment (No. 4607), as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. COATS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 13, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—85

Alexander	Feinstein	Murphy
Ayotte	Fischer	Murray
Baldwin	Flake	Nelson
Barrasso	Franken	Perdue
Bennet	Gardner	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Hatch	Roberts
Boozman	Heinrich	Rounds
Brown	Heitkamp	Rubio
Burr	Heller	Schatz
Cantwell	Hirono	Schumer
Capito	Hoeven	Scott
Cardin	Inhofe	Sessions
Carper	Isakson	Shaheen
Casey	Johnson	Shelby
Cassidy	Kaine	Stabenow
Coats	King	Sullivan
Cochran	Kirk	Tester
Collins	Klobuchar	Thune
Coons	Lankford	Tillis
Corker	Manchin	Toomey
Cornyn	McCain	Udall
Cotton	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Whitehouse
Durbin	Mikulski	Wicker
Enzi	Moran	
Ernst	Murkowski	

NAYS—13

Crapo	Leahy	Merkley
Cruz	Lee	
Gillibrand	Markey	

Paul Risch Warren
Reid Sasse Wyden

NOT VOTING—2

Boxer Sanders

The bill (S. 2943), as amended, was passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Missouri.

ORDER OF PROCEDURE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each until 12:30 p.m. today; further, that at 12:30 p.m. the Senate stand in recess subject to the call of the Chair; and that notwithstanding rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 2578 occur when the Senate reconvenes from this recess.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BLUNT. Mr. President, for the information of Senators, the cloture vote on the motion to proceed to the Commerce-Justice-Science appropriations bill will occur immediately following the official photo at 2:15 p.m. today.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

NATIONAL DEFENSE
AUTHORIZATION BILL

Mr. MCCAIN. Mr. President, I want to thank the 85 members who voted for the bill, and I would like to criticize the 13 who voted against it.

I think this is a good bill. I want to thank Senator REED for his cooperation and the effort that has been made in our committee on a bipartisan basis. If it were not for his cooperation and assistance and partnership—equal partnership—we would not have been able to have a bill of these significant numbers.

I want to thank the Members for their votes. But I would also like to point out that, as happy as I am about the size of the vote, we left out some very important amendments. Particularly, we left out one that has to do with interpreters who are being slaughtered as we speak because they are the No. 1 targets for the Taliban and for ISIS.

As I take pleasure in the size of the vote, I would also urge my colleagues

that when we take up a bill of this significance, not every Senator can have his or her way. Not every Senator can have their amendment, particularly when it is not agreed to on the other side. So I have to say, I blame a few Senators who believe it is their way or the highway. I hope that when we move forward with other legislation, we can have amendments, debate, and vote. That is what the Senate is supposed to be about.

Finally, I again thank Senator REED and his staff for all of their cooperation and assistance. We intend to go to conference and get a bill to the President's desk.

I would point out to my colleagues that this legislation is probably the biggest reform enacted by the Senate Armed Services Committee and the Senate since Goldwater-Nichols some 30 years ago. There are fundamental reforms in the military and how they do business, and that is very badly needed.

We had a hearing a couple of weeks ago about an F-35. The first time the F-35 began production was 15 years ago. I change one of these every 18 months. Our acquisition system is broken; it needs to be fixed. There are billions and billions of dollars of cost overruns that we need to fix if we are going to have the confidence of the American people in their tax dollars being spent wisely.

Again, I thank my friend and colleague from Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me commend and thank the chairman on his leadership. He began this process with great deliberation months ago by bringing together experts on defense organization—experts on military and strategic policy. Through a series of many hearings, we were able to craft significant legislation reforming the operations of the Department of Defense. We will now go to conference and begin to work to improve that legislation. I think improvements can be made with respect to the changes in the context of Goldwater-Nichols reorganization. But I think the chairman's leadership was absolutely essential and incredibly productive in this process.

We have had debate on a number of issues on the floor. I think we are now at the point where we should be, not only continuing our efforts to get this bill passed but, once again, underscoring the need to eliminate sequestration, which is looming on the horizon. When we don't have the relief afforded by last year's temporary agreement, we will be dealing with numbers that will not allow our military to perform their basic mission of protecting the United States. Therefore, we have to start working on this issue of sequestration. As I suggested, it applies not only to the Department of Defense

but to other agencies of the Federal Government.

Through the very careful leadership of the chairman, we were able to come up with a working and I think workable compromise with respect to Russian engines without surrendering the basic principle that the chairman had enunciated that we should not be relying on Russian engines to send our technology into space.

As the chairman also indicated, there are several issues that we could not reach consensus on and which deserve not only a vote but in many cases deserve passage.

Senator SHAHEEN has worked tirelessly. I have never seen a colleague work so intensely, so thoughtfully, so professionally, literally going from office to office asking for support for the Afghan interpreters—individuals who have already been targeted in many cases because of their help to the United States. If we don't have this legislation passed, then not only will we send a terrible message to these individuals who have served with us and sacrificed along with us, but also to succeeding generations who will not come to our aid because they are afraid of the consequences. So not only looking back at justice and equity for people who helped us but looking forward to being able to operate in not just Afghanistan but other areas of the world, I think it was necessary to not only bring up the Shaheen amendment but to pass it.

As the chairman pointed out, Senator GILLIBRAND has a very important amendment with respect to sexual assault in the military. She has done remarkable work with respect to the Uniform Code of Military Justice. She has worked very closely with many colleagues.

I must also thank Senator CLAIRE MCCASKILL for her extraordinary efforts. There are many provisions in this bill that Senator GILLIBRAND has included, but there is one very important to her about the role of the commander. That issue deserves a debate. Like the chairman, I do not agree with the conclusion, but I certainly believe that she should have had a vote.

Senator MURRAY also came here with a very important amendment, cryopreservation for soldiers. As they go overseas and they do want to have a family, there is the risk in battle which could prevent that, and this is a procedure which would allow them not only to serve their country but in the event of them being wounded, they could still have a family. Again, many people have different views on this particular amendment, but I believe a vote would have been in order.

These are three issues, but these issues cannot undercut the incredible reforms that the chairman inspired with the bill and the thoughtful debate and ultimately the conclusion—strong bipartisan support for this initiative.

I want to thank the staff because we could not have done this without them. I want to particularly thank Chris Brose and all of his colleagues on the Republican side. They did a remarkable job.

I want to individually thank my staff: Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jon Green, Creighton Greene, Ozge Guzelsu, Mike Kuiken, Gary Leeling, Kirk McConnell, Maggie McNamara, Mike Noblet, John Quirk, Arun Seraphin, and my staff director, Elizabeth King.

Let me thank the floor staff too. Without Gary and Laura and others on the floor, we would not have gotten to a conclusion.

With that Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend from Rhode Island and look forward to the conference and, for the 54th straight year, completing a bill where the Congress of the United States sends to the President and the President signs into law the National Defense Authorization Act.

I don't know of a greater responsibility that we have, and, despite our differences and issues, I think that was why the vote was as overwhelming as it was today. Unfortunately, the two Senators from Idaho were uninformed on the importance of this issue.

Mr. President, I yield the floor.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS BILL

Mr. PERDUE. Mr. President, I rise today to speak very briefly to highlight my opposition to the cloture motion on the appropriations bill for the Department of Commerce, Department of Justice, and the Science agencies and to discuss an issue of critical importance to my home State of Georgia and what I think is a direct abuse of what the Founders intended for Senate debate.

For over 20 years, Alabama, Florida, Georgia, and the Army Corps of Engineers have been engaged in various lawsuits over water rights among those three States. Georgia has two reservoirs in question—Lake Lanier and Lake Allatoona—that are operated by the Corps, that provide drinking water for Metro Atlanta, and that provide water downstream for the Chattahoochee, Flint, Coosa, and Tallapoosa Riv-

ers. These river basins also provide water to South Georgia and parts of Alabama and Florida.

Currently, litigation is pending in the U.S. Supreme Court, the Federal DC district court, and the U.S. District Court for the Northern District of Georgia. Negotiations are also ongoing between the State governments on this very topic, and I believe they are closer to a solution right now than we have ever been.

Clearly, this is an issue that should be left to the States to settle through negotiation and, if needed, litigation. But now another attempt is being made by some in the Senate to surreptitiously influence the courts through language included in the report that accompanies this CJS bill.

We will vote on that bill sometime this afternoon. I strongly oppose this bill. This is the business of the States and should not be resolved or influenced in this manner. Let me be clear. It is not this body's place to try and tip the scales in any way on this matter.

Furthermore, we have already had this fight. This same language was inserted last year during debate over the omnibus spending bill. Then it was removed after further examination and explanation was given to leaders in both Chambers over its purpose. Let me reiterate that. When the leaders of this body and the leader in the House saw what was really happening in this language, they both independently removed the language. It was removed then, and nothing has changed to merit having this debate again in this Senate this year.

Multiple lawsuits and negotiations between the States are ongoing. There is nothing unusual about that. Any attempt to create a role for Congress during the appropriations process on this issue would set a dangerous precedent and should alarm every Senator who cares about the rights and integrity of the States. Injecting Congress into this would give an unjust advantage to other States involved, stripping away any incentive for them to negotiate in good faith with our State of Georgia.

Furthermore, this congressional involvement would establish a dangerous precedent for any State involved in water resource negotiations. The negotiations on water rights in the West make these pale in comparison. That is not a role our Founders intended for Congress to play, and inserting the Federal Government into another issue where it doesn't belong would be emblematic of why folks back home are so fed up with the dysfunction in Washington.

For these reasons and others, as I will discuss throughout this week as we debate this bill, I will definitely vote no on advancing to the CJS appropriations bill.

I yield back and note the whip is in the Chamber.

The PRESIDING OFFICER. The majority whip.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. CORNYN. Mr. President, the Senate is demonstrating its serious commitment to supporting our military, and it is a good thing. In passing the Defense authorization bill, a bipartisan piece of legislation, we authorized funding for training and for the ever-evolving threats our troops are meeting around the world. It will also give our men and women in uniform the most up-to-date equipment, including newer and more capable aircraft and vehicles.

Fortunately, the bill also authorized needed improvements at military facilities, such as construction projects in my State at Fort Hood, Joint Base San Antonio, the Red River Army Depot, and Ellington Field, and provided a much needed and well-deserved pay raise for our troops. I am glad we were able to get through this process, get this bill done, making sure our military is ready to face any potential threat around the world.

MASS SHOOTING IN ORLANDO

Mr. CORNYN. Mr. President, I know the country is in shock and still trying to evaluate the terrorist attack in Orlando as we continue to learn from the FBI's investigation. The attack killed almost 50 people and of course left dozens injured.

According to the latest reports, one of the victims was Frank Escalante from Weslaco, TX. My heart goes out to Frank, his family and friends, and all those others who lost loved ones early Sunday morning and to those living with the wounds they sustained in that terrible attack. With this act of violence and hatred, Orlando sadly joins a growing list of American cities and cities around the world changed forever by radical Islamic extremism.

The jihadist, like those in San Bernardino before him, declared his allegiance to the Islamic State, and like the two Boston Marathon bombers, he was previously investigated by the FBI for connections to terrorists or known terrorist groups that carried out attacks similar to the gruesome attacks in Paris last November. Like those terrorists, the terrorist in Orlando targeted hundreds of unarmed civilians, and ISIS has used the Internet to urge lone wolves to imitate these types of attacks. In other words, not only are we concerned about people in the Middle East who have pledged allegiance to ISIS coming to the United States, we are concerned about Americans who are traveling from the United States, going there and training, and then coming back home. But the worst, and perhaps the most difficult of all to deal

with, are American citizens, such as this shooter, who are radicalized in place, and of course this is the biggest challenge for the FBI. We must now come together and not only mourn and grieve those lives lost, but we need to also try and make a difference. It is time to act.

The Orlando attack was not just a random act of violence. It was a calculated act of terror. By aiming his gun at innocent civilians, this jihadist opened fire on our freedoms, our way of life, and the bedrock principles that make us a diverse and vibrant democracy. We have to take these threats seriously and do everything we can to counter the ideology that provides a threat to our security, both within and without our borders.

We also need an honest conversation about how to move forward on legislation that might have the effect of preventing attacks like this in the future. Some of those conversations are already happening, and I hope we will not stop until we make some progress. One place we can start is with a measure I introduced last year that would prevent known or suspected terrorists from purchasing firearms in the first place. It would not just block someone from buying a gun because of mere suspicion but would set up a process to actually detain—if based on evidence they are deemed to be a threat to society—and prevent them from not only purchasing a firearm but put them behind bars where they can't be a danger to other people. If potential terrorists are dangerous enough not to be allowed to own a gun, then I think they are dangerous enough to be taken off the streets. We shouldn't forget that a person who feels compelled to commit a terrorist act will not be stopped by just being unable to legally purchase a firearm. The 9/11 attackers used box cutters and airplanes. The Boston Marathon bombers used homemade explosives, and the terrorists in Paris and Brussels used illegal firearms and suicide vests.

In the case of the Orlando attacker, it does not appear he was on a watch list at the time he purchased the weapons he used to carry out this horrific attack. In fact, the FBI had twice cleared him of being an active terror threat. We need to be clear-eyed about this if we are actually serious about stopping events like this in the future.

I believe we do need to go further and do more to arm our law enforcement officers with the tools they need in order to counter terrorists and defend communities. FBI Director James Comey has outlined—with great clarity and specificity—how great a threat we face from extremists within our borders, and he made the point that the FBI has opened investigations in all of their FBI field offices around the country; that is, investigations of people being radicalized in place and doing the

terrible deed that the shooter in Orlando did early Sunday morning.

If the FBI Director says this is an urgent need, we ought to act. Too often the FBI and other local law enforcement officers have to operate with one hand tied behind their back because they can't access key pieces of information like encrypted data. We saw that in an attempted terrorist attack in Garland, TX, last year, on the day of the ISIS-inspired attack just northeast of Dallas. Before the two jihadists—unfortunately traveling from Phoenix—arrived in Garland, they exchanged more than 100 different messages with terrorists overseas. Unfortunately, the FBI still doesn't have access to those communications because they are encrypted. That means law enforcement could still be missing critical information that could uncover future plots or identify more terrorists, both abroad and here at home.

The Garland case is not unique. The FBI is routinely hamstrung by outdated policies that make their job of protecting the homeland more difficult. We saw another example of that in San Bernardino, CA. We have to address this major policy gap. I hope the Senate has an opportunity to consider an amendment I filed to a bill that would update the Electronic Communications Privacy Act. It would help FBI agents get access to critical information faster to prevent terrorist attacks. The FBI Director has made it clear that this is his top legislative priority, and it is also supported by President Obama and his administration.

I believe it is our duty, now more than ever, to do something about it and make sure the FBI has critical counterterrorism tools to be able to identify potential threats before they commit horrific acts of violence like we saw in Orlando. It is clear the threats are on our doorsteps, and we should be willing to give those on the front lines of the counterterrorism fight faster access to critical information so they can identify terrorists and thwart those attacks. I am not talking about content of communications—at least initially. We know under the Fourth Amendment to the U.S. Constitution that law enforcement has to demonstrate probable cause to get access to content of online communication, but there is a whole host of information that identifies email addresses, Internet Protocol addresses, and the like, that could help the FBI connect the dots. If we are expecting the FBI to connect the dots in terrorist attacks and prevent other tragedies such as that in Orlando, then we ought to give them access to all the dots.

I hope this week, as we debate what the appropriate response is to dealing with these acts of mass terror, we look at the legislation I introduced last December that would notify the FBI in the event someone on a watch list at-

tempts to purchase a firearm and then give the FBI a chance, if the evidence warrants it, to detain that individual and deny them access to the firearm. Moreover, I hope we will also provide the FBI with additional tools in order to identify those radicalized Americans in place who pose a potential threat here on the homeland.

Finally, we must do more to counter the venomous ideology pedaled by ISIS by hitting them in their safe havens abroad. I am still amazed when the President refers to ISIS as the JV team. Yet ISIS seems to be the best game going for terrorists in the Middle East. Indeed, I recently traveled with members of the Homeland Security Committee in the House to Tunisia. There have been as many as 100 Tunisians who have traveled to Libya and trained with other foreign fighters and then hope to make the short jump into Europe via Italy and then potentially commit terrorist attacks there or even travel to the United States. Many of those countries are visa waiver countries—38 different countries are visa waiver countries. If you make it into Europe through a visa waiver country, you can travel to the United States without a visa. That is a potential threat to the United States.

We need to deal with ISIS seriously, which means we need a strategy to crush ISIS and prevent them from not only killing innocent civilians in the Middle East, as we saw when some 400,000 Syrians died in Syria—Syria started out as a civil war, but now it appears to be attracting terrorists from all across the region. We need to deal with the threat of ISIS as a serious national security matter and not just as a law enforcement exercise, where we act after the fact to investigate it and then perhaps prosecute people and put them behind bars. There is nothing we can do to punish a potential terrorist for taking the lives of 49 people in Orlando, especially when they kill themselves in the attack. We ought to be about preventing those attacks and not just prosecuting the culpable once the attack is over.

Earlier today we passed the national defense authorization bill and gave our military men and women in uniform the resources they need in order to combat this evil outside our borders, but what we need most of all in this fight against radical Islamic ideology is leadership from the White House, a strategy, which we are still waiting for, and a commitment to root out and destroy ISIS and its affiliates.

I get the sense that the President and his national security team feel like this is something they can contain, but this is not something they can contain. Maybe they can hope to contain the people fighting in the Middle East, but of course we know what has happened there. Maybe they can hope to catch people traveling from the Middle East

to the United States, but it is not 100 percent secure. We know for sure that the preeminent threat here in the homeland is people being radicalized in place through social media and obviously being instructed to kill Americans where they live. This group is growing in strength across North Africa, as I mentioned in places like Libya, which is now a failed state because of the flawed strategy that the administration had after they took out Muammar Qadhafi. It seems as though we learned nothing from Iraq or any of our other experiences in the region.

Now is the time for coming together to face this enemy that seeks to upend our very way of life. This is not the time to downplay the evil that perpetuates this violence, and it is also not the time for show votes on things like gun control.

This individual in Orlando, who murdered 49 people and injured so many more, had a firearms license since 2011. He was a licensed security guard. He was not on a watch list at the time he committed this horrific act. So passing some legislation dealing with people on watch lists, such as the Senator from California offered last December, would have done nothing to prevent this attack.

We ought to be about finding a way to come together on a bipartisan basis to make sure this sort of travesty is not repeated over and over and over again. The only way we are going to do it is to get serious about giving the FBI the tools they need in order to fight and crush ISIS and its dangerous ideology where it resides in the Middle East. We ought to take that opportunity this week. We need to focus on the threat and how to better protect our country.

I look forward to working with my colleagues in other ways, exploring other ideas they may have to prevent tragedies like Orlando, San Bernardino, and Boston from happening in the future.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRUZ). Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 12:27 p.m., recessed subject to the call of the Chair and reassembled at 2:40 p.m. when called to order by the Presiding Officer (Mr. ALEXANDER).

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 120, H.R. 2578, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Mike Crapo, Richard C. Shelby, Richard Burr, Daniel Coats, Ben Sasse, Roger F. Wicker, Thom Tillis, Steve Daines, Chuck Grassley, Susan M. Collins, Thad Cochran, James Lankford, Lamar Alexander, John Hoeven, Roy Blunt.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2578, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. LANKFORD).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER (Mr. PORTMAN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 94, nays 3, as follows:

[Rollcall Vote No. 99 Leg.]

YEAS—94

Alexander
Ayotte
Baldwin
Barrasso
Bennet
Blumenthal
Blunt
Booker
Boozman
Brown
Burr
Cantwell
Capito
Cardin
Carper

Casey
Cassidy
Coats
Cochran
Collins
Coons
Corker
Cornyn
Cotton
Crapo
Cruz
Daines
Donnelly
Durbin
Enzi

Ernst
Feinstein
Fischer
Flake
Franken
Gardner
Gillibrand
Graham
Grassley
Hatch
Heinrich
Heitkamp
Hirono
Hoeven
Inhofe

Johnson
Kaine
King
Kirk
Klobuchar
Leahy
Lee
Manchin
Markey
McCain
McCaskill
McConnell
Menendez
Merkley
Mikulski
Moran
Murkowski

Murphy
Murray
Nelson
Paul
Peters
Portman
Reed
Reid
Risch
Roberts
Rounds
Rubio
Sasse
Schatz
Schumer
Scott
Sessions

Shaheen
Shelby
Stabenow
Sullivan
Tester
Thune
Tillis
Toomey
Udall
Vitter
Warner
Warren
Whitehouse
Wicker
Wyden

NAYS—3

Heller Isakson Perdue

NOT VOTING—3

Boxer Lankford Sanders

The PRESIDING OFFICER (Mr. PERDUE). On this vote, the yeas are 94, the nays are 3.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. AYOTTE). Without objection, it is so ordered.

MASS SHOOTING IN ORLANDO

Mr. FRANKEN. Madam President, I rise to address the tragic events in Orlando, FL. In the early hours of Sunday, a gunman walked into Pulse, a popular, crowded LGBT nightclub, on Latin night and opened fire, taking the lives of 49 people and wounding 53 more in an act of terror that has been called the worst mass shooting in American history. It was also the deadliest attack on the lesbian, gay, bisexual, and transgender community that our Nation has ever known.

State and Federal authorities are continuing their investigation into the assailant and what his motives were that night. I believe 44 of the surnames of those who died were Latino. According to the FBI, the shooter had previously been investigated for potential

ties to terrorist organizations, and during the attack, the shooter called authorities and pledged his allegiance to ISIL.

We must do everything in our power to eradicate this evil, combat recruitment and radicalization, and we must make sure our efforts and our rhetoric do not scapegoat an entire community based on the actions of a single sick individual.

The investigation is ongoing, and many details are still emerging, but we know this: The 49 men and women who lost their lives on Sunday night were murdered by a man with hate in his heart—perhaps even hate directed within—and an assault weapon in his hand.

Following each and every tragic shooting, one thought haunts me, and that is that we in Congress are failing the American people. We have failed to answer their repeated calls to address gun violence in this country. We have failed to take steps necessary to make our communities safer, and as a result we are complicit in creating the circumstances that give rise to these events. We can't pretend this part isn't on us.

Our State of Minnesota has a proud tradition of responsible gun ownership. Generations of Minnesotans have learned to hunt from their parents, grandparents, aunts and uncles, friends and neighbors, but when I speak to constituents on this issue, the message is clear: Minnesotans want Congress to take commonsense steps to reduce gun violence and ensure their family's safety. There is a balance to be struck here, and I strongly believe that we are capable of striking that balance.

The Second Amendment doesn't protect the rights of everyone to carry whatever weapon he likes in any place he wishes for whatever purpose he wants. The Second Amendment does not entitle criminals, potential terrorists, or people with serious mental illness to carry guns. It does not entitle Americans to own guns designed to slaughter scores of people in seconds.

We can't turn back time. We can't bring back the lives we have lost. But, for God's sake, what is it going to take? How many tragedies like this does this Nation have to endure before we find the moral conviction to do something about gun violence?

It is important for us to acknowledge not just how this atrocity was committed but who the gunman targeted, and where. In his remarks on Sunday, President Obama rightly drew the Nation's attention to the site of this most recent tragedy—to Pulse, a gay nightclub that Barbara Poma opened to honor the memory of her brother John, whom she lost to AIDS years earlier. Barbara explained that her family was strict and had a strong sense of tradition. Being gay was frowned upon. Coming out could not have been easy

for John, but when he did, his family welcomed him with acceptance and love. Pulse was named for John's heartbeat, and it was a place, according to his sister, where he was "kept alive in the eyes of his friends and his family."

In describing the shooting, President Obama explained that "the place where they were attacked is more than a nightclub—it is a place of solidarity and empowerment where people have come together to raise awareness, to speak their minds, and to advocate for their civil rights." But it is also important to note that, like so many of the bars and nightclubs serving the LGBT community, Pulse was a place where people have come together to feel safe. Like the historic Stonewall Inn in New York City, the birthplace of the gay rights movement, and Bar 19, a pub in Loring Park that has served Minneapolis's gay community since 1952, Pulse was a sanctuary.

Not everyone is welcomed by their family and their friends with acceptance and love. Even today, not everyone is able to walk down the street holding the hand of their loved one without fear. For those in search of solidarity in their communities, and for those in search of safety, Pulse provided refuge. Regrettably, even today, that refuge is sorely needed. Despite long overdue victories, leaders in the LGBT movement have perceived an increase in violence directed against their community. LGBT Americans continue to face threats, intimidation, and violence—on the street, in the workplace, and at school. By and large, they remain vulnerable to discrimination.

As Americans come together in the days and weeks ahead, as we seek comfort and community at pride celebrations and candlelight vigils, it is incumbent upon all of us, but most especially policymakers, to do everything in our power to change the culture of hate and to pursue a more equal union. It is simply unacceptable that in 28 States, including Florida, there are no protections to prevent a survivor of the Orlando attack from being fired just because he is gay. In 28 States, including Florida, there are no protections to prohibit a homeless shelter from turning away a survivor of the Orlando attack because she is a lesbian. In 29 States, including Florida, there are no protections to prevent a business from refusing service to a survivor of the Orlando attack because she is transgender. That isn't right. This is not who we are as a country, and it must change.

Congress must take up and pass the Student Non-Discrimination Act to protect our children—our children—in our schools. And Congress must take up and pass the Equality Act to make clear that discrimination and hate have no place in our workplaces and in our homes.

I was around 10 years old at the height of the civil rights movement. My family used to eat dinner watching TV on plates on tray tables, and we would watch the news. And I remember seeing footage of police in the South siccing dogs on Black civil rights demonstrators, going after them with firehoses and billy clubs. I never will forget my dad pointing at our television screen and saying to me and my brother, "No Jew can be for that." No Jew can be for that. It was obvious to him, as it should be to all of us, that when some members of our communities face injustice, we all do.

In the face of that pervasive discrimination, that stain on our values and our history, our Nation recognized then, as it should recognize now, that some problems demand a national solution. We must take action to make our communities safe—all of our communities safe. We must engage in these difficult conversations about persistent inequality and about gun violence. And we must dedicate ourselves to securing real change.

I implore my colleagues: Let us make our laws our sanctuaries. Let us honor the memory of those lost on Sunday and the lives of those who survived by recognizing our obligation to take action. No Member of Congress can be for this.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Madam President, I rise today to remember the victims of the terrorist attack in Orlando, FL. Forty-nine people were killed and even more were wounded when a self-proclaimed ISIS sympathizer attacked Pulse nightclub in the early hours of Sunday morning. I can't imagine the trauma experienced by those who were present in the club or the suffering of the families now mourning a beloved son or daughter.

My thoughts and prayers are with the victims, with the families of the deceased, and with all those currently sitting at the hospital beds of the injured. My thoughts and prayers are also with the people of Orlando, whose sense of security has been shattered by this deadly attack.

Every deadly ideology of the last century has been characterized by a fundamental disregard for the sacredness of human life. The form of radical Islam espoused by ISIS and its adherents is no different. Like every radical ideology before it, it regards individual human beings as expendable commodities in its pursuit of a Utopia. More

than that, it sees certain individuals as not only expendable but dangerous, and it seeks to exterminate them accordingly. The blood-soaked villages of ISIS-controlled Iraq and Syria bear terrible witness to the slaughter of Christians, Yazidis, moderate Muslims, and anyone else ISIS felt was standing in its way.

As a nation, we have to stand against the threat of terrorism. We have to ensure that our military is equipped to destroy terrorist organizations abroad and that our law enforcement personnel are equipped to confront terrorist threats here at home. We need to control our borders and modernize our immigration system so that we know who is coming and who is going from our Nation. We need to invest in our intelligence agencies and hold them accountable as they work to keep our homeland safe. We have to support our allies who are taking the fight to the terrorists. And most of all, we have to show the utter bankruptcy of an ideology that regards human beings as expendable.

America has a proud history of standing up for the dignity and freedom of the human person against tyrants of all stripes. We stood against the deadly ideologies of the 20th century, and we will stand against the deadly ideologies of the 21st century.

On Sunday morning we saw the darkest side of humanity, but, as so often happens, when we see the worst in human beings, we also see the best—the DJ who helped a patron escape from the club; the man who stuffed his bandana into a bullet hole on a stranger's back to stop the bleeding; the man who pulled a wounded stranger to safety behind a car and then kept him conscious on the way to the hospital; the long lines of Orlando residents who came forward to donate blood; and, of course, the police officers who walked into that club and who wake up every day ready to lay down their lives for the rest of us. Against that spirit, terrorism will never prevail.

Our whole Nation grieves with the citizens of Orlando. May God bless and comfort the families of all those who died, and may He heal all those whose hearts are broken.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATIVE TO THE DEATH OF GEORGE V. VOINOVICH

Mr. BROWN. Madam President, I am joined by my colleague and friend, Senator ROB PORTMAN of Ohio—the other Senator from Ohio—to discuss the passing of a dear friend of his and of mine. I will make a few short remarks.

I believe Senator PORTMAN, who will be speaking at his memorial service later in the week in Cleveland will be offering a resolution and some comments to the resolution.

This past weekend we were awakened on Sunday to learn that the State of Ohio and the city of Cleveland had lost one of its champions, George Voinovich.

As mayor of my beloved city—the city I call home—Cleveland, as a two-term Governor of Ohio, and as my colleague for my first 4 years in the Senate before Senator PORTMAN succeeded him, George dedicated his life to public service.

A man of strong conviction, he was always willing to listen to the other side of an argument and to put what he believed was best for our State and for our country ahead of partisan politics. Of course, we didn't always agree, but we worked together in the Senate to make progress for Ohio on everything from judicial nominees to supporting our manufacturing industry to cleaning up our great lake, Lake Erie.

When I came to the Senate in 2007, we assembled a commission of distinguished Ohio lawyers of both parties to find the candidates—again, of both parties—to recommend as nominees for the Federal judiciary. I thank Senator PORTMAN. Actually, this began with Senator DeWine and Senator Voinovich, and it has now continued from their service with Senator PORTMAN and me doing the same thing.

George had a lifelong love affair with what he called the “jewel of the Great Lakes,” Lake Erie. His fight to clean up and protect our lake began when he joined the Ohio Legislature almost exactly 50 years ago. At that time, people wrote off Lake Erie as a polluted, dying lake. Over the past century, people have had a habit of trying to write off Ohio. Like all of our State's champions, George wouldn't accept that.

As my colleagues know, there is an enormous painting on the stairway outside the Senate Chamber depicting the American victory in the Battle of Lake Erie. George fought what he referred to as the “second battle of Lake Erie,” pushing for the first Great Lakes Water Quality Agreement, cochairing the Senate's Great Lakes Task Force, working with me to introduce the Clean Water Affordability Act, which I continued to work on since his retirement in December of 2010.

That tenacity paid off. Our lake has made an incredible comeback. We still have work to do every summer. We

have to deal with the return of toxic algal blooms. Senator PORTMAN and I have worked on that issue in the western basin of Lake Erie near Toledo.

But because of the work and investment by people such as George, he was able to catch yellow perch not far from his own backyard in Collinwood, a section on the lake on the east side of Cleveland.

It will be up to all of us who love Lake Erie and understand how vital it is to our State to continue that work for our Great Lake.

George was the son of Serbian and Slovenian immigrants, and he understood the importance of investing in our Nation and investing in public works that create jobs and power our communities and our economy. In retirement, George Voinovich continued to push for ways to finance our Nation's infrastructure. Just this year he reached out to his friend, Senator CARPER of Delaware, and to me about the need for dedicated public works funding.

He was willing to reach across the aisle to work with us on projects such as the Brent Spence Bridge, which we still need to rebuild, and loan guarantees and tax incentives for Ohio's manufacturers and small businesses.

He was a deeply religious man. He was guided by his faith through nearly half a century in public service. That faith sustained him through the worst tragedy that any parent can imagine, when his 9-year-old daughter Molly was killed during George Voinovich's first campaign for mayor of Cleveland. He said of that experience later:

When one loses a child, things come into focus, what is important, what is unimportant. You see more. You feel more. You experience more. We all take so much for granted.

I hope we will take George's passing as an opportunity to reflect on what we take for granted and what is important to us as a country. On behalf of everyone in this body, I send my deepest condolences to Janet Voinovich, to their children, and to everyone touched by George's life and, frankly, her life of public service.

His legacy will live on through the lasting contributions he made to his beloved Cleveland, to Ohio, and to our great country.

I yield to my friend from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I thought those remarks beautifully described a great public servant, George Voinovich. I wish to add a little to it, and then at the end of my remarks, I am actually going to offer a resolution for the entire Senate to vote on as a tribute to the life of George Voinovich. We have put together a resolution which talks about a lot of his accomplishments. As my colleague has said very well, it gives us an inspiration for

the future. From his life, hopefully, we can learn about how to better do our jobs on the floor of the Senate.

He was an amazing public servant. As some know, he was not just mayor of Cleveland during a critical time but also Governor of Ohio and, of course, a Senator here for two terms. I believe he represented the very best of public service. By that I mean whether it was his efforts to tackle the debt, to give children more choice and parents more choice in their schools, or to modernize infrastructure, he never made it about him. It was always about others, and specifically, it was about his constituents.

He was a very proud grandson of immigrants, Serbian and Slovenian. He was also the son of a great neighborhood in Cleveland called Collinwood, where I was over the weekend visiting with Janet Voinovich. He was raised with the values of that neighborhood—honesty, integrity, and hard work. He said that his father used to tell him that in America we have more of the world's bounty than any other country on Earth because of our freedom, because "we get more out of our people through the free enterprise system and our education system." He never forgot those early lessons. Wherever he went, whatever title he had, he was always that same earnest, plainspoken kid from Collinwood.

As a boy, he was diagnosed with a bone marrow disorder, which kept him from enjoying many of childhood's joys, such as sports. He didn't let it get him down. In fact, he brought all his energies into his studies—one reason he was such a good student, I think—and he got around Cleveland on his red bike, which he called Bessie, which was his pride. Later in life, by the way, I had the opportunity to be in parades with George Voinovich. I would be marching along, and there he was on his bicycle. I don't know if it was named Bessie, but I know Janet Voinovich was at his side, riding that bicycle in parades, and then as Governor Voinovich and then Senator Voinovich. He loved those bicycles and was always riding with a smile on his face.

That difficult health care struggle he had early in his life shaped his character and gave him a heart for all those who were suffering or who were just different. As with so many of his decisions, he would go to the Lord for inspiration. He would start with a humble prayer, and he did this at Collinwood High School. He said he prayed for guidance, asking God what he should do with his life. And he got an answer. He felt he had a calling, and that was to get involved in student government, and so he ran. He was elected as class president as a senior. He went on to serve as student body president at Ohio University, when he was in undergraduate school, and he was president of his class and president

of the Young Republicans club while in law school at Ohio State University. So if people wonder how he got into politics, it all started in high school and through college and law school. That was the track he chose for himself.

For over half a century, he served his neighbors in so many different roles—local, State, and Federal. He was a county commissioner in Cuyahoga County. He was county auditor. He was mayor, as we have talked about. He was a State representative. He was an assistant attorney general. He was Lieutenant Governor. He was Governor for two terms, and he was a U.S. Senator for two terms. This is a guy who devoted his life to public service.

In 1959, as a young man, he volunteered for the mayoral campaign of Tom Ireland. We don't remember much about Tom Ireland, because Tom Ireland lost. But in that election, George Voinovich met a young woman—a beautiful and intelligent fellow volunteer named Janet Allan. Janet and George were married for more than 50 years. Having just been with her over the weekend, I can tell you she is an extraordinary woman. Their relationship—their partnership—is a real model and example for all of us, and certainly it has been over the years for Jane and for me. George used to say about Janet that she was "God's greatest blessing on me," and that was clear to anyone who knew them. Together they had four wonderful children: George, Betsy, Peter, and Molly.

He was Lieutenant Governor in 1978 when his true calling came. I say "true calling" because this was a time of urgency in his hometown of Cleveland. It was in trouble. That same year, Cleveland had become the first American city since the Great Depression to default on its debt, which, by some measures, totaled more than \$100 million. That was a lot of money back then. People were worried. Some people were leaving the city altogether.

From his neighbors and from his conscience, George Voinovich heard the call to come back home. Shortly after he won that Republican nomination for mayor, tragedy struck the Voinovich family. George's youngest daughter, Molly, was hit by a car. She was walking home from school when she was 9 years old. It is a tragedy no parent should ever have to endure, but George and Janet endured it, and, turning to their faith, they persevered. They went on to win that election.

George says that through that trial, his faith deepened even further and his compassion for others grew even stronger. SHERROD BROWN just talked about the fact that he said that "things come into focus when you lose a child." I think that is what my colleague said, and that is how George felt. It deepened his faith and brought things into focus.

He did win that mayoral election, and he turned Cleveland into "The

Comeback City." It is not an exaggeration, I don't think, to say that he personally saved the city from default in the sense that he had incredible energy, infectious optimism that it could happen, sheer force of will, and a great work ethic, and he brought people together.

Having talked to some of the city fathers at that time, some of whom are still with us, it was George Voinovich's bringing a team together that saved the city of Cleveland. He lifted people's hopes.

A decade later it was the entire State of Ohio that needed to be turned around. After winning reelection in Cleveland as mayor with two landslide votes, he was elected Governor in another landslide. Ohio was facing a massive debt, just like Cleveland had been, and George came to the rescue again, saying he would get the State government "working harder and smarter, doing more with less." Anybody who knew George Voinovich knew that was his favorite motto—doing more with less; working harder and smarter; and with God, all things are possible.

He did do more with less. He cut taxes by \$24 billion to get the economy moving, but he also trimmed government spending by \$720 million in just 2 years. With his experience as mayor, he wasn't afraid to delve into the details of the budget. He rolled up his sleeves, and he got involved.

The only thing he knew better than his budget, by the way, was his constituents. He helped hundreds of thousands of people who were stuck on welfare to find jobs, as unemployment in Ohio fell to 25-year lows. He also modernized our roads and bridges. He was a big infrastructure guy. After a landslide reelection, he left the Buckeye State with nearly \$1 billion in a rainy-day fund.

By the way, when he was mayor, he served as president of the U.S. Conference of Mayors, and when he was Governor he served as president of the National Governors Association—the only person in America to have done that. That is pretty amazing. He rose to the top.

He loved to fish. Wildlife fishing in Lake Erie was his favorite thing. He got me started on that, which I do now every year. He loved his lake. If you go to his home and stay, as I did over the weekend, you know it is a couple of houses from the lake. You can see how proud he was of that lake by the way in which he supported efforts to make it clean and make it safe. He was also a strong supporter of our coal miners in eastern Ohio. He became the first government executive in the world to recognize the independence of his ancestral homeland of Slovenia, something that meant a lot to George. His last speech was on Friday night of last week, and it was on the 25th anniversary of Slovenia's independence day.

George was reelected as Governor in 1994 with 72 percent of the vote. At the time, it was the biggest landslide of any Governor in Ohio history. After he had reached his term limit as Governor, he was elected by another large margin to this Chamber, the Senate. He was reelected in 2004 with more votes than any Senate candidate had ever received in the State of Ohio.

In the Senate, he focused on expanding NATO to include Slovenia. He authored a Federal law that helps to monitor and fight anti-Semitism all around the world. He passed bipartisan legislation to help protect American intellectual property. But if you want to see his biggest impact, go to Ohio. You will see it everywhere—whether it is the Innerbelt Bridge, named after him; whether it is the Voinovich Bicentennial Park in Cleveland; whether it is the Voinovich School of Leadership and Public Affairs at his beloved Ohio University in Athens, OH; whether it is the Voinovich Atrium at the Rock and Roll Hall of Fame, which, by the way, some say would not be in Cleveland but for George Voinovich's leadership. I just talked last week to the director of the Rock and Roll Hall of Fame, who happened to be here for a visit, and, coincidentally, we talked about George Voinovich's role in being sure that the financing was put together to have that Rock and Roll Hall of Fame be in Cleveland, OH.

These are all testaments to the love and respect the people of Ohio had and continue to have for him. Above all, talk to those who knew him. He made an impact on all of us. For me, he was a friend, and he was a great mentor over the years. He helped me in my career. He was someone who gave me a lot of inspiration to get into public service in the first place.

In our conversations, by the way, for all of his political successes and accomplishments and all we had to talk about that had to do with policy or political issues, he mostly wanted to talk about family. That was where he always started. That was where he was in his heart. He would say: "How is the family?" That is how he would start the conversation. Janet was his soulmate, his partner in everything, and he loved those kids and grandkids so much. They were the anchor for everything—family and faith. That is one reason he was so successful, in my view. He had grit, he had that work ethic, and he certainly had natural talent, but he also had that foundation. That moral foundation of his family and his faith gave him the confidence and the ability to do so many other great things for so many other people.

When he announced his retirement, he said: "I have a philosophy: It's God, family, country, and community." Those are pretty good priorities. George put himself last. It was never about him. It was about others. He was

the public servant. He put the servant part first.

He had the heart of a servant because he was a humble man. As some know back home, he was proud of the fact that he drove a Taurus and shined his own shoes. He was a penny-pincher. He loved to buy his clothes on sale. He was a good fiscal conservative. He and Janet lived in the same house they bought in Cleveland in 1972. No matter where he was or what his title was, he was, in many respects, still that same kid from Collinwood—George from Collinwood.

He was a man of deep faith. He was a devout Catholic, and as busy as he was, he went to mass several times a week. He also took comfort in praying the Rosary. The legendary quarterback Bernie Kosar tells the story that George Voinovich prayed the Rosary at Municipal Stadium with Bernie's mom during the Browns' 1986 double-overtime comeback playoff victory over the New York Jets. Everybody gives Bernie Kosar all the credit for that, but it really was George Voinovich and a Higher Power that intervened.

After retirement, he did not slow down. As I said, just this past Friday he was at Cleveland City Hall for the 25th anniversary of Slovenia's independence. He was also at the Republican headquarters in downtown Cleveland last Thursday to open what we call the "Voinovich Lobby" of that new headquarters. He was also planning to serve as a delegate in next month's Republican National Convention. We were so looking forward to paying tribute to him in many ways at that convention. We still will, but, oh, I wish he were going to be there to be part of it.

It has been a great honor to succeed him as U.S. Senator. When he decided to retire, he called me here to Washington. I will never forget the dinner we had together where he said: I am not telling anybody this yet, but I am planning to not run again for reelection.

I had just helped him with an event in Ohio, and I was strongly supporting him for reelection. But he said he had had it; that it was time for him to go back home. He encouraged me to run. He endorsed me the day I got in. I don't believe I would be here but for the fact that he called me to Washington that day and encouraged me and told me that knowing public service was in my heart too, that this was the time to step forward and to help our country. I owe him for so much but most importantly for his model and for the example that he set.

He was certainly an independent voice, including on this floor. Senators on both sides of the aisle will tell you he was an attentive and thoughtful listener. He treated people with respect and dignity. I have talked to some of the staff here this week about George

Voinovich—some who have been here a while and remember him—and all have the same to say. They cherished his friendship. They felt like he cared about them. He had good friends—Senator SHAHEEN and Senator CARDIN on the other side of the aisle. He had good friends on this side of the aisle. He used to refer to Danny Akaka as being "like a brother to me." Senator Akaka was a Member from Hawaii on the other side of the aisle.

His selfless example of public service, his ability to enact change on a bipartisan basis does provide a lesson for us right now, and really for all time. I think we can best honor him by carrying on that tradition, by figuring out how to solve problems, and that involves reaching across the aisle and getting things done. He was a man who believed we could make a difference here in this place.

I see Majority Leader MCCONNELL has now joined us on the floor, and he will tell you that George Voinovich always had the belief that things could be better. He was ultimately an optimist, and his ability to figure out how to get to a solution was something all of us can learn from. In Ohio, he was a public servant without equal.

Tonight, I would like to offer a resolution honoring his memory. I urge all my colleagues to support it.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 493, which was submitted earlier today.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 493) relative to the death of George V. Voinovich, former United States Senator for the State of Ohio.

There being no objection, the Senate proceeded to consider the resolution.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 493) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. PORTMAN. I thank the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, before the Senator from Ohio leaves the floor, I had an opportunity to listen to his tribute to our former colleague, Senator Voinovich, and he was indeed a stunningly successful public servant. I mean, just thinking about any Republican getting elected mayor of Cleveland, it is hard to imagine such a

thing, and then to be so extraordinarily successful at every step in his career.

I was privileged to get to know him when he came to the Senate. My colleague from Ohio knew him a lot longer than I did, but I wanted, on behalf of all of us who served with George, to thank the Senator for that extraordinary tribute to his outstanding life.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. DURBIN. Mr. President, 2 and a half years ago, I chaired a hearing of the Defense Appropriations Subcommittee in which the chief executives of the two top rocket makers, the United Launch Alliance and SpaceX, testified on the need for competition in launching government satellites.

Not long after that hearing, Russia began its aggression against Ukraine. These two issues—the threat against Ukraine and the launch of U.S. satellites—intersected because one company is reliant on rocket engines made in Russia.

Defense appropriations bills since then have included nearly half a billion dollars to build a new, American-made engine to end this reliance on Russian engines as quickly as a replacement can be built and tested.

Defense authorization bills have taken a different approach, by putting strict limits on the number of Russian engines that can be purchased before the new, American-made rocket will be ready.

Our top national security leaders, including the Secretary of Defense, the Director of National Intelligence, and the Secretary of the Air Force, have warned that laws that halt access to Russian engines will endanger our ability to launch important defense and intelligence satellites.

To cut-off access to Russian engines would force the Defense Department to buy rockets that are not cost-competitive with SpaceX because SpaceX's rockets cannot launch our largest satellites. The cost to the American taxpayer would be more than \$1.5 billion, and it would be a risk to our national security.

As vice chairman of the Defense Appropriations Subcommittee, I believe these costs and risks are too high. Many of my colleagues agree with this view. The chairman of the Armed Services Committee, Senator MCCAIN, has a

different view. He argued forcefully that we should pass strong laws restricting the use of these engines. We crossed swords many times on the floor of the Senate on this issue. Even though we still do not see eye-to-eye on this issue, the product of this debate is better because of it.

The Nelson-Gardner amendment provides the Department of Defense with sufficient time to develop and test a replacement for the Russian rocket engine. The amendment limits the use of Russian engines for competitive launches to a maximum of 18, allows for a responsible transition to an American-made engine, and, consistent with existing law, does not impact the use of Russian engines purchased to support the EELV block buy.

These provisions increase the pressure on DOD and the United Launch Alliance to keep its new rocket R&D program on-track and push them to use only those Russian engines that are needed to support our national security.

This amendment protects the American taxpayer by avoiding billions in additional spending on sole-source contracts for more expensive rockets. It protects our national security by guaranteeing that there will not be a gap in our ability to launch satellites. And it protects our national interests by increasing the pressure to have an American-made replacement engine ready as soon as possible.

I would like to thank the Senators who worked tirelessly to see that this amendment was adopted with a strong vote in the U.S. Senate: Senators NELSON, GARDNER, BENNET, SHELBY, COCHRAN, DONNELLY, SESSIONS, and INHOFE deserve great credit for their efforts.

I am proud to have worked with them on this issue, and I am pleased that we were able to find a responsible solution that protects our national security and the American taxpayer.

Mr. LEAHY. Mr. President, today the Senate approved a Defense authorization bill of tremendous scope and containing a number of harmful provisions. I was against the decision by the majority leader to end debate on this bill after a period of consideration that resulted in consideration of only a handful of the over 600 amendments filed. Now, I am disappointed by its passage in the Senate. A bill this big deserves substantial, open, public debate.

With less than 2 weeks of debate on legislation that authorizes nearly \$600 billion, I continue to believe that the Senate was unable to properly consider the bill. Not only was more time needed to explore and debate this lengthy bill, during the brief period of consideration it was given, many on both sides of the aisle, myself included, determined that the Defense authorization contains an assortment of harmful language.

This is unfortunate, because the Defense authorization also contains provisions that I support. It authorizes spending to promote our national interests, provides vital resources to our military personnel, and reaffirms our commitment to partners abroad. It also furthers our military readiness through investment in next-generation technology. It is this kind of reasonable content that should be the universal rule for a defense authorization. Regrettably, that is only a portion of this bill.

This year's Defense authorization will once again prevent the President from closing the detention facility at Guantanamo Bay. The bill would extend the unnecessary prohibition on constructing facilities within the United States to house Guantanamo detainees, continue the counterproductive ban on transferring detainees to the United States for detention and trial, and maintain the onerous certification requirements to transfer detainees to foreign countries. Regrettably, the bill also adds several new restrictions, including a provision to bar detainee transfers to any country subject to a travel warning by the State Department. This sweeping prohibition is unnecessary and would even include some of America's allies. While this year's bill does contain some modest improvements to current law, the Defense authorization once again fails to provide the Obama administration with the flexibility it needs to finally close the detention facility at Guantanamo. With the costs of more than \$4 million per year per detainee to keep the detention facility at Guantanamo open, I agree with our retired military leaders who tell us that it is in our national security interest to close the detention facility. Doing so is the morally and fiscally responsible thing to do, and I strongly oppose the needless barriers to closing Guantanamo contained in this bill.

Also unfortunately, the Freedom of Information Act, FOIA, our Nation's premier transparency law, is directly undermined by the Defense authorization. Just yesterday, the House of Representatives passed the Senate's FOIA Improvement Act, reaffirming our commitment to the principle that a government of, by, and for the people cannot be one that is hidden from them. However, just as we are about to bring more sunshine into the halls of power on FOIA's 50th anniversary, this Defense authorization bill threatens to cast a long and dangerous shadow over our efforts.

Without ever consulting the Senate Judiciary Committee, which has exclusive jurisdiction over FOIA, the Armed Services Committee included provisions in this bill that cut at the heart of FOIA. One particularly egregious provision would allow the Department of Defense to withhold from the public

anything “related to” military “tactics, techniques, or procedures.” The terms “tactic,” “technique,” and “procedure” are either defined very broadly or not at all. The provision further states that this information can only be withheld if its disclosure would “risk impairment” to the Department of Defense’s “effective operation” by “providing an advantage to an adversary or potential adversary.” But it is entirely unclear what if any limitation this language would impose, given that none of the operative terms—impairment, effective operation, advantage, or adversary—are anywhere defined. While the Department of Defense might call those “terms of art,” it is law and not art that the Congress passes.

Given the breadth of this language, this provision amounts to what could be a wholesale carveout for the Department of Defense from our Nation’s transparency and accountability regime. If enacted, this bill would empower the Pentagon to withhold a wealth of information from the American public. For example, the Pentagon could withhold the legal justifications for drone strikes against U.S. citizens, preventing the American people from knowing the legal basis upon which their government can employ lethal force against them. It could withhold from disclosure documents memorializing civilian killings by U.S. forces, depriving the American people of knowledge about the human cost of wars fought in their name. And if enacted, the Pentagon could withhold information about sexual assaults in the military, masking the true extent of sexual violence against servicemembers who risk their lives defending our country.

In short, this bill could effectively drape a shroud of secrecy over all five corners of the Pentagon. It would unravel decades of work we have done to make our government more transparent to the American people and threaten the progress we have just made with the FOIA Improvement Act. This unprecedented disappearing act from our Nation’s premier transparency law should have never been considered without a full consultation of the Senate Judiciary Committee. On the eve of FOIA’s 50th anniversary, I urge all Senators to stand on the side of sunshine, not shadows, and oppose these provisions within the Defense authorization.

My concerns are not limited to Guantanamo Bay and FOIA. The bill also includes massive changes to our military’s procurement and management systems, rolling back reforms that have been in place since Goldwater-Nichols and putting at risk Federal employees and businesses that sell to the Department. These specific sections include the elimination of the office that coordinates major acquisi-

tions, separating development of new technology and plans for its long-term sustainment. The changes have been promoted under the guise of saving money and reducing bloated command structures, when they in fact only confuse an already complex process and will likely result in needless future waste.

I also remain deeply concerned about the impact of the caps on general officers to the National Guard. While I was grateful to see that adjutants general and assistant adjutants were exempted, there are other joint general officers within the Guard, and I am worried hard caps on the number of general officers will mean that the best man or woman for the job becomes less important than whether the Army or the Air Force has space under its respective cap. I am likewise concerned that decoupling the statutory requirement that the Vice Chief of the National Guard Bureau be a lieutenant general—a decoupling that did not occur for the vice of any other member of the Joint Chiefs of Staff—will force the Army or Air Force to give up a three-star position to someone who statutorily does not report to their service secretary. I am also concerned that by removing the statutory requirement that the commander or deputy commander of U.S. Northern Command be a member of the National Guard, we run the risk of entering a major national disaster without a leader of the principal Federal response force having any experience with how the States deal with disasters individually and together.

The bill includes a provision, section 1204, which would prohibit joint or multilateral exercises and conferences between the Department of Defense and the Government of Cuba, even though the Department and the Cubans have worked together on issues related to the security of Guantanamo for many years. Senator FLAKE and I, along with Senators CARDIN and DURBIN, proposed some exceptions to this provision in order to permit the Department to continue to engage with the Cubans on Guantanamo and to cooperate on other security matters, including search and rescue and counter-narcotics. Unfortunately, Senator CRUZ, the author of section 1204, was unwilling to compromise, and we were not able to obtain a vote on our amendment.

Perhaps the most predictable flaw of this bill is that it continues the reliance on overseas contingency operations funds to operate the Department. The original intention of this fund has been routinely ignored, and it continues to be used as a free-for-all spending pool. Borrowing to sustain our national defense objectives only increases the already significant burden placed on the working families who are most impacted by this irresponsible practice. We must put in place mecha-

nisms to begin responsibly ridding ourselves of the growing debt, rather than continuing to employ irresponsible practices that only take us farther away from anything resembling a solution.

The National Defense Authorization Act provides the Senate with a yearly opportunity to responsibly address our security priorities and to take care of our men and women in uniform, while bolstering our overall military capabilities. However, this year’s bill proposes too many damaging provisions far beyond the scope of the Department of Defense. Despite the agreeable content found within the bill, the damage that will be caused by many of these measures far outweighs the benefits of approving this authorization. For that reason, I cannot give it my support.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee’s intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-25, concerning the Department of the Air Force’s proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost \$181 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-25

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Government of Iraq.
- (ii) Total Estimated Value:

Major Defense Equipment* \$0 million.

Other \$181 million.

Total \$181 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Non-Major Defense Equipment (MDE): The Iraqi Air Force requests a five-year sustainment package for its AC-208 fleet that includes: operational, intermediate, and depot-level maintenance; spare parts; component repair; publication updates; maintenance training; and logistics. Also included in this sale are Contract Logistics Services (CLS), training services, and Contract Engineering Services. There is no MDE associated with this possible sale. The total overall estimated cost is \$181 million.

(iv) Military Department: Air Force.

(v) Prior Related Cases, if any: IQ-D-QAH-\$20M-13 FEB 09, IQ-D-QAF-\$5M-26 OCT 08.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: June 14, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Government of Iraq—AC-208

Sustainment, Logistics, and Spares Support

The Government of Iraq has requested a possible sale of a five-year sustainment package for its AC/RC-208 fleet that includes: operational, intermediate, and depot-level maintenance; spare parts; component repair; publication updates; maintenance training; and logistics. Also included in this sale are Contract Logistics Services (CLS), training services, and Contract Engineering Services. There is no MDE associated with this possible sale. The total overall estimated value is \$181 million.

The purchase of this sustainment package will allow the Iraqi Air Force (IqAF) to continue to operate its fleet of eight C-208 light attack and Intelligence, Surveillance, and Reconnaissance (ISR) aircraft beyond the June 2016 end of its existing CLS contract. Limited IqAF maintenance capability necessitates continued CLS. Ultimately, the goal is for the IqAF to become self-sufficient in the areas of aircraft maintenance and logistics training. Iraq will have no difficulty absorbing this support.

The proposed sale will contribute to the foreign policy and national security goals of the United States by helping to improve a critical capability of the Iraq Security Forces in defeating the Islamic State of Iraq and the Levant.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Orbital ATK in Falls Church, Virginia, and Flight Safety International in Flushing, New York. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Iraq.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Iraq.

FLAG DAY

Mr. CARDIN. Mr. President, 100 years ago, President Woodrow Wilson issued

a proclamation which established June 14 as Flag Day, the day during which we commemorate the 1777 adoption of our great Nation's flag. In 1949, an act of Congress established National Flag Day. Today I wish to recognize and celebrate Flag Day and remember all those who have fought in defense of our flag and everything it symbolizes.

The Flag Act of 1777 established that the first flag of the United States would have 13 red and white stripes, as well as 13 white stars in a blue field in order to recognize the Thirteen Original Colonies. Since then, our flag has grown to include 50 stars which represent all 50 States in our Union today. The final star, representing the State of Hawaii, was added in 1960. Since then, our flag has flown proudly throughout the United States and in embassies around the world, celebrating our Nation's history of freedom and liberty. The evolution of our flag is representative of our evolution as a nation and how far we have come over the past 239 years.

In Maryland, Flag Day is also a day to remember the important contributions made by our State to our Nation's development in the early days of the Union.

In the midst of the War of 1812, General Samuel Smith asked Baltimore resident Mary Pickersgill to make a flag "so large that the British will have no difficulty seeing it from a distance." That flag, 30 feet tall and 42 feet wide, was raised and flown over Fort McHenry during the famous Battle of Baltimore in 1814. Mary Pickersgill's flag also became the inspiration for the poem written by Francis Scott Key, which would eventually become our country's national anthem.

That night, our flag stood as a symbol of the strength of our union and the bravery and resilience of those willing to fight for it. Today it continues to serve as a reminder of the courage and commitment of those willing to give all in defense of the freedoms granted to every American. On this day, we remember not only the history and growth of this Nation, but also the men and women who gave that ultimate sacrifice in order to uphold the liberties for which our flag stands.

For over two centuries, our flag has meant hope, freedom, and liberty to all those who enter this country, and it will continue to uphold this meaning for many years to come. Since 1777, the flag has been a reminder to every American of the work and sacrifices made to keep our Nation great. This Flag Day, it is important to remember everything our flag symbolizes. We must reflect on the history of our Nation and the growth of its unity—from our geographic expansion over time to the evolution of our population and the definition of what it means to be an American. We must also commemorate

the lives of those who have served our Nation and its people in pursuit of the values for which the flag—and we—proudly stand.

Our banner waves in the name of the freedom of every American, and we join together on this day in order to commemorate every contribution which has kept that freedom alive.

ADDITIONAL STATEMENTS

TRIBUTE TO LIEUTENANT GENERAL JAMES F. JACKSON

• Mr. ISAKSON. Mr. President, today I recognize Lt. Gen. James F. Jackson upon his retirement from the U.S. Air Force after 38 years of military service to our great nation. General Jackson's distinguished military career culminated as Chief of Air Force Reserve and Commander, Air Force Reserve Command.

General Jackson is a 1978 graduate of the U.S. Air Force Academy. He completed 14 years on Active Duty, including flying tours in Europe and the Pacific before joining the Air Force Reserve in 1992. General Jackson has held numerous wing leadership and command positions, as well as staff assignments at Eighth Air Force and Headquarters U.S. Strategic Command, Headquarters Pacific Air Forces, Headquarters U.S. Pacific Command, and Headquarters U.S. Air Force. A career instructor pilot and evaluator, the general is a command pilot with more than 3,600 hours in the F-4 Phantom II, F-16 Fighting Falcon and KC-135R Stratotanker.

In his role as Chief of Air Force Reserve, Headquarters U.S. Air Force, in Washington, DC, General Jackson served as principal adviser on Reserve matters to the Secretary of the Air Force and Chief of Staff of the Air Force. As Commander of the Air Force Reserve Command at Robins Air Force Base, General Jackson was responsible for approximately 70,000 citizen airmen and all Air Force Reserve units worldwide, including 36 wings, 10 standalone groups, and a myriad of mission support units located at 54 joint and Active component bases and nine Reserve bases and stations.

As the Air Force Reserve's chief advocate within the Pentagon and on Capitol Hill, General Jackson defended an annual President's budget request amount for the Air Force Reserve of more than \$5 billion, which enabled the component to remain ready to support combatant commander taskings as an integral component of the Air Force team. General Jackson's articulate guidance ensured total force solutions were integrated into corporate Air Force deliberations on key issues including Air Force core mission force mixes, readiness requirements, and personnel policies.

General Jackson championed the modernization needs of the component's aging inventory of aircraft and equipment that yielded an additional \$400 million in congressional support for Air Force Reserve modernization requirements via the National Guard and Reserve equipment account. This additional support ensured the mission effectiveness and survivability of citizen airmen and preserved the Air Force Reserve as an interoperable, flexible, and combat-ready force. As a result, Reservists were reliably called upon during his tenure to conduct combat and humanitarian operations abroad, in addition to supporting our homeland with unique capabilities such as aerial spray and hurricane hunting.

During General Jackson's tenure, Air Force Reservists have mobilized in support of 54 named operations and exercises and have conducted total force, joint, and coalition operations at more than 100 locations worldwide. General Jackson's visionary leadership and ceaseless efforts have established the Air Force Reserve as a combat-ready force and an essential provider of operational capability, strategic depth, and surge capacity. Ultimately, General Jackson successfully postured America's citizen airmen to stand as a hedge against risk, while remaining fully ready to support ongoing operations and to respond to emerging threats with agility and innovation.

Congratulations to General Jackson on the notable conclusion of an outstanding military career. On behalf of the people of the great State of Georgia and a grateful Nation, I offer my sincere thanks to General Jackson and his wife, Barbara. I wish them both the very best as they embark on this new chapter.●

TRIBUTE TO COLONEL PAUL W. "PK" KIRBY

● Mr. ISAKSON. Mr. President, on the occasion of his retirement from the U.S. Air Force, I recognize Col. Paul W. "PK" Kirby for his more than 41 years of dedicated service to our country. In his most recent assignment, he serves as the Vice Commander, Air Force Reserve Command Recruiting Service and Deputy Director of Recruiting, Air Force Reserve Command, Robins Air Force Base, GA. In this role, he exercises command and oversight of over 450 military and civilian personnel worldwide at over 45 main operating locations and serves as the principle adviser to the both the commander of recruiting and AFRC commander on all matters relating to recruiting.

Colonel Kirby enlisted in the Air Force in May 1973 and served 13 years prior to receiving his commission through the Deserving Airman Commissioning Program. Prior to entering recruiting services, Colonel Kirby

served as a key member of the personnel community and served as Commander of the 302nd Combat Support Squadron for 36 years on active duty, as a civilian and within the Air Force Reserve Command as a Traditional Reservist and Air Reserve Technician. During this time, he developed and implemented key policies and procedures for Reserve Officer Personnel Management Act, Officer Development, Innovative Readiness Training Program, and Centralized Training, thereby enhancing overall combat readiness for the command.

As Vice Commander of Air Force Reserve Recruiting, Colonel Kirby has developed and executed numerous initiatives resulting in the Air Force Reserve Command, AFRC, exceeding its annual recruiting goal for 8 consecutive years. As the second largest Air Force Major Command, AFRC has been manned at greater than 99 percent for the past 8 consecutive years, reversing a decade-long trend of failing to meet congressionally mandated end-strength levels. He is directly responsible for accessing more than 58,000 airmen helping to transform the Air Force Reserve recruiters into the most productive within the Department of Defense.

Paul could not have been such a tremendous leader without the love and unfailing support of his lovely wife of 39 years, Wanda, and their three children, Jeremy, Rebekah, and Christopher.

I join my colleagues in expressing our sincere appreciation to Col. Paul W. Kirby for his outstanding service to both the U.S. Air Force and our great Nation. We wish him the best as he transitions into retirement. Colonel Kirby is a true professional and a credit to himself and the U.S. Air Force Reserve.●

TRIBUTE TO CARRIE WALIA

● Mr. KING. Mr. President, today I wish to recognize the outstanding devotion of Carrie Walia, who has worked to preserve Maine's rich outdoor heritage throughout her career. Carrie is stepping down from her position as executive director of Loon Echo Land Trust, and we recognize her service and thank her for her contribution to the great State of Maine.

In her role as executive director of Loon Echo Land Trust, LETT, Ms. Walia has invested deeply in the environmental sustainability of Maine's communities, specifically the Sebago Lakes region. That region has long been a renowned outdoor recreation area, attracting outdoor enthusiasts of all kinds. From boating to ice fishing, locals and visitors alike enjoy the natural beauty and tremendous resources it has to offer. Under Ms. Walia's leadership, LETT has been successful in preserving the region's beauty and ensuring its sustainability for years to come.

Ms. Walia joined LETT in 2004, while also working for the USDA-Natural Resources Conservation Service. Since becoming the executive director of LETT in 2008, she has spearheaded many conservation efforts with tremendous success. Her accomplishments include doubling LETT's conservation lands from 3,300 to 6,600 acres and securing over \$5.5 million in grants for high priority land acquisitions. She leaves LETT poised for continued success working on behalf of Maine communities.

I would like to join LETT and the people of Maine in recognizing and thanking Ms. Walia for her work and dedication to our great State. Her groundbreaking work with LETT has helped to preserve Maine's valuable natural resources and contribute to Maine's status as a leader in nature conservation and environmental stewardship. The State of Maine owes Ms. Walia immensely for all her hard work, and I wish her all the best in her retirement.●

2016 MILITARY ACADEMY APPOINTEES FROM UTAH

● Mr. LEE. Mr. President, one of the great privileges of representing my fellow Utahns in the U.S. Senate is the annual opportunity to meet the exceptional young men and women from the great State of Utah who have answered the call of service by applying to the U.S. Air Force Academy, the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Merchant Marine Academy.

Under title 10 of the U.S. Code, each year Members of Congress are authorized to nominate a number of young men and women from their district or State to attend the country's service academies. It is my distinct honor to nominate 14 exemplary Utahns this year.

But receiving a congressional nomination does not guarantee acceptance. To be admitted, each applicant must meet on his or her own merits the academies' rigorous standards.

Well, I have studied the applications of these 14 men and women, and I can say, without hesitation or exaggeration, that you would be hard pressed to find a more accomplished, talented, patriotic group of American citizens anywhere. And so I was not surprised to learn that all 14 applicants have been accepted and will soon be joining the ranks of our Nation's military academies in the summer of 2016.

Each of these 14 students is of sound mind and body. This will serve them well in Colorado Springs, West Point, Annapolis, and Kings Point. But to succeed, they will need more than this.

The journey on which these young men and women will soon embark requires more than mental and physical aptitude. It demands strong moral

character—leadership, courage, honesty, prudence, and self-discipline—and above all, it calls for a steadfast commitment to service and a love of country.

Today I would like to recognize and congratulate each of these impressive students, all of whom embody, in their own unique way, the standards of excellence on which America's service academies are built.

Joseph Stryker Cooke will be attending the U.S. Naval Academy. Joseph attended Highland High School and graduated from Quince Orchard High School in Maryland, where he was captain of the tennis team, earning a bid to the State tournament, and a member of the National Honor Society. In addition to serving as a leader in his church's youth organization and as a tutor at a local elementary school, Joseph worked as a volunteer and prosthetics intern at the Walter Reed National Military Medical Center.

Zachary Kirk Daines will be attending the U.S. Military Academy at West Point. He graduated from Syracuse High School and has been attending the Marion Military Institute to prepare for West Point. Zach is a standout athlete, in football and track and field, as well as an Eagle Scout, a leader in his church's youth organization, secretary of his senior class, and a member of both the Future Business Leaders of America and Health Occupations Students of America.

Wyatt Ethan Espell, a North Summit High School graduate, accepted his appointment to the U.S. Military Academy at West Point. He served as a mayor at Boys State, president of the Future Business Leaders of America, and vice president of Health Occupations Students of America, and he is a member of the National Honor Society. Wyatt played on the football team, wrestled, and ran track and cross country, and he volunteered at the Park City Medical Center. Wyatt spent his summers working with Glaser Land and Livestock.

Ian Alexander Hardy will be attending the U.S. Naval Academy after serving for 2 years in Tokyo, Japan, on a mission for the Church of Jesus Christ of Latter-Day Saints. He graduated from the Northern Utah Academy for Math, Engineering, and Science where he was captain of the CyberPatriot team. While studying at Weber State University, Ian served as the Ozone Telemetry Specialist for the High Altitude Reconnaissance Balloon for Outreach and Research team. Ian is an Eagle Scout, Boys State attendee, and played on the varsity rugby team.

Stephen Hunter Lee, a graduate from the Intermountain Christian School, will be attending the U.S. Military Academy at West Point. An Eagle Scout, with three Eagle Palms, he served as president of his junior class, editor of the yearbook, and captain of

the soccer team. Stephen is a member of the National Honor Society and a scholarship recipient from the Freedoms Foundation at Valley Forge. An avid rock climber, Stephen is active in a local climbing club.

Michelle Chanmi Lee will be joining her brother at the Air Force Academy. She attended Northridge High School where she was vice president of the National Honor Society. Michelle challenged herself academically by graduating from the Medicine, Science, and Health Professions Academy, and she was a member of Health Occupations Students of America. Michelle served others in her role as a group leader in her vacation bible study and as a tutor in the Davis School District. She spent several years with her family on the Yongsan Garrison Army Base in South Korea.

Angela Ayame Marsh will be attending the U.S. Military Academy at West Point after graduating from the American School in Japan, where she served as the student body vice president. She was a member of the varsity debate team and was president of the Shine On Cancer Victims Support Group. A member of the National Honor Society, Angela cofounded and served as president of the Premedical Society and was the grand prizewinner in the poetry slam competition. She participates in CrossFit competitions and runs with the cross-country team.

Izaac Adam Polukoff will be attending the Merchant Marine Academy. He graduated from Park City High School and sharpened his academic and military skills at the Milton Academy. He was an Academic All-Star for the Utah High School Hockey League and was captain of his Ultimate Frisbee team. He found many ways to serve others by organizing the Park City Memorial 5K, volunteering with the Kimball Arts Center and with Boston Area Youth At Risk, and participating in the Environmental Club. Izaac is a member of the National Honor Society.

Xavier Ray Price will be attending the Air Force Academy. He is a graduate of Judge Memorial Catholic High School where he was captain of both the track and field and the football teams. Xavier's outstanding play on the football field helped his team win two State championships and earned him a spot on the First Team All-State selected by the Salt Lake Tribune. An honor roll student, he also volunteered with the Carmelite Monastery of Salt Lake at their annual Carmelite Fair fundraiser and with the Lady of Lourdes School.

Jacob Abraham Rice, from Morgan High School, will be attending the Air Force Academy. An attendee of both Boys State and Boys Nation, he also served as president of the National Honor Society, president of Empowering Youth to Prevent Suicide, and captain of the track and field team.

Jacob was cocaptain of his speech and debate team, and in 2015, he was named the Forensics School Sterling Scholar. He used his music skills to play violin for patients at Primary Children's Hospital and the Pine View Transition Rehab Facility. Jacob serves as a board member of the Young Democrats of Utah.

Mitchell Charles Weller, a graduate of Layton High School, will be attending the Merchant Marine Academy. He was captain of his soccer team, and he served fellow students as a Layton High School student ambassador. A member of the National Honor Society, Mitchell was involved with the Mathematics, Engineering, Science Achievement organization and served as a group leader for the Technology Student Association, where he excelled in engineering contests at the State level. He also worked diligently to obtain his pilot's license.

David Sperry White will be attending the U.S. Military Academy at West Point. A graduate of Uintah High School, where he served as student body president, David also was vice president of the National Honor Society and captain of the basketball and cross-country teams. He earned his Eagle Scout award and received a scholarship from the Freedoms Foundation at Valley Forge. David was honored to attend Boys State and sit on the Vernal Youth City Council, where he served as president of the Vernal Youth in Action and organized the collection and distribution of 500 blankets for the Women's Shelter and Turning Point Shelter.

Autumn Eliza-Anne Wolfgramm, a West High School graduate, accepted an appointment to the Air Force Academy. She served as the student body secretary and captain of the swim team. She was a mentor for the Freshman Mentoring Society and volunteered with the Panther Pals, a service organization working with children with disabilities. She was also a leader in her church's youth program and a member of Health Occupations Students of America. Autumn is fulfilling her grandparents' dream when they emigrated from the Kingdom of Tonga to seek out better educational opportunities for their children.

Tyler James Wright will be attending the Air Force Academy. A graduate of Springville High School, Tyler was president of the debate team and Health Occupations Students of America. He was an active member of the track and field team, Model United Nations, Boy Scouts, and the Springville Youth City Council. An avid outdoorsman and reader, Tyler volunteers with Rocky Mountain Rescue Dogs and the Brookside Elementary reading program, as well as local art and air shows. Tyler serves as a cadet in the Civil Air Patrol.

It has been an honor and an inspiration to meet and to nominate each of

these exemplary young men and women. Doing so has given me an unshakeable confidence in the future of this great Nation and the future of our Armed Services.

But to these 14 students and to all their future classmates from around the country, do not forget: this is but the beginning of your journey.

You would not have arrived at this point were it not for your hard work and sacrifice. But now what matters most is not your accomplishments of the past, but what you have yet to achieve in the future.

Thank you.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

PRESIDENTIAL MESSAGE

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF NORWAY CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—PM 51

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To The Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy (the "Agreement"). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the proposed Agreement. (In accordance with section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the

Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of Norway's export control system with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement contains all the provisions required by section 123 a. of the Act, and provides a comprehensive framework for peaceful nuclear cooperation with Norway based on a mutual commitment to nuclear nonproliferation. It would permit the transfer of unclassified information, material, equipment (including reactors), and components for nuclear research and nuclear power production. Norway has no nuclear power program, and no current plans for establishing one, but the proposed Agreement would facilitate cooperation on such a program if Norway's plans change in the future. Norway does have an active nuclear research program and the focus of cooperation under the proposed Agreement, as under the previous agreement, is expected to be in the area of nuclear research. The proposed Agreement would not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities or major critical components of such facilities.

The proposed Agreement would provide advance, long-term (programmatic) consent to Norway for the retransfer for storage or reprocessing of irradiated nuclear material (spent fuel) subject to the Agreement to France, the United Kingdom, or other countries or destinations as may be agreed upon in writing. The United States has given similar advance consent to various other partners, including to Norway under the previous U.S.-Norway Peaceful Nuclear Cooperation Agreement that was in force from 1984 to 2014. The proposed Agreement would give the United States the option to revoke the advance consent if it considers that it cannot be continued without a significant increase of the risk of proliferation or without jeopardizing national security.

The proposed Agreement will have a term of 30 years from the date of its entry into force, unless terminated by either party on 1 year's advance written notice. In the event of termination or expiration of the proposed Agree-

ment, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, or component subject to the proposed Agreement remains in the territory of the party concerned or under its jurisdiction or control anywhere, or until such time as the parties agree that such items are no longer usable for any nuclear activity relevant from the point of view of safeguards.

Norway is a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Norway has concluded a safeguards agreement and additional protocol with the International Atomic Energy Agency. Norway is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material. It is also a member of the Nuclear Suppliers Group, whose non-legally binding guidelines set forth standards for the responsible export of nuclear commodities for peaceful use. A more detailed discussion of Norway's domestic civil nuclear activities and its nuclear nonproliferation policies and practices is provided in the NPAS and the NPAS classified annex submitted to the Congress separately.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the proposed Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee as provided in section 123 b. Upon completion of the 30 days of continuous session review provided for in section 123 b., the 60 days of continuous session review provided for in section 123 d. shall commence.

BARACK OBAMA.
THE WHITE HOUSE, June 14, 2016.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 10:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1762. An act to name the Department of Veterans Affairs community-based outpatient clinic in The Dalles, Oregon, as the "Loren R. Kaufman VA Clinic".

H.R. 2212. An act to take certain Federal lands located in Lassen County, California,

into trust for the benefit of the Susanville Indian Rancheria, and for other purposes.

H.R. 2576. An act to modernize the Toxic Substances Control Act, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 11:30 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 337. An act to improve the Freedom of Information Act.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3636. An act to amend the Immigration and Nationality Act to allow labor organizations and management organizations to receive the results of visa petitions about which such organizations have submitted advisory opinions.

H.R. 3694. An act to combat trafficking in human organs, and for other purposes.

H.R. 4939. An act to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes.

H.R. 5312. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3636. An act to amend the Immigration and Nationality Act to allow labor organizations and management organizations to receive the results of visa petitions about which such organizations have submitted advisory opinions; to the Committee on the Judiciary.

H.R. 3694. An act to combat trafficking in human organs, and for other purposes; to the Committee on Foreign Relations.

H.R. 4939. An act to increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes; to the Committee on Foreign Relations.

H.R. 5312. An act to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-174. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact the resilient Federal Forests Act; to the

Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT MEMORIAL 1011

Whereas, national forest lands are the largest single source of water in the United States and, in some regions of the west, contribute nearly 50% of the overall water supply; and

Whereas, the unhealthy state of these forests has resulted in catastrophic wildfires that are threatening the reliability, volume and quality of water for tens of millions of Americans; and

Whereas, severe drought and record-breaking wildfire seasons have highlighted the need for the implementation of a process that would require and provide for the United States Forest Service to accelerate restoration work in our national forests, which would protect critical headwaters and make forest lands more resilient against prolonged dry conditions, insect infestation and fire; and

Whereas, failure to take quick action will result in a continued increase in the frequency and intensity of destructive wildfires, impacting the nation's water resources for decades at considerable cost to stakeholders and United States taxpayers; and

Whereas, the customs, cultures and economic well-being of our local communities, as well as important historic and cultural aspects of our local heritage, are being ignored, which adversely affects the lives and jobs of the people of the United States and devastates local and state economies; and

Whereas, on June 4, 2015, Representative Bruce Westerman introduced H.R. 2647, the Resilient Federal Forests Act. The bill passed in the House on July 9, 2015 and was transmitted to the Senate, where it died in committee; and

Whereas, the Resilient Federal Forests Act expedites and improves forest management activities through a collaborative process, resulting in the protection of water resources.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress enact the Resilient Federal Forests Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-175. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to act to prohibit Federal agencies from recommending and identifying Arizona's public lands as wilderness areas without express congressional consent; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1014

Whereas, through federal land management planning and associated guidelines, federal agencies are recommending and identifying Arizona's public lands as wilderness areas; and

Whereas, these administratively recommended wilderness areas circumvent congressional intent and lack full and appropriate National Environmental Policy Act (NEPA) analyses; and

Whereas, the identification of these de facto wilderness areas has resulted in significant restrictions on public access and recreation, paralyzing restrictions on the Arizona Game and Fish Department's ability to man-

age wildlife and potentially catastrophic restrictions on vegetation and habitat improvement projects, including fire management activities; and

Whereas, the conservation of wildlife resources is the trust responsibility of the Arizona Game and Fish Commission, and this responsibility extends to all lands within Arizona to ensure abundant wildlife resources for current and future generations; and

Whereas, the designation of Arizona's public lands as wilderness areas has resulted in the erosion of the Arizona Game and Fish Department's ability to comply with its federal mandate to proactively recover threatened and endangered species; and

Whereas, according to federal land management agency guidelines, an administratively recommended wilderness area must be managed to "protect and maintain the social and ecological characteristics that provide the basis for wilderness recommendation" in perpetuity or until Congress takes action to formally designate the area as a wilderness area; and

Whereas, allowable activities within administratively recommended wilderness areas will be left to the discretion of federal staff and deciding officers, resulting in even greater restrictions and limitations than those formally vetted and designated by Congress; and

Whereas, congressionally designated wilderness provides clearer guidance for management and coordination with this state, specific processes for wildlife management exemptions and direction for collaboration via existing state agreements and guidelines; and

Whereas, administratively recommended wilderness areas circumvent the spirit of NEPA and congressional intent and lack transparency; and

Whereas, with the implementation of federal land management plans, recommended wilderness areas constitute a significant and immediate change in management without a fully disclosed impact analysis required by NEPA; and

Whereas, the federal land management plans lack full NEPA disclosure of potential impacts to this state and the public, assurances protecting this state's ability to proactively manage wildlife and fulfill its public trust responsibility, including specific management activities, and analyses of the cumulative impacts of further loss of public lands that provide for S.C.M. 1014 multiple-use and wildlife-related recreational and economic opportunities; and

Whereas, the areas being recommended as wilderness were not included within the original wilderness designations with purposeful intent by Congress; and

Whereas, the subsequent expansion of previously designated wilderness is an overreach of the federal agencies and disingenuous to the public, subverting original collaboration, coordination, negotiation and agreements; and

Whereas, the federal agency planning documents suggest that no significant management action or recommendation to Congress will take place before further NEPA analyses are completed. Within the recently released Prescott and Apache-Sitgreaves National Forest recommended wildernesses, the United States Forest Service indicates that these areas are simply preliminary administrative recommendations and that further NEPA analyses are necessary. However, in transmittal letters, the United States Forest Service states that "the Final Environmental Impact Statement for the . . . Forest's Revised Resource Management Plan

contains the NEPA analysis necessary to support a legislative proposal.” This is an egregious lack of transparency.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Congress of the United States act to prohibit federal agencies from recommending and identifying Arizona’s public lands as wilderness areas without express congressional consent.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-176. A resolution adopted by the Senate of the State of Iowa calling upon the United States Congress, the United States Environmental Protection Agency, the President of the United States, and this country’s future President of the United States and administration, to continue to support the renewable fuel standard in order to encourage American energy production and to strengthen rural communities; to the Committee on Environment and Public Works.

SENATE RESOLUTION 118

Whereas, in accordance with the federal Energy Policy Act of 2005, Pub. L. No. 109-58, as amended by the federal Energy Independence and Security Act of 2007, Pub. L. No. 110-140, the United States has demonstrated its commitment to the long-term policy of increasing the domestic production of clean renewable fuels according to a renewable fuel standard, referred to as the “RFS”; and

Whereas, the RFS is one of the single most successful energy policies in our nation’s history; and

Whereas, the RFS is a federal policy that requires a minimum percentage of motor fuel sold in our nation to contain renewable fuels; and

Whereas, under the RFS, renewable fuels have access to a retail market in the face of a vertically integrated petroleum market; and

Whereas, the RFS represents a congressional promise to American biofuels producers, farmers, communities, and investors that the blend levels of the RFS will increase each year; and

Whereas, this congressional policy supporting the RFS will continue to build the long-term capacity of the renewable fuels industry and will encourage the development of new types of clean fuels; and

Whereas, the RFS helps support over 73,000 jobs in agriculture, biofuels production, and associated businesses in Iowa; and

Whereas, the renewable fuels industry in Iowa helps pay \$5 billion in wages annually to this state’s employment force; and

Whereas, renewable fuels create additional markets for Iowa farmers with more than 47 percent of Iowa’s corn supply supporting ethanol production: Now, therefore, be it

Resolved by the Senate, That the Iowa Senate calls upon the Congress of the United States, the United States Environmental Protection Agency, the President of the United States, and this country’s future President of the United States and administration, to continue to support the RFS in order to encourage American energy production and to strengthen rural communities; and be it further

Resolved, That copies of this Resolution be sent to the President of the United States, the Administrator of the United States Envi-

ronmental Protection Agency, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and to the members of Iowa’s congressional delegation.

POM-177. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to designate the Louisiana Highway 8/Louisiana Highway 28 corridor in Louisiana as Future Interstate 14; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION No. 90

Whereas, Interstate 14 (I-14), also known as the “14th Amendment Highway”, the Gulf-Coast Strategic Highway, and the Central Texas Corridor is a proposed interstate highway from Texas to Georgia; the original conceptual western terminus of the highway was from Natchez, Mississippi, and later from I-49 near Alexandria, Louisiana, extending east through the states of Louisiana, Mississippi, and Alabama, ending at Augusta, Georgia or North Augusta, South Carolina; and

Whereas, advocates of the Gulf-Coast Strategic Highway proposed extending I-14 to the I-10 near Fort Stockton and the junction of US 277 and I-10 near Sonora, Texas; and

Whereas, the proposal for the 14th Amendment Highway has its origins in the Safe, Accountable, Flexible Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and

Whereas, the study and planning of I-14 has continued because of support and interest from both the Congress and the associated state highway departments; and,

Whereas, the I-14 corridor provides a national strategic link to numerous major military bases and major Gulf Coast and Atlantic ports used for overseas deployments in six states from Texas to South Carolina; and

Whereas, the Fixing America’s Surface Transportation (FAST) Act, signed by President Obama on December 14, 2015, officially assigned the Future I-14 designation to the US 190 Central Texas Corridor; and

Whereas, congressional advocacy for the legislation spiked following the post-logistics controversies; the act included the 14th Amendment Highway and the 3rd Infantry Division Highway; the legislation did not provide funding for either highway; and

Whereas, the Federal Highway Administration (FHWA) currently has no funding identified beyond the Phase II studies to support long-range planning, environmental review or construction which must be initiated at the state or regional level with any further direction from the Congress; and

Whereas, the 14th Amendment Highway and the Gulf-Coast Strategic Highway concepts continued through active studies to the present as local and state interest began to surface and support in the Congress, FHWA and, most importantly, in the associated state highway departments, all the key ingredients necessary to successfully justify funding any proposed federal-aid highway project; and

Whereas, the FHWA issued its report on the 14th Amendment Highway to the Congress in 2011 and made recommendation for further environmental and feasibility sub-studies; however, little action to fund these studies advanced in Congress after 2011; and

Whereas, the Texas Department of Transportation (TxDOT) also conducted the US 190/IH-10 Feasibility Study in 2011, which concluded that it was justified to upgrade US 190 to a divided four-lane arterial highway based on current traffic projections to 2040, but that upgrading US 190 to a full freeway

through Texas was only justified if the 14th Amendment Highway is actually constructed from Louisiana to Georgia; and

Whereas, the Louisiana Department of Transportation and Development (DOTD) has not endorsed designation of “Future I-14” in Louisiana as proponents of the Gulf-Coast Strategic Highway presented the LA 8/LA 28 corridor as a conventional four lane highway; and DOTD is pursuing its development of the LA 8/LA 28 corridor, having completed LA 28 between Alexandria and Fort Polk, and having included the relocation of LA 28 south of Alexandria in Priority A of the Statewide Transportation Plan and the section from Archie to Vidalia in Priority B of the Statewide Transportation Plan; and

Whereas, the Legislature of the State of Louisiana recognizes that the designation of the LA 8/LA 28 corridor in Louisiana as Future I-14 is vital as a national strategic link to numerous major military bases and major Gulf Coast and Atlantic ports used for overseas deployments in six states from Texas to South Carolina: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to designate the Louisiana Highway 8/Louisiana Highway 28 corridor in Louisiana as Future Interstate 14; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-178. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact the Regulatory Integrity Protection Act; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1008

Whereas, on April 13, 2015, Representative Bill Shuster introduced H.R. 1732, the Regulatory Integrity Protection Act; and

Whereas, the Regulatory Integrity Protection Act protects landowners from intrusive government regulation and ensures the protection of personal property; and

Whereas, the Regulatory Integrity Protection Act came in response to efforts by the Obama Administration, the United States Environmental Protection Agency (EPA) and the United States Army Corps of Engineers to implement the Clean Water Rule, which vastly expands the federal government’s ability to regulate waterways; and

Whereas, the final rule became effective on August 28, 2015; and

Whereas, the final rule is far too broad, allowing the federal government to regulate everything from puddles of rainwater to agricultural irrigation systems; and

Whereas, the final rule allows waters that have traditionally been off limits to federal regulation to be subject to the rulemaking process of the EPA and the Clean Water Act; and

Whereas, the customs, cultures and economic well-being of our local communities, as well as important historic and cultural aspects of our local heritage, are being ignored, which adversely affects the lives and jobs of the people of the United States and devastates local and state economies; and

Whereas, the State of Arizona is one of 27 states that have brought legal challenges against the Clean Water Rule and successfully obtained a nationwide stay barring the rule’s enforcement; and

Whereas, if passed by Congress, the Regulatory Integrity Protection Act would require the EPA and the United States Army

Corps of Engineers to develop a new rule that takes into consideration all public comments received on the matter as well as input received from state and local governments.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Congress of the United States enact the Regulatory Integrity Protection Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-179. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Environmental Protection Agency to reinstate the previous ozone concentration standard of 75 parts per billion; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1007

Whereas, on October 1, 2015, the United States Environmental Protection Agency (EPA) reduced the national ambient air quality standards for ground-level ozone from 75 parts per billion (ppb) to 70 ppb; and

Whereas, the State of Arizona will have great difficulty in implementing this new ozone concentration standard due to factors that are outside of this state's control, including its proximity to California, extreme heat and intense summer sunshine; and

Whereas, before the implementation of the new ozone concentration standard, the EPA reported that 358 counties in the nation would violate a standard of 70 ppb based on monitoring data from 2011 through 2013; and

Whereas, nonattainment area designations will limit economic and job growth by restricting new and expanded industrial and manufacturing facilities, imposing emission "offset" requirements on new and modified major sources of nitrogen oxides and volatile organic compounds emissions, constraining oil and gas extraction and raising electricity prices for industries and consumers; and

Whereas, low-income and fixed-income citizens will bear the brunt of higher energy costs and utility bills; and

Whereas, air quality continues to improve, and nitrogen oxide emissions are already down to 60% nationwide since 1980, which, after adjusting for economic growth, implies a 90% reduction in emission rates from the relatively uncontrolled 1990 rates for nitrogen oxide-emitting sources; and

Whereas, average ozone concentrations have decreased significantly in both urban and rural areas over the past two decades in response to state and federal emission control programs; and

Whereas, instead of giving states enough time to meet the previous ozone concentration standard of 75 ppb through ongoing emission reduction programs, the EPA moved the goalpost by imposing a lower standard; and

Whereas, reinstating the previous ozone concentration standard of 75 ppb would provide for continued air quality improvement throughout the nation as emission reduction programs under EPA regulations are implemented.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Environmental Protection Agency reinstate the previous ozone concentration standard of 75 ppb.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Administrator of the United States Environmental Protection Agency, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-180. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to oppose the implementation of certain rules for existing electric utility generating units; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1016

Whereas, the Clean Air Act (CAA) is a federal law designed to protect air quality nationwide; and

Whereas, jurisdiction to implement the CAA lies primarily with the states; and

Whereas, in 1970, Congress enacted the CAA, mandating comprehensive state and federal regulations for both stationary and nonstationary sources of pollution; and

Whereas, while Americans support efforts to improve air quality, such efforts should be carefully balanced to ensure that the cost of new regulations on the economy do not exceed potential benefits; and

Whereas, on October 23, 2015, the United States Environmental Protection Agency (EPA) published final rules in the Federal Register regulating greenhouse gas emissions from existing electric utility generating units, also known as the Clean Power Plan; and

Whereas, the EPA has issued a proposed federal plan that will be imposed on existing electric utility generating units in the State of Arizona if the State of Arizona does not adopt its own plan implementing the Clean Power Plan regulating greenhouse gas emissions; and

Whereas, the EPA's Clean Power Plan exceeds the agency's legal authority to require reductions in carbon dioxide emissions from existing fossil fuel-fired electric generating units under Section 111(d) of the CAA and interferes with the electric system of Arizona; and

Whereas, addressing greenhouse gas emissions under Section 111(d) is a discretionary duty of the EPA as outlined in the CAA; and

Whereas, devoting resources to discretionary duties like regulating greenhouse gas emissions takes resources away from nondiscretionary duties that are better suited to protect the public health and safety in the near term; and

Whereas, it is important to Arizona's economy to have a diverse energy portfolio that provides reliable and affordable electric service to Arizona residents and businesses while also protecting the public health and safety; and

Whereas, fossil fuels, including coal and natural gas, provide an abundant and affordable domestic energy source that is important to Arizona's economy and enhance the availability and reliability of electric service; and

Whereas, the EPA's final Clean Power Plan impedes the ability of this state to oversee its own electricity supply and transmission system; and

Whereas, the EPA's Clean Power Plan will have adverse impacts on the customs, culture, history, heritage and economies of this state and local communities.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress oppose the implementation of rules for existing electric utility generating units that exceed the EPA's legal authority under Section 111(d) of the CAA and interfere with the prerogative of Arizona to regulate electricity and ensure an affordable and reliable supply of electricity for its citizens.

2. That the United States Congress oppose the implementation of rules for existing electric utility generating units that do not recognize the primary role of states in establishing and implementing plans to achieve emissions reductions for existing units under Section 111(d) of the CAA.

3. That the United States Congress exercise oversight over the EPA to ensure that the primary role of states in establishing and implementing plans to achieve emissions reductions from existing electric utility generating units under Section 111(d) of the CAA is respected.

4. That the Governor and the Attorney General of the State of Arizona take appropriate actions to uphold this state's responsibilities with respect to the CAA and defend this state against overreaching regulations.

5. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Administrator of the United States Environmental Protection Agency, the Governor of the State of Arizona and the Attorney General of the State of Arizona.

POM-181. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact the Stopping EPA Overreach Act; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1015

Whereas, the Stopping EPA Overreach Act seeks to prevent the United States Environmental Protection Agency (EPA) from exceeding its statutory authority in ways that were not contemplated by the United States Congress; and

Whereas, in the Stopping EPA Overreach Act, the State of Arizona urges Congress to find that:

(1) The EPA has exceeded its statutory authority by promulgating regulations that were not contemplated by Congress in the authorizing language of the statutes enacted by Congress;

(2) The EPA was correct not to classify greenhouse gases as pollutants prior to 2009;

(3) No federal agency has the authority to regulate greenhouse gases under current law; and

(4) No attempt to regulate greenhouse gases should be undertaken without further congressional action; and

Whereas, the Stopping EPA Overreach Act should clarify that federal agencies do not have the authority to regulate climate change or global warming, thereby voiding certain EPA rules, and requires the Administrator of the EPA to provide an analysis of any regulation, rule or policy that describes its impacts on employment and jobs in the United States before proposing or finalizing that regulation, rule or policy; and

Whereas, any federal agency seeking to promulgate a regulation, rule or policy should be required to provide the cost-benefit analysis and peer-reviewed science that were used in proposing the regulation, rule or policy; and

Whereas, penalties should be imposed for knowingly providing false information as support for a proposed regulation, rule or policy; and

Whereas, the people of Arizona fully support the Stopping EPA Overreach Act.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress enact the Stopping EPA Overreach Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

POM-182. A concurrent memorial adopted by the Legislature of the State of Arizona urging the President of the United States, United States Congress, and the United States Secretary of State to secure the safe release of Robert Levinson from Iran; to the Committee on Foreign Relations.

HOUSE CONCURRENT MEMORIAL 2010

Whereas, it is a time-honored tradition that the United States of America strives to ensure that all United States citizens held captive overseas are returned safely to their families and loved ones; and

Whereas, Robert Levinson honorably served the United States as a law enforcement officer in both the United States Drug Enforcement Agency and the Federal Bureau of Investigation; and

Whereas, Robert Levinson was taken captive on the Kish Island in Iran on March 9, 2007; and

Whereas, several Americans who have been held captive in Iran were recently released, but Robert Levinson was not among them; and

Whereas, it is a duty and obligation of the United States to Robert Levinson and his family to ascertain his whereabouts and secure his safe release.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the President of the United States the United States Congress, the United States Secretary of State and all public officials under their charge follow the policy of the United States as stated in United States Senate Concurrent Resolution 16:

It is the policy of the United States that—

(1) [T]he Government of the Islamic Republic of Iran should immediately . . . cooperate with the United States Government to locate and return Robert Levinson; and

(2) [T]he United States Government should undertake every effort using every diplomatic tool at its disposal to secure [his] immediate release.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Secretary of State of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

POM-183. A memorial adopted by the Senate of the State of Arizona urging that each member of Congress from the State of Arizona cosponsor legislation similar to House Concurrent Resolution 75, support other congressional efforts to aid victims of the persecution of Christians and other religious minorities in the Middle East and encourage the United States government to take great-

er concrete action to end the genocide; to the Committee on Foreign Relations.

SENATE MEMORIAL 1001

Whereas, Christians, Yazidis and other religious minorities in the Middle East are being subjected to systematic and violent persecution at the hands of the Islamic State of Iraq and Syria (ISIS) and other terrorist groups; and

Whereas, these people are being murdered, kidnapped, sexually abused, tortured and victimized in other ways that violate the laws of their own nations, the international community and the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (Convention); and

Whereas, the victims of this brutal persecution are being specifically targeted based on their religious or ethnic affiliation with the intent to facilitate the annihilation or forced migration of communities with longstanding ties to their region; and

Whereas, the Convention defines "genocide" as killing members of a national, ethnic, racial or religious group, causing them serious bodily or mental harm, intentionally enforcing living conditions designed to cause the partial or total physical destruction of the group, preventing births within the group or transferring the children of the group to another group with the intent to destroy the group in total or in part; and

Whereas, the Convention holds that genocide is a crime that governments are obligated to prevent and for which perpetrators are to be held responsible; and

Whereas, the United States Commission on Religious Freedom, the Hudson Institute for Religious Freedom, the International Association of Genocide Scholars, Pope Francis, Hillary Clinton and many other organizations and religious and political leaders have called on the United States to recognize the persecution of Christians and other religious minorities in the Middle East as genocide; and

Whereas, the United States Congress has introduced House Concurrent Resolution 75, Senate Resolution 340 and at least five other bills designed to recognize the genocide and facilitate expedited support and aid for Christians and other religious minorities in the Middle East; and

Whereas, the designation of the persecution of Christians and other religious minorities in the Middle East as genocide has real, practical policy implications and can help expedite various solutions to the crisis; and

Whereas, the Members of the Senate of the State of Arizona officially recognize the persecution of Christians and other religious minorities in the Middle East as genocide.

Wherefore your memorialist, the Senate of the State of Arizona, prays:

1. That each Member of Congress from the State of Arizona cosponsor legislation similar to House Concurrent Resolution 75, support other congressional efforts to aid victims of the persecution of Christians and other religious minorities in the Middle East and encourage the United States government to take greater concrete action to end the genocide.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate and each Member of Congress from the State of Arizona.

POM-184. A concurrent memorial adopted by the Legislature of the State of Arizona urging that the United States Congress con-

tinue to take action to prevent the United States from entering into the United Nations Arms Trade Treaty or other similar treaties that would interfere with the Second Amendment rights of United States citizens; to the Committee on Foreign Relations.

SENATE CONCURRENT MEMORIAL 1013

Whereas, United Nations (UN) Security Council Resolution 2117, which was adopted on September 26, 2013, "[c]alls for Member States to support weapons collection, disarmament, demobilization and reintegration of ex-combatants, as well as physical security and stockpile management programmes by United Nations peacekeeping operations where so mandated"; and

Whereas, the UN Arms Trade Treaty strives to place a global ban on the import and export of small firearms, affecting all private gun owners in the United States, and to implement an international gun registry on all private guns and ammunition; and

Whereas, Senator James Inhofe introduced an amendment to the budget in 2013 that would prevent the United States from entering into the United Nations Arms Trade Treaty "[t]o uphold Second Amendment rights and prevent the United States from entering into the United Nations Arms Trade Treaty," which passed on a 53-46 vote.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress continue to take action to prevent the United States from entering into the UN Arms Trade Treaty or other similar treaties that would interfere with the Second Amendment rights of United States citizens.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

POM-185. A concurrent resolution adopted by the Legislature of the State of Louisiana recognizing May 2016 as "Amyotrophic Lateral Sclerosis Awareness Month" and memorializing the United States Congress to enact legislation to provide additional funding for research for the treatment and cure of Amyotrophic Lateral Sclerosis; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION No. 119

Whereas, Amyotrophic Lateral Sclerosis, or ALS, is more commonly known as Lou Gehrig's disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, the initial symptom of ALS is usually weakness of the skeletal muscles, especially those of the extremities; and

Whereas, as ALS progresses, the patient typically experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, ALS does not affect the mental capacity of the patient, such that the patient remains alert and aware of surroundings and aware of the loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, on average, patients diagnosed with ALS survive only two to five years from the time of diagnosis; and

Whereas, despite the catastrophic consequences of a diagnosis of ALS, the disease currently has no known cause, means of protection, or cure; and

Whereas, research indicates that military veterans are at a sixty percent greater risk of developing ALS than those who have not served in the military; and

Whereas, the United States Department of Veterans Affairs has promulgated regulations to establish a presumption of service connection for ALS thereby presuming that the development of ALS was incurred or aggravated by a veteran's service in the military; and

Whereas, a national ALS registry, administered by the Centers for Disease Control and Prevention, is currently identifying cases of ALS in the United States and may become the largest ALS research project ever undertaken; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month increases the awareness of the circumstances of living with ALS and acknowledges the terrible impact this disease has, not only on the patient receiving such a diagnosis, but also on his family and community; and

Whereas, Amyotrophic Lateral Sclerosis Awareness Month also increases awareness of research being done to eradicate this dire disease; Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby recognize May 2016 as "Amyotrophic Lateral Sclerosis Awareness Month"; and be it further

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to enact legislation to provide additional funding for research for the treatment and cure of Amyotrophic Lateral Sclerosis; and be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-186. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to protest the proposed closing of the Tucson Postal Processing and Distribution Center and take any action necessary to fully restore operations of this vital postal facility; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT MEMORIAL 1009

Whereas, the Tucson Postal Processing and Distribution Center (Cherrybell) serves the entire southern portion of Arizona covering the counties of Pima, Santa Cruz and Cochise. Currently, Southern Arizona is facing a potential economic downfall due to the initial decision made by the United States Postal Service (USPS) Board of Governors to close Cherrybell; and

Whereas, more than 1.8 million people and 23,197 businesses use the Cherrybell postal services. According to USPS officials, over 3 million pieces of mail go through Cherrybell each day as it is the 15th largest facility serving the 33rd largest population area in our nation. The processing and sorting operations at Cherrybell that are proposed to be moved to Phoenix affect approximately 280 jobs in Southern Arizona; and

Whereas, Southern Arizona, which includes both the Tohono O'odham nation and Pasqua Yaqui tribal lands, encompasses the California and Arizona border at Yuma south to Nogales, across to Douglas and Bisbee in Cochise County and the military installa-

tions located at Fort Huachuca and Davis Monthan, depends on the Cherrybell Post office; and

Whereas, Southern Arizona is home to many military veterans who depend on the USPS both for timely delivery of medical prescriptions and for employment, as the USPS employs more veterans than any entity other than the United States Department of Defense; and

Whereas, in an extensive community survey conducted in 2015, 84% of individuals and 86% of businesses reported a noticeable delay in mail delivery due to the partial closure of Cherrybell; and

Whereas, Tucson City Council Member Richard Fimbres went on record opposing the closure of Cherrybell and requested that the Council work directly with Tucson's congressional delegation and community members to frame a campaign to protect the vital jobs at Cherrybell; and

Whereas, Pima County Recorder F. Ann Rodriguez objects to the closure of Cherrybell and firmly believes that, due to the higher number of voters each year on the permanent early voting list, this change will clearly impact the activities of the state and county elections officials in Arizona and will cause a detrimental impact to voters. The information provided to the public by the USPS is based entirely on economic considerations with no apparent regard for the impact of the change on the fundamental right of all citizens to vote and, in particular, the significant additional detrimental impact to Native American voters in the region; and

Whereas, the people of Arizona applaud the efforts of United States Representative Martha McSally and the other members of the Arizona Congressional Delegation, including Representatives Trent Franks, Ann Kirkpatrick, Matt Salmon, Paul Gosar, Ruben Gallego, Kyrsten Sinema and Raul Grijalva, who have asked for more detailed and complete information regarding the proposal Cherrybell closure; and

Whereas, thousands of people have written letters and signed online petitions urging the USPS Board of Governors not to close Cherrybell.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Congress of the United States protest the proposed closing of the Tucson Postal Processing and Distribution Center and take any action necessary to fully restore operations of this vital postal facility.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-187. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to act to increase the number of United States Customs and Border Protection personnel at the ports of entry in Arizona; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT MEMORIAL 1006

Whereas, the United States Customs and Border Protection (CBP) is one of the world's largest law enforcement organizations and is charged with keeping terrorists and their weapons out of the United States while facilitating lawful international travel and trade; and

Whereas, as the world's first full-service border entity, CBP takes a comprehensive

approach to border management and control, combining customs, immigration, border security and agricultural protection into one coordinated and supportive activity; and

Whereas, the need to increase the number of CBP personnel in the Tucson sector along the border between the United States and Mexico is critical to increasing border safety and security as well as to ensuring economic stability in our border communities; and

Whereas, increasing the number of CBP personnel who work at the ports of entry in Arizona will enhance the economic stability in our border communities and will increase border security between the United States and Mexico; and

Whereas, an integrated approach to securing the border and increasing economic stability along the border and in our border communities is important to residents living along the border and in our border communities; and

Whereas, increasing the number of CBP personnel at the ports of entry in Arizona will allow increased commercial traffic and will result in increased economic growth and stability for Arizona; and

Whereas, all of the benefits of increased economic stability in Arizona can be realized if the workload capacity at each port of entry is increased, which would result in less congestion and delay; and

Whereas, increasing the number of CBP personnel at the ports of entry in Arizona should be part of the infrastructure improvements that are occurring at the ports of entry; and

Whereas, the establishment of a safe and secure border is a crucial component of national security.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That, in order to secure the border between the United States and Mexico, to enhance the safety and security of people and their property in the currently unsecure regions of the border and to increase economic growth and stability for the residents of Arizona, the United States Congress act to increase the number of CBP personnel at the ports of entry in Arizona.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-188. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact the Diné College Act of 2015; to the Committee on Indian Affairs.

SENATE CONCURRENT MEMORIAL 1017

Whereas, this state and the Navajo Nation maintain a government-to-government relationship, and the Navajo people residing in this state are citizens of both Arizona and the Navajo Nation; and

Whereas, in 1968, the Navajo Nation established Navajo Community College, which later became Diné College, to provide access to higher education to the Navajo people; and

Whereas, Diné College's flagship campus is located in Tsaile, Arizona, and there are community campuses in Tuba City, Chinle and Window Rock; and

Whereas, Diné College has dual credit agreements with school districts and schools throughout Arizona, including Red Mesa Unified School District #27, Chinle Unified School District #24, Ganado Unified School

District, St. Michaels High School, Window Rock Unified School District #8, Many Farms High School, Kayenta Unified School District, Piñon Unified School District #4, Greyhills Academy High School, Tuba City High School, Leupp Schools, Inc. and Phoenix Union High School District; and

Whereas, this state provides support to Diné College through its Navajo Nation, Diné College-State of Arizona funding compact, the tribal college dual credit funding program and Proposition 301 monies; and

Whereas, the United States Congress passed the Navajo Community College Act, the Navajo Community College Assistance Act of 1978 and the Navajo Nation Higher Education Act of 2008, which collectively provide for maintenance, operation and construction funding for Diné College; and

Whereas, Representative Ann Kirkpatrick introduced the Diné College Act of 2015 "to fulfill the United States Government's trust responsibility to serve the higher education needs of the Navajo people and to clarify, unify, and modernize prior Diné College legislation," and Diné College has requested that Senator Jeff Flake introduce a United States Senate companion bill; and

Whereas, this state stands in support of the passage of the Diné College Act of 2015.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Congress of the United States enact the Diné College Act of 2015.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Governor of the State of Arizona, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-189. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to direct the appropriate federal agencies to secure the borders of the United States; to the Committee on the Judiciary.

SENATE CONCURRENT MEMORIAL 1012

Whereas, the United States is in the midst of a border crisis; and

Whereas, the sheriffs serving along the borders of the United States are in the epicenter of this crisis; and

Whereas, the porous borders of the United States have resulted in the smuggling of contraband and illegal drugs, the exploitation of human beings and the infiltration of subversives bent on doing harm to this country; and

Whereas, federal law mandates border security; and

Whereas, the quality of life normally enjoyed by the citizens of the United States is being jeopardized by an insecure border, which enables transnational criminals and their accomplices to prey on the citizens of the United States; and

Whereas, border security must be a stand-alone priority for the federal government; and

Whereas, violence against public officials, law enforcement and rival drug and human trafficking groups in Mexico continues to escalate and cross international boundaries; and

Whereas, the reduction of the federal government's prosecution of the criminal element places the citizens of the United States in harm's way, leaving the burden on local governments to bear the costs associated with the apprehension, prosecution and incarceration of this criminal element; and

Whereas, elected sheriffs have a statutory duty to protect and secure the freedoms and liberties of United States citizens and must do so with or without the help of their federal law enforcement partners and policy-makers; and

Whereas, working with limited budgets and staffing, sheriffs along the southwestern border of the United States and sheriffs across the nation struggle to find ways to enhance the quality of life and safety of those they serve and to deter those who cross our borders to promote their criminal activities; and

Whereas, local governments are cognizant of the need to bring relief to United States citizens who are impacted by the lack of border security; and

Whereas, without aggressive prosecution of all of those who breach the border and commit criminal acts, the border will continue to serve as an open opportunity for the criminal element to exploit by entering the United States to prey on this country and its citizens.

Wherefore, your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress direct the appropriate federal agencies to do the following:

(a) Fully secure all of the borders of the United States.

(b) Fully reimburse sheriffs for the costs associated with the housing of illegal aliens who are being charged with state crimes.

(c) Return to the original guidelines as set forth in Operation Streamline for the prosecution of persons crossing the United States border illegally.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

POM-190. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to direct the American Legion to expand its membership eligibility to include all honorably discharged military veterans; to the Committee on the Judiciary.

HOUSE CONCURRENT MEMORIAL 2009

Whereas, according to the American Legion, the organization was chartered and incorporated by Congress in 1919 as a patriotic veterans organization devoted to mutual helpfulness. As the nation's largest wartime veterans service organization, the American Legion is committed to mentoring youth and sponsoring wholesome programs in our communities, advocating patriotism and honor, promoting strong national security and providing support to fellow servicemembers and veterans; and

Whereas, the American Legion limits membership eligibility to those who have served federal active duty in the United States Armed Forces during the World War I era, World War II era, Korean War era, Vietnam War era, Lebanon/Grenada era, Panama era or Persian Gulf War era and who have been honorably discharged or are still serving; and

Whereas, all honorably discharged military veterans deserve the opportunity to participate in the American Legion.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress direct the American Legion to expand its member-

ship eligibility to include all honorably discharged military veterans.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate and each Member of Congress from the State of Arizona.

POM-191. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to adopt legislation similar to the Toxic Exposure Research Act of 2015; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT MEMORIAL 2006

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, thousands of veterans have been exposed to Agent Orange and other chemical agents during the course of their service to the United States; and

Whereas, today, many of the children and grandchildren of veterans are suffering serious health issues that are related to the veterans' exposure to chemical agents; and

Whereas, the people of the United States owe it to their veterans to better understand the impacts of these exposures in order to guarantee that the children and grandchildren of veterans receive appropriate treatment; and

Whereas, the full effects of exposure to dangerous chemicals such as Agent Orange is still unknown, and a national research center is needed to further study the impact these exposures have on veterans, their children and their grandchildren; and

Whereas, the Toxic Exposure Research Act of 2015 is a critical step in protecting the veterans of the United States.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress adopt legislation similar to H.R. 1769 and S. 901, the Toxic Exposure Research Act of 2015, that would establish in the United States Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the armed forces of the United States that are related to that exposure.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-192. A petition from a citizen of the State of Texas relative to an amendment to the United States Constitution; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 1479. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes (Rept. No. 114-276).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation,

with an amendment in the nature of a substitute:

S. 2829. A bill to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COCHRAN:

S. 3054. A bill to require the Secretary of the Interior to conduct a special resource study of significant civil rights sites; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself and Mr. TESTER):

S. 3055. A bill to amend title 38, United States Code, to provide a dental insurance plan to veterans and survivors and dependents of veterans; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. LEE):

S. 3056. A bill to provide for certain causes of action relating to delays of generic drugs and biosimilar biological products; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 3057. A bill to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PORTMAN (for himself, Mr. BROWN, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr.

TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 493. A resolution relative to the death of George V. Voinovich, former United States Senator for the State of Ohio; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. LANKFORD):

S. Res. 494. A resolution designating September 2016 as "National Child Awareness Month" to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 683

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 1490

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1490, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 1509

At the request of Mr. CARPER, the names of the Senator from North Carolina (Mr. BURR) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1509, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1561

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1561, a bill to clarify the definition of nonadmitted insurer under the Nonadmitted and Reinsurance Reform Act of 2010, and for other purposes.

S. 1609

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1609, a bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study.

S. 1737

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1737, a bill to provide an incentive for businesses to bring jobs back to America.

S. 1975

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1975, a bill to establish the Sewall-Belmont House National Historic Site as a unit of the National Park System, and for other purposes.

S. 2216

At the request of Mrs. MCCASKILL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2216, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 2219

At the request of Mrs. SHAHEEN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2219, a bill to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes.

S. 2259

At the request of Ms. CANTWELL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2259, a bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by nurse practitioners, physician assistants, and clinical nurse specialists.

S. 2427

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2427, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 2484

At the request of Mr. SCHATZ, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2484, a bill to amend titles XVIII and XI of the Social Security Act to promote cost savings and quality care under the Medicare program through the use of telehealth and remote patient monitoring services, and for other purposes.

S. 2531

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2531, a bill to authorize State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment,

or sanctions activities targeting Israel, and for other purposes.

S. 2569

At the request of Mr. PETERS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2569, a bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2659

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2659, a bill to reaffirm that the Environmental Protection Agency cannot regulate vehicles used solely for competition, and for other purposes.

S. 2707

At the request of Mr. SCOTT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2759

At the request of Mrs. ERNST, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2759, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2765

At the request of Mr. BOOKER, the names of the Senator from Massachu-

setts (Mr. MARKEY) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2765, a bill to provide for the overall health and well-being of young people, including the promotion of comprehensive sexual health and healthy relationships, the reduction of unintended pregnancy and sexually transmitted infections (STIs), including HIV, and the prevention of dating violence and sexual assault, and for other purposes.

S. 2800

At the request of Mr. COONS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2800, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 2856

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2856, a bill to streamline certain feasibility studies and avoid duplication of effort.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2904, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2997

At the request of Ms. CANTWELL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2997, a bill to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes.

S. 3018

At the request of Mr. KING, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3018, a bill to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector.

S. 3053

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3053, a bill to prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a mis-

demeanor because of hate or bias in its commission, from obtaining a firearm.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 349

At the request of Mr. ROBERTS, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. Res. 349, a resolution congratulating the Farm Credit System on the celebration of its 100th anniversary.

S. RES. 482

At the request of Mrs. SHAHEEN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 482, *supra*.

S. RES. 483

At the request of Mr. ALEXANDER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 483, a resolution designating June 20, 2016, as "American Eagle Day" and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

AMENDMENT NO. 4629

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of amendment No. 4629 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4649

At the request of Mr. KIRK, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 4649 intended to be proposed to S. 2943, an original bill to authorize appropriations for fiscal year 2017 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. LEE):

S. 3056. A bill to provide for certain causes of action relating to delays of generic drugs and biosimilar biological products; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, in recent months, the high cost of pharmaceutical products has been front and center in national news, sometimes with astonishing examples like the unconscionable price-hike by Turing Pharmaceuticals of their drug for patients with HIV from \$13.50 to \$750 per pill overnight.

Pharmaceutical companies should be compensated for their important work developing life-saving treatments, but when companies engage in predatory practices at the expense of consumers, we must act. That is why today, I am introducing the Creating and Restoring Equal Access to Equivalent Samples, CREATES, Act, bipartisan legislation to end inappropriate delay tactics that are used by some brand-name drug manufacturers to block competition from more affordable generic drugs.

The first delay tactic addressed by the CREATES Act involves the withholding of drug samples that generic manufacturers need to gain regulatory approval. Federal law requires generic competitors to prove that their low-cost alternative is equally safe and effective as the brand-name drug with which they wish to compete. Unfortunately, some brand-name companies are preventing generic manufacturers from obtaining the samples they need to make the necessary comparison. This simple delay tactic uses regulatory safeguards as a weapon to block competition. The FDA has reported receiving more than 100 inquiries from generic product developers who were unable to access samples of a brand-name drug to compare their generic product.

The second delay tactic addressed by the CREATES Act involves the development of shared safety protocols. For some high-risk drugs, federal law requires a generic drug manufacturer to join the brand-name drug manufacturer in a single, shared safety protocol for distribution of the drug. Despite this requirement, some brand-name companies are refusing to negotiate a shared safety protocol with potential generic competitors, again undermining those competitors' ability to gain FDA approval for their generic version of the drug.

These exclusionary practices thwart competition and deny consumers the benefit of lower drug prices. They also undermine the careful balance created in the Hatch-Waxman Act and the more recent Biologics Price Competition and Innovation Act, which are designed to reward and incentivize innovation while ensuring that consumers ultimately benefit from the entry, after an appropriate time, of generic or biosimilar versions of a drug. Innovative companies can and should gain the benefit of their inventions. But when companies artificially extend the period of those benefits by using dilatory tactics to delay generic entry, the thoughtful balance of the Hatch-Waxman Act and BPCIA are plainly undermined.

I share the concerns of Vermonters and Americans across the country that many pharmaceutical products are simply too expensive for consumers. Nearly $\frac{3}{4}$ of the public view prescription drug costs as unreasonable, and one in four patients say they have not filled a prescription because of cost. Parents should not be forced to choose between putting food on the table and getting their children and themselves the medicine they need. When drug prices are artificially inflated, patients suffer, illnesses become protracted, and families, government programs, and other payers in the healthcare system ultimately bear the cost. That is why this legislation is supported by consumer groups, physicians, insurance companies, pharmacists and hospitals who all see firsthand the impact of unreasonably high costs of some prescription drugs.

Earlier this month, Vermont set an example for the Nation when it passed into law drug transparency legislation that will require pharmaceutical companies to justify large increases in their drug prices. Here in Washington, the Senate Aging Committee and other Committees have been doing important work to analyze the root causes of high drug pricing and find practical solutions. Solving this issue will require nuanced, thoughtful work on all sides to ensure that consumers are protected and that pharmaceutical companies that act in good faith can continue to innovate for patients.

With the CREATES Act, the bipartisan leaders of the Senate Judiciary Committee and its Subcommittee on Antitrust, Competition Policy and Consumer Rights are using our roles to address anticompetitive behavior that blocks competition and delays the creation of affordable generic drugs. I thank Senators GRASSLEY, KLOBUCHAR and LEE for joining me in this effort, and for agreeing to hold a hearing on this bill as soon as next week.

Drug affordability is a bipartisan issue that impacts each and every one of us. I hope other Senators will join us in supporting this bipartisan legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 493—RELATIVE TO THE DEATH OF GEORGE V. VOINOVICH, FORMER UNITED STATES SENATOR FOR THE STATE OF OHIO

Mr. PORTMAN (for himself, Mr. BROWN, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 493

Whereas George Voinovich was born in Cleveland, Ohio, attended Ohio University and Ohio State University College of Law;

Whereas George Voinovich began his career faithfully serving the State and the people of Ohio as an assistant attorney general of Ohio in 1963; served as a member of the Ohio House of Representatives from 1967 to 1971; served as Cuyahoga County auditor from 1971 to 1976; served as a member of the Cuyahoga County Board of Commissioners from 1977 to 1978; was elected lieutenant governor in 1978; and served as mayor of Cleveland from 1979 to 1989;

Whereas, George Voinovich was elected governor of Ohio in 1991 and was elected to a second term by a landslide, securing 72% of the vote, the highest percentage of the vote ever won by gubernatorial candidate in Ohio history;

Whereas, during his time as governor, he was known for his advocacy and practice of fiscal responsibility, embodied in his call to "working harder and smarter, doing more with less";

Whereas, under his tenure as Governor, Ohio's unemployment rate fell to a 25-year low and he restored the state's budget to financial health;

Whereas, in 1998, George Voinovich was elected to the United States Senate and

served until 2011, during which time he was Chairman of the Select Committee on Ethics and a member of the Appropriations Committee;

Whereas, in 2004, George Voinovich was re-elected to the United States Senate with more votes than any other Senate candidate in Ohio history;

Whereas, for every public office he held, George Voinovich improved government operations, accountability and financial management; he worked to improve the environment, with particular attention to Lake Erie, and making America more secure;

Whereas, throughout his life, George Voinovich was guided by his deep faith, personal integrity, fiscal responsibility, respect and service to his fellow citizens, and above all, his abiding love of his family, state and nation;

Whereas the people of Ohio have demonstrated their appreciation and affection for Senator Voinovich by the naming of numerous landmarks after him, including Voinovich Centennial Park, the Voinovich Innerbelt Bridge, and The George V. Voinovich School of Leadership and Public Affairs at Ohio University;

Whereas, in his two terms in the United States Senate and in his other public service, George Voinovich reached across the aisle and sought common ground to solve problems: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of George Voinovich, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the late George V. Voinovich.

SENATE RESOLUTION 494—DESIGNATING SEPTEMBER 2016 AS “NATIONAL CHILD AWARENESS MONTH” TO PROMOTE AWARENESS OF CHARITIES BENEFITING CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING THE EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 494

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefiting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to health care, social services, education, the arts, sports, and other services will result in the development of character

and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time—

(1) when parents, families, teachers, school administrators, and communities increase focus on children and youth throughout the United States; and

(2) for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2016 as “National Child Awareness Month” would recognize that a long-term commitment to children and youth is in the public interest and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

Resolved, That the Senate designates September 2016 as “National Child Awareness Month”—

(1) to promote awareness of charities benefiting children and youth-serving organizations throughout the United States; and

(2) to recognize the efforts made by the charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4680. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4681. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4682. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4683. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4684. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4680. Mrs. SHAHEEN (for herself and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 4253 submitted by Mrs. SHAHEEN (for herself and Mr. VITTER) and intended to be proposed to the bill

S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

DIVISION F—SBIR AND STTR REAUTHORIZATION AND IMPROVEMENTS SEC. 6001. SHORT TITLE.

This division may be cited as the “SBIR and STTR Reauthorization and Improvement Act of 2016”.

TITLE LXI—REAUTHORIZATION OF PROGRAMS

SEC. 6101. PERMANENCY OF SBIR PROGRAM AND STTR PROGRAM.

(a) SBIR.—Section 9(m) of the Small Business Act (15 U.S.C. 638(m)) is amended—

(1) in the subsection heading, by striking “TERMINATION” and inserting “SBIR PROGRAM AUTHORIZATION”; and

(2) by striking “terminate on September 30, 2017” and inserting “be in effect for each fiscal year”.

(b) STTR.—Section 9(n)(1)(A) of the Small Business Act (15 U.S.C. 638(n)(1)(A)) is amended by striking “through fiscal year 2017”.

TITLE LXII—ENHANCED SMALL BUSINESS ACCESS TO FEDERAL INNOVATION INVESTMENTS

SEC. 6201. ALLOCATION INCREASES AND TRANSPARENCY IN BASE CALCULATION.

(a) SBIR.—Section 9(f) of the Small Business Act (15 U.S.C. 638(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “expend” and inserting “obligate for expenditure”; and

(B) in subparagraph (H), by striking “and” at the end;

(C) in subparagraph (I), by striking “in fiscal year 2017 and each fiscal year thereafter,” and inserting “in each of fiscal years 2017 through 2021”; and

(D) by inserting after subparagraph (I) the following:

“(J) for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services—

“(i) not less than 3.4 percent of the extramural budget for research or research and development of the Federal agency in fiscal year 2022;

“(ii) not less than 3.6 percent of such extramural budget in fiscal year 2023;

“(iii) not less than 3.8 percent of such extramural budget in fiscal year 2024;

“(iv) not less than 4 percent of such extramural budget in fiscal year 2025;

“(v) not less than 4.2 percent of such extramural budget in fiscal year 2026;

“(vi) not less than 4.4 percent of such extramural budget in fiscal year 2027; and

“(vii) not less than 4.5 percent of such extramural budget in fiscal year 2028 and each fiscal year thereafter;

“(K) for the Department of Defense—

“(i) not less than 2.6 percent of the budget for research, development, test, and evaluation of the Department of Defense in fiscal year 2022;

“(ii) not less than 2.7 percent of such budget in fiscal year 2023;

“(iii) not less than 2.8 percent of such budget in fiscal year 2024;

“(iv) not less than 2.9 percent of such budget in fiscal year 2025;

“(v) not less than 3 percent of such budget in fiscal year 2026;

“(vi) not less than 3.1 percent of such budget in fiscal year 2027;

“(vii) not less than 3.2 percent of such budget in fiscal year 2028;

“(viii) not less than 3.3 percent of such budget in fiscal year 2029;

“(ix) not less than 3.4 percent of such budget in fiscal year 2030; and

“(x) not less than 3.5 percent of such budget in fiscal year 2031 and each fiscal year thereafter; and

“(L) for the National Science Foundation and the Department of Health and Human Services, for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(i) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(I) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(II)(aa) 0.07 percent; or

“(bb) if the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.2 percent; or

“(ii) 4.5 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively.”;

(2) in paragraph (2)(B), by inserting “(or for the Department of Defense, an amount of the budget for basic research of the Department of Defense)” after “research”; and

(3) in paragraph (4), by inserting “(or for the Department of Defense an amount of the budget for research, development, test, and evaluation of the Department of Defense)” after “of the agency”.

(b) STTR.—Section 9(n)(1) of the Small Business Act (15 U.S.C. 638(n)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking “expend” and inserting “obligate for expenditure”; and

(B) by striking “not less than the percentage of that extramural budget specified in subparagraph (B)” and inserting “for a Federal agency other than the Department of Defense, the National Science Foundation, or the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (B), for the Department of Defense, not less than the percentage of the budget for research, development, test, and evaluation of the Department of Defense specified in subparagraph (B), and for the National Science Foundation and the Department of Health and Human Services, not less than the percentage of that extramural budget specified in subparagraph (C)”;

(2) in subparagraph (B)—

(A) in the subparagraph heading, by inserting “OTHER THAN FOR NSF AND HHS” after “AMOUNTS”;

(B) in the matter preceding clause (i), by striking “the extramural budget required to be expended by an agency” and inserting “the extramural budget, for a Federal agency other than the Department of Defense, the National Science Foundation, or the De-

partment of Health and Human Services, and of the budget for research, development, test, and evaluation, for the Department of Defense, required to be obligated for expenditure with small business concerns”;

(C) in clause (iv), by striking “and” at the end;

(D) in clause (v), by striking “fiscal year 2016 and each fiscal year thereafter.” and inserting “each of fiscal years 2016 through 2021.”; and

(E) by adding at the end the following:

“(vi) 0.5 percent for fiscal year 2022;

“(vii) 0.55 percent for fiscal year 2023;

“(viii) 0.6 percent for fiscal year 2024;

“(ix) 0.65 percent for fiscal year 2025;

“(x) 0.7 percent for fiscal year 2026;

“(xi) 0.75 percent for fiscal year 2027;

“(xii) 0.8 percent for fiscal year 2028;

“(xiii) 0.85 percent for fiscal year 2029;

“(xiv) 0.9 percent for fiscal year 2030; and

“(xv) 0.95 percent for fiscal year 2031 and each fiscal year thereafter.”; and

(3) by adding at the end the following:

“(C) EXPENDITURE AMOUNTS FOR NSF AND HHS.—The percentage of the extramural budget required to be expended by the National Science Foundation and the Department of Health and Human Services in accordance with subparagraph (A) shall be—

“(i) for each of fiscal years 2016 through 2021, 0.45 percent; and

“(ii) for fiscal year 2022 and each fiscal year thereafter, the lesser of—

“(I) the percentage of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, equal to the sum of—

“(aa) the percentage in effect under this paragraph for the National Science Foundation or the Department of Health and Human Services, respectively, for the previous fiscal year; and

“(bb)(AA) 0 percent; or

“(BB) if the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively, for the fiscal year is not less than 103 percent of such extramural budget for the previous fiscal year, 0.05 percent; or

“(II) 0.95 percent of the extramural budget for research or research and development of the National Science Foundation or the Department of Health and Human Services, respectively.”.

(c) DEPARTMENT OF DEFENSE FUNDING INCREASE PILOT.—For each of fiscal years 2018, 2019, and 2020, the Secretary of Defense may authorize any program of the Department of Defense to expend funds through the Small Business Innovation Research program or the Small Business Technology Transfer program. Any additional funds expended under the authority under this subsection shall not count towards meeting the required expenditure requirements under subsection (f) or (n) of section 9 of the Small Business Act (15 U.S.C. 638), as amended by this section.

SEC. 6202. REGULAR OVERSIGHT OF AWARD AMOUNTS.

(a) ELIMINATION OF AUTOMATIC INFLATION ADJUSTMENTS.—Section 9(j) of the Small Business Act (15 U.S.C. 638(j)) is amended—

(1) in paragraph (2)(D), by inserting “through fiscal year 2016” after “every year”; and

(2) by adding at the end the following:

“(4) 2016 MODIFICATIONS FOR DOLLAR VALUE OF AWARDS.—Not later than 120 days after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Administrator shall modify the pol-

icy directives issued under this subsection to clarify that Congress intends to review the dollar value of awards every 3 fiscal years.”.

(b) SENSE OF CONGRESS REGARDING REGULAR REVIEW OF THE AWARD SIZES.—

(1) IN GENERAL.—It is the sense of Congress that for fiscal year 2019, and every third fiscal year thereafter, Congress should evaluate whether the maximum award sizes under the Small Business Innovation Research Program and the Small Business Technology Transfer Program under section 9 of the Small Business Act (15 U.S.C. 638) should be adjusted and, if so, take appropriate action to direct that such adjustments be made under the policy directives issued under subsection (j) of such section.

(2) POLICY CONSIDERATIONS.—In reviewing adjustments to the maximum award sizes, Congress should take into consideration the balance of number of awards to size of awards, the missions of Federal agencies, and the technology needed to support national goals.

(c) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—Section 9(ff) of the Small Business Act (15 U.S.C. 638(ff)) is amended by adding at the end the following:

“(3) CLARIFICATION OF SEQUENTIAL PHASE II AWARDS.—The head of a Federal agency shall ensure that any sequential Phase II award is made in accordance with the limitations on award sizes under subsection (aa).

“(4) CROSS-AGENCY SEQUENTIAL PHASE II AWARDS.—A small business concern that receives a sequential Phase II SBIR or Phase II STTR award for a project from a Federal agency is eligible to receive an additional sequential Phase II award that continues work on that project from another Federal agency.”.

TITLE LXIII—COMMERCIALIZATION IMPROVEMENTS

SEC. 6301. PERMANENCY OF THE COMMERCIALIZATION PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9(gg) of the Small Business Act (15 U.S.C. 638(gg)) is amended—

(1) in the subsection heading, by striking “PILOT PROGRAM” and inserting “COMMERCIALIZATION DEVELOPMENT AWARDS”;

(2) by striking paragraphs (2), (7), and (8);

(3) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively;

(4) by adding at the end the following:

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘commercialization development program’ means a program established by a covered Federal agency under paragraph (1); and

“(B) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense.”; and

(5) by striking “pilot program” each place it appears and inserting “commercialization development program”.

SEC. 6302. ENFORCEMENT OF NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.

Section 9(h) of the Small Business Act (15 U.S.C. 638(h)) is amended to read as follows:

“(h) NATIONAL SMALL BUSINESS GOAL FOR FEDERAL RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Administrator, in consultation with Federal agencies, shall establish a Governmentwide goal for each fiscal year, which shall be not less than 10 percent, for the percentage of the amounts made available for research or research and development that shall be obligated for funding agreements—

“(A) with small business concerns; or
 “(B) that will facilitate the development of research and development small business concerns.

“(2) AGENCY GOALS.—

“(A) IN GENERAL.—The head of each Federal agency which has a budget for research or research and development in excess of \$20,000,000, in consultation with the Administrator, shall establish a goal for the Federal agency for each fiscal year that is appropriate to the mission of the Federal agency for the percentage of such budget that shall be obligated for funding agreements—

“(i) with small business concerns; or
 “(ii) that will facilitate the development of research and development small business concerns.

“(B) LIMITATION.—The head of a Federal agency may not establish a percentage goal under subparagraph (A) for a fiscal year that is less than the percentage goal that was established under subparagraph (A) for the Federal agency for the previous fiscal year.”.

SEC. 6303. PROTECTING INNOVATIVE TECHNOLOGIES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(tt) PROTECTING INNOVATIVE TECHNOLOGIES.—

“(1) COST-REIMBURSEMENT CONTRACTS.—

“(A) IN GENERAL.—Subject to subparagraph (B)(ii), the cost of seeking protection for intellectual property, including a trademark, copyright, or patent, that was created through work performed under an STTR award that uses a cost-reimbursement contract or an SBIR award that uses a cost-reimbursement contract is allowable as an indirect cost under that award.

“(B) CLARIFICATION OF PATENT COSTS.—

“(i) IN GENERAL.—A Federal agency shall not directly or indirectly inhibit, through the policies, directives, or practices of the Federal agency, an otherwise eligible small business concern performing under an award described in subparagraph (A) from recovering patent costs incurred as requirements under that award, including—

“(I) the costs of preparing—

“(aa) invention disclosures;

“(bb) reports; and

“(cc) other documents;

“(II) the costs for searching the art to the extent necessary to make the invention disclosures;

“(III) other costs in connection with the filing and prosecution of a United States patent application where title or royalty-free license is to be conveyed to the Federal Government; and

“(IV) general counseling services relating to patent matters, including advice on patent laws, regulations, clauses, and employee agreements.

“(ii) RECOVERY LIMITATIONS.—The patent costs described in clause (i) shall be allowable for technology developed under a—

“(I) Phase I award, as indirect costs in an amount not greater than \$5,000;

“(II) Phase II award, as indirect costs in an amount not greater than \$15,000; and

“(III) Phase III award in which the Federal Government has government purpose rights (as defined in section 227.7103-5 of title 48, Code of Federal Regulations).

“(2) FIRM FIXED-PRICE CONTRACTS.—An otherwise eligible small business concern performing under an STTR award that uses a firm fixed-price contract or an SBIR award that uses a firm fixed-price contract may recover fair and reasonable costs arising from seeking protection for intellectual property,

including a trademark, copyright, or patent, that was created through work performed under that award.”.

SEC. 6304. ANNUAL GAO AUDIT OF COMPLIANCE WITH COMMERCIALIZATION GOALS.

Section 9(nn) of the Small Business Act (15 U.S.C. 638(nn)) is amended to read as follows:

“(nn) ANNUAL GAO REPORT ON GOVERNMENT COMPLIANCE WITH GOALS, INCENTIVES, AND PHASE III PREFERENCE.—Not later than 1 year after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, and every year thereafter until the date that is 5 years after the date of enactment of the SBIR and STTR Reauthorization and Improvement Act of 2016, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that—

“(1) discusses the status of the compliance of Federal agencies with the requirements or authorities established under—

“(A) subsection (h), relating to the establishment by certain Federal agencies of a goal for funding agreements for research and research and development with small business concerns;

“(B) subsection (y)(5)(A), relating to the requirement for the Department of Defense to establish goals for the transition of Phase III technologies in subcontracting plans;

“(C) subsection (y)(5)(B), relating to the requirement for the Department of Defense to establish procedures for a prime contractor to report the number and dollar amount of contracts with small business concerns for Phase III SBIR projects or STTR projects of the prime contractor; and

“(D) subsection (y)(6), relating to the requirement for the Department of Defense to set a goal to increase the number of Phase II SBIR and STTR contracts that transition into programs of record or fielded systems;

“(2) includes, for a Federal agency that is in compliance with a requirement described under paragraph (1), a description of how the Federal agency achieved compliance; and

“(3) includes a list, organized by Federal agency, of small business concerns that have asserted to an appropriate Federal agency that—

“(A) the Government or prime contractor—

“(i) did not protect the intellectual property of the small business concern in accordance with data rights under the SBIR or STTR award; or

“(ii) issued a Phase III SBIR or STTR award conditional on relinquishing data rights;

“(B) the Federal agency solicited bids for a contract, or provided funding to an entity other than the small business concern receiving the SBIR or STTR award, that was for work that derived from, extended, or completed efforts made under prior funding agreements under the SBIR program or STTR program;

“(C) the Government or prime contractor did not comply with the SBIR and STTR policy directives and the small business concern filed a comment or complaint to the Office of the National Ombudsman or appealed to the Administrator for intervention; or

“(D) the Federal agency did not comply with subsection (g)(12) or (o)(16) requiring timely notice to the Administrator of any case or controversy before any Federal judicial or administrative tribunal concerning the SBIR program or the STTR program of the Federal agency.”.

SEC. 6305. CLARIFYING THE PHASE III PREFERENCE.

Section 9(r) of the Small Business Act (15 U.S.C. 638(r)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraph (2) as paragraph (4), and transferring such paragraph to after paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) PHASE III AWARD DIRECTION FOR AGENCIES AND PRIME CONTRACTORS.—To the greatest extent practicable, Federal agencies and Federal prime contractors shall issue Phase III awards relating to technology, including sole source awards, to the SBIR and STTR award recipients that developed the technology.”.

SEC. 6306. IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE.

Section 9(q) of the Small Business Act (15 U.S.C. 638(q)) is amended—

(1) in the subsection heading, by inserting “AND BUSINESS” after “TECHNICAL”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “a vendor selected under paragraph (2)” and inserting “1 or more vendors selected under paragraph (2)(A)”;

(ii) by inserting “and business” before “assistance services”; and

(iii) by inserting “assistance with product sales, intellectual property protections, market research, market validation, and development of regulatory plans and manufacturing plans,” after “technologies,”; and

(B) in subparagraph (D), by inserting “, including intellectual property protections” before the period at the end;

(3) in paragraph (2)—

(A) by striking “Each agency may select a vendor to assist small business concerns to meet” and inserting the following:

“(A) IN GENERAL.—Each agency may select 1 or more vendors from which small business concerns may obtain assistance in meeting”; and

(B) by adding at the end the following:

“(B) SELECTION BY SMALL BUSINESS CONCERN.—A small business concern may, by contract or otherwise, select 1 or more vendors to assist the small business concern in meeting the goals listed in paragraph (1).”; and

(4) in paragraph (3)—

(A) by inserting “(A)” after “paragraph (2)” each place it appears;

(B) in subparagraph (A), by striking “\$5,000 per year” each place it appears and inserting “\$6,500 per project”;

(C) in subparagraph (B)—

(i) by striking “\$5,000 per year” each place it appears and inserting “\$35,000 per project”; and

(ii) in clause (ii), by striking “which shall be in addition to the amount of the recipient’s award” and inserting “which may, as determined appropriate by the head of the Federal agency, be included as part of the recipient’s award or be in addition to the amount of the recipient’s award”;

(D) in subparagraph (C)—

(i) by inserting “or business” after “technical”;

(ii) by striking “the vendor” and inserting “a vendor”; and

(iii) by adding at the end the following: “Business-related services aimed at improving the commercialization success of a small business concern may be obtained from an entity, such as a public or private organization or an agency of or other entity established or funded by a State that facilitates

or accelerates the commercialization of technologies or assists in the creation and growth of private enterprises that are commercializing technology.”;

(E) in subparagraph (D)—

(i) by inserting “or business” after “technical” each place it appears; and

(ii) in clause (i)—

(I) by striking “the vendor” and inserting “1 or more vendors”; and

(II) by striking “provides” and inserting “provide”; and

(F) by adding at the end the following:

“(E) **MULTIPLE AWARD RECIPIENTS.**—The Administrator shall establish a limit on the amount of technical and business assistance services that may be received or purchased under subparagraph (B) by small business concerns with respect to multiple Phase II SBIR or STTR awards for a fiscal year.”.

SEC. 6307. EXTENSION OF PHASE 0 PROOF OF CONCEPT PARTNERSHIP PILOT.

Section 9(jj) of the Small Business Act (15 U.S.C. 638(jj)) is amended—

(1) in paragraph (6) by striking “The Director” and inserting “Not later than February 1, 2019, the Director”; and

(2) in paragraph (7), by striking “2017” and inserting “2019”.

SEC. 6308. SATISFACTION OF COMPETITION REQUIREMENTS FOR DEPARTMENT OF DEFENSE.

All awards by the Department of Defense under the SBIR program or the STTR program shall be considered to meet the competition requirements under section 2304 of title 10, United States Code.

TITLE LXIV—PROGRAM DIVERSIFICATION INITIATIVES

SEC. 6401. REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (mm)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “2017” and inserting “2021”; and

(ii) in subparagraph (I), by striking “and” at the end;

(iii) in subparagraph (J), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(K) funding for improvements that increase commonality across data systems, reduce redundancy, and improve data oversight and accuracy.”; and

(B) by adding at the end the following:

“(7) SBIR and STTR programs; fast program.—

“(A) **DEFINITION.**—In this paragraph, the term ‘covered Federal agency’ means a Federal agency that—

“(i) is required to conduct an SBIR program; and

“(ii) elects to use the funds allocated to the SBIR program of the Federal agency for the purposes described in paragraph (1).”

“(B) **REQUIREMENT.**—Each covered Federal agency shall transfer an amount equal to 15 percent of the funds that are used for the purposes described in paragraph (1) to the Administration—

“(i) for the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu);

“(ii) for the Federal and State Technology Partnership Program established under section 34; and

“(iii) to support the Office of the Administration that administers the SBIR program and the STTR program, subject to agreement from other agencies about how the funds will be used, in carrying out those pro-

grams and the programs described in clauses (i) and (ii).

“(8) **PILOT PROGRAM.**—

“(A) **IN GENERAL.**—Of amounts provided to the Administration under paragraph (7), not less than \$5,000,000 shall be used to provide awards under the Regional SBIR State Collaborative Initiative Pilot Program established under subsection (uu) for each fiscal year in which the program is in effect.

“(B) **DISBURSEMENT FLEXIBILITY.**—The Administration may use any unused funds made available under subparagraph (A) as of April 1 of each fiscal year for awards to carry out clauses (ii) and (iii) of paragraph (7)(B) after providing written notice to—

“(i) the Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate; and

“(ii) the Committee on Small Business and the Committee on Appropriations of the House of Representatives.”; and

(2) by adding after subsection (tt), as added by section 6303 of this Act, the following:

“(uu) **REGIONAL SBIR STATE COLLABORATIVE INITIATIVE PILOT PROGRAM.**—

“(1) **DEFINITIONS.**—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a research institution; and

“(ii) a small business concern;

“(B) the term ‘eligible State’ means—

“(i) a State that the Administrator determines is in the bottom half of States, based on the average number of annual SBIR program awards made to companies in the State for the preceding 3 years for which the Administration has applicable data; and

“(ii) an EPSCoR State that—

“(I) is a State described in clause (i); or

“(II) is—

“(aa) not a State described in clause (i); and

“(bb) invited to participate in a regional collaborative; and

“(C) the term ‘EPSCoR State’ means a State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation, as established under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g);

“(D) the term ‘FAST program’ means the Federal and State Technology Partnership Program established under section 34;

“(E) the term ‘pilot program’ means the Regional SBIR State Collaborative Initiative Pilot Program established under paragraph (2);

“(F) the term ‘regional collaborative’ means a collaborative consisting of eligible entities that are located in not less than 3 eligible States; and

“(G) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

“(2) **ESTABLISHMENT.**—The Administrator shall establish a pilot program, to be known as the Regional SBIR State Collaborative Initiative Pilot Program, under which the Administrator shall provide awards to regional collaboratives to address the needs of small business concerns in order to be more competitive in the proposal and selection process for awards under the SBIR program and the STTR program and to increase technology transfer and commercialization.

“(3) **GOALS.**—The goals of the pilot program are—

“(A) to create regional collaboratives that allow eligible entities to work cooperatively to leverage resources to address the needs of small business concerns;

“(B) to grow SBIR program and STTR program cooperative research and development

and commercialization through increased awards under those programs;

“(C) to increase the participation of States that have historically received a lower level of awards under the SBIR program and the STTR program;

“(D) to utilize the strengths and advantages of regional collaboratives to better leverage resources, best practices, and economies of scale in a region for the purpose of increasing awards and increasing the commercialization of the SBIR program and STTR projects;

“(E) to increase the competitiveness of the SBIR program and the STTR program;

“(F) to identify sources of outside funding for applicants for an award under the SBIR program or the STTR program, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs; and

“(G) to offer increased one-on-one engagements with companies and entrepreneurs for SBIR program and STTR program education, assistance, and successful outcomes.

“(4) **APPLICATION.**—

“(A) **IN GENERAL.**—A regional collaborative that desires to participate in the pilot program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) **INCLUSION OF LEAD ELIGIBLE ENTITIES AND COORDINATOR.**—A regional collaborative shall include in an application submitted under subparagraph (A)—

“(i) the name of each lead eligible entity from each eligible State in the regional collaborative, as designated under paragraph (5)(A); and

“(ii) the name of the coordinator for the regional collaborative, as designated under paragraph (6).

“(C) **AVOIDANCE OF DUPLICATION.**—A regional collaborative shall include in an application submitted under subparagraph (A) an explanation as to how the activities of the regional collaborative under the pilot program would differ from other State and Federal outreach activities in each eligible State in the regional collaborative.

“(5) **LEAD ELIGIBLE ENTITY.**—

“(A) **IN GENERAL.**—Each eligible State in a regional collaborative shall designate 1 eligible entity located in the eligible State to serve as the lead eligible entity for the eligible State.

“(B) **AUTHORIZATION BY GOVERNOR.**—Each lead eligible entity designated under subparagraph (A) shall be authorized to act as the lead eligible entity by the Governor of the applicable eligible State.

“(C) **RESPONSIBILITIES.**—Each lead eligible entity designated under subparagraph (A) shall be responsible for administering the activities and program initiatives described in paragraph (7) in the applicable eligible State.

“(6) **REGIONAL COLLABORATIVE COORDINATOR.**—Each regional collaborative shall designate a coordinator from amongst the eligible entities located in the eligible States in the regional collaborative, who shall serve as the interface between the regional collaborative and the Administration with respect to measuring cross-State collaboration and program effectiveness and documenting best practices.

“(7) **USE OF FUNDS.**—Each regional collaborative that is provided an award under the pilot program may, in each eligible State in which an eligible entity of the regional collaborative is located—

“(A) establish an initiative under which first-time applicants for an award under the

SBIR program or the STTR program are reviewed by experienced, national experts in the United States, as determined by the lead eligible entity designated under paragraph (5)(A);

“(B) engage national mentors on a frequent basis to work directly with applicants for an award under the SBIR program or the STTR program, particularly during Phase II, to assist with the process of preparing and submitting a proposal;

“(C) create and make available an online mechanism to serve as a resource for applicants for an award under the SBIR program or the STTR program to identify and connect with Federal labs, prime government contractor companies, other industry partners, and regional industry cluster organizations;

“(D) conduct focused and concentrated outreach efforts to increase participation in the SBIR program and the STTR program by small business concerns owned and controlled by women, small business concerns owned and controlled by veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals (as defined in section 8(d)(3)(C)), and historically black colleges and universities;

“(E) administer a structured program of training and technical assistance—

“(i) to prepare applicants for an award under the SBIR program or the STTR program—

“(I) to compete more effectively for Phase I and Phase II awards; and

“(II) to develop and implement a successful commercialization plan;

“(ii) to assist eligible States focusing on transition and commercialization to win Phase III awards from public and private partners;

“(iii) to create more competitive proposals to increase awards from all Federal sources, with a focus on awards under the SBIR program and the STTR program; and

“(iv) to assist first-time applicants by providing small grants for proof of concept research; and

“(F) assist applicants for an award under the SBIR program or the STTR program to identify sources of outside funding, including venture capitalists, angel investor groups, private industry, crowd funding, and special loan programs.

“(8) AWARD AMOUNT.—

“(A) IN GENERAL.—The Administrator shall provide an award to each eligible State in which an eligible entity of a regional collaborative is located in an amount that is not more than \$300,000 to carry out the activities described in paragraph (7).

“(B) LIMITATION.—

“(i) IN GENERAL.—An eligible State may not receive an award under both the FAST program and the pilot program for the same year.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to prevent an eligible State from applying for an award under the FAST program and the pilot program for the same year.

“(9) DURATION OF AWARD.—An award provided under the pilot program shall be for a period of not more than 1 year, and may be renewed by the Administrator for 1 additional year.

“(10) TERMINATION.—The pilot program shall terminate on September 30, 2021.

“(11) REPORT.—Not later than February 1, 2021, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee

on Small Business of the House of Representatives a report on the pilot program, which shall include—

“(A) an assessment of the pilot program and the effectiveness of the pilot program in meeting the goals described in paragraph (3);

“(B) an assessment of the best practices, including an analysis of how the pilot program compares to the FAST program and a single-State approach; and

“(C) recommendations as to whether any aspect of the pilot program should be extended or made permanent.”.

SEC. 6402. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (h)—

(A) in paragraph (1), by striking “2001 through 2005” and inserting “2017 through 2021”; and

(B) in paragraph (2), by striking “fiscal years 2001 through 2005” and inserting “each of fiscal years 2017 through 2021”; and

(2) in subsection (i), by striking “September 30, 2005” and inserting “September 30, 2021”.

TITLE LXV—OVERSIGHT AND SIMPLIFICATION INITIATIVES

SEC. 6501. DATA REALIGNMENT AND MODERNIZATION.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding after subsection (uu), as added by section 6401 of this Act, the following:

“(vv) SBIR AND STTR INTERAGENCY POLICY COMMITTEE.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Committee’ means the SBIR and STTR Interagency Policy Committee established under paragraph (2);

“(B) the term ‘participating Federal agency’ means a Federal agency with an SBIR program or an STTR program; and

“(C) the term ‘phase’ means Phase I, Phase II, and Phase III.

“(2) ESTABLISHMENT.—There is established an interagency committee to be known as the ‘SBIR and STTR Interagency Policy Committee’.

“(3) MEMBERSHIP.—The Committee shall include—

“(A) 4 representatives from each participating Federal agency, of which—

“(i) 1 shall have expertise with respect to the SBIR program and STTR program of the Federal agency;

“(ii) 1 shall have expertise with respect to the broader research and development missions and programs of the Federal agency;

“(iii) 1 shall have expertise with respect to marketplace commercialization or to the transition of technologies to support the missions of the Federal agency; and

“(iv) 1 shall have expertise with respect to the information technology systems of the Federal agency; and

“(B) 2 representatives from the Administration, of which—

“(i) 1 shall serve as chairperson of the Committee; and

“(ii) 1 shall be from the Information Technology Development Team of the Office of Investment and Innovation of the Administration.

“(4) WORKING GROUPS.—

“(A) IN GENERAL.—The Committee shall establish working groups as necessary to ensure consistency and clarity between the participating Federal agencies.

“(B) DATA REALIGNMENT AND MODERNIZATION WORKING GROUP.—

“(i) IN GENERAL.—The Committee shall establish a data alignment and modernization

working group, which shall review the recommendations made in the report to Congress by the Office of Science and Technology of the Administration entitled ‘SBIR/STTR TechNet Public & Government Databases’, dated September 15, 2014, and the practices of participating Federal agencies to—

“(I) determine how to collect data on achievements by small business concerns in each phase of the SBIR program and the STTR program and ensure collection and dissemination of such data in a timely, efficient, and uniform manner;

“(II) establish a uniform baseline for metrics that support improving the solicitation, contracting, funding, and execution of program management in the SBIR program and the STTR program;

“(III) normalize formatting and database usage across participating Federal agencies; and

“(IV) determine the feasibility of developing a common system across all participating Federal agencies and the paperwork requirements under such a common system.

“(ii) MEMBERSHIP.—Each member of the Committee shall serve as a member of the data alignment and modernization working group.

“(5) IMPLEMENTATION.—Not later than September 31, 2018, the Committee shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the solutions identified by the working group under paragraph (4) and resources needed to execute the solutions.”.

SEC. 6502. IMPLEMENTATION OF OUTSTANDING REAUTHORIZATION PROVISIONS.

(a) IN GENERAL.—Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)), as amended by section 6401(1) of this Act, is amended—

(1) in paragraph (1), by striking “paragraph (3)” and inserting “paragraphs (3) and (9)”; and

(2) by adding at the end the following:

“(9) SUSPENSION OF FUNDING.—

“(A) FOR FEDERAL AGENCIES.—

“(i) IN GENERAL.—For fiscal years 2018 and 2019, any Federal agency that has not implemented each provision of law described in clause (ii)—

“(I) shall continue to provide amounts to the Administration in accordance with paragraph (7)(B); and

“(II) may not use additional amounts as described in paragraph (1) until 30 days after the date on which the Federal agency submits to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives documentation demonstrating that the Federal agency has implemented and is in compliance with each provision of law described in clause (ii).

“(ii) PROVISIONS.—The provisions of law described in this clause are the following:

“(I) Subsection (r)(4), relating to Phase III preferences.

“(II) Paragraphs (5) and (6) of subsection (y), relating to insertion goals.

“(III) Subsection (g)(4)(B), relating to shortening the decision time for SBIR awards.

“(IV) Subsection (o)(4)(B), relating to shortening the decision time for STTR awards.

“(V) Subsection (v), relating to reducing paperwork and compliance burdens.

“(B) FOR ADMINISTRATION.—For fiscal years 2018 and 2019, if the Administration is not in

compliance with subsection (b)(7), relating to annual reports to Congress, the Administration may not use amounts received under paragraph (7)(B) of this subsection for a purpose described in clause (iii) of such paragraph (7)(B)."

(b) **CLARIFICATION OF REPORTING REQUIREMENT.**—Section 9(b)(7) of the Small Business Act (15 U.S.C. 638(b)(7)) is amended in the matter preceding subparagraph (A), by striking "not less than annually" and inserting "not later than December 31 of each year".

SEC. 6503. STRENGTHENING OF THE REQUIREMENT TO SHORTEN THE APPLICATION REVIEW AND DECISION TIME.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4), by striking subparagraph (B) and inserting the following:

"(B) make a final decision on each proposal submitted under the SBIR program—

"(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

"(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

"(iii) for any other Federal agency—

"(I) not later than 90 days after the date on which the applicable solicitation closes; or

"(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);"; and

(2) in subsection (o)(4), by striking subparagraph (B) and inserting the following:

"(B) make a final decision on each proposal submitted under the STTR program—

"(i) for the Department of Health and Human Services, not later than 1 year after the date on which the applicable solicitation closes, with a goal to reduce the review and decision time to less than 10 months by September 30, 2019;

"(ii) for the Department of Agriculture and the National Science Foundation, not later than 6 months after the date on which the applicable solicitation closes; or

"(iii) for any other Federal agency—

"(I) not later than 90 days after the date on which the applicable solicitation closes; or

"(II) if the Administrator authorizes an extension with respect to a solicitation, not later than 90 days after the date that would otherwise be applicable to the Federal agency under subclause (I);";

SEC. 6504. CONTINUED GAO OVERSIGHT OF ALLOCATION COMPLIANCE AND ACCURACY IN FUNDING BASE CALCULATIONS.

Section 5136(a) of the National Defense Authorization Act for Fiscal Year 2012 (15 U.S.C. 638 note) is amended—

(1) in the matter preceding paragraph (1), by striking "until the date that is 5 years after the date of enactment of this Act" and insert "until the date on which the Comptroller General of the United States submits the report relating to fiscal year 2019";

(2) in paragraph (1), by striking subparagraph (C) and inserting the following:

"(C) assess whether the change in the base funding for the Department of Defense as required by subparagraphs (J) and (K) of section 9(f)(1) of the Small Business Act (15 U.S.C. 638(f)(1))—

"(i) improves transparency for determining whether the Department is complying with the allocation requirements;

"(ii) reduces the burden of calculating the allocations; and

"(iii) improves the compliance of the Department with the allocation requirements; and"; and

(3) in paragraph (2) by striking "under subparagraph (B)" and inserting "under subparagraphs (B) and (C)".

SEC. 6505. COORDINATION BETWEEN AGENCIES ON COMMERCIALIZATION ASSISTANCE.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (j), as amended by section 6202(a) of this Act, by adding at the end the following:

"(5) **COORDINATION OF COMMERCIALIZATION ASSISTANCE.**—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q)."; and

(2) in subsection (p), by adding at the end the following:

"(4) **COORDINATION OF COMMERCIALIZATION ASSISTANCE.**—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to clarify that a small business concern receiving training through the Innovation Corps program with administrative funds made available under subsection (mm) shall not receive discretionary business assistance funds for the same or similar activities as allowed under subsection (q)."

TITLE LXVI—PARTICIPATION BY WOMEN AND MINORITIES

SEC. 6601. SBA COORDINATION ON INCREASING OUTREACH FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (8), by striking "and" at the end;

(2) in paragraph (9), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(10) to coordinate with participating agencies on efforts to increase outreach and awards under each of the SBIR and STTR programs to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4)."

SEC. 6602. FEDERAL AGENCY OUTREACH REQUIREMENTS FOR WOMEN AND MINORITY-OWNED BUSINESSES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)—

(A) in paragraph (11), by striking "and" at the end;

(B) in paragraph (12), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(13) implement an outreach program to small business concerns for the purpose of enhancing its SBIR program, under which the Federal agency shall—

"(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

"(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A)."; and

(2) in subsection (o)(14), by striking "SBIR program;" and inserting "SBIR program, under which the Federal agency shall—

"(A) provide outreach to small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4); and

"(B) establish goals for outreach by the Federal agency to the small business concerns described in subparagraph (A)."

SEC. 6603. STTR POLICY DIRECTIVE MODIFICATION.

Section 9(p) of the Small Business Act (15 U.S.C. 638(p)), as amended by section 6505 of this Act, is amended by adding at the end the following:

"(5) **ADDITIONAL MODIFICATIONS.**—Not later than 120 days after the date of enactment of this paragraph, the Administrator shall modify the policy directive issued pursuant to this subsection to provide for enhanced outreach efforts to increase the participation of small business concerns owned and controlled by women and socially and economically disadvantaged small business concerns, as defined in section 8(a)(4), in technological innovation and in STTR programs."

SEC. 6604. INTERAGENCY SBIR/STTR POLICY COMMITTEE.

Section 5124 of the SBIR/STTR Reauthorization Act of 2011 (Public Law 112-81; 125 Stat. 1837) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

"(d) **MEETINGS.**—

"(1) **IN GENERAL.**—The Interagency SBIR/STTR Policy Committee shall meet not less than twice per year to carry out the duties under subsection (c).

"(2) **OUTREACH AND TECHNICAL ASSISTANCE ACTIVITIES.**—If the Interagency SBIR/STTR Policy Committee meets to discuss outreach and technical assistance activities to increase the participation of small business concerns that are underrepresented in the SBIR and STTR programs, the Committee shall invite to the meeting—

"(A) a representative of the Minority Business Development Agency; and

"(B) relevant stakeholders that work to advance the interests of—

"(i) small business concerns owned and controlled by women, as defined in section 3 of the Small Business Act (15 U.S.C. 632); and

"(ii) socially and economically disadvantaged small business concerns, as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4))."

SEC. 6605. DIVERSITY AND STEM WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section—

(1) the term "Administrator" means the Administrator of the Small Business Administration;

(2) the term "covered STEM intern" means a student at, or recent graduate from, an institution of higher education serving as an intern—

(A) whose course of study studied is focused on the STEM fields; and

(B) who is a woman or a person from an underrepresented population in the STEM fields;

(3) the term "eligible entity" means a small business concern that—

(A) is receiving amounts under an award under the SBIR program or the STTR program of a Federal agency on the date on which the Federal agency awards a grant to the small business concern under subsection (b); and

(B) provides internships for covered STEM interns;

(4) the terms “Federal agency”, “SBIR”, and “STTR” have the meanings given those terms under section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(5) the term “institution of higher education” has the meaning given the term under section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

(6) the term “person from an underrepresented population in the STEM fields” means a person from a group that is underrepresented in the population of STEM students, as determined by the Administrator;

(7) the term “pilot program” means the Diversity and STEM Workforce Development Pilot Program established under subsection (b);

(8) the term “recent graduate”, relating to a woman or a person from an underrepresented population in the STEM fields, means that the woman or person from an underrepresented population in the STEM fields earned an associate degree, baccalaureate degree, or postbaccalaureate from an institution of higher education during the 1-year period beginning on the date of the internship;

(9) the term “small business concern” has the meaning given the term under section 3 of the Small Business Act (15 U.S.C. 632); and

(10) the term “STEM fields” means the fields of science, technology, engineering, and math.

(b) **PILOT PROGRAM FOR INTERNSHIPS FOR WOMEN AND PEOPLE FROM UNDERREPRESENTED POPULATIONS.**—The Administrator shall establish a Diversity and STEM Workforce Development Pilot Program to encourage the business community to provide workforce development opportunities for covered STEM interns, under which a Federal agency participating in the SBIR program or STTR program may make a grant to 1 or more eligible entities for the costs of internships for covered STEM interns.

(c) **AMOUNT AND USE OF GRANTS.**—

(1) **AMOUNT.**—A grant under subsection (b)—

(A) may not be in an amount of more than \$15,000 per fiscal year; and

(B) shall be in addition to the amount of the award to the recipient under the SBIR program or the STTR program.

(2) **USE.**—Not less than 90 percent of the amount of a grant under subsection (b) shall be used by the eligible entity to provide stipends or other similar payments to interns.

(d) **EVALUATION.**—Not later than January 31 of the first calendar year after the third fiscal year during which the Administrator carries out the pilot program, the Administrator shall submit to Congress—

(1) data on the results of the pilot program, such as the number and demographics of the covered STEM interns participating in an internship funded under the pilot program and the amount spent on such internships; and

(2) an assessment of whether the pilot program helped the SBIR program and STTR program achieve the congressional objective of fostering and encouraging the participation of women and persons from underrepresented populations in the STEM fields.

(e) **TERMINATION.**—The pilot program shall terminate after the end of the fourth fiscal year during which the Administrator carries out the pilot program.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out the pilot program.

TITLE LXVII—TECHNICAL CHANGES

SEC. 6701. UNIFORM REFERENCE TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (cc), by striking “National Institutes of Health” and inserting “Department of Health and Human Services”; and

(2) in subsection (dd)(1)(A), by striking “Director of the National Institutes of Health” and inserting “Secretary of Health and Human Services”.

SEC. 6702. FLEXIBILITY FOR PHASE II AWARD INVITATIONS.

Section 9(e)(4)(B) of the Small Business Act (15 U.S.C. 638(e)(4)(B)) is amended in the matter preceding clause (i)—

(1) by striking “, which shall not include any invitation, pre-screening, or pre-selection process for eligibility for Phase II.”; and

(2) by inserting “in which eligibility for an award shall not be based only on an invitation, pre-screening, or pre-selection process and” before “in which awards”.

SEC. 6703. PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

(a) **DEFINITIONS.**—In this section—

(1) the terms “commercialization”, “SBIR”, “STTR”, “Phase I”, “Phase II”, and “Phase III” have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e));

(2) the term “covered small business concern” means—

(A) a small business concern that completed a Phase II award under the SBIR or STTR program of the Department of Defense; or

(B) a small business concern that—

(i) completed a Phase I award under the SBIR or STTR program of the Department of Defense; and

(ii) a contracting officer for the Department of Defense recommends for inclusion in a multiple award contract described in subsection (b);

(3) the term “multiple award contract” has the meaning given the term in section 3302(a) of title 41, United States Code;

(4) the term “pilot program” means the pilot program established under subsection (b); and

(5) the term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) **ESTABLISHMENT.**—The Secretary of the Defense may establish a pilot program under which the Department of Defense shall award multiple award contracts to covered small business concerns for the purchase of technologies, supplies, or services that the covered small business concern has developed through the SBIR or STTR program.

(c) **WAIVER OF COMPETITION IN CONTRACTING ACT REQUIREMENTS.**—The Secretary of the Defense may establish procedures to waive provisions of section 2304 of title 10, United States Code, for purposes of carrying out the pilot program.

(d) **USE OF CONTRACT VEHICLE.**—A multiple award contract described in subsection (b) may be used by any service or component of the Department of Defense.

(e) **TERMINATION.**—The pilot program established under this section shall terminate on September 30, 2022.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prevent the commercialization of products and services produced by a small business concern under

an SBIR or STTR program of a Federal agency through—

(1) direct awards for Phase III of an SBIR or STTR program; or

(2) any other contract vehicle.

SA 4681. Mr. JOHNSON (for himself, Mr. LEAHY, Ms. MURKOWSKI, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . JURISDICTION OVER OFFENSES COMMITTED BY CERTAIN UNITED STATES PERSONNEL STATIONED IN CANADA.

(a) **SHORT TITLE.**—This section may be cited as the “Promoting Travel, Commerce, and National Security Act of 2016”.

(b) **AMENDMENT.**—Chapter 212A of title 18, United States Code, is amended—

(1) in the chapter heading, by striking “TRAFFICKING IN PERSONS”; and

(2) by adding after section 3272 the following:

“§ 3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives

“(a) **IN GENERAL.**—Whoever, while employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in Canada pursuant to a treaty, executive agreement, or bilateral memorandum in furtherance of a border security initiative, engages in conduct (or conspires or attempts to engage in conduct) in Canada that would constitute an offense for which a person may be prosecuted in a court of the United States had the conduct been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States shall be fined or imprisoned, or both, as provided for that offense.

“(b) **DEFINITION.**—In this section, the term ‘employed by the Department of Homeland Security or the Department of Justice’ means—

“(1) being employed as a civilian employee, a contractor (including a subcontractor at any tier), or an employee of a contractor (or a subcontractor at any tier) of the Department of Homeland Security or the Department of Justice;

“(2) being present or residing in Canada in connection with such employment; and

“(3) not being a national of or ordinarily resident in Canada.”.

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Part II of title 18, United States Code, is amended—

(1) in the table of chapters, by striking the item relating to chapter 212A and inserting the following:

“212A. Extraterritorial jurisdiction over certain offenses 3271”; and

(2) in the table of sections for chapter 212A, by inserting after the item relating to section 3272 the following:

“3273. Offenses committed by certain United States personnel stationed in Canada in furtherance of border security initiatives.”.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this

section shall be construed to infringe upon or otherwise affect the exercise of prosecutorial discretion by the Department of Justice in implementing this section and the amendments made by this section.

SA 4682. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Of the amounts made available by this Act to the National Marine Fisheries Service to provide observers, the National Marine Fisheries Service shall pay for the placement of at sea monitors on vessels before paying for observer-related costs associated with standardized bycatch reporting methodology requirements.

SA 4683. Mr. ISAKSON (for himself and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 217, insert the following:

SEC. 218. Notwithstanding any other provision of law, the provision of Senate Report 114-239 (April 21, 2016) relating to Federal water usage violations shall have no force or effect of law.

SA 4684. Mr. PERDUE (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Until the Secretary of the Army takes the actions described in subsection (b), none of the funds made available in this Act may be used—

(1) to conduct an audit of—

(A) all Federal water contract violations in multi-State water basins since 2005; and

(B) any contract violation notification the Department of Justice has received from the Secretary of the Army regarding all multi-State river basins since 2005;

(2) to develop and submit a record of how the Department of Justice has handled the violations and notifications described in subparagraphs (A) and (B) of paragraph (1);

(3) to develop and implement a comprehensive plan to enforce Federal law and respond to the violations described in subparagraphs (A) and (B) of paragraph (1);

(4) to issue or submit a report relating to the violations described in subparagraphs (A) and (B) of paragraph (1); or

(5) to enter into an agreement with the Secretary of the Army to receive notifications relating to the violations described in subparagraphs (A) and (B) of paragraph (1).

(b) The actions described in this subsection are—

(1) promulgation of a rule regarding return flow credits in reservoirs under the jurisdiction of the Corps of Engineers; and

(2) issuance of a final agency action on a updated water supply allocation for Lake Allatoona for the Alabama-Coosa-Tallapoosa river basin.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on June 14, 2016, at 9 a.m., to conduct a hearing entitled "Oversight of the U.S. Securities and Exchange Commission."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on June 14, 2016, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on June 14, 2016, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Energy Tax Policy in 2016 and Beyond."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on June 14, 2016, from 2:30 p.m., in room SH-219 of the Hart Senate Office Building.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

The Subcommittee on Superfund, Waste Management, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on June 14, 2016, at 3 p.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Oversight of the Environmental Protection Agency's Progress in Implementing Inspector General and Government Accountability Office Recommendations."

NATIONAL CHILD AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of S. Res. 494, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 494) designating September 2016 as "National Child Awareness Month" to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing the efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 494) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, JUNE 15, 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, June 15; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each; finally, that following morning business, the Senate vote on the motion to proceed to H.R. 2578.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order under the provisions of S. Res. 493 as a further mark of respect to the late George V. Voinovich, former Senator from the State of Ohio, following the remarks of Senator WHITEHOUSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in a Chamber where the debate on climate

change has become woefully one-sided and in a Congress where House Republicans just voted unanimously to oppose the only climate solution Republicans have come to, I want to use my 140th climate speech to remind us of a time when global warming concerns came from both sides of the aisle.

Nearly 30 years ago this week, a Republican chair of the Senate Environment and Public Works Subcommittee on Environmental Pollution, who also served twice as Governor of my State and as Secretary of the Navy, convened a 2-day, 5-panel hearing on ozone depletion, the greenhouse effect, and climate change. It was June, 1986, and Senator John Chafee, a Republican of Rhode Island, gave opening remarks warning of “the buildup of greenhouse gases, which threaten to warm the Earth to unprecedented levels. Such a warming could, within the next 50 to 75 years, produce enormous changes in a climate that has remained fairly stable for thousands of years.”

“[T]here is a very real possibility,” Senator Chafee went on to say, “that man—through ignorance or indifference, or both—is irreversibly altering the ability of our atmosphere to perform basic life support functions for the planet.”

Last weekend, the Washington Post wrote an article recalling this historic hearing, entitled “30 years ago scientists warned Congress on global warming. What they said sounds eerily familiar.”

Mr. President, I ask unanimous consent to have printed in the RECORD that article at the conclusion of my remarks.

Imagine, by the way, a Republican-controlled Senate that would even have a Subcommittee on Environmental Pollution. How things have changed. The present Republican Chairman of the Environment and Public Works Committee is the author of “The Greatest Hoax: How the Global Warming Conspiracy Threatens Your Future.” The contrast is stark between what Senate Republicans and their hearing witnesses were saying 30 years ago and what the polluter-funded GOP is saying today.

Thirty years ago, Senator Chafee declared:

This is not a matter of Chicken Little telling us the sky is falling. The scientific evidence . . . is telling us we have a problem; a serious problem.

According to our current EPW Committee chairman, “Much of the debate over global warming is predicated on fear rather than science.”

The depth and sophistication of climate science has done nothing but increase since the Chafee hearings, and the damage from climate change is not just a projection; it has started to occur. Scientists are now able to connect the dots. Australian researchers, for example, have determined that the

ocean warming that led to widespread and devastating coral bleaching, killing off a significant chunk of the Great Barrier Reef in March, was made 175 times more likely by human-caused climate change. As one researcher put it, “this is the smoking gun.”

Sadly, as the scientific consensus about the causes and consequences of human-driven climate change has strengthened over 30 years, the GOP’s trust in science has eroded. They don’t appear to even believe the science in their home State universities. All you have to do is go look at your own home State universities’ positions on climate and how they are presented. It is right there.

But when one looks at how that party is funded and how it has now become virtually the political wing of the fossil fuel industry, one can understand this sad state of affairs.

Three decades ago, Republican Senator Chafee said:

Scientists have characterized our treatment of the greenhouse effect as a global experiment. It strikes me as a form of planetary Russian roulette.

He went on to say:

By not making policy choices today, by sticking to a “wait and see” approach, . . . [b]y allowing these gases to continue to build in the atmosphere, this generation may be committing all of us to severe economic and environmental disruption without ever having decided that the value of “business as usual” is worth the risks.

Those who believe that these are problems to be dealt with by future generations are misleading themselves. Man’s activities to date may have already committed us to some level of temperature change.

Even with 30 more years of solid science buttressing it, many in the present-day GOP deny that basic understanding and ignore even the home State mainstream climate science that underpins it. A few—a very few—Republicans in Congress are now so bold as to accept mainstream, established science as it is taught in their home State universities, as is accepted by all our national science agencies and laboratories, and as it is warned of by our military and intelligence services, which is a nice step. But none will yet act on that understanding. Even that tiny cohort behaves in the face of this known risk—a risk the party recognized 30 years ago—as if it is enough to accept the science and do nothing. All 14 of the House Members who sponsored the House Resolution on climate change—all 14 of them—just voted with ExxonMobil and the Koch brothers against a carbon fee. When the whip comes down.

Thirty years ago, the Chafee hearing witnesses included the long-time director of NASA’s Goddard Center, Dr. James Hansen; Dr. Michael Oppenheimer of Princeton; Dr. Robert Watson; and then-Senator Al Gore of Tennessee.

Dr. Hansen, now one of the leading advocates for immediate and decisive

climate action within the science community, educated the subcommittee on the theory underpinning global climate models.

Dr. Oppenheimer, a member of the Intergovernmental Panel on Climate Change, talked about the need for immediate—30 years ago—climate action. Uncertainty, he told the Senators, was no excuse for inaction.

Dr. Watson, who would go on to chair the Intergovernmental Panel on Climate Change between 1997 and 2002 said: “It is not wise to experiment on the planet Earth by allowing the concentration of these trace gases to increase without full understanding the consequences.”

Senator Gore agreed with these scientists, testifying that “there is no longer any significant difference of opinion within the scientific community about the fact that the greenhouse effect is real and is already occurring.”

The current GOP chair of our EPW Committee has mocked Dr. Hansen and the IPCC and Vice President Gore, reserving a particular disdain for Vice President Gore, who he says is “drowning in a sea of his own global warming illusions,” and “desperately trying to keep global warming alarmism alive today.”

Thirty years ago, the tone of the GOP was much different. Where Republicans today mock the prudential rule, Senator Chafee actually advocated for prudence in environmental policy. He said this:

The path that society is following today is much like driving a car toward the edge of a cliff. We have a choice. We can go ahead, take no action and drive off the edge—figuring that, since the car will not hit the bottom of the canyon until our generation is already long gone, the problem of coping with what we have made inevitable, is for future generations to deal with. We can hope that they will learn how to adapt. On the other hand, we can put the brakes on now, before the car gets any closer to the edge of the cliff and before we reach a point where momentum will take us over the edge, with or without application of the brakes.

Present-day Republicans just want to turn up the radio to the tune of “Drill, Baby, Drill” and jam the accelerator to the floor. Our current EPW chair has even said: “CO₂ does not cause catastrophic disasters—actually it would be beneficial to our environment and our economy.”

Thirty years ago, Senator Chafee knew there was much yet to learn about climate change. Scientists will agree on the margins that there still is more to learn. But Senator Chafee said then that we have to face up to it anyway. I quote him again.

We don’t have all the perfect scientific evidence. There may be gaps here and there. . . . Nonetheless, I think we have got to face up to it. We can’t wait for every shred of evidence to come in and be absolutely perfect; I think we ought to start . . . to try and do something about [greenhouse gases], and certainly, to increase the public’s awareness of

the problem and the feeling, as you say, that it is not hopeless. . . . We can do something."

Six and one-half years ago, the United States was preparing to join the gathering of nations in Copenhagen for the 2009 U.N. Climate Change Conference. When that happened, business leaders took out a full-page ad in the New York Times calling for passage of U.S. climate legislation, for investment in the clean energy economy, and for leadership to inspire the rest of the world to join the fight against climate change. "[W]e must embrace the challenge today to ensure that future generations are left with a safe planet and a strong economy."

"Please don't postpone the earth. If we fail to act now, it is scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet."

Well, interestingly, one of the signatories of that advertisement was none other than Donald J. Trump, Chairman and President of The Trump Organization. It is also signed by Eric F. Trump and Ivanka Trump. Even the 2009 version of the man who is now the Republican Party's presumptive nominee understood and put his name to the need to act on climate change.

Mr. President, I ask unanimous consent that a copy of that advertisement be printed in the RECORD at the end of my remarks.

Mr. President, what does this individual, now the Republican Party's presumptive nominee, want to do? He is proposing to roll back President Obama's Clean Power Plan and cancel the landmark Paris climate agreement. The same guy who signed this advertisement has since labeled decades of research by thousands of honest and honorable climate scientists as a "hoax," a "con job," and "BS," to use a more polite form of his expression, all the while on his business side he wants a seawall to protect his golf resort from "global warming and its effects."

What do actual climate scientists think of the energy policies of the Republican nominee-to-be? Well, in reference to canceling the Paris Agreement and undoing the Clean Power Plan, Dr. PAUL Higgins, who is the director of the American Meteorological Society's Policy Program remarked:

Undoing these efforts would mean that future emissions of carbon dioxide would be larger and future atmospheric concentrations would be higher. Higher CO₂ concentrations would mean larger changes in climate and faster rates of change. Larger and faster changes in climate, in turn, pose greater risk to society.

Dr. Kevin Trenberth, a senior scientist at the National Center for Atmospheric Research, said: "[My] quick reaction is that [his] comments show incredible ignorance with regard to the science and global affairs." Incredible ignorance, that is the party standard.

Dr. Michael Mann, director of the Earth System Science Center at Pennsylvania State University—a State that has a GOP Member in the Senate—put it bluntly when he said, "[I]t is not an overstatement to say that [these] climate change views"—of this man—"and policy proposals constitute an existential threat to this planet."

Dr. Katharine Hayhoe, director of the Climate Science Center at Texas Tech University—that famous liberal, left-wing university, Texas Tech University—has spoken of the potential economic cost of inaction. She said:

As the impacts grow ever more evident, severe, and costly, what was obvious to the 195 nations who met in Paris will become obvious to every human on this planet: doing something about climate change is far cheaper than not.

A quick aside on Dr. Hayhoe's comment, when this becomes "obvious to every human on this planet," what will then be the legacy of the Republican Party? Not a proud one. Indeed, it will be a legacy to run from. The fossil fuel companies, their trade associations, front groups, and many in the GOP have spent the 30 years since the Chafee hearings obstructing responsible climate action despite better scientific understanding and growing public support for climate action. The fossil fuel industry has particular blame. They have erected a multi-tentacled, climate-denial apparatus that has deliberately caused that obstruction, and there are plenty of scientists looking at that now.

Citizens United is what gave that industry the unprecedented political weaponry that it has used to accomplish that end. The GOP-Citizens United-fossil fuel industry nexus will earn history's condemnation. Let's just hope it is not too late.

The Washington Post article asked Dr. Oppenheimer to reflect on the intervening 30 years. Dr. Oppenheimer said: This hearing helped bring the concern together, and essentially painted a picture that things are kind of spinning out of control, that science is trying to tell us something, that the world seems to be changing even faster than our scientific understanding of the problem, and worst of all, our political leaders are way behind the eight ball.

I knew Senator Chafee. He was a family friend. He may have been my father's best friend. He was an optimist and a pragmatist. He used to say: Given half a chance, nature will rebound and overcome tremendous setbacks, but we must—at the very least—give it that half a chance. He also knew nature's tolerance is not unlimited. At those groundbreaking hearings, Senator Chafee warned:

It seems that the problems man creates for our planet are never ending. But we have found solutions for prior difficulties, and we will for these as well. What is required is for all of us to do a better job of anticipating and responding to today's new environ-

mental warnings before they become tomorrow's environmental tragedies.

With those words, I close and yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 11, 2016]
30 YEARS AGO SCIENTISTS WARNED CONGRESS ON GLOBAL WARMING. WHAT THEY SAID SOUNDS EERILY FAMILIAR

(By Chris Mooney)

It was such a different time—and yet, the message was so similar.

Thirty years ago, on June 10 and 11 of 1986, the U.S. Senate Committee on the Environment and Public Works commenced two days of hearings, convened by Sen. John H. Chafee (R-R.I.), on the subject of "Ozone Depletion, the Greenhouse Effect, and Climate Change."

"This is not a matter of Chicken Little telling us the sky is falling," Chafee said at the hearing. "The scientific evidence . . . is telling us we have a problem, a serious problem."

The hearings garnered considerable media coverage, including on the front page of The Washington Post (see below).

"There is no longer any significant difference of opinion within the scientific community about the fact that the greenhouse effect is real and already occurring," said newly elected Sen. Al Gore, who, as a congressman, had already held several House hearings on the matter. Gore cited the Villach Conference, a scientific meeting held in Austria the previous year (1985), which concluded that "as a result of the increasing greenhouse gases it is now believed that in the first half of the next century (21st century) a rise of global mean temperature could occur which is greater than in any man's history."

"They were the breakthrough hearings," remembers Rafe Pomerance, then a staffer with the World Resources Institute, who helped suggest witnesses. "You never saw front-page coverage of this stuff."

The scientists assembled included some of the voices that would be unmistakable and constant in coming decades. They included NASA's James Hansen, who would go on to become the most visible scientist in the world on the topic, and Robert Watson, who would go on to chair the soon-to-be formed United Nations' Intergovernmental Panel on Climate Change.

And what they said was clear: Human greenhouse gas emissions would cause a major warming trend, and sea level rise to boot.

Here's how the hearings were covered on the front page of The Post:

The New York Times also covered the hearings, writing that "The rise in carbon dioxide and other gases in the earth's atmosphere will have an earlier and more pronounced impact on global temperature and climate than previously expected, according to evidence presented to a Senate subcommittee today."

Two years later, still more famously, Hansen would testify in another series of hearings that had an even greater public impact when it came to consciousness-raising—in part because at that point, he said that the warming of the globe caused by humans was already detectable. "It is time to stop waffling so much and say that the evidence is pretty strong that the greenhouse effect is here," he said then. In 1986, by contrast, scientists were still mostly predicting the future, rather than saying they had measured

and documented a clear warming trend—one that could be clearly distinguished from natural climate variability—and that it was already having demonstrable consequences.

"The 1986 testimony is interesting because it was so similar to my 1988 testimony," Hansen recalls. "I already had, and showed, some of the climate modeling results that formed the basis for my 1988 testimony."

Granted, in some cases the future temperature projections made in the 1986 hearings—based on assumptions about the rate of increase in greenhouse gas emissions and a high sensitivity of the climate to them—suggested temperatures might rise even more, or even faster, than scientists now believe they will. By email, Hansen clarified that we now know the world is closer to one scenario he presented in 1986—called Scenario B—than to Scenario A, which assumed a much more rapid rate of greenhouse gas growth, and accordingly, much faster warming.

Still, the theoretical understanding was in place for why temperatures would rise as greenhouse gases filled the atmosphere—simply because scientists knew enough physics to know that that's what greenhouse gases do.

"We knew in the '70s what the problem was," said George Woodwell, founding director of the Woods Hole Research Center, who also testified in 1986. "We knew there was a problem with sea level rise, all disruptions of climate. And the disruptions of climate are fundamental in that they undermine all the life on the Earth."

Much of the formal understanding had been affirmed by a 1979 report by the U.S. National Academy of Sciences, led by the celebrated atmospheric physicist Jule Charney of the Massachusetts Institute of Technology. That group famously assessed that if carbon dioxide levels in the atmosphere were to double, the "most probable global warming" would amount to 3 degrees Celsius, with a range between 1.5 degrees and 4.5 degrees, a number quite similar to modern estimates.

"We have tried but have been unable to find any overlooked or underestimated physical effects that could reduce the currently estimated global warmings due to a doubling of atmospheric CO₂ to negligible proportions or reverse them altogether," the scientists behind the report wrote.

Indeed, the fundamental understanding of the greenhouse effect, and that carbon dioxide is a greenhouse gas because of its particular properties, dates back to the 19th century, when the Irish scientist John Tyndall conducted experiments to determine the radiative properties of gases.

No wonder, then, that there was so much that scientists could say about it in 1986. And indeed, if you look at global temperature trends, it turns out they were speaking at a time when the planet's temperatures were beginning a steady upswing, one that, despite various yearly deviations, would continue inexorably to the present:

"This hearing helped bring the concern together, and essentially painted a picture that things are kind of spinning out of control, that science is trying to tell us something, that the world seems to be changing even faster than our scientific understanding of the problem, and worst of all, our political leaders are way behind the eight ball," said Michael Oppenheimer, a Princeton climate scientist who testified that day, and argued that action was warranted on climate change even though not everything was known about its consequences.

"I have to say, reading my own testimony . . . you know, I'd stick by everything in

that today, even though it's 30 years later," Oppenheimer said.

There was an additional context, though, that we're now less conversant with: The hearings were also about the issue of the depletion of the Earth's protective ozone layer by chlorofluorocarbons, or CFCs. Scientists had recently discovered an "ozone hole" over Antarctica that frightened the public, and seemed a definitive indicator of just how much human activities could change the atmosphere.

Even today, some still confuse the issue of climate change with that of the depletion of the ozone layer. They are not the same, but they are closely related in that both showed how seemingly small actions by individual humans, or by human industry, could add up to planetary consequences.

However, the ozone problem would prove far easier to fix. In 1987, just a year later, the nations of the world adopted the Montreal Protocol, which is today regarded as a major success in environmental protection. Under the treaty, a flexible and adaptable approach was taken to reductions—and regular scientific assessments allowed for course adaptation based on the latest information about how well progress was proceeding. Thus, by 2007, the U.N. Environment Program could declare of the treaty that "to date, the results of this effort have been nothing less than spectacular."

The contrast with climate change is stark. Despite having been alerted by scientists not only in 1986, but also in 1979 and, frankly, even earlier, what happened was not policy action, but rather the beginnings of a long political battle.

Even as the formation of the U.N. Intergovernmental Panel on Climate Change in 1988, and the global adoption of the Framework Convention on Climate Change in 1992, signaled steps toward action in the scientific and diplomatic communities, skeptical scientists emerged to challenge the views expressed by Hansen and others, supported by conservative think tanks and sometimes linked to fossil fuel interests. Meanwhile, U.S. politics shifted, as over the 1990s and especially the 2000s the climate change issue became polarized and it became rarer to see Republicans, such as Chafee, who were also strong environmentalists and advocates for climate action.

"Thirty years ago we had a Republican senator who was leading the charge on addressing what he said then was a real and serious threat of climate change from the emission of gases from fossil fuel burning," says Sen. Sheldon Whitehouse (D-R.I.), recalling the 1986 hearings. "You can read through all the things that Senator Chafee said back then, and it has all been proven true. It's very disappointing that thirty years later, there is no such voice anywhere in the Republican Senate, and if you look for a micron of daylight between what the fossil fuel industry wants, and what the Republican Party in the Senate does, you won't find it."

It was only in late 2015, in Paris, that the United States helped to negotiate a global agreement to address climate change, one in which each country sets its own pace on reducing emissions. But scientists widely agree that this accord isn't strong enough, on its own terms, to ensure that warming remains below a 2-degree Celsius danger zone.

Thirty years after the 1986 hearings, meanwhile, presumptive Republican presidential nominee Donald Trump said that if elected, he would attempt "renegotiating" that agreement.

"Those agreements are one-sided agreements, and they are bad for the United States," Trump said.

[From New York Times advertisement, Dec. 6, 2009]

DEAR PRESIDENT OBAMA AND THE UNITED STATES CONGRESS: Tomorrow leaders from 192 countries will gather at The UN Climate Change Conference in Copenhagen to determine the fate of our planet.

As business leaders we are optimistic that President Obama is attending Copenhagen with emissions targets. Additionally, we urge you, our government, to strengthen and pass United States legislation, and lead the world by example. We support your effort to ensure meaningful and effective measures to control climate change, an immediate challenge facing the United States and the world today. Please don't postpone the earth. If we fail to act now, it is scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet.

We recognize the key role that American innovation and leadership play in stimulating the worldwide economy. Investing in a Clean Energy Economy will drive state-of-the-art technologies that will spur economic growth, create new energy jobs, and increase our energy security all while reducing the harmful emissions that are putting our planet at risk. We have the ability and the know-how to lead the world in clean energy technology to thrive in a global market and economy. But we must embrace the challenge today to ensure that future generations are left with a safe planet and a strong economy.

Please allow us, the United States of America, to serve in modeling the change necessary to protect humanity and our planet.

In partnership,

Chris Anderson, Curator, TED; Richard Baker, Chairman, Lord & Taylor; Dan, David & Lauren Barber, Blue Hill; Chris Blackwell, Founder, Island Records, Island Outpost; Graydon Carter, Editor, Vanity Fair; Deepak Chopra, Adjunct Professor, Kellogg School of Business and Management; Yvon Chouinard, Founder, Patagonia; Ben Cohen, Jerry Greenfield, Co-founders, Ben & Jerry's; Gregory Colbert, Creator, Ashes & Snow; Kenneth Cole, Chairman, Kenneth Cole; Paulette Cole, CEO & Creative Director, ABC Home, ABC Carpet & Home; Tom Collicchio, Chef & Owner, Craft Restaurants; Kit Crawford, Gary Erickson, Co-Owners and Co-CEOs, Clif Bar & Company; Steve Ellis, Founder, Chairman & Co-CEO, Chipotle Mexican Grill, Inc.; Eileen Fisher, CEO, Eileen Fisher; Walt Freese, CEO, Ben & Jerry's Homemade; Mitchell Gold, Chairman, Bob Williams, President, Co-Founders, Mitchell Gold + Bob Williams; Matt Goldman, Co-Founder & CEO, Blue Man Group; Seth Goldman, CEO, Honest Tea; Robert Grebler, Founder, Pokonobe Associates, Jenga Licensor; Adrian Grenier, Reckless Productions; Alan Hassenfeld, former Chairman, Hasbro, Inc.; Don Hazen, Executive Editor, AlterNet; Gary Hirshberg, CEO, Stonyfield Yogurt.

Jeffrey Hollender, CEO, Seventh Generation, Kate Hudson, David Babali, Co-Founders, David Babali for WildAid; Mike Kaplan, CEO, Aspen Skiing Company; Michael Kieschnick, President, Credo Mobile; Sheryl Leach, Creator & Founder of Barney; Sven-Olof Lindblad, Founder, Lindblad Expeditions; Danny Meyer, CEO, Union Square Hospitality Group; Laura Michalchysyn, President & GM, Planet Green, Discovery Communications; Will Raap, Chairman & Founder,

Gardeners's Supply Company; Horst Rechelbacher, Founder, Aveda, Founder & CEO, Intelligent Nutrients; David Rockwell, Founder & Owner, Rockwell Group; Maury Rubin, Founder, Chef & CEO, City Bakery, Birdbath Green Bakery; Michael Rupp, CEO & President, The Rockport Company; Gordon Segal, Chairman, Crate & Barrel; Jeff Skoll, Founder, Participant Media and Skoll foundation; Harvey Spevak, CEO, Equinox; Greg Steltenpohl, Founder, Odwalla; Michelle Stein, President, Aeffe USA; Martha Stewart, Founder, Martha Stewart Living Omnimedia, Inc.; Jeffrey Swartz, CEO,

Timberland; Tom Szaky, CEO, TerraCycle; Donald J. Trump, Chairman and President, Donald J. Trump Jr., EVP, Eric F. Trump, EVP, Ivanka M. Trump, EVP, The Trump Organization; Jean-Georges Vongerichten, Executive Chef & Owner, Jean-Georges Management LLC.

If you want to go quickly, go alone. If you want to go far, go together. [African Proverb]

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, and pursuant to S. Res. 493, the Senate stands adjourned until 9:30 a.m. on Wednesday, June 15, and does so as a further mark of respect to the late George Voinovich, former Senator from Ohio.

Thereupon, the Senate, at 6:08 p.m., adjourned until Wednesday, June 15, 2016, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, June 14, 2016

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. BOST).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 14, 2016.

I hereby appoint the Honorable MIKE BOST to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

END HUNGER NOW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, the 1996 welfare reform law imposed new limitations on able-bodied adults without dependents, known as ABAWDs, receiving food assistance through the SNAP program. These 18- to 49-year-olds who do not have children or serve as caretakers to other individuals have access to SNAP for only 3 months in any 3-year period when they are not employed at least half time or are in a work training program.

It is important to note that the law doesn't require States to offer job training programs—most do not—and SNAP recipients have their benefits cut off after 3 months even if they are searching for work or are working less than 20 hours per week.

So who are the ABAWDs?

While some on the other side of the aisle tend to stereotype these vulnerable adults, the truth of the matter is there is no one face to the ABAWD population. This is a very diverse group. About 45 percent are women. Close to one-third are over 40 years old. Many

have limited educational experiences, with more than 80 percent having no more than a high school education or a GED. Some have mental health issues, difficult histories of substance abuse, or are ex-offenders who have nowhere else to turn, and as many as 100,000 are veterans.

These childless adults on SNAP are extremely poor and often experience chronic homelessness. They often turn to SNAP as a safety net when they lose their jobs, when their hours at work get cut, or when their wages are so low they are unable to make ends meet. Most childless adults on SNAP who are able to work do. At least 25 percent of these households work while receiving SNAP, and about 75 percent work in the year before or after receiving benefits. While many struggle with job insecurity, among those households that worked in a typical month while receiving SNAP or at some point during the following year, about half worked full time for 6 months or more in the year after they were on the program.

Because childless adults receive only limited government assistance, access to SNAP becomes a critical lifeline to these Americans who are living in poverty. After these vulnerable adults leave the SNAP program, research suggests that many continue to face incredible hardship. While some continue to struggle to find jobs, former SNAP recipients who work tend to earn low wages that keep them in poverty. They struggle to get the healthy food they need. Often, they must eat less or skip a meal entirely because they simply have no money with which to purchase food.

A provision in the 1996 welfare law allows States to suspend the 3-month limit in areas with high and sustained unemployment. In the aftermath of the Great Recession, Democratic and Republican Governors requested and received waivers from the 3-month limit, and the limit has not been in effect in most States during the past several years. But as the economy continues to recover, fewer areas qualify for waivers despite the fact that many of these vulnerable Americans still struggle to find long-term, stable jobs. As these waivers expire this year, it is expected that more than 500,000 and as many as 1 million of our poorest neighbors will be cut off from SNAP. Thousands already began losing their benefits on April 1 as 23 States began implementing the time limits for the first time since before the recession.

These waivers are providing support as they were intended to: helping our

communities overcome hardship and providing a lifeline to vulnerable adults who are unable to find work during difficult times. So I am greatly disappointed by the proposals offered by Speaker RYAN to eliminate the ability of States to request these waivers during times of economic hardship.

Mr. Speaker, cutting off food assistance for vulnerable adults who are unable to make ends meet is a rotten thing to do, and it only makes hunger worse in our communities. How does making hunger worse make it easier to get a job? Every single congressional district is home to Americans who are struggling with hunger. The hardships they face are exactly why such cuts are so cruel. These proposals are mean-spirited, political documents that are based on the false narrative that people don't want to work.

If my Republican friends were serious about getting people back to work and responsibly moving those who can work off of public assistance, their budgets would reflect that, but they don't. Republicans have offered no guarantees that vulnerable Americans will have access to job training programs that will get them back to work. Many job training programs are already stretched incredibly thin. If Republicans were serious, they would increase job training funding so that more Americans could get the help they need to get back on their feet. And, at every turn, they have resisted calls to increase the minimum wage. Work ought to pay in this country.

I sometimes wonder if my friends on the other side of the aisle have ever met working people who are living in poverty and who rely on SNAP for access to food. The truth is their neatly packaged rhetoric doesn't match the reality of those who are working to make ends meet.

We must reject harmful attempts to limit SNAP participation for our vulnerable neighbors and, instead, work on solutions to end hunger now.

SYRIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, on May 1 of last year, I came to this floor to speak on behalf of the Syrian people. I called for stronger leadership from our Commander in Chief, President Barack Obama, in the Syrian conflict. Specifically, I urged

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the President to establish no-fly zones to protect innocent lives. At that time, 200,000 Syrians had already died.

The administration has failed to act, and, today, Syria remains in crisis. The number of Syrians killed through the civil war has now doubled to 400,000. Many of these casualties are civilians: women, children, doctors, and teachers. So, Mr. Speaker, I come to this floor again to say that this slaughter of innocent human life must end, and it will not end unless the United States takes the lead fearlessly and immediately.

I meet regularly with Syrian Americans who live in my congressional district in Charleston, West Virginia. They have told me the stories of their friends and families in the city of Aleppo, which is a financial and cultural center in Syria. Aleppo is now on fire and under siege. Just last week, a civilian bus was the victim of an airstrike where 10 were killed, including three women and two children.

Sadly, this type of violence is a daily occurrence in Aleppo and elsewhere in Syria. Hospitals, markets, schools, bus stations, warehouses: none of these places are off limits for bombings and destruction. If America does not take immediate actions to end the current humanitarian crisis, thousands more will die, and we will look back on this period of history knowing that America failed both the Syrian people and the cause of freedom.

We must move quickly to protect the innocent civilians who are under attack. This means America must use its influence to stop the current flurry of airstrikes on civilian areas, and Russia must be part of this solution. If America fails to lead in negotiating a ceasefire immediately, the catastrophic losses of life will continue.

We must accomplish a longer term cessation of hostilities, and we must allow the Syrian people free movement so that the innocent are able to escape harm's way. A no-fly zone must be established so that Syria is able to heal into a place that promotes justice and freedom for all citizens.

Does this photo of Syria look familiar? You may remember seeing similar destruction in Bosnia almost 20 years ago. This is Bosnia. The war in Bosnia in the mid-1990s provides a thought-provoking blueprint as we search for solutions in Syria. With the disintegration of Yugoslavia in 1992, the region devolved into an ethnic civil war—first in Croatia, then in Bosnia. Serbian strongman Slobodan Milosevic began instituting a policy of ethnic cleansing by which whole populations were forced from their homes and were killed.

For 4 years, the United States remained passive in the conflict, but in the summer of 1995, under President Bill Clinton, America took decisive military action with a series of airstrikes that brought Milosevic to the

bargaining table, that forced peace, and that, ultimately, removed Milosevic from power. Today, Bosnia and Croatia are flourishing countries and are top destinations for many international tourists. Here is Bosnia today.

We must apply these lessons of the war in Bosnia to the current conflict in Syria. The United States must take decisive leadership in returning long-term stability to Syria. Unless America and our allies are willing to use force, Russian and Syrian leaders will not respect us or have reason to negotiate peace.

To enable the citizens of Syria to live free from fear and to thrive, we must do at least three things: establish safe zones along Syria's border with Turkey; ramp up our efforts to train Syrian opposition forces who have proven they are not extremists; and help Syria institute a new coalition government. Peace in Syria is impossible while Assad remains in control. He has proven this point time and again by his reckless and evil use of chemical weapons and other cruel tools of war on his own people.

America cannot address the humanitarian crisis and restore long-term stability to Syria on our own. We must engage with our partners around the world who share a mutual interest in the cause of freedom. But, no matter what, President Barack Obama must act now, or even more lives could be lost. I encourage my colleagues in this chamber to join me in this call to action.

ORLANDO SHOOTING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we should all be concerned with the killing of innocents. Let's start right here in America where we are under attack.

We are all still reeling from the horrific violence in Orlando—49 killed, more than 50 wounded. It is the worst mass shooting in American history. The killer was someone who, in his own words, identified with ISIS, a madman's fury directed at the GLBT community, who were slaughtered in a place of comfort, release, and joy. It was especially jarring because this has been an unprecedented period of progress for the GLBT issues on every front. New landmarks have been achieved.

While this outrage is tragic, horrifying, and frustrating, it is important that people understand that the advocates of GLBT equality and of a rational approach to gun safety are not going to stop in their efforts for reform. The unprecedented outpouring of support in the wake of Orlando ought to be a source of comfort and strength for the

GLBT community as people everywhere reaffirm their support and stand in solidarity for full equality. Our Pride Parade in Portland this weekend is going to be larger and more enthusiastic than ever.

The equality tide is not going to turn, and the silly bathroom police in North Carolina is not where America is going or even where North Carolina will be in the future. While it seems gun violence continues unchecked by sensible gun safety laws, that tide, too, is poised to turn. We know what to do. No one needs an assault rifle to hunt; although it is very efficient to slaughter little children in school or people in a nightclub.

There are dozens of simple steps that can be taken to protect Americans, steps which are, in fact, supported broadly by the public, not just by the majority of Americans but by most gun owners themselves. We should start with universal background checks for all gun purchases. Someone on the terrorist watch list should not be able to purchase a gun; no fly, no buy. If we can personalize our cell phones so that others can't use them, we ought to be able to make smart guns so that others cannot use guns unauthorized.

□ 1015

When somebody fails a background check, that ought to be reported to the authorities, who it was, and why.

We can repeal the inane prohibition on gun safety research that stops us from treating the epidemic of gun violence like we would any other public health crisis. It is interesting that even the author of this misguided policy 20 years ago now realizes it was a mistake, and he has changed his mind and wants to overturn it.

Just like automobile safety, we can take dozens of small steps to reduce gun violence. Not eliminate it altogether, but we don't stop treating cancer just because some people die; so it is with our commitment to gun safety. If we can stop a few tragic acts, it is worth it to reduce the number of attacks and save lives.

We are poised for one of the most consequential elections in anybody's memory. Let's make it count. We have an opportunity to stand in solidarity with our brothers and sisters in the LGBT community. We can join with President Obama and Secretary Clinton for enlightened national leadership, stand with the LGBT community committed to making this tragedy a turning point. This is the year to deliver on full LGBT equality and commonsense gun safety.

ACADEMY APPOINTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise this morning to recognize a group of remarkable young people from Pinellas

County, Florida, who have excelled among their peers and answered the call to duty to serve their fellow Americans. These young men and women have tested and proven themselves academically, athletically, and physically, and have demonstrated the leadership skills necessary to now be offered appointments to one of our United States Service Academies.

It is an honor to recognize these young men and women from Florida's 13th Congressional District today.

Receiving appointments to attend the U.S. Military Academy at West Point are:

Elizabeth Brown-Worthington of Gulfport, Florida, a graduate of Boca Ciega High School;

Andrew Buck of Tierra Verde, Florida, a graduate of Saint Petersburg Catholic High School;

Sean McClair of Seminole, Florida, a graduate of Osceola Fundamental High School and the U.S. Military Academy Preparatory School;

Tyler Mitchiner of Clearwater, Florida, a graduate of Palm Harbor University and the U.S. Military Academy Preparatory School;

William Moorhead of Clearwater, Florida, a graduate of Clearwater Central Catholic High School;

Patrick Prior of Saint Petersburg, Florida, a graduate of Osceola Fundamental High School;

John Rusnak of Seminole, Florida, a graduate of Saint Petersburg Catholic High School.

Receiving appointments from Pinellas County to attend the U.S. Naval Academy in Annapolis are:

Connor Price of Safety Harbor, Florida, a graduate of Palm Harbor University High School and the U.S. Naval Academy Preparatory School;

Jared Price of Safety Harbor, Florida, a graduate of Palm Harbor University High School and the U.S. Naval Academy Preparatory School;

Zack Quilty of Saint Petersburg, Florida, a graduate of Jesuit High School; and

Ethan Singer of Clearwater, Florida, a graduate of Countryside High School.

Receiving appointments to attend the U.S. Air Force Academy from Pinellas County, Florida are:

Brian Brown of Safety Harbor, Florida, a graduate of Countryside High School;

Dalton Collins of Largo, Florida, a graduate of Admiral Farragut Academy and the U.S. Air Force Academy Preparatory School;

Joseph Gannaio of Clearwater, Florida, a graduate of Calvary Christian High School;

Thomas "Trey" Walker of Saint Petersburg, Florida, a graduate of Saint Petersburg High School.

Receiving appointments to attend the U.S. Merchant Marine Academy from Pinellas County, Florida, are:

Jackson Misner of Tampa, Florida, a graduate of H.B. Plant High School; and

Sofia Tucker of Navarre, Florida, a graduate of Navarre High School.

Finally, receiving an appointment to attend the U.S. Coast Guard Academy is Olivia Suski of Seminole, Florida, a graduate of Seminole High School and the Marion Military Institute.

These future cadets and midshipmen that we recognize today will be the future leaders of our military forces and our Merchant Marine. I wish them Godspeed in the challenges of their summer training and the academic years to follow.

These young people represent the best of America, and we each look forward to witnessing their future success and their service to country.

We, the House of Representatives, can have great confidence in our Nation's future as we entrust it to these appointees and those of my colleagues here in Congress.

ORLANDO MASSACRE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, this is what our moments of silence have brought us:

A silent nightclub. The only sound is the frantic ringing of cell phones that would never be answered and silent bodies where there should be life, love, and pride. And, here, a silent Congress.

More words cannot express the depth of my rage and grief. Forty-nine lives lost in the middle of Pride Month when they should have been safe and celebrated. Forty-nine families devastated by the loss of their loved ones. Forty-nine phones ringing and ringing and ringing.

There were also frantic texts, like Eddie Justice's final message to his mother: "Mommy, I love you. He's coming. I'm gonna die."

If you can hear these words without your heart breaking, if you can think of those little children gunned down in Newtown without breathing, if you can think of empty pews in Charleston without mourning, then truly you have lost your souls.

Hateful people like to compare LGBT equality to the sin-filled Biblical cities of Sodom and Gomorrah, but we here in Congress are the real Sodom and Gomorrah.

Are there not 218 Members here to stand against this bloody tide?

I ask you today: How many lives must be destroyed before Congress acts?

Nine lives? Charleston showed us nine is not enough.

Thirteen lives? Columbine showed us that 13 was not enough.

Certainly, 27 small children killed in their classrooms in Newtown? No, not enough.

The 32 lives lost at Virginia Tech, again, not enough lives. The more than

33,000 Americans killed each year by guns, not enough.

Now 49 people have been mowed down and murdered in Orlando, yet even this historic tragedy, the biggest mass murder since 9/11, hasn't been deemed big enough, horrific enough, or insidious enough to break the weak-kneed, spineless, silent Members of Congress.

Congress is happy to debate for hours about bathrooms, but bring up the gun violence killing of thousands? Absolutely not.

Radical Islam or homegrown American homophobia or a toxic stew of both may have inspired the Orlando shooter. No doubt we will learn about his disgusting motivations in the coming weeks.

But there are simple actions we can take right now, actions that would have reduced the deaths in Orlando as well as in Aurora, Newtown, San Bernardino, and at Umpqua Community College. All these killers use AR-15s. All of them used weapons of mass destruction.

First, let's make sure every gun purchase requires a background check rather than just 60 percent of gun purchases.

Why have we created a separate market for criminals, domestic abusers, and mentally ill?

Let's ban assault weapons that have time and time again caused mass bloodshed. The American people are too familiar with the AR-15, a weapon designed to hunt Americans in their most vulnerable places: the classroom, the movie theater, the nightclub.

Whether the would-be killers are Islamic extremists or American White supremacists or disgruntled coworkers, banning assault weapons would prevent mass bloodshed on the scale we saw last weekend in Orlando. Motive doesn't matter without the means.

Finally, we must lift the ban on gun violence research. Our best minds should have access to gun violence statistics and be encouraged to study ways to stem the tide of violence. The Second Amendment cannot be abridged by basic scientific studies.

Would these policies stop all gun violence? Of course not.

But I am repulsed by the moments of silence that just are for show. No other industrialized country has such blood-soaked streets. By remaining silent, we are complicit in these crimes.

To the Latino and LGBT communities that are dealing with this unimaginable tragedy, I mourn with you and stand with you against this tide of hatred.

To my colleagues, I plead with you, please, stop the idolatry of weapons of death.

REMEMBERING THOSE LOST IN THE JUNE 11TH SHOOTING IN ORLANDO

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I join my colleagues in praying for the victims and the impacted families from Saturday's terrorist attack in Orlando, Florida.

This terrorist attack serves as a reminder that we must do everything possible to defeat those who inspire hate and we must eradicate ISIS before other incidents occur.

Mr. Speaker, over the past 2 years alone, 73 American lives have been taken by acts of terrorism here at home, in the United States.

Mr. Speaker, the first duty of American leadership is the safety of our citizens and our families. When American leadership fails, our citizens pay a heavy price.

CELEBRATING THE 100TH ANNIVERSARY OF FARM CREDIT

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in recognition of the 100th anniversary of the farm credit, which was signed into law through the Federal Farm Loan Act of 1916 and was created to be a source of competitive credit for those who live and work in rural America.

Today, the farm credit system plays a vital role in the success of our rural communities throughout our 50 States and in Puerto Rico, providing more than \$237 billion in loans to more than 500,000 customers.

Now, while the farm credit system has a national footprint, its leaders are local. There are nearly 75 independently owned and operated farm credit organizations across the Nation, acting as cooperatives, owned by its customers with a deep understanding of agriculture in their area.

Agriculture is the number one industry in Pennsylvania, my home State, and I can tell you that the farm credit system has played a major role in helping farm families survive and thrive through the use of financing, the construction of new buildings, the purchase of land, the pursuit of agribusiness opportunities, and the purchase of new equipment to remain competitive.

The farm credit system has also been vital to helping new farmers in Pennsylvania hit the ground running and to start to grow their new businesses.

Mr. Speaker, American agriculture is responsible for feeding our local communities, our Nation, and the world as a whole. It is my hope that the farm credit system will assist our farms for generations to come.

AL RIDDLEY'S PRAYER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Mrs. BUSTOS) for 5 minutes.

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize Al Riddley of Springfield, Illinois, who is giving this afternoon's opening prayer.

This tradition of a congressional prayer dates back all the way to the Continental Congress in 1774. It has guided the House of Representatives through trying and through difficult times. That is why I can think of no better person to lead us in prayer this afternoon.

Al has dedicated his life to helping others and improving our communities in Illinois. Throughout his entire professional career, he has extended a helping hand to the most vulnerable, especially our friends and our neighbors in need.

Al serves on the Governor's Commission on the Elimination of Poverty. As the recent past executive director of the Illinois Coalition for Community Services, he has worked to empower volunteers through education and grassroots organizing.

As a minister, Al gives the best sermons I have ever heard. He can move congregations to tears. He can give them a good laugh. And I can guarantee you that if you hear him, there is never a congregation that doesn't walk away feeling inspired to make a difference in the lives of their neighbors.

That is why it makes me proud to say that Al Riddley is going to be giving the opening prayer later this afternoon, and I am honored to have him here with us today.

TRUTH ABOUT THE BABY BODY PARTS INDUSTRY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. HARTZLER) for 5 minutes.

Mrs. HARTZLER. Mr. Speaker, today I rise to bring attention to the research that the Select Investigative Panel on Infant Lives is conducting. On April 20 of this year, Select Investigative Panel on Infant Lives Chairman MARSHA BLACKBURN held a hearing on the pricing of fetal tissue and found broad consensus among witnesses that Federal law may have been violated when abortion clinics profited from the sale of baby body parts and the privacy of women may have been violated in the process.

Let's take a look at what the panel found. First, and possibly the most shocking, is a Web site where one procurement business, whose name has been redacted, has set up an online order form. From this Web site, a user can select what type of parts they want: baby brains, baby tongue, scalp, reproductive organs. The quantity is then selected of the gestational period chosen. The user even has shipping options.

This is truly appalling. This is online shopping for baby parts, and this procurement business has made it as easy as possible.

□ 1030

But these procurement businesses are not doing this by themselves. They are

only the middlemen in a transaction between the supplier—or abortion clinic—and the end user.

As seen on exhibit B2, this procurement business markets itself in its brochure to abortion clinics as a way for the clinics to make additional income by allowing the procurement business technicians to collect tissues and organs from aborted babies immediately after an abortion is completed. The brochure uses the words "financially profitable," "fiscally rewards," and "financial benefit to your clinic."

The Select Investigative Panel on Infant Lives' investigation revealed that the procurement business technician performs every conceivable task in the harvesting process immediately after an abortion. For this, the procurement business is charged a fee by the clinic, even though the clinics are not incurring any additional costs in the process, thus they are making money off of this horrific act.

It is important to note at this point that the underlying statute allowing for the donation of fetal tissue assumes the tissue would be for transplantations and research and would not be sold. Further, in 1993, former Democrat Congressman Henry Waxman, who wrote the restrictions into law, stated on the House floor: "This amendment would enact the most important safeguards to prevent any sale of fetal tissue for any purpose, not just the purpose of research." He went on and said: "It would be abhorrent to allow for the sale of fetal tissue and a market to be created for that sale."

So what have these clinics done? Well, just the opposite, it would seem. This shows an abortion clinic charged the middleman \$11,365 for harvested baby parts or what they call POCs, products of conception, and blood. Exhibit D2 shows the abortion clinic charged the middleman again, this time \$9,060, for harvested baby parts and blood even though the clinic did not incur any additional expense in the harvesting process.

This is the very market Congressman Waxman called abhorrent, and he was right. It is abhorrent. How callous does one have to be to rob a baby of life and then charge others for the pieces of the corpse? This is beyond disturbing.

Just as disturbing, the Select Investigative Panel on Infant Lives also found that women's privacy rights appear to have been violated in the process. After the online order form comes to the procurement company from a researcher, it goes to the procurement company's technician, who is embedded in the abortion clinic.

The technician then, without their consent, reviews the woman's medical records to see if their baby's age and gender match that day's order. If so, the technician then goes to the woman, befriends her, and coerces her to give consent by lying to her—and this is a

Planned Parenthood consent form—claiming that blood from pregnant women and tissue that had been aborted have been used to treat and find a cure—find a cure—for such diseases as diabetes, Parkinson's disease, Alzheimer's, cancer, and AIDS. As we know, this is not true.

From there, the procurement technician dissects the aborted baby in order to harvest the specific organs that were ordered and ships them off. The Select Investigative Panel on Infant Lives' investigation into this issue is already illustrating that the clinics are turning the sale of baby body parts into a business, and they are making a profit doing so.

No woman should be treated this way. No woman should have her private medical records given to a for-profit company so they can use her for financial gain. These practices are deplorable, and they must end.

WE ARE ALL MOURNING THE SENSELESS VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. KENNEDY) for 5 minutes.

Mr. KENNEDY. Mr. Speaker, regardless of our party affiliation or our congressional district, we are all mourning the senseless violence and loss of life in Orlando.

As we learn the names and the stories of each victim, our focus now turns to how we respond, how we prevent another act of terror and hate, another tragedy to which this country has become far too accustomed.

We face a multitude of shortcomings that this Nation must account for: access to guns designed to maximize death and destruction as well as the very real threat that violent extremism and homegrown terrorism pose to American lives. Two debates, it is worth noting, that this body has repeatedly failed to take up.

In the days and weeks ahead, these issues deserve and demand our attention. But as we wrestle with the means by which terror was expressed, we cannot ignore the specific target it sought: the LGBT community.

We often use words like "indiscriminate" when we talk about gun violence, referring to the terrifying randomness these tragedies can reflect, the sense that it could happen anywhere, anytime, to any of us. We cannot use the term "indiscriminate" here. While the details are still coming to light, all signs point to a crime motivated by hateful prejudice against a specific subset of our population.

It comes at a particularly difficult time. This month is LGBT Pride Month, 30 days to celebrate what it means to be an LGBT American, to be true to yourself, to remember the blood, sweat, and tears that activists

and advocates have shed for generations demanding better of their country.

On Saturday afternoon, I walked through the streets of Boston for our Commonwealth's annual Pride Parade. It is one of my favorite events of the year—the celebration, jubilation, camaraderie, and energy that takes the city by storm. The first year I participated, I had the honor of marching with my predecessor, Congressman Barney Frank. The year after that, I walked with my former college roommate, Jason Collins, who had recently come out as the first gay professional athlete in a major U.S. sport.

Standing next to Congressman Frank and Jason, I saw not only what their presence meant to that sea of supporters surrounding us, but what those supporters mean to them: an incredible wave of love and acceptance that they had to fight a lifetime to see—a statement of support from community and country that most of us get to take for granted.

This past Saturday was no different. Love and tolerance emanated from every sidewalk, every storefront, and every street. Yet less than 24 hours later, we woke up on Sunday to the devastating images of the Pulse nightclub: families and friends searching for loved ones; heroes carrying injured victims in their arms to a nearby hospital; strangers waiting in line for hours to donate blood; a community far too accustomed to violence and hate forced to confront a painful truth—that for all of our recent strides and successes, this country continues to give discrimination against the LGBT community a home.

While this body stands firmly united in heartbreak and horror over what transpired on Sunday morning, we cannot ignore the example that our actions—or inactions—have helped set. Our Nation was founded on a sacred promise of equal treatment under the law; yet, even today, we still fall short.

When we allow some Americans to be fired from their job because of who they love, when we deny access to public accommodations because of who you are, when we fail to end legalized discrimination in businesses and hospitals and homeless shelters, when we set policies that treat an entire community as less worthy of our protection, then we cannot be surprised when that prejudice takes root across the country and rears its head with gruesome, gut-wrenching consequences.

Bigotry begets violence. This is a lesson our country has learned time after time at tremendous human cost. Today, if we are serious about responding to hate, then we have to dismantle the policies within our Federal Government that give it cover.

CELEBRATING THE 100TH ANNIVERSARY OF THE FARM CREDIT SYSTEM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. ROSS) for 5 minutes.

Mr. ROSS. Mr. Speaker, today I rise to recognize the 100th anniversary of the Farm Credit System. Established by Congress in 1916, Farm Credit's mission is to provide a reliable source of credit for United States farmers.

At the time of Farm Credit's creation, credit was virtually unaffordable or inaccessible in rural areas. Over the next 100 years, Farm Credit helped our Nation's farmers survive the Great Depression, feed a country during World War II, and survive nearly two decades of a farm crisis.

Today Farm Credit provides more than one-third of the credit needed by those living and working in rural America. In my home State of Florida, Farm Credit is the largest single lender to agriculture. It is made up of people like a good friend of mine, Al Bellotto, a World War II hero who survived Iwo Jima and Okinawa, came back home and served for 35 years as the chairman of the Farm Credit of Central Florida and is now a chairman emeritus and member of Florida's Agricultural Hall of Fame. It is people like him who make sure that Farm Credit is dedicated to the people and to the business of agriculture, the heart and lifeblood of the United States.

It is my hope that the Farm Credit System will continue to support our Nation's great farmers, that our agricultural industry will thrive, and in 100 years a future Representative of central Florida will be on this floor celebrating Farm Credit's 200th anniversary.

Happy anniversary, Farm Credit.

TRAGEDY HAS ONCE AGAIN STRUCK OUR NATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. NADLER) for 5 minutes.

Mr. NADLER. Mr. Speaker, this week tragedy once again struck our Nation when the deadliest mass shooting in American history occurred in an LGBT nightclub in Orlando early Sunday morning, leaving 49 people dead and more than 50 wounded. Our hearts go out to the victims and their families. So many young people in the prime of their lives were senselessly murdered.

It is hard to make sense of it all, but there are three aspects of this tragedy that I want to address today:

First, the fact that the shooter pledged allegiance to ISIS is deeply disturbing. We need to follow every lead and find out if he did, indeed, have any connection to ISIS or any other terrorist group. We must pursue those who may have inspired him, trained him, or assisted him in his deadly act,

and we must take action to prevent others from being radicalized and turned into deadly killing machines.

Second, we must acknowledge that this was a hate crime targeted at the LGBT community. The killer didn't pick his target randomly. He sought out gay, young men in a club environment where they felt safe, where they felt a sense of community and acceptance, and he sought to shatter their world and terrorize and intimidate the LGBT community.

I have worked with my friends in the LGBT community for a very long time, and one thing I am sure of is that they will not be intimidated; they will not be beaten down; they will not be forced into hiding; they will not be silenced. The community is strong, it is united, and it is unashamed. The LGBT community will come together to honor the dead and then will keep educating, keep advocating, keep mobilizing for a more fair, a more just society where no one has to live in fear because of who they are or whom they love.

Third, it is clear that far fewer people would have been killed or wounded if the attacker had not had access to a deadly assault weapon. Once again, the necessity of controlling access to military-style assault weapons, whose only purpose is to kill large numbers of people as quickly and efficiently as possible, is made tragically clear.

Our refusal to ban assault weapons makes this House complicit in this and every other mass murder that we now see on a regular basis. This Chamber is drenched in blood. We must cleanse it. We must pass the long-pending legislation to reinstitute the assault weapon ban. We ban machine guns, and we had an assault weapon ban not that long ago, so it is not a radical proposal. It is not counter to the Second Amendment. It is just common sense. And yet, President George W. Bush let the ban expire, and Republicans in Congress have acted repeatedly to prevent even our consideration of renewing the ban.

Every Member of Congress who has refused to support renewing the ban should be forced to answer to their constituents, to their country, and to the countless victims and their families who have suffered so much heartbreak due to gun violence.

How can you allow such carnage to go unchecked? How can you do nothing in the face of so much pain? Why won't you stand up to the NRA and at least take the basic step to prevent mass murder? Why won't you ban people on the terrorist watch list from purchasing assault weapons? If someone is too dangerous to permit to fly, certainly he or she is too dangerous to permit to buy assault weapons.

And yet this Congress has done nothing except hold repeated moments of silence. That is not enough. This silence, combined with this inaction, makes hypocrites of us all. The Amer-

ican people are baffled by our silence. They demand more. They demand action, action to combat hate, to protect the LGBT community, and to control access to deadly weapons to prevent murderers and lunatics from getting assault weapons.

If the leadership of this Congress won't take action, then it ought to be replaced by a leadership that will.

□ 1045

A DEDICATED EDUCATOR TO RETIRE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to acknowledge Minnesota State Colleges and Universities chancellor Steven Rosenstone's upcoming retirement, and I thank him for his years of serving our State's higher education system.

Steven has dedicated his entire life to education, which began when he received his own degree from Washington University and a master's degree from the University of California, Berkeley. From there, he went on to teach political science at Yale University, and later at the University of Michigan.

In 1996, Steven came to Minnesota to serve as the dean of the College of Liberal Arts, where his hard work and vision ultimately led him to being named the chancellor of Minnesota State Colleges and Universities in February of 2011. During his time as the head of Minnesota's State schools, Steven implemented numerous policies that ensured a better and more affordable education for Minnesotans.

Thank you, Steven, for dedicating your life to helping others pursue their goals through education. We wish you a happy and restful retirement.

THE PRIDE OF MINNEAPOLIS TURNS 150

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to celebrate the 150th birthday of a fantastic Minnesota company, General Mills.

In 1866, Cadwallader Washburn started a mill that would eventually become General Mills. Located on the mighty Mississippi, the mill was the largest mill west of the Mississippi, causing the locals to name it "the pride of Minneapolis."

Throughout the years, the company flourished, even through the hardest of times. During the Great Depression, while many other companies went under, General Mills thrived, creating popular products like Kix and Bisquick.

General Mills not only succeeded during these times, but extended a helping hand when it was needed. During World War II, 9 out of 10 employees worked on projects so vital to the war effort that armed guards patrolled the company.

Today, General Mills successfully markets many popular brands like

Betty Crocker and Haagen-Dazs, creating jobs and making a major contribution to the great State of Minnesota and this country.

I would like to thank General Mills for feeding the Nation, and I wish them a happy 150th birthday. Here's to 150 more years of success.

HONORING ST. CLOUD STATE UNIVERSITY'S
PRESIDENT EARL POTTER

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to honor the life of St. Cloud State University president, Earl Potter, who was tragically killed in a car accident last night.

Earl was one of Minnesota's best and brightest educators, and he dedicated his entire life to this Nation's students, most recently serving Minnesota's Sixth District at St. Cloud State University. He brought innovation and positive change to St. Cloud State University over the past decade, preparing his students for life after college.

Not only was Earl Potter committed to the students within the St. Cloud community, but he dedicated his time and energy to serving the greater St. Cloud community and Minnesota as a whole. He served on the St. Cloud Area Chamber of Commerce Board of Directors, United Way of Central Minnesota Board of Directors, Greater St. Cloud Development Corporation, and the Minnesota National Guard Senior Advisory Task Force, among many others.

Earl's service extended well beyond the borders of our great State of Minnesota as well as with his service on nearly a dozen national academic boards. He was passionate about the universities he represented, the students he served, and the communities in which he lived.

We have suffered a huge loss in the St. Cloud community, and my deepest condolences go out to Earl's wife Christine, their children and grandchildren, and their loved ones across the country. The work that Earl has done for our community will be his living legacy.

REMEMBERING THE ORLANDO SHOOTING VICTIMS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, Stanley Almodovar, III. Amanda Alvear. Antonio Davon Brown. Darryl Roman Burt, II. Angel L. Candelario-Padro. Luis Daniel Conde. Cory James Connell. Tevin Eugene Crosby. Deonka Deidra Drayton. Leroy Valentin Fernandez. Simon Adrian Carrillo Fernandez. Mercedes Marisol Flores. Peter O. Gonzalez-Cruz. Juan Ramon Guerrero. Paul Terrell Henry. Frank Hernandez. Miguel Angel Honorato. Javier Jorge-Reyes. Jason Benjamin Josaphat. Eddie Jamoldroy Justice.

Anthony Luis Laureanodisla. Christopher Andrew Leinonen. Alejandro Barrios Martinez. Juan Chevez-Martinez. Brenda Lee Marquez McCool. Gilberto Ramon Silva Menendez. Oscar A. Aracena-Montero. Kimberly Morris. Akyra Monet Murray. Luis Omar Ocasio-Capo. Geraldo A. Ortiz-Jimenez. Eric Ivan Ortiz-Rivera. Joel Rayon Paniagua. Jean Carlos Mendez Perez. Enrique L. Rios, Jr. Jean C. Nives Rodriguez. Xavier Emmanuel Serrano Rosado. Christopher Joseph Sanfeliz. Yilmery Rodriguez Solivan. Edward Sotomayor, Jr. Shane Evan Tomlinson. Martin Benitez Torres. Jonathan Antonio Camuy Vega.

We will never forget. And while we mourn your loss, your memory will inspire us to fight for change.

TIME FOR ACTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DOLD) for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise today because thoughts and prayers are not enough. It is time for action.

The hateful terrorist attack targeting America's LGBT community in Orlando is another reminder to come together and work across party lines to root out terrorism, prevent gun violence, and put an end to bigotry of all kinds. An attack on one American is an attack on all of us.

We cannot allow partisanship to define this debate. We must take decisive and united actions to ensure that nothing like the attacks on Orlando, Paris, Newtown, or San Bernardino ever happen again.

Congress should immediately move forward and pass the Denying Firearms and Explosives to Dangerous Terrorists Act. This commonsense bill would prohibit suspected terrorists from possessing guns or explosives. Keeping dangerous weapons out of the hands of people who wish to do our country harm is a solution that we should all be able to get behind.

The hateful attack in Orlando also reminds us once more of the growing threat of ISIS-inspired radical Islamic terrorist on U.S. soil is real and cannot be ignored or downplayed.

Congress must reassert leadership in the fight against ISIS by passing legislation to hold the President accountable for developing a comprehensive plan to destroy ISIS.

Through congressional oversight hearings, we must also ensure that Federal agencies and local law enforcement are effectively communicating with each other to identify international and homegrown terror threats through both traditional security approaches and social media.

Internationally, Congress must act to cut off sources of funding to other radical Islamic terror groups by restoring crippling sanctions on Iran. The re-

cent agreement, which, frankly, shipped billions of dollars to the world's largest state sponsor of terror while helping finance organizations like Hamas and Hezbollah, is simply unacceptable.

At home, we cannot allow the tired, partisan bickering to distract us from the difficult but necessary work of preventing gun violence. We need to bridge the partisan divide and put the best interests of our country before politics.

A good first step is the legislation that I helped introduce with former Congresswoman Gabby Giffords to require universal background checks on firearm purchases. The vast majority of the American people support this commonsense idea, and it is past time Congress moves forward with this proposal that will keep more people safe.

We also need to improve communications so that local law enforcement is notified when someone attempts to purchase a gun and fails a required background check. My colleague, Congressman MIKE QUIGLEY, introduced a commonsense bill to make this fix, which I strongly support.

Other important efforts to prevent gun violence include my bill with Congresswoman DEBBIE DINGELL to prevent domestic abusers from being able to purchase weapons. This proposal would help, again, prohibit firearm trafficking used to evade background checks, and also, a long-overdue increase in mental health resources.

In short, there are numerous commonsense proposals, Mr. Speaker, that will keep guns out of the hands of those that should not have them while protecting our Second Amendment rights. It is time that we take action.

Mr. Speaker, there is no quick and easy solution to all the problems underscored by the Orlando terrorist attack, but if we are able to set aside partisan differences and unite in the best interests of our Nation, we can make serious strides in the ongoing efforts to keep Americans safe and prevent future atrocities.

WE ARE ALL ORLANDO

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for 5 minutes.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, yesterday, I went down to the Stonewall Inn in Greenwich Village in New York City, where the modern gay rights movement really began.

I went there to leave some flowers in honor of those members of the LGBT community who lost their lives in the massacre—the worst mass shooting in American history—at Pulse Nightclub in Orlando, Florida.

While I stood there in solidarity with a somber crowd of allies and members

of the LGBT community, it occurred to me that, just as the events at Stonewall were a turning point in the gay rights movement, this horrific attack in Orlando may serve as a turning point of its own because it is time for all of us to stand up together and say: Enough. We will not be silent. This madness must end.

And make no mistake, it is utter madness that a man with a history of domestic violence, a man who had been investigated by the FBI for his possible ties to terror, could buy an assault weapon as easily as he could buy an aspirin.

In the Pulse massacre, this man armed with an AR-15 military-type assault rifle, a weapon that he bought legally, killed 49 people and injured 50 more.

□ 1100

Earlier, at an elementary school in Connecticut, another madman with an AR-15-style assault weapon killed 26 children and their teachers. And in a theater in Aurora, Colorado, one man with one AR-15 assault weapon killed 12 and wounded 70.

In each of these mass casualty events, it took one gun and one man to brutally take so many innocent lives. In each case, the gun was an assault weapon.

Assault weapons are designed to do one thing very well, and that is to kill people very rapidly. They aren't used for hunting. They aren't used for self-defense. They are used as weapons of war.

So why is it so easy for people to purchase them and hurt others?

That is why, in 1994, three United States Presidents—President Ford, President Carter, and President Reagan—all signed a letter to the House of Representatives calling for a Federal ban on military-style assault weapons. I will place their meaningful letter into the RECORD.

MAY 3, 1994.

TO MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: We are writing to urge your support for a ban on the domestic manufacture of military-style assault weapons. This is a matter of vital importance to the public safety. Although assault weapons account for less than 1% of the guns in circulation, they account for nearly 10% of the guns traced to crime.

Every major law enforcement organization in America and dozens of leading labor, medical, religious, civil rights and civic groups support such a ban. Most importantly, poll after poll shows that the American public overwhelmingly support a ban on assault weapons. A 1993 CNN/USA Today/Gallup Poll found that 77% of Americans support a ban on the manufacture, sale, and possession of semiautomatic assault guns, such as the AK-47.

The 1989 import ban resulted in an impressive 40% drop in imported assault weapons traced to crime between 1989 and 1991, but the killing continues. Last year, a killer armed with two TEC9s killed eight people at a San Francisco law firm and wounded several others. During the past five years, more

than 40 law enforcement officers have been killed or wounded in the line of duty by an assault weapon.

While we recognize that assault weapon legislation will not stop all assault weapon crime, statistics prove that we can dry up the supply of these guns, making them less accessible to criminals. We urge you to listen to the American public and to the law enforcement community and support a ban on the further manufacture of these weapons.

Sincerely,

GERALD R. FORD.
JIMMY CARTER.
RONALD REAGAN.

Mrs. CAROLYN B. MALONEY of New York. That same year, I voted for a Federal Assault Weapons Ban signed into law by President Clinton that also banned massacre-sized magazines. Unfortunately, this ban expired in 2004, and Congress, under pressure from the NRA, has since refused to reauthorize it, even when facts show that reauthorizing it would save lives.

It should come as no surprise that, of the 10 mass shooting incidents in the United States, 7 of them involved the use of an assault-style rifle.

That is why I fully and wholeheartedly support the commonsense proposal to reinstate a Federal ban on the sale and manufacture of assault weapons and massacre-sized magazines, and that is why so many Members of Congress have introduced—on both sides of the aisle—commonsense gun reform bills.

And let's be clear. These measures are not some kind of assault on Second Amendment freedoms for hunters or those who wish to have a gun for self-protection. The assault ban is a limited, commonsense measure to help keep people safe.

It is time for us to stand up together and to pass these commonsense bills because this time #WeAreAllOrlando.

RECOGNIZING THE IMPORTANCE AND IMPACT OF SMALL BUSINESSES ON OUR NATION'S ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HARDY) for 5 minutes.

Mr. HARDY. Mr. Speaker, I rise today to recognize the importance and the impact that small businesses have on our Nation's economy.

Last month, we celebrated National Small Business Week in order to recognize the hard work and dedication of the estimated 28 million small-business owners who provided 48 percent of the private sector job workforce here in the United States while also representing 99.7 percent of all businesses with employees.

It is without a doubt that small businesses are the backbone of our Nation's economy. I greatly appreciate each and every small-business owner across this country who devotes their time, their

passion, and their financial resources to ensure that small businesses are successful. For these individuals, Small Business Week is every week of the year.

As a former small-business owner of 20 years, I understand what it takes to build a successful small business while ensuring that our customers receive the products and service they expect and our employees are provided for.

It wasn't always easy as a small-business owner, but having the opportunity to employ hundreds of employees over the years is an experience I would never trade.

Over the last 17 months, I have had the great privilege of touring numerous small businesses within my district, where I have had the opportunity to speak to the employees that see firsthand what business does as it contributes to our economy.

From the small-business barber shop to a tortilla chip factory, it has always amazed me to see the enthusiasm that exists when the small-business owners work side-by-side with their employees. It is for this reason that small businesses are the backbone of our economy.

It is my honor to recognize outstanding individuals who received the award on May 4 in Las Vegas during the 2016 SBA Small Business Award luncheon. These individuals serve their community as a current small-business owner or provide services for small businesses.

Receiving the Small Business Person of the Year Award was Bradley Burdsall, owner of six restaurants in southern Nevada named The Egg Works and the Egg & I, with his newest location just recently opening in Nevada's Fourth Congressional District.

Mr. Burdsall's company has seen tremendous growth and expansion over the past 18 years, including being featured in USA Today and on the Food Network. I congratulate Bradley Burdsall on being awarded the 2016 SBA Small Business of the Year for Nevada.

Receiving the Veteran Owned Business of the Year award was Robert D. Daniel, the owner of PrideStaff Las Vegas. Prior to starting the PrideStaff Las Vegas location, Mr. Daniel spent 30 years in the field of employee management, including holding executive positions with IBM, Fuji USA, Western Electronics, and MicronPC.

With this valuable managerial experience along with his service in the United States Air Force and as a Vietnam veteran, Mr. Daniel has built a company that greatly benefits southern Nevada by providing businesses with temporary employees. I congratulate Robert D. Daniel on being awarded the 2016 SBA Veteran Owned Business of the Year for Nevada.

Receiving the Small Business Advocate Lifetime Achievement Award was

Bob Cushman, who has volunteered his time as a SCORE Las Vegas counselor and a mentor since 1998. With decades of experience, Mr. Cushman has used his invaluable knowledge to counsel 3,000 small businesses in southern Nevada.

Mr. Cushman's dedication to the small business community has been a valuable asset to southern Nevada, so I congratulate Mr. Cushman on being awarded the 2016 SBA Small Business Advocate Lifetime Achievement Award.

Receiving the Women's Business Advocate of the Year was Leanna Jenkins, director of the Nevada Women's Business Center. Ms. Jenkins has spent years working in the small business community to provide small-business owners with the educational and financial resources necessary to succeed, especially for women- and minority-owned businesses.

Ms. Jenkins has made a tremendous impact within the small-business community of southern Nevada, so I congratulate Ms. Leanna Jenkins for being awarded the 2016 SBA Women's Business Advocate of the Year Award for Nevada.

Again, I would like to thank these award winners and all small-business owners for what they do on a daily basis to provide their employees with a job, their customers with a great product or service, and contribute to the American economy. Small businesses are the true economic engines of this country.

YOU ARE NOT ALONE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, it is always a preeminent privilege to stand in the well of the Congress of the United States of America. I never take for granted the opportunity that has been afforded me by my constituents, as their representative, to be here and stand and speak on their behalf.

Mr. Speaker, I am proud to say that this day is Flag Day. It is the day that the flag was adopted, June 14, 1777, and I am honored tonight to make additional comments about Flag Day. But this is a day that we honor the flag of the United States of America.

On this day when we will honor the flag of the United States of America, this evening, after the first votes, we will also bring to the floor the LGBTQ Pride Month resolution. We are bringing this resolution to the floor, notwithstanding things that have occurred, because we would not want the dastardly deeds of one to prevent us from commemorating the accomplishments of the many.

The resolution will be brought to the floor, and those Members of Congress who consider themselves allies of the

LGBTQ community, please come. This will afford you an opportunity to speak of your concern and to express your love for the LGBTQ community. Allies of the community should come to the floor. This will be a great opportunity, and we ask that you preface your statements, let your preamble be "you are not alone."

This is an opportunity for those of us who are allies of the community to make it clear, perspicuously so, that this community is not alone; that they have friends; that they have people who will stand with them, even in the darkest hour; even when they walk through the valley of the shadow of death, there are friends who will stand with them. They are not alone. Come to the floor, if you choose, and make your statements known.

I do this because I understand that this opportunity to stand here is not something that I enjoy because I am so smart. There are people who lived and some who died so that I might stand in the well of the Congress of the United States of America on this day.

And because they did, it is worthy of mentioning that there were people other than African Americans who participated in my liberation. Schwerner and Goodman died fighting for the rights of African Americans. They were not Black.

John Shillady died in Austin, Texas, a field marshal for the NAACP. He was not Black.

When Rosa Parks went to jail, Virginia Durr and her husband, attorney Clifford Durr, along with Mr. Nixon, who was the then-president of the NAACP, posted her bail. Mr. Nixon was African American; the Durr's were not.

So it is important for those of us who have benefited from the goodness, the goodwill of others, to pay that debt we owe. This is an opportunity to make another installment on the debt that we owe as a result of others standing up for us. We were not alone, and the LGBTQ community should not be alone and is not alone.

So, tonight, we invite Members to come to the floor and to preface your statements with "you are not alone" and to let people know that you stand with the community in this time of great sadness, of great sadness.

But, also, speak of some of the good things that have occurred. We can talk of how the Supreme Court has made a significant difference, not only for this time but for all time, for people, because the Constitution of the United States was not written for Democrats or Republicans. It wasn't written for conservatives or liberals. It wasn't written for people of a certain hue. It wasn't written for people of a certain religion. It was written for the people of the United States of America, and that includes the LGBTQ community.

I thank you for the time. This is a to-be-continued moment. First hour after votes, to be continued.

God bless you, and God bless the United States of America. And I pledge allegiance to the flag and to the Republic for which it stands, one nation under God, with liberty and justice for all, and that includes the LGBTQ community.

CI REALIGNMENT ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, when most folks hear or think about the Internal Revenue Service, I am sure they probably think about the April 15 deadline. Maybe they even think about the prospects of an audit, or, in most cases, I imagine people are thinking about and wondering, you know, when is their tax refund going to be delivered?

□ 1115

Or perhaps their minds might jump to the scandals that have plagued the IRS, from the targeting of conservative groups to the IRS' failures to keep track of employee emails. Whatever the case, Mr. Speaker, I don't believe most people would immediately associate the IRS as a Federal law enforcement agency. However, the IRS is, in fact, home to our Nation's sixth largest law enforcement agency. It is called the IRS Criminal Investigation, or CI, for short.

CI was originally known as the IRS Intelligence division, and it was formed in 1919 to combat widespread corruption and organized crime. A great example of that from the early days is the investigation and conviction of Al Capone.

Now, today, CI is solely responsible for the enforcement of criminal violations of our Nation's tax laws and shares jurisdiction over violations of money laundering and bank secrecy laws. In addition, CI has also become an indispensable tool used in the investigation of terror financing cases and works jointly with many of our other Federal law enforcement agencies.

Now, Mr. Speaker, I was a United States attorney for a number of years, and I have had the privilege of working with many CI special agents and personally know the value of their unmatched financial investigatory abilities.

Unfortunately, Mr. Speaker, the IRS' mismanagement of CI and their inability to prioritize CI's needs has caused a troubling drop in the number of CI special agents and staff. This, in turn, has led to a reduction in the number of CI's investigations and convictions at a time when offenses such as identity theft, money laundering, tax fraud, and terror financing are all on the rise.

These resource decisions, along with an organizational and reporting structure at the IRS that is poorly suited to

oversee a Federal law enforcement agency, have demonstrated that the IRS is ill-equipped to effectively support and manage CI.

Mr. Speaker, simply put, we need to be placing a premium on the world-class financial investigations CI carries out each day. This is why, Mr. Speaker, I am proud to have recently introduced the CI Realignment Act. This legislation, which I am pleased is supported by the Federal Law Enforcement Officers Association, will create a new Bureau of Criminal Investigation within the Department of the Treasury by transferring CI out of the IRS.

Mr. Speaker, first and foremost, this legislation is about law enforcement. It is about the dedicated personnel at CI that work in offices across the country and, indeed, across the world.

While this House will continue to have discussions and consider necessary reforms and legislation to right the ship over at the IRS, the CI Realignment Act is concerned with creating a clear distinction between the civil IRS function and the Federal law enforcement agency charged with criminal enforcement of our Nation's laws.

Most importantly, Mr. Speaker, my legislation will remove CI from the bureaucracy of the scandal-ridden IRS and allow for an increased focus on law enforcement.

Mr. Speaker, it is clear that the IRS urgently needs to address their shortfalls in many areas, from consumer service to data protection. Let's make certain that they do not further impede the critical work of our Nation's top financial investigators while they try to figure out how to run the IRS.

HAPPY BIRTHDAY UNITED STATES ARMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. CARTER) for 5 minutes.

Mr. CARTER of Texas. Mr. Speaker, on this day 241 years ago, the Congress adopted the American Continental Army. This Congress resolved to raise six companies of expert riflemen and to march and join the Army near Boston.

Our Army was born in war, and to this day, it has continued its service in the defense of American liberty. Our six companies have grown to over 1 million strong. Our All-Volunteer force continues to be the example around the world, producing an image of American idealism and vision and a culture of soldiers that fight for country, the Constitution, and their fellow man.

General George Washington, during one of the Army's first battles at the 1775 Siege of Boston, articulated how I feel about the Army: "Your exertions in the cause of freedom, guided by wisdom and animated by zeal and courage, have gained you the love and confidence of your grateful countrymen;

and they look to you, who are experienced veterans, and trust that you will still be the guardians of America."

These past 241 years have tried and tested our Army, from the fields of France to the deserts of Iraq and the mountains of Afghanistan. Today our soldiers are deployed in over 140 countries. Representing Fort Hood, I am aware that Fort Hood soldiers are deployed in Afghanistan and Korea in the defense of our American security. Every day I am reminded of what our men and women in uniform and their families do to protect what we hold special.

With all the focus on weapons, programs, and initiatives, it is easy to forget that the Army is about people. Looking to God, I am reminded of Isaiah 6:8: "Then I heard the voice of the Lord saying, 'Whom shall I send? And who will go for us?' And I said, 'Here am I. Send me.'"

On this 241st year of our Army's founding, I want to be one of the first to wish our United States Army the best and to say thank you and happy birthday. If you see a soldier anywhere today, wish the Army a happy birthday.

RECESS

The SPEAKER pro tempore (Mr. HOLDING). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 22 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Al Riddley, The Springs of Bonita Church, Bonita Springs, Florida, offered the following prayer:

Dear God, grant us the wisdom and vision to comprehend the common belief that all people shall know peace as well as justice, righteousness, freedom, and security, with equity for every culture, color, and commitment.

Remind us of the past victories while recognizing the present challenges so as to strengthen our future as a country.

Lord, on this Flag Day, as it is honored and displayed around the world, may we take pride as Americans in being reminded of the significance of our democracy.

Give guidance to us as we are diligent in our responsibilities as citizens to guarantee that freedom is enjoyed by all who claim this country as home.

In our Allegiance, we witness to "one nation under God" as a promise of

what others in this world can yet become. For this, we Americans stand together today, proud and strong, both now and forever.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Rhode Island (Mr. LANGEVIN) come forward and lead the House in the Pledge of Allegiance.

Mr. LANGEVIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND AL RIDDLEY

The SPEAKER. Without objection, the gentlewoman from Illinois (Mrs. BUSTOS) is recognized for 1 minute.

There was no objection.

Mrs. BUSTOS. Mr. Speaker, during morning-hour debate, I spoke about Al Riddley, who is from Springfield, Illinois, which is my hometown. He also is my brother-in-law. My sister from Springfield, Illinois, Lynn Callahan Riddley is also here. I want to welcome them to the Nation's Capitol.

Mr. Speaker, thank you very much for your courteousness to my sister and brother-in-law. I am grateful to you.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

HONORING THE FATHER OF FLAG DAY

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to honor the father of Flag Day, Illinois' own Dr. Bernard Cigrand, on its 100th anniversary.

An immigrant and a teacher, Dr. Cigrand believed his students needed a symbol to instill a sense of national identity. He first celebrated our flag's birthday with his students on June 14, 1885, 108 years after its official adoption by Congress.

Thus began his life's work to create a National Flag Day. He wrote articles

for magazines and newspapers. He gave lectures and wrote a book on the flag's importance. Soon, schools caught on, and more than 100,000 children participated in an Illinois celebration in 1894. Eventually, Dr. Cigrand moved to Batavia, Illinois, opened a dental practice and remained passionate in his efforts.

Finally, in 1916, President Wilson called for a nationwide observance. Seventeen years after Dr. Cigrand's 1932 passing, President Truman signed a law cementing June 14 as National Flag Day.

This 14th of June, the 14th Congressional District of Illinois celebrates Dr. Cigrand's dedication to our Nation's symbol, which gives hope and moves hearts throughout the world.

ORLANDO NIGHTCLUB SHOOTING

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, the tragic events over the weekend in Orlando defy comprehension. There is no way that reason can underlie this staggering loss of life, for the act itself flies in the face of reason.

My thoughts and prayers are with those who lost their lives and their families, and my thoughts and prayers are with those who were injured and are recovering from their wounds. This attack is the truest example of senseless violence and pure evil.

Today, we mourn as a Nation because we will not allow hate to invade our own hearts and minds. America is better than that.

But tomorrow, tomorrow, Mr. Speaker, and in the days and months to come, we can do something. We must do something. We must ensure that our LGBT brothers and sisters are welcomed by their communities, not subjected to discrimination. We must ensure that access to deadly weapons are sensibly controlled, and we must ensure that Congress no longer sits idly by while hate and violence continue to take innocent lives.

But, today, Mr. Speaker, we pray for Orlando, though we know our prayers, our thoughts, our moments of silence, they are not enough.

NAVAL STATION AT GUANTANAMO BAY

(Mr. HOLDING asked and was given permission to address the House for 1 minute.)

Mr. HOLDING. Mr. Speaker, last week, The Washington Post reported that at least 12 former Guantanamo detainees, after being released, had gone on to lead and participate in attacks against Americans and allied forces in Afghanistan. And most troubling, Mr. Speaker, the report noted that these attacks cost American lives.

Mr. Speaker, the Obama administration's plan to shutter our detention facility at Guantanamo Bay and accelerate the transfer of detainees to foreign nations or even the United States is both misguided and extremely dangerous.

I am committed to preventing the closure of Guantanamo and the further transfer of detainees. Mr. Speaker, even one detainee returning to the battlefield is too many.

This administration needs to acknowledge the reality of the threat posed by these detainees and abandon their ill-advised attempt to close Guantanamo Bay.

KEEP DANGEROUS WEAPONS OUT OF THE HANDS OF SUSPECTED TERRORISTS

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, our hearts are broken, and we are angry. The deadliest mass shooting in our history, 49 young lives ended in a place that served as a refuge from hate, a place of love and safety and community.

Mr. Speaker, when faced with terror and hatred, our Nation is tested. This House of Representatives is tested. And we are failing that test.

Shame on us if we cannot close the loophole that lets people on the terrorist watch list buy AR-15s. I am so tired of the House majority's pitiful excuses. Why does this majority allow suspected terrorists to buy guns? Why does this majority refuse to close the terrorist loophole and strengthen background checks? Mr. Speaker, I am ashamed of this institution.

Let us vote today. Let us vote to keep dangerous weapons out of the hands of suspected terrorists. Let us vote so everyone can see where we stand and who we stand with.

Mr. Speaker, I stand with every American who rightly believes that if you are on the terrorist watch list, you can't buy weapons that can be used in the next mass shooting. That is where I stand, Mr. Speaker.

Where do you stand?

GOD BLESS THE FLAG AND VETERANS WHO CARRY IT

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, our veterans face many challenges when they return home from war, both physical and psychological. All too often, the latter is overlooked. An estimated 22 veterans per day take their own life, many of them struggling with post-traumatic stress disorder.

One Michigan veteran, Marty Wills, is embarking on an incredible journey

to raise awareness about PTSD and mental health issues. Carrying an American flag, he is walking more than 1,000 miles from his home in Michigan to North Carolina. Last week, he went through several cities in my district, including Jonesville, Hillsdale, Hudson, Adrian, and Blissfield.

On Flag Day, as we commemorate Old Glory and the freedom and liberty she represents, let's also remember the brave men and women who fight in harm's way in defense of those freedoms. And when they get home, let's do everything we can to get our veterans the help they need for wounds, both seen and unseen.

ORLANDO TRAGEDY

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today in memory of those whose lives were lost in my home State at Pulse nightclub in Orlando. Floridians, Americans, and people around the world are in mourning today, grieving for those young lives lost and for their families.

When will this body finally say "enough"? Gun violence is a public health crisis, and we must do better. No one needs an AR-15 assault rifle. This was the weapon of war that was used in Newtown, Aurora, and San Bernardino. We need to reinstate the assault weapon ban to reduce the chances that we have more tragedies.

People on the terrorist watch list should not be able to get a gun. This is common sense, but the majority continues to block this critical security measure.

I also rise to commend our law enforcement and healthcare professionals whose lifesaving work is ongoing. Acts of love like these will always conquer hate. They always have.

The American people will continue to stand with our LGBTQ and Latino brothers and sisters, and we will work that much harder and that much smarter and that much faster to ensure their safety and equal rights in their communities.

Love will win. Hate will be defeated.

FLAG DAY AND COLLIN COUNTY FLAG CEREMONY

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, today, I rise in honor of Flag Day, a special day when we reflect on what our American flag stands for and how blessed we are to live in this great Nation that celebrates freedom.

I believe this reflection is particularly important given this weekend's

ISIS-inspired terrorist attack. There are those who seek to destroy our way of life, and we must actively defend our freedom.

So, as our American flag waves proudly today and we reflect on its symbol of hope, I invite Collin County folks to join me this Saturday for a special event that I will be hosting—the inaugural "Honor our Stars and Stripes" flag retirement ceremony. I hope you will join me for this unique program that honors our flag and our country's unique founding.

God bless America. I salute you.

CLOSE THE DEADLY LOOPHOLE

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, like my colleagues and so many Americans, I am horrified by the brutal act of terror that killed 49 people, including Tevin Crosby, a 25-year-old man from my district, and that wounded so many others in Orlando. I stand with the loved ones of those lost and with the LGBT community that has suffered this unimaginable act of violence.

You know, as our country works to heal from this latest deadliest mass shooting ever, Congress has got to do its job. We can act on this floor to protect American citizens by making sure that, if an individual is on the terrorist watch list, they cannot fly on a plane. For God's sake, they should not be able to go and buy a weapon. The shooter in Orlando had been on the terror watch list and was able to go buy three weapons, including an AR-15.

Congressman PETER KING of New York's bill would stop this. I join with him, and I ask all Members of Congress, please, let's not let this moment pass. Let's take action.

WESTERN NORTH CAROLINA AGRICULTURAL HALL OF FAME INDUCTEES

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, I rise today to acknowledge the service of two men from western North Carolina: John Queen, III, and Don Smart. Recently, they were inducted into the Western North Carolina Agricultural Hall of Fame.

As those plaques were put on the wall, it really didn't share the entire story, the entire story of who they are and how they serve their communities so well, not only in Haywood County but throughout all of western North Carolina.

These two men, whether it was with the National Cattlemen's Beef Association, both on the local and national level, or whether it was with different

associations of growers and farmers and the Farm Bureau, as is the case with Don Smart, served their community and have made their community better.

Mr. Speaker, I rise today to not only acknowledge their service but also to acknowledge their friendship because they have helped me understand the agriculture community in a way that profoundly can only be done by those who are in it.

So, with this, we honor them today and their induction into the Western North Carolina Agricultural Hall of Fame.

□ 1215

IT IS TIME FOR CONGRESS TO ACT

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today for a call to action. Over 200 years ago, when our Constitution was authored, it ignored the backbone of the American people: women, African Americans, Latinos, and even White men who did not own property.

However, the beauty of our Constitution and our democracy is our ability to change. The power to amend the United States Constitution is the power to protect and reflect the will of the people.

Our forefathers could not anticipate the introduction of assault rifles into the United States. They could not anticipate that 32,000 Americans per year would lose their lives at the hands of gun violence.

It is now time to act, to do the job that we were elected to do by the people of this great Nation. Since its inception, we have amended our Constitution 27 times. It is time for us once again to lead the world and put an end to these horrendous attacks and violence that we have witnessed. Mr. Speaker, it is time for Congress to act.

100TH BIRTHDAY FOR BOEING

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on July 15, the Boeing Company will mark their 100th birthday, a remarkable achievement for its employees, subcontractors, and entire community. Boeing opened facilities in North Charleston, South Carolina, creating over 8,000 jobs directly and giving back to the community as a partner, such as sponsoring the Heritage Golf Classic at Hilton Head Island.

The impact of Boeing extends beyond their facility. Many of their subcontractors are located in the Second Congressional District, including Zeus of Orangeburg and Aiken, Prysman of

Lexington, Thermal Engineering of Columbia, and AGY of Aiken. Governor Nikki Haley and the General Assembly, led by House Speaker Jay Lucas and Senate President Hugh Leatherman, have recognized the important milestone by proclaiming June 1 as Boeing Impact Day across South Carolina.

Congratulations to the chairman, president, and CEO of the Boeing Company, Dennis Muilenburg; vice chairman Raymond Conner; and the executive vice president, Leanne Caret. Thank you to all of the many dedicated team members of Boeing South Carolina, especially the newly selected vice president, Joan Robinson-Berry, and Beverly Wyse, who leads the Shared Services Group. Best wishes for your continued success creating jobs.

In conclusion, God bless our troops and may the President, by his actions, never forget September the 11th in the global war on terrorism. Today, more Islamic terrorist murders in Paris.

REMEMBERING AMIN DAVID

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor a friend, a role model, a mentor, Mr. Amin David. He passed away in his home on May 21 of this year at the age of 83. He was an immigrant from Mexico, and his life quickly became the epitome of the American Dream. He came here to California, ended up being an entrepreneur and owning businesses and being such an integral part of Orange County, California.

He founded, with others, in 1978, a group called Los Amigos of Orange County, whose motto was "We love to help"—"Nos gusta ayudar." And help they did, no matter what. Whoever came before their Wednesday morning meeting every week would get help.

He also helped a marginalized community. In a very volatile time in Orange County, the change of diversity was happening. He sat on the Orange County Human Relations Commission and on the Anaheim Planning Commission, and he was an active member of the police chief's advisory council and helped to foster dialogue between the police and our community.

He fought for marginalized communities and called out prejudices like Islamophobia and anti-Semitism. He is survived by his wife and his four children. I am proud to have called him a friend.

CONDEMNING THE HATEFUL ATTACKS IN ORLANDO

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Mr. Speaker, I rise to condemn the horrific terrorist attack

in Orlando. This tragedy is a strike at every single American, regardless of your age, race, gender, sexual orientation, location, or religious beliefs. Our hearts go out to the wounded and their families, but most especially to the families and loved ones of all who were killed.

There is no room for hate in America, and this ugly crime is the result of a coward following his own hate. It doesn't matter what the source of that hate was. It was and is an affront to God himself.

In moments like this, it is my hope that we can come together as a nation and as a people instead of turning against one another. If we allow these attacks to pull us further apart, then we have done exactly what the attacker intended to achieve.

So I hope every American will join me in condemning these hateful attacks and pledge to stand together in support of those who tragically lost their lives.

IT IS TIME TO ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, if I could every minute of the day offer to those in Orlando who had to experience the most horrific terroristic mass shooting in the United States, I would do so every minute of the day. I would also do so, however, for others who have suffered at the hands of those who have used guns violently and used guns illegally, for I am not ashamed to be someone who understands the First Amendment, the Second Amendment, and all amendments, to stand and say that it is immoral that this Congress does not act to move forward on securing the American people.

It is important to know that assault weapons, guns have been used in mass shootings: San Bernardino; Chattanooga, Tennessee; Charleston, South Carolina; Garland, Texas; Oak Creek, Wisconsin; and Fort Hood, Texas. Mother Emanuel, of course, is Charleston, and then, of course, Newtown, where babies were murdered and slaughtered.

This was a hateful crime, and more than one in three hate crimes end in violence. It was Hispanics. It was the LGBTQ community. Tell it what it is: hatefulness, terrorism. Pass the assault weapons ban now. No fly, no buy now. Time to act. It is immoral for us not to act.

THE ORLANDO ATTACK WAS AN ACT OF HATE

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today with a heavy heart. This past weekend, our Nation suffered a terrible attack in an Orlando nightclub. This was an act of terror. This was an act of hate. This was an unacceptable, unfathomable tragedy.

Our neighbors in Orlando remain in our thoughts and prayers. As we mourn the tragic loss of life, we must stay laser-focused on rooting out radicals in our Nation who heed the call to radical jihad and aim to harm our friends, neighbors, and families.

We must provide law enforcement and intelligence officers the tools they need within constitutional restraints to prevent the spread of incitement to violence and to hunt down the radicals. Protecting our homeland should never be taken for granted.

In light of this tragedy, we must unite and stand firm against the evil in the world. Orlando, we are here for you.

CELEBRATING THE 90TH BIRTHDAY OF HUGH McMILLAN

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, Friday is a big day in my neck of the woods. It is the day we are going to celebrate the 90th birthday of Hugh McMillan. Hugh is an absolute icon of our region and is the definition of a servant.

He served our country in the military and in the intelligence community, and he served our community as the unofficial mayor of the Key Peninsula. That is evidenced through his service in the Lions Club, who each year puts on a Citizen of the Year ceremony to honor those who make the Key Peninsula a better and stronger place. In fact, he served the community so well, he was given the Service Above Self Award from the Gig Harbor Rotary Club. Having a group of Rotarians honor a Lions Club member is a big deal.

Beyond that service to community, though, he is also a servant when it comes to our kids. He served on the board of the Communities In Schools group in the Peninsula School District and on the Peninsula Schools Education Foundation board. He writes a Kids' Corner column in the Peninsula Gateway. Anytime there is a kid in our neck of the woods doing something cool, Hugh McMillan is there with a camera to take their picture and make them feel special.

I am just very grateful for all he does on behalf of kids and on behalf of our community and our country, and I am proud to call him a friend.

A DAUGHTER WILL NOT BE WITH HER FATHER THIS FATHER'S DAY

(Mr. POE of Texas asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, a Texas father wrote me this week:

"I heard your statements . . . about removing the so-called judge in the Stanford swimmer's rape case. I do hope you pursue this all the way to his elimination.

"As the father of a daughter that was raped a number of years ago while she was jogging at night near a college campus in Texas, I would even consider the death penalty for the perpetrator. Why? Because that is what happened to my daughter. The feeling of violation and uncleanness caused her to take her own life in later years. The judge does not know the meaning of rape and the effects it has on a female."

Mr. Speaker, the father is correct. Rape victims live lives of quiet hopelessness and despair. That is why the weak-kneed judges like the one in California need to be removed.

Sunday is Father's Day, and I will be with my 4 kids and 11 grandkids. The father I referenced here will not be with his daughter. We must deliver justice for rape victims, daughters, and families because, Mr. Speaker, justice is what we do in America.

And that is just the way it is.

HONORING LEON LEGGETT AND HERBERT ROGERS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in honor of Leon Leggett and Herbert Rogers, two distinguished American veterans who served in the Korean war from 1950 to 1953.

On June 25, the American Legion's Post 9 in the First Congressional District of Georgia will present both men with South Korea's Ambassador of Peace Medal.

South Korea offers the Peace Medal to all U.S. servicemen and -women who served in the Korean war as an expression of gratitude for their service. During the Korean war, nearly 40,000 Americans sacrificed their lives and over 100,000 were wounded. This reward is certainly well deserved by Mr. Leggett and Mr. Rogers.

Making the ceremony even more unique is that Mr. Rogers and Mr. Leggett will be only the third and fourth people from the American Legion Post 9 who have been awarded the Peace Medal. I am proud to recognize these two veterans from the First Congressional District of Georgia, and I thank them for their service to the United States.

ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. STIVERS. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 781

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Davidson.

COMMITTEE ON SMALL BUSINESS: Mr. Davidson.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5053, PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 5293, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Mr. STIVERS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 778 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 778

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-58 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate, the

Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 3. Section 10002 of H.R. 5293 shall be considered to be a spending reduction account for purposes of section 3(d) of House Resolution 5.

SEC. 4. (a) During consideration of H.R. 5293, it shall not be in order to consider an amendment proposing both a decrease in an appropriation designated pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 and an increase in an appropriation not so designated, or vice versa.

(b) Subsection (a) shall not apply to an amendment between the Houses.

SEC. 5. During consideration of H.R. 5293, section 3304 of Senate Concurrent Resolution 11 shall not apply.

The SPEAKER pro tempore (Mr. COLLINS of New York). The gentleman from Ohio is recognized for 1 hour.

Mr. STIVERS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1230

GENERAL LEAVE

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STIVERS. Mr. Speaker, on Monday, the Rules Committee met and reported a rule for H.R. 5053, the Preventing IRS Abuse and Protecting Free Speech Act, and H.R. 5293, the fiscal year 2017 Department of Defense Appropriations Act. House Resolution 778 provides a closed rule for consideration of H.R. 5053 and a general debate rule for H.R. 5293.

The resolution provides 1 hour of debate equally divided between the chair and ranking minority member of the Committee on Ways and Means for H.R. 5053, and 1 hour equally divided between the chair and ranking minority member of the Committee on Appropriations for H.R. 5293. The resolution also provides for a motion to recommit for H.R. 5053, with or without instructions. In addition, the rule includes provisions related to budget enforcement.

Mr. Speaker, I rise today in support of the resolution and the underlying legislation. Under current law, 501(c) nonprofit organizations are required to collect personally identifiable information on what are known as substantial donors and report that information to the IRS. Substantial donors are defined as individuals who donate \$5,000 or more to an organization during the course of the calendar year.

Normally, that information is reported by 501(c)(3) tax-exempt organizations. However, the IRS expanded the substantial reporting requirement to all tax-exempt organizations through the use of Form 990.

The security of personal information of American taxpayers is vital. The IRS doesn't normally make this information public, yet there have been instances involving IRS employees improperly accessing this information and even releasing it to the public. One particular instance saw the National Organization for Marriage have its donor list information publicly disclosed in 2012.

In California, Mr. Speaker, the State attorney general wanted to require that the information reported is made public, which prompted a lawsuit. In April of this year, the U.S. district court ruled that requiring an organization to disclose its donor list is unconstitutional.

My colleagues on the other side of the aisle may make the accusation that this bill will allow for a flood of foreign money into our elections. Mr. Speaker, this argument rings hollow for two reasons.

First, we have laws on the books to specifically protect against that very thing. It is called the Bank Secrecy Act. Federal regulations under that law require every bank to file information with the Treasury Department and report any suspicious transactions relevant to a possible violation of law or regulation. H.R. 5053 does not change the Bank Secrecy Act or those regulations in any way.

Second, and more importantly, the IRS doesn't even have authority to share this information with the two organizations that enforce campaign finance laws: the Federal Election Commission and the Department of Justice. So only in limited circumstances in which there is already evidence of a criminal act can these tax privacy laws allow the IRS to share this information. The problem is the IRS doesn't share this information anyway. It is up to the Federal Election Commission and the Justice Department to enforce those laws, and they do so already.

Mr. Speaker, I agree with the district court ruling because American citizens have a right under the First Amendment to free speech and free association. The IRS has demonstrated in the past that many of their employees do not adequately protect personally identifiable information of American taxpayers. Individuals should not be forced to disclose how much of their hard-earned money and to whom they donate to charity.

Even the Director of Exempt Organizations at the Internal Revenue Service has publicly stated that the IRS is considering removing Schedule B themselves. Let me repeat that. This is a democratically appointed Director of

Exempt Organizations at the Internal Revenue Service. This individual said that the IRS is considering removing Schedule B themselves. That is exactly what this bill does. That makes this a bipartisan bill.

I hope my colleagues will support this measure. It makes sense.

The second underlying bill is the Department of Defense Appropriations Act for fiscal year 2017. The legislation includes \$517 billion for our national security, a slight increase over last year's enacted level.

The legislation includes \$58.6 billion in funding to fight the global war on terror, which includes funding for our forces in the field as well as support to key allies to resist aggression from nation-states and terrorist groups.

The bill includes a small 2.1 percent pay raise for our military, which is more than the 1.6 percent requested by the administration, and it includes \$34 billion for the Defense Health Program to provide care for our troops, their families, and retired members of the armed services.

Important investments in cancer research, traumatic brain injury, psychological health research, and suicide prevention outreach as well as sexual assault prevention programs are also included in this bill.

A well-equipped, well-trained, effective military providing for the common defense of our Nation is our most basic constitutional responsibility. This bill helps preserve our military as the most capable and superior armed force in the world, while providing funds necessary to fight America's enemies abroad.

While there will be amendments offered by colleagues on both sides of the aisle in the days to come, Mr. Speaker, the rule here today is only for general debate of the overall bill. I look forward to continuing the debate on these policies with our House colleagues, and I urge support for the underlying bills.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume, and I want to thank the gentleman from Ohio (Mr. STIVERS) for yielding me the customary 30 minutes.

Mr. Speaker, before I get into the substance of the rule and the underlying bills that the rule would allow to be considered, I do want to take a moment to reflect on what happened yesterday here in the House of Representatives.

In the aftermath of this terrible tragedy in Orlando, the Speaker of the House asked for a moment of silence to pray for the victims: those who lost their lives, those who were injured, and their families. We stood here and, for 10 seconds, had a moment of silence.

One of our leaders, Mr. CLYBURN, sought to get the Speaker's attention to ask a question. Basically, the question was: Is that it? What about legislation? What about action to prevent

these types of tragedies from happening in the future? He was gavelled down.

There was a lot of outrage here on the House floor, and I think justifiably so. We have been on this floor calling for moments of silence after terrible tragedies like the one in Orlando again and again and again. It is not enough. Surely, this Congress, Democrats and Republicans, can come together and do more than just have a moment of silence.

Mr. CLYBURN was asking about whether or not we could bring to the floor the bill that basically says that, if you are a suspected terrorist and you are on the FBI's no-fly list, then you ought not to be able to go into a gun store and buy a weapon of war, could that come up for a debate and could we have a vote on that.

He was also going to raise the issue about whether or not we can revisit legislation that would call for a ban on assault weapons. The weapon that this killer used was an assault weapon, and it was perfectly legal for him to buy. Is it worth a discussion as to whether or not we ought to place limits on the purchase of such weapons?

He was also going to raise the issue about whether or not we could pass the Hate Crimes Prevention Act, a bill that would prevent criminals who have been convicted of misdemeanor assaults against a victim based on his or her race, religion, gender, sexual orientation, or disability from causing further harm with a gun.

This is common sense, and both parties need to come together and take action. For the life of me, I can't understand why there is a hesitancy by the leadership of this House to grapple with some of these issues. It is just not enough to come here after terrible tragedies like the one in Orlando, where 49 people lost their lives and 53 were wounded, and just have a moment of silence. It is becoming an empty gesture. We need to follow it up with action.

The American people, I don't care what their political ideology or political party may be, want us to do something. Instead, all we can do is have a moment of silence. I would just say to my colleagues: It is not enough. It is time for action.

Mr. Speaker, getting to this rule, I rise in strong opposition to the rule, which provides for consideration of H.R. 5053, the so-called Preventing IRS Abuse and Protecting Free Speech Act, under a completely closed process. No amendments can be made in order.

The rule also provides for general debate of H.R. 5293, the Department of Defense Appropriations Act for 2017, and we expect the Rules Committee to report a structured rule later today for consideration of amendments to that legislation.

When Speaker RYAN was elected to preside over the House, he made a

promise to return to regular order. He promised to fix this broken House by making changes to the process by which the House does business. He promised to "open up the process," to "let people participate." He said it would be a "relief" to the American people if we were to get our act together.

Well, unfortunately, Mr. Speaker, we are light-years away from regular order and have yet to get our act together. We are here on the floor of this House considering another two pieces of legislation under rules that violate the Speaker's promise of an open process for both the majority and the minority.

□ 1245

This week, the Republican leadership has chosen to shut down the appropriations process even further, with the majority on the Rules Committee indicating that they will issue a structured rule for consideration of amendments to the FY17 Defense Appropriations bill.

Now I am saddened by the recent events that have led to the shutdown of the appropriations process, and by the fact that my conservative Republican colleagues voted down their own appropriations bill because it included an amendment to protect LGBT rights, which was adopted during consideration of the Energy and Water Development Appropriations bill a few weeks ago.

But I shouldn't be surprised. Last summer, the appropriations process was upended because some of my conservative colleagues refused to vote for legislation that banned the display of the Confederate flag. So this is just more of the same dysfunction and misplaced priorities from this Republican majority.

Mr. Speaker, Republicans have yet to issue a single open rule this Congress, and we are now beginning a process that further restricts what little opportunity we once had to offer amendments under a modified-open appropriations process.

And let me say a few words about the Department of Defense Appropriations Act bill that we are set to consider this week.

Mr. Speaker, as my colleagues know, I oppose and I have been deeply troubled by these endless wars, by continuing to send tens of billions of dollars each year to fund U.S. military operations and wars in Afghanistan, Iraq, Syria, Yemen, Libya, and elsewhere.

In the cases of Afghanistan, and especially Iraq and Syria, I believe that this Congress has failed in its most solemn constitutional duty to debate and approve an authorization for the use of military force. I believe that without Congress approving an AUMF, our troops should not be there, quite frankly.

For me, this is not just a matter of principle, it is a matter of the Constitution of the United States and the role and responsibility of the United States Congress. It is also the duty that we owe every single one of our men and women in uniform, to either formally authorize their mission, or to bring them back home to the comfort and security of their families.

Over the years, we have had a few debates on this serious issue, and often those opposed to bringing forward an AUMF will argue that we can't put in jeopardy the support of our troops.

Well, Mr. Speaker, for those Members who are concerned about cutting off funds for our troops, they must stand up and be counted and oppose this rule and the underlying Defense Appropriations bill.

H.R. 5293 cuts the funds in the overseas contingency operations account so badly that it is estimated that all funds for all U.S. military engagements in Afghanistan, Iraq, Syria, and elsewhere will run out on or around the end of next April.

Now, Mr. Speaker, you may recall that the defense authorization bill actually sets a date for this national security disaster: April 30, 2017. And while the authors of the Defense Appropriations bill are too coy to name a date, the amount of money is so limited that it is guaranteed to run out just about this time.

Now the Republican leadership is gambling that the next President and the next Congress will pass a supplemental appropriations bill to fund all these wars through the remainder of fiscal year 2017, just scarcely 2 months after being sworn into office.

Even I, as someone who does not support these wars, can see that this is crazy.

How can anyone stand up and say that they support the troops, and then support a bill that knowingly, deliberately, willfully cuts them off at the knees at the beginning of next year? And why did the Republican majority, with eyes wide open, take such a calculated move?

Well, they did it to pump up the funding of some of their favorite pet projects in the defense base budget. They stole \$15.17 billion of OCO funds—that is nearly 27 percent of the OCO budget—funds that were supposed to fund our troops, their equipment, and their supplies for an entire fiscal year, and boosted the base budget.

To take this hypocrisy another step further, the rule that we are debating right now forbids any amendments from being offered that would take money from the base budget and put it back into OCO, not even to fund our troops for 5 months until the end of the fiscal year.

This is ludicrous. This is a disgrace. And this is just one more dishonorable act perpetrated by this Congress

against our men and women in uniform. We won't formally authorize their missions overseas, and now we are not going to fund them for an entire year.

Now, the last piece of irony to this disgusting set of gimmicks is that this type of prohibition in a rule is rarely, if ever, seen.

Why, you ask, Mr. Speaker?

Well, because that type of guidance is generally outlined in a budget resolution.

You know, Mr. Speaker, the budget resolution that the Republican leadership hasn't brought to the House floor this year because it can't get a consensus out of its cantankerous caucus, and can't corral enough votes to even pass a budget resolution.

Enough is enough, Mr. Speaker. We need to bring forward an AUMF for Iraq and Syria, and if we continue to fail to do so, then we should bring our troops home. If the Members of this House can sit here safe and sound, then so should our troops. And we should stop purposely robbing the funding for our troops and using that money for their pet projects and weapons systems in the base budget.

Lastly, let me just say a few words about the other bill that we are considering this week, to constrain the Internal Revenue Service's ability to enforce our tax laws and reduce transparency.

H.R. 5053 removes one of the only tools available to ensuring that foreign money is not illegally spent by tax-exempt groups in our elections, and I strongly oppose this most recent effort to unleash a new flood of unlimited, anonymous, unaccountable money into our political system.

My colleague mentioned that this was about people being able to give freely to charitable organizations. The charitable organizations that they are referring to are groups like Crossroads GPS, Americans for Prosperity, American Future Fund, funded by—these are the groups headed by Karl Rove and the Koch brothers.

The Koch brothers sent a nice letter to all of us asking us to support this legislation with one goal in mind, to basically keep the American people in the dark. They don't want you to know all the money that is being pumped in to influence our elections and who is giving that money. They want to keep the American people in the dark.

I think the one lesson on both the Democratic side and the Republican side during this Presidential campaign that is clear, people want us to open up the process. They think this process has been corrupted by money. And rather than opening up the process, this is shutting the process down, shutting transparency, and I think that goes against what both Democrats and Republicans want.

I urge my colleagues to defeat the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself such time as I may consume.

Really quickly, on the IRS bill, it is already the interpretation of the Federal district court that these contributions should not be made public; that donor lists should not be made public because people have a right to free association and free speech. These are constitutional rights. So to argue that this information that is not allowed to be made public is somehow going to lead to a flood of foreign money, is nonsense.

Also, again, I will reiterate that the Bank Secrecy Act is in place to make sure that that does not happen. So I just wanted to quickly dispel with that.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER), who is a distinguished member of the Homeland Security Committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to speak on H.R. 5293, the fiscal year 2017 Department of Defense Appropriations Act, and to recognize the hard work that the House Appropriations Committee's Defense Subcommittee has put into this bill.

I would also like to thank Chairman FRELINGHUYSEN and all the members of the subcommittee and the Rules Committee for their work on this bill.

This legislation represents an opportunity for Members on both sides of the aisle to work together to provide our Armed Forces the resources they need to keep our country and Americans safe. We ask the courageous men and women who volunteer in our Armed Forces to confront global terrorism, and we must give them the tools to do so.

This year's Defense Appropriations bill, H.R. 5293, funds the programs that are not only essential to our national security, but critical to the welfare of our military personnel.

The Ohio Replacement Program is set to become the most dominant leg of our nuclear triad and is vital to our nuclear deterrence. This bill progresses that project.

Townsend Bombing Range is being expanded to accommodate the needs of the new fifth generation fighters coming online, and offers a unique training aspect for those planes located on the East Coast. This bill helps to clear up ongoing airspace concerns.

The A-10s, the most lethal close air support aircraft in the Air Force's inventory, will continue to be funded, ensuring our warfighters get the close-in air operations they need.

Cyber is, and will continue to be, a major issue for our military, and I commend the committee's focus on establishing cyber protection teams and partnerships with public universities.

End-strength has been another recurring issue, and this bill provides the

necessary funding to reduce the strain on the men and women who serve.

Warfighters have also relied on the Joint Surveillance Target Attack Radar Systems, or JSTARS, for up-to-date information on enemy movements, and this bill ensures our legacy fleet can continue to fly until the Air Force completes this recapitalization program.

Lastly, this bill also provides support to the Army's combat aviation brigades through additional AH-64 Apache helicopters, and the Air Force's airlift capacity is strengthened under the engine enhancement programs for C-130s.

Chairman FRELINGHUYSEN and the Defense Appropriations Committee have, again, done a tremendous job on making the difficult decisions to prioritize what is most needed for our Armed Forces. I commend the subcommittee on their work.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD a letter signed by a number of reform organizations that are organized to protect the public from the big money and from foreign donations, from the League of Women Voters, to Public Citizen, to Common Cause, to the Campaign Legal Center, the Center for Responsive Politics, Brennan Center for Justice, and so on. There are many more.

I want to submit for the RECORD the letter they sent to every Member of Congress saying, vote "no" on the Roskam bill, and vote against opening loopholes for foreign money.

These organizations believe that we are opening a loophole for more foreign money into our political system. And if that is what you want, then support the bill. I personally do not, and ask that that be part of the RECORD.

REFORM GROUPS URGE NO VOTE ON ROSKAM BILL, H.R. 5053—VOTE AGAINST OPENING LOOPHOLE FOR FOREIGN MONEY

June 13, 2016.

DEAR REPRESENTATIVE: Our organizations strongly urge you to oppose H.R. 5053, Representative Peter Roskam's bill that would eliminate the requirement for 501(c) groups to disclose their donors to the IRS.

Our organizations include the Brennan Center for Justice, Campaign Legal Center, Center for Responsive Politics, Common Cause, CREW, Democracy 21, Every Voice, Issue One, League of Women Voters, Public Citizen, Sunlight Foundation, The Root-strikers Project at Demand Progress and Represent.Us.

The Roskam bill would open the door wide for secret money from foreign donors to be illegally laundered into federal elections through 501(c)(4) and other 501(c) groups. Foreign money cannot be legally spent in U.S. elections, but it can be given to 501(c) groups and they can spend money in our elections. These groups are not required to disclose their donors publicly, but they are required to make non-public disclosure of their donors to the IRS.

This disclosure to the IRS is the only protection citizens have to prevent 501(c)(4) and other 501(c) groups being used to illegally

spend foreign money in our elections. The fact that 501(c) groups are required to disclose their donors to the IRS means the groups know that donor information is available as an accountability check against illegal conduct.

If donor disclosure to the IRS by 501(c) groups is eliminated, however, as the Roskam bill would do, no one will be in a position to determine if a 501(c) group illegally spent foreign money in our elections—other than the group and foreign donor involved. Any check will be gone and there will be no way to hold a group and foreign donor accountable for illegally spending foreign money in U.S. elections.

House members should vote against eliminating the existing check against foreign countries, foreign companies and foreign individuals spending money illegally to influence our elections.

We strongly urge you vote to protect the integrity of U.S. elections by voting against H.R. 5053.

Brennan Center for Justice, Campaign Legal Center, Center for Responsive Politics, Common Cause, CREW, Democracy 21, Every Voice, Issue One, League of Women Voters, Public Citizen, Sunlight Foundation, The Rootstrikers Project at Demand Progress, Represent.Us.

Mr. MCGOVERN. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up bipartisan legislation that would bar the sale of firearms and explosives to those on the FBI's terrorist watch list.

It is unconscionable that the majority in this House has repeatedly refused to even debate closing such a glaring loophole, which continues to allow suspected terrorists to legally buy firearms.

The country can simply not wait any longer for this Congress to act. And if my friends want to vote against it, then they can vote against it. But denying the ability of this legislation to come to the floor, I think, is just wrong.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to the rule today and ask that we defeat the previous question.

The IRS portion of this bill that is included in the rule, the debate regarding that, is nothing more than a political messaging debate, and it is politically charged, and it really has no place on this floor today, given the seriousness of this underlying issue that the gentleman from Massachusetts just spoke about.

The American people don't need more partisan politics. The American people need a Congress that will stand up and take action to help keep Americans safe from a number of things, one of the most important of which is gun violence in their neighborhoods and in their communities.

Thirty people are killed every day by someone using a gun in our country. In the 3 years since Sandy Hook, there have been over 1,000 mass shootings, and more than 34,000 people have been killed by someone using a gun.

Every time these tragedies take place, the response from my friends on the Republican side of the aisle is the same. Thoughts and prayers are sent and moments of silence are held, but no real action is taken.

In the 3 years since Sandy Hook, we have held 30 moments of silence after a terrible tragedy such as the one that just occurred in Orlando.

□ 1300

But we haven't taken a single vote on legislation that would help keep guns out of dangerous hands.

One of the simplest solutions we have put forward to help keep Americans safe is legislation to prohibit those on the FBI's terrorist watch list from being able to legally purchase firearms.

Today, individuals on the FBI's terrorist watch list can go into a gun store anywhere in the United States of America and buy a firearm of their choosing legally. As a matter of fact, since this watch list has been established, over 2,000 individuals on the terrorist watch list have gone into gun stores across the country and legally purchased firearms. I think that is wrong. It is dangerous, it is unacceptable, and it makes our country less safe.

I have bipartisan legislation that I have offered with my Republican friend and colleague, PETER KING from New York, that would prohibit those on the terrorist watch list from being able to purchase a firearm legally in our country.

The American people are overwhelmingly in support of this, and if House Republicans agree that suspected terrorists shouldn't be able to legally buy guns, then let's take a vote. Vote it up or down, but give the American people the right to have this measure voted on.

Mr. STIVERS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. GIBSON). The gentleman was a colonel in the United States Army, a member of the Armed Services Committee, and a great American.

Mr. GIBSON. Mr. Speaker, I want to thank my friend and colleague, Mr. STIVERS, for yielding time. I also greatly appreciate his work on the committee and his service to our Nation. We appreciate the sacrifices that he

has rendered on our behalf and also from his family.

Mr. Speaker, I rise today in support of the House Defense Appropriations bill, a very important piece of legislation that provides the resources for our servicemen and -women to defend this cherished way of life and to protect our people. We are reminded of that after this devastating terrorist attack this past weekend.

Mr. Speaker, dating back to the founding, we had a principle by which we rally our national security, and that is peace through strength; that is, we look to deter potential adversaries, always prepared, in the event that deterrence fails, to fight and prevail to win and to protect our people.

As part of this concept of deterrence, it is critically important at this juncture, in my view, that we provide the resources necessary to revitalize our Armed Forces. We are coming through a very long period of focus on counterinsurgency operations in Iraq and Afghanistan. Much needs to be done. I think this bill does quite a bit on that score.

I want to thank the chairman and the ranking member for their work on it. I also want to express my gratitude for them to include the bill that I authored that deals with end strength of our Armed Forces. This is the POSTURE Act. It is supported by 52 of my colleagues. It is a bipartisan piece of legislation. In fact, I authored it with Chairman TURNER, MIKE TURNER from the House Armed Services Committee, and Representative TIM WALZ, the highest ranking enlisted man to ever serve in this Chamber, a Democrat from Minnesota.

This bill effectively stops the drawdown that is planned over the next 2 years. Right now we have end strength numbers that essentially match where we were on September 11, 2001. If the administration's plan is allowed to go into effect, we are looking at handing out approximately 70,000 pink slips between now and 2018, bringing down the size of our Armed Forces.

Now is not the time to be doing that, as we deal with Russia, China, North Korea, Iran, and certainly the Islamic State. We have lots of challenges out there, and if we are going to reassert peace through strength, strengthening the hand of our diplomats, I think it is critically important that we don't continue on that drawdown of our land forces and of our forces in the Department of Defense.

So I appreciate the leadership's including this bill that I have authored with my colleagues in the House Defense Appropriations bill. It was critical that it come with the resources, because you just can't increase end strength. It has to come with the money to do that. This committee did that, and I appreciate that.

I also want to say there are important provisions in here to reassure our

allies, the European Reassurance Initiative. It is funded here along with the Global Response Force, and a pay raise for our servicemen and -women. They richly deserve this.

The SPEAKER pro tempore (Mr. MCCLINTOCK). The time of the gentleman has expired.

Mr. STIVERS. Mr. Speaker, I yield the gentleman from New York an additional 1 minute.

Mr. GIBSON. Mr. Speaker, I want to say how important it is that we bring forward all these initiatives: preserving our end strength, reassuring our allies, and ensuring that the Global Response Force has proper funding. All of these, Mr. Speaker, are going to help strengthen the hand of diplomats.

When you look at our strengths, they are instantiated in our founding documents. On our best day, other countries want to be like us. It is the freedom and it is the prosperity that comes from arraying power the way that we do. Of course, all of this is relying on the principle of deterrence. This bill is very important toward that end.

Mr. Speaker, I appreciate my colleague and friend, Mr. STIVERS, yielding time. I urge my colleagues to support the House Defense Appropriations bill.

Mr. STIVERS. Mr. Speaker, I advise the gentleman from Massachusetts that I have no more speakers, and I am prepared to close.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there are 1,000 reasons to be opposed to this rule. One is that it brings forward two bills that are deeply flawed.

Mr. Speaker, I include in the RECORD The New York Times editorial against the Roskam bill, "Dark Money and an I.R.S. Blindfold."

[From the New York Times Editorial,
Apr. 28, 2016]

DARK MONEY AND AN I.R.S. BLINDFOLD
(By the Editorial Board)

It is plainly illegal for foreigners to contribute to American political campaigns. But reform groups are warning that the ban would be gravely undermined by a little-noticed bill advanced Thursday by Republicans on the House Ways and Means Committee.

It would alter the current tax code provision that, while permitting the identity of donors to 501(c) "social welfare" groups to be kept firmly secret from the public, requires that the donors be privately identified to Internal Revenue Service officials responsible for enforcing the law. Politically oriented groups claiming dubious exemptions as "social welfare" nonprofits have proliferated in recent elections, allowing donors—including publicity-shy campaign backers—to work from the shadows.

Under the proposal, the I.R.S. would no longer be told the identities of contributors to these nonprofits. Watchdog groups warn in a letter to the House that this would "open the door wide for secret, unaccountable money from foreign governments, for-

eign corporations and foreign individuals to be illegally laundered into federal elections." The letter, signed by the Brennan Center for Justice, the Campaign Legal Center, Democracy 21 and five other groups, stressed that the disclosure requirement is one of the few ways of guarding against foreigners influencing American elections.

Representative Peter Roskam, the bill's sponsor, dismissed the reform groups' warning, saying the I.R.S. "has a miserable track record when it comes to safeguarding sensitive data" and a history of targeting conservative nonprofits that are critical of administration policies. His office insisted that ending the disclosure requirement would not affect the foreign-donation ban, but the reform groups sensibly ask who else could monitor what has become a runaway system of big-money stealth politicking.

Claiming a "social welfare" tax exemption has become a tool for powerful political operatives like Karl Rove, the Republican campaign guru. His Crossroads GPS group, which has 501(c) status, has spent \$330 million on ads and candidates since it was created in 2010. Other political groups, including the Democrats' Priorities USA Action, which aided in President Obama's re-election campaign, have followed suit in claiming "social welfare" status. In the last four years, more than \$500 million in secretive election contributions has been netted by those using the ploy.

Amid fierce Republican criticism, the I.R.S. has grown ever more gun-shy about enforcement, with Tea Party and other right-wing groups accusing tax officials of bias in daring to investigate conservative "social welfare" claims. As I.R.S. wariness grows, so does the attraction of 501(c)s for donors more interested in stealth politicking than charity work. Enabling foreigners to join this dark money debacle would be disastrous.

Mr. MCGOVERN. Mr. Speaker, I will read the opening paragraph: "It is plainly illegal for foreigners to contribute to American political campaigns. But reform groups are warning that the ban would be gravely undermined by a little-noticed bill"—which is this bill—"advanced Thursday by Republicans on the House Ways and Means Committee."

This is basically saying that this opens up a loophole that, quite frankly, can be very, very dangerous. So I urge my colleagues that if this rule gets passed, that they would vote against this bill.

Again, as I mentioned on the Defense Appropriations bill, it is a bill that is based on budget gimmicks, and it is also a bill that continues to fund endless wars without having any authorization from this Congress. We have not voted on an AUMF for the most recent war in Iraq and in Syria. I find it unconscionable that we have no problem just putting these wars on automatic pilot and having our brave men and women in uniform in harm's way, and we don't even have the guts to debate it.

We have tried and tried and tried and tried on various bills—on authorization bills and on appropriations bills—to be able to have that debate. There is always an excuse—oh, it is a different

committee jurisdiction; oh, we have to give it more than 10 minutes; oh, we have to do this, we have to do that—but this is our constitutional responsibility. We have time to vote on all these other bills that, quite frankly, are going nowhere that are political messaging pieces written at the National Republican Congressional Committee, but we can't find the time to debate these wars to clarify what our mission is—these wars that our brave men and women in uniform have been put in harm's way to deal with?

Come on. At some point, we have to find the courage to debate this. If people think these wars are the right way to go or they want to expand Presidential authority, then that is how you do it. If people like me think our military footprint is too big in the Middle East and that we need to have a more clearly defined mission about what we are doing, then that is the forum in which we restrain these wars.

But to do nothing—to do nothing—is cowardly. It is just wrong. I am hoping in the amendment process that we will have the opportunity to debate some of these issues. But if history is any indication, the answer is probably not.

Finally, I am urging my colleagues to defeat the previous question. Quite frankly, instead of these flawed bills, we should be debating how to prevent more tragedies like the one that took place in Orlando.

If we defeat the previous question, we will bring up a bill that is a bipartisan bill that would simply say that, if you are on an FBI watch list so you are unable to fly, then you should be unable to buy a gun at a gun store. It is that simple.

I don't quite understand why that is such a big deal. If the FBI believes that you are potentially dangerous so that they will not allow you to fly on an airplane, then how in the world can we allow that person to go into a gun store and buy a gun? And not just any gun; they can buy an assault weapon. It is crazy.

We have tried, on numerous occasions, to bring this issue to the floor, and House Republicans have voted 11 times—11 times—to block the bipartisan No Fly, No Buy legislation that was originally authored by my Republican colleague, Congressman PETER KING.

Since taking control of the House in 2011, my Republican friends have drastically cut the resources available for law enforcement, slashing the COPS program, which includes COPS hiring, COPS technology, interoperability, et cetera, by 64 percent. We need to respond to these terrible tragedies and make sure that our communities have what they need to keep people safe.

According to the Government Accountability Office, as my colleague from California (Mr. THOMPSON) pointed out, more than 2,000 suspects on the

FBI's terrorist watch list have successfully purchased weapons in the United States—more than 2,000. These are people who can't fly on airplanes because they are suspected of being terrorists, but they can go in and buy a firearm. More than 90 percent of all suspected terrorists who attempted to purchase guns in the last 11 years walked away with the weapon they wanted, with just 190 rejected, despite their ominous history.

This legislation that we want to bring to the floor—just so there is no misunderstanding here—was originally crafted in 2007 and endorsed by President Bush's Justice Department. It has bipartisan support in the House and is supported by prominent Republicans and counterterrorism and law enforcement experts. Yet we can't find the time to bring it to the floor. All we can do in the aftermath of terrible massacres like the one in Orlando is come to the floor and have a moment of silence for 10 seconds, and that is it. That is our obligation.

It is awful that we can't deal in a responsible way with legislation like the bills that I have mentioned here. I think the American people—and this goes beyond political affiliation—are getting sick of our inaction on this stuff. I should just say, if my friends are afraid of the NRA, according to a 2012 poll, 71 percent of current or former NRA members and 80 percent of other gun owners support preventing people on a terrorist watch list from purchasing guns.

I don't know what it is going to take, but I will tell you this: the outrage is already beyond description here on the House floor of people who are simply tired of our inaction.

So, Mr. Speaker, I urge my colleagues on both sides of the aisle to defeat the previous question so we can actually have a debate and vote on something that might save some lives, and also vote against the rule.

Mr. Speaker, I yield back the balance of my time.

Mr. STIVERS. Mr. Speaker, I yield myself the balance of my time.

The gentleman makes an impassioned argument, but today's rule is about two bills. It is about a bill that will prevent IRS abuse and make sure that our citizens have a right to free speech and free association that they are guaranteed under the First Amendment of the Constitution.

I thought it was really interesting that he read a portion of The New York Times editorial that is very clear to say that reform groups claim that this bill does X. The editorial writer did not make the claim that it happened or that it will happen; he made the claim that reform groups claim it will happen because the editorial writer can't verify the validity of it, and it is simply not true.

The Bank Secrecy Act will make sure, as it does today, that foreign

money is kept out of our elections. The Federal Election Commission, which is responsible for enforcing our election laws, will continue to enforce our election laws.

□ 1315

In fact, no one knows what Schedule B is used for. Today it has no real purpose. The IRS' Director of Exempt Organizations has publicly stated that they are considering doing away with Schedule B themselves. That is all the first bill does.

The second bill we are talking about is providing for funding for our troops. It is the DOD authorization for funding for 2017. The gentleman talks about some other issues, but if we don't fund it, we are the ones doing nothing. If we don't fund our troops, we are the ones doing nothing. We have an obligation to fund our troops to provide for the common defense. We need to make sure we do that. That is what this bill does, and I want to make sure we do that.

I do want to make a quick comment on process because the gentleman is apparently outraged about process. In this session of Congress, the 114th Congress, Mr. Speaker, the majority has allowed 1,269 amendments on the House floor in this Congress. That is as of May—halfway through this year. In the 113th Congress, the majority allowed 1,545 amendments to be considered. When the gentleman from Massachusetts was in the majority in the 111th Congress, his party only allowed 778 amendments during the entire 111th Congress. The gentleman's claims ring a little hollow. Maybe where you stand depends on where you sit.

I will say that these are important bills. The rule will make sure that we can fully fund our national defense and make sure that we look out for the constitutional rights of our citizens. Those are two very important things. I don't argue with the gentleman that there may be other things we want to talk about, but those things are important, and that is what today is about, that is what this 1 hour of debate is about, and that is what the 2 hours the rule provides are about.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bills.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 778 OFFERED BY
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1076) to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist. The first reading of the bill shall be dis-

pensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1076.

THE VOTE ON THE PREVIOUS QUESTION: WHAT
IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he

then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. STIVERS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and suspending the rules and passing H.R. 5049.

The vote was taken by electronic device, and there were—yeas 236, nays 171, not voting 27, as follows:

[Roll No. 299]

YEAS—236

Abraham	Cole	Garrett
Aderholt	Collins (GA)	Gibbs
Allen	Collins (NY)	Gibson
Amash	Conaway	Gohmert
Amodel	Cook	Gosar
Babin	Costello (PA)	Gowdy
Barletta	Cramer	Graves (GA)
Barr	Crawford	Graves (LA)
Barton	Crenshaw	Graves (MO)
Benishek	Culberson	Griffith
Bilirakis	Curbelo (FL)	Grothman
Bishop (MI)	Davidson	Guinta
Black	Davis, Rodney	Guthrie
Blackburn	Denham	Hanna
Blum	Dent	Hardy
Bost	DeSantis	Harper
Boustany	DesJarlais	Harris
Brady (TX)	Diaz-Balart	Hartzler
Brat	Dold	Heck (NV)
Bridenstine	Donovan	Hensarling
Brooks (AL)	Duncan (SC)	Hice, Jody B.
Brooks (IN)	Duncan (TN)	Hill
Buchanan	Ellmers (NC)	Holding
Buck	Emmer (MN)	Hudson
Bucshon	Farenthold	Huelskamp
Burgess	Fincher	Huizenga (MI)
Byrne	Fitzpatrick	Hultgren
Calvert	Fleischmann	Hurd (TX)
Carter (GA)	Fleming	Hurt (VA)
Carter (TX)	Flores	Issa
Chabot	Fortenberry	Jenkins (KS)
Chaffetz	Fox	Jenkins (WV)
Clawson (FL)	Franks (AZ)	Johnson (OH)
Coffman	Frelinghuysen	Johnson, Sam

Jolly	Mulvaney	Sensenbrenner
Jones	Murphy (PA)	Sessions
Jordan	Neugebauer	Shimkus
Joyce	Newhouse	Shuster
Katko	Noem	Simpson
Kelly (MS)	Nugent	Smith (MO)
Kelly (PA)	Nunes	Smith (NE)
King (IA)	Olson	Smith (NJ)
King (NY)	Palazzo	Smith (TX)
Kinzinger (IL)	Palmer	Stefanik
Kline	Paulsen	Stewart
Knight	Pearce	Stivers
LaHood	Perry	Stutzman
LaMalfa	Peterson	Thompson (PA)
Lamborn	Pittenger	Thornberry
Lance	Pitts	Tiberi
Latta	Poe (TX)	Tipton
LoBiondo	Poliquin	Trott
Long	Pompeo	Turner
Loudermilk	Posey	Upton
Love	Price, Tom	Valadao
Lucas	Ratcliffe	Wagner
Luetkemeyer	Reed	Walberg
Lummis	Reichert	Walden
MacArthur	Renacci	Walker
Marchant	Ribble	Walorski
Marino	Rice (SC)	Walters, Mimi
Massie	Rigell	Weber (TX)
McCarthy	Roby	Webster (FL)
McCaul	Roe (TN)	Wenstrup
McClintock	Rogers (AL)	Westerman
McHenry	Rogers (KY)	Westmoreland
McKinley	Rohrabacher	Whitfield
McMorris	Rooney (FL)	Williams
Rodgers	Ros-Lehtinen	Wilson (SC)
McSally	Roskam	Wittman
Meadows	Ross	Womack
Meehan	Rothfus	Woodall
Messer	Rouzer	Yoder
Mica	Royce	Yoho
Miller (FL)	Russell	Young (AK)
Miller (MI)	Salmon	Young (IA)
Moolenaar	Scalise	Young (IN)
Mooney (WV)	Schweikert	Zeldin
Mullin	Scott, Austin	Zinke

NAYS—171

Adams	DeSaulnier	Loeb
Aguilar	Deutch	Lofgren
Ashford	Doggett	Lowenthal
Beatty	Doyle, Michael	Lowey
Becerra	F.	Lujan Grisham
Bera	Duckworth	(NM)
Beyer	Edwards	Lujan, Ben Ray
Bishop (GA)	Ellison	(NM)
Blumenauer	Engel	Lynch
Bonamici	Eshoo	Maloney,
Boyle, Brendan	Esty	Carolyn
F.	Foster	Maloney, Sean
Brady (PA)	Frankel (FL)	Matsui
Brown (FL)	Fudge	McCollum
Brownley (CA)	Galleo	McGovern
Bustos	Garamendi	McNerney
Butterfield	Graham	Meeks
Capps	Grayson	Moore
Capuano	Green, Al	Moulton
Cárdenas	Green, Gene	Murphy (FL)
Carney	Gutiérrez	Nadler
Crawford	Hahn	Napolitano
Crenshaw	Hastings	Neal
Culberson	Heck (WA)	Nolan
Castor (FL)	Higgins	Norcross
Castro (TX)	Himes	O'Rourke
Chu, Judy	Honda	Pallone
Cicilline	Hoyer	Pascarella
Clark (MA)	Huffman	Payne
Clarke (NY)	Israel	Pelosi
Clay	Jackson Lee	Perlmutter
Cleaver	Jeffries	Peters
Clyburn	Johnson (GA)	Pingree
Cohen	Johnson, E. B.	Pocan
Connolly	Kaptur	Polis
Conyers	Keating	Price (NC)
Cooper	Kelly (IL)	Quigley
Costa	Kennedy	Rangel
Courtney	Kildee	Rice (NY)
Crowley	Kilmer	Richmond
Cuellar	Kind	Roybal-Allard
Cummings	Kuster	Ruiz
Davis (CA)	Langevin	Ruppersberger
Davis, Danny	Larsen (WA)	Rush
DeFazio	Lee	Ryan (OH)
DeGette	Levin	Sánchez, Linda
Delaney	Lewis	T.
DeLauro	Lieu, Ted	Sanchez, Loretta
DelBene		

Sarbanes	Smith (WA)	Veasey
Schakowsky	Speier	Vela
Schiff	Swallow (CA)	Velázquez
Schrader	Takano	Visclosky
Scott (VA)	Thompson (CA)	Walz
Scott, David	Thompson (MS)	Wasserman
Serrano	Titus	Schultz
Sewell (AL)	Tonko	Watson Coleman
Sherman	Torres	Welch
Sinema	Tsongas	Yarmuth
Sires	Van Hollen	
Slaughter	Vargas	

NOT VOTING—27

Bass	Goodlatte	Lawrence
Bishop (UT)	Granger	Lipinski
Comstock	Grijalva	McDermott
Dingell	Herrera Beutler	Meng
Duffy	Hinojosa	Rokita
Hunter	Hunter	Sanford
Fattah	Kirkpatrick	Takai
Forbes	Labrador	Waters, Maxine
Gabbard	Larson (CT)	Wilson (FL)

□ 1337

Messrs. RYAN of Ohio, SERRANO, SIREs, and TAKANO changed their vote from “yea” to “nay.”

Mr. JENKINS of West Virginia, Mrs. NOEM, and Mr. JOYCE changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mrs. COMSTOCK. Mr. Speaker, on rollcall No. 299, had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—aye 239, noes 179, not voting 16, as follows:

[Roll No. 300]

AYES—239

Abraham	Clawson (FL)	Flores
Aderholt	Coffman	Fortenberry
Allen	Cole	Fox
Amash	Collins (GA)	Franks (AZ)
Amodel	Collins (NY)	Frelinghuysen
Babin	Comstock	Garrett
Barletta	Conaway	Gibbs
Barr	Cook	Gibson
Barton	Costello (PA)	Gohmert
Benishek	Cramer	Gosar
Bilirakis	Crawford	Gowdy
Bishop (MI)	Crenshaw	Granger
Black	Culberson	Graves (GA)
Blackburn	Curbelo (FL)	Graves (LA)
Blum	Davidson	Graves (MO)
Bost	Davis, Rodney	Griffith
Boustany	Denham	Grothman
Brady (TX)	Dent	Guinta
Brat	DeSantis	Guthrie
Bridenstine	DesJarlais	Hanna
Brooks (AL)	Diaz-Balart	Hardy
Brooks (IN)	Dold	Harper
Buchanan	Donovan	Harris
Buck	Duncan (SC)	Hartzler
Bucshon	Duncan (TN)	Heck (NV)
Burgess	Ellmers (NC)	Hensarling
Byrne	Emmer (MN)	Hice, Jody B.
Calvert	Farenthold	Hill
Carter (GA)	Fincher	Holding
Carter (TX)	Fitzpatrick	Hudson
Chabot	Fleischmann	Huelskamp
Chaffetz	Fleming	Huizenga (MI)

Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer

Mica
Miller (FL)
Miller (MI)
Moonenar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon

Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Roby
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio

DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Doggett
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)

Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larsen (CT)
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lynch
Maloney,
Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter

Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Bishop (UT)
Dingell
Duffy
Fattah
Forbes
Goodlatte

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradner
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Herrera Beutler
Hinojosa
Lawrence
McDermott
Meng
Sanford

Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Watson Coleman
Welch
Yarmuth

NOT VOTING—16

□ 1344

So the resolution was agreed to.
The result of the vote was announced
as above recorded.
A motion to reconsider was laid on
the table.

PERSONAL EXPLANATION

Mrs. LAWRENCE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted:
No on rollcall No. 299.
No on rollcall No. 300.

NSF MAJOR RESEARCH FACILITY
REFORM ACT OF 2016

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5049) to provide for improved management and oversight of major multi-user research facilities funded by the National Science Foundation, to ensure transparency and accountability of construction and management costs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LOUDERMILK) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 9, not voting 13, as follows:

[Roll No. 301]

YEAS—412

Abraham
Adams
Adersholt
Aguilar
Allen
Amodei
Ashford
Babin
Baretta
Barr
Barton
Bass
Beatty
Becerra
Benishak
Bera
Beyer

Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Bridenstine

Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)

Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Clever
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Galleo
Garamendi
Garrett
Gibbs
Gibson
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al

Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham
(NM)
Luján, Ben Ray
(NM)
Lummis
Lynch
MacArthur
Maloney,
Carolyn
Maloney, Sean
Marchant

Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris
Rodgers
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Miller (FL)
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Paulsen
Payne
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Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Salmon
Sánchez, Linda
T.

Sanchez, Loretta	Stewart	Walker
Sarbanes	Stivers	Walorski
Scalise	Swalwell (CA)	Walters, Mimi
Schakowsky	Takano	Walz
Schiff	Thompson (CA)	Wasserman
Schrader	Thompson (MS)	Schultz
Schweikert	Thompson (PA)	Watson Coleman
Scott (VA)	Thornberry	Weber (TX)
Scott, Austin	Tiberi	Webster (FL)
Scott, David	Tipton	Welch
Serrano	Titus	Wenstrup
Sessions	Tonko	Westerman
Sewell (AL)	Torres	Westmoreland
Sherman	Trott	Whitfield
Shimkus	Tsongas	Williams
Shuster	Turner	Wilson (SC)
Simpson	Upton	Wittman
Sinema	Valadao	Womack
Sires	Van Hollen	Woodall
Slaughter	Vargas	Yarmuth
Smith (MO)	Veasey	Yoder
Smith (NE)	Vela	Yoho
Smith (NJ)	Velázquez	Young (AK)
Smith (TX)	Visclosky	Young (IA)
Smith (WA)	Wagner	Young (IN)
Speier	Walberg	Zeldin
Stefanik	Walden	Zinke

NAYS—9

Amash	Grothman	Mulvaney
Burgess	Jones	Sensenbrenner
Gohmert	Massie	Stutzman

NOT VOTING—13

Dingell	Heck (WA)	Takai
Duffy	Herrera Beutler	Waters, Maxine
Fattah	Hinojosa	Wilson (FL)
Forbes	Meng	
Goodlatte	Sanford	

□ 1351

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO POSTPONE PROCEEDINGS ON MOTION TO RECOMMIT ON H.R. 5053, PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that the question on adoption of the motion to recommit to H.R. 5053 be subject to postponement as though under clause 8 of rule XX.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from Texas?

There was no objection.

PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT

Mr. BRADY of Texas. Mr. Speaker, pursuant to House Resolution 778, I call up the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 778, in lieu of the amendment in the nature of a substitute recommended by the Com-

mittee on Ways and Means, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-58, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5053

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing IRS Abuse and Protecting Free Speech Act".

SEC. 2. PROHIBITION ON REQUIRING THAT IDENTITY OF CONTRIBUTORS TO 501(C) ORGANIZATIONS BE INCLUDED IN ANNUAL RETURNS.

(a) *IN GENERAL.*—Section 6033 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following:

“(n) *IDENTIFYING INFORMATION OF DONORS.*—

“(1) *IN GENERAL.*—For purposes of subsection (a), the Secretary may not require the name, address, or other identifying information of any contributor to any organization described in section 501(c) of any amount of any contribution, grant, bequest, devise, or gift of money or property.

“(2) *EXCEPTIONS.*—

“(A) *IN GENERAL.*—Paragraph (1) shall not apply—

“(i) to any disclosure required by subsection (a)(2), and

“(ii) with respect to any a contribution, grant, bequest, devise, or gift of money or property made by an officer or director of the organization (or an individual having powers or responsibilities similar to those of officers or directors) or any covered employee.

“(B) *COVERED EMPLOYEE.*—For purposes of this paragraph, the term ‘covered employee’ means any employee (including any former employee) of the organization if the employee is one of the 5 highest compensated employees of the organization for the taxable year.

“(C) *COMPENSATION FROM RELATED ORGANIZATIONS.*—

“(i) *IN GENERAL.*—Compensation of a covered employee by the organization shall include any compensation paid with respect to employment of such employee by any related person or governmental entity.

“(ii) *RELATED ORGANIZATIONS.*—A person or governmental entity shall be treated as related to the organization if such person or governmental entity—

“(I) controls, or is controlled by, the organization,

“(II) is controlled by one or more persons that control the organization,

“(III) is a supported organization (as defined in section 509(f)(3)) during the taxable year with respect to the organization,

“(IV) is a supporting organization described in section 509(a)(3) during the taxable year with respect to the organization, or

“(V) in the case of an organization that is a voluntary employees’ beneficiary association described in section 501(c)(9), establishes, maintains, or makes contributions to such voluntary employees’ beneficiary association.”.

(b) *CONFORMING AMENDMENT.*—Section 6033(b)(5) of such Code is amended—

(1) by striking “all”, and

(2) by adding at the end the following: “to the extent not prohibited by subsection (n).”.

(c) *EFFECTIVE DATE.*—The amendments made by this section shall apply to returns required to be filed for taxable years ending after the date of the enactment of this Act.

The SPEAKER pro tempore. The bill shall be debatable for 60 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

The gentleman from Texas (Mr. BRADY), and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. BRADY).

GENERAL LEAVE

Mr. BRADY of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5053, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Over the past several years, the American people have come to learn just how reckless and untrustworthy the IRS can be with their sensitive taxpayer information.

Most concerning of all is that this Federal agency, which holds immense power to disrupt the lives of taxpayers, has directly exploited sensitive taxpayer information for political purposes.

We have responsibility to taxpayers to make sure this is never allowed to happen again. That is why we fought hard to push forward a ban on IRS political targeting as part of the PATH Act. And last December, that ban was signed into law for the very first time.

But we still have more work to do to clean up the IRS and hold it more accountable to the taxpayers it serves. The Preventing IRS Abuse and Protecting Free Speech Act continues this critical effort.

This important bill, authored by Congressman ROSKAM, would prohibit the IRS from collecting the identity of people who donate to tax-exempt organizations. During our committee’s IRS political targeting investigation, we learned that the IRS not only singled out certain organizations for heightened security, but in some cases, it even demanded they turn over a list of all their donors. These invasions of privacy are completely unacceptable.

The bill before us today makes much needed steps to protect taxpayer identities and ease the compliance burden on tax-exempt organizations. Most importantly, this bill helps ensure that Americans can never again be singled out by the IRS for their political beliefs.

I am grateful to Chairman ROSKAM for his leadership and diligence on this important issue, and I urge all my colleagues to join me in supporting the passage of this legislation.

Mr. Speaker, I reserve the balance of my time, and I ask unanimous consent

that the gentleman from Illinois (Mr. ROSKAM) be permitted to control the reminder of the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

The Republican majority believes the more hidden money in politics, the better. Freedom of speech, they say, requires more and more dark money or that democracy requires the ability of a few key people to write a check of \$100 million without anyone knowing who signed the check or, as a Koch brothers executive claimed, Americans have the right to “anonymous free speech.”

This bill now would help extend that anonymity to foreign individuals and governments who contribute in violation of our laws.

We have a crisis in our campaign system, a crisis. Tens of millions of dollars are being spent without full disclosure. So our constituents know and can make their own judgments about who is influencing our elections. To make matters worse, many of the organizations now doing the spending are organized under our Tax Code as groups allegedly engaged in social welfare activities.

According to the Center for Responsive Politics, political spending by such tax-exempt groups at this point in the current election cycle is five times the amount spent at the same point during the 2012 cycle. Spending during the 2012 Presidential election cycle by 501(c)(4)s and 501(c)(6)s soared to more than \$300 million, up from \$100 million in 2008 and just \$6 million in 2004, according to the Center for Responsive Politics. And the three largest 501(c)(4) spenders from the 2012 cycle, representing fully 51 percent of the total, have special meaning to this House majority.

□ 1400

They include Karl Rove's Crossroads GPS, which spent \$71 million; Americans for Prosperity of the Koch brothers spent \$36 million; and the American Future Fund, also the Koch brothers, spent \$25 million.

It is little wonder that the Koch brothers sent a letter to the Committee on Ways and Means Republicans the morning our committee marked up this bill in April, urging support of this legislation. It seeks to codify the secrecy around donations to social welfare organizations for political purposes.

So Republicans are here today to continue their attack on the IRS as they drive, really, to further undermine our campaign finance system.

This legislation removes the last safeguard against foreign governments and foreign individuals from influ-

encing our elections. Currently, foreign money cannot legally be given or spent in our elections, and a real protection we have against the use of foreign money by politically active social welfare organizations is that they must disclose their donors to the IRS.

This requirement means that tax exempt 501(c)(4) groups know they can be held accountable if they illegally spend foreign money in Federal elections.

Thirteen key campaign finance and government transparency groups, including Democracy 21 and Common Cause, have written to Congress strongly opposing this bill. In their letter, they state: “The . . . bill would open the door wide for secret money from foreign donors to be illegally laundered into Federal elections through 501(c)(4) and other 501(c) groups . . . House Members should vote against eliminating the existing check against foreign countries, foreign companies, and foreign individuals spending money illegally to influence our elections.”

This legislation would eliminate that protection. The administration opposes this bill. In its Statement of Administration Policy, it states: “By permanently preventing the IRS from requiring reporting of donor information by 501(c) organizations, H.R. 5053 would constrain the IRS in enforcing tax laws and reduce the transparency of private foundations.”

Therefore, I strongly urge a “no” vote.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Chairman BRADY for his leadership in bringing this bill to the floor. Just to put this into context, let's focus in on what we are really talking about. Every year, tax exempt 501(c) organizations fill out a form 990, and they send it to the IRS. So far, so good. It makes all the sense in the world. Public information. It is supposed to be public, and the public is able to review that.

Under current law—actually, it is a rule; it is not a statute, it is a rule—501(c) organizations have to fill out Schedule B. Okay, what is Schedule B? Schedule B is donor information. This donor information is submitted to the IRS. But here is the problem, Mr. Speaker. The IRS Commissioner has said: We don't think we need this actually. The person who is in charge of the tax exempt unit at the IRS has publicly said they are reviewing this.

If all the other claims were true—I mean, I got carpal tunnel syndrome writing down all these things: hidden money, crisis in campaigns, codify secrecy, last safeguard against foreign influence. Put up the ramparts, Mr. Speaker. If all that was true, then why would the IRS Commissioner be saying these things, that they don't think they need Schedule B?

And further, why wouldn't the White House just declaratively say they are going to veto it? But did you notice something, Mr. Speaker? The White House didn't say they would veto it. Why? This is a pretty good idea. Now, my friends on the other side of the aisle at this point aren't persuaded that it is a good idea, but just because they are slow to the game doesn't mean it is not a good idea.

So why is this a good idea? Here is why. The IRS in the past has demonstrated they have leaked this information. When did they do it? They leaked it in the case of the National Organization for Marriage, a group that was advocating for traditional marriage. They filed their Schedule Bs. Lo and behold, an IRS employee leaked it. Out it goes. You can imagine the donor harassment, the hassle, and so forth. So the IRS' hands in the past, Mr. Speaker, are not exactly clean when it comes to holding this information close. The National Governors Association also was similarly situated. All right, that is the first reason.

The second reason is the IRS acknowledges that they don't need this to administer the Tax Code. They don't need it. What is their job? Their job is to administer the Tax Code. They don't need it to administer the Tax Code.

Finally, we on the Subcommittee on Oversight and those of us on the Committee on Ways and Means know all too well that the IRS is very poorly equipped right now, Mr. Speaker, to deal with cybersecurity issues and identity theft issues.

So my final point is this: the IRS has demonstrated an inability to hold this information in the past. They have demonstrated an inability to hold it in the future. And they don't need it. So if they don't need it, let's not give it to them.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL), a member of our committee.

Mr. PASCRELL. Mr. Speaker, I rise today to speak on why this is a bad idea. We have seen in recent years a proliferation of political groups claiming tax exempt social welfare. You know how many groups in the past 5 years have claimed that? That is the status as a means to hide the identities of their donors. Can't put it any more elementary than that.

Now, that is the very law my friend from Illinois—and I mean that seriously—the very law that he is talking about. These groups offer a back door into unrestricted spending on political speech, often in the form of advertising meant to influence elections. I don't think we would disagree on that point.

H.R. 5053 would make it easier for super-PACs to spend money anonymously in support of their preferred candidates or political party. That is

H.R. 5053. The bill before us today would make it easier for groups to operate in the shadows, groups like Americans for Prosperity and American Future Fund, which together spent more than \$61 million in just one election in 2012 yet still claim tax exempt status.

Now, I believe we need better transparency and accountability in our system. Disclosure of donors to the IRS is a minimum safeguard and a practical tool for auditing. Furthermore, requiring disclosure of donors is one of the only safeguards we have against foreign money influencing our elections.

That is why so many good government groups have spoken out against this legislation, groups that promote transparency in our political system, like the Sunlight Foundation and the League of Women Voters. This bill would make it easier, Mr. Speaker, for anonymous donors to funnel dark money into groups that spend unlimited sums of money to influence elections. This flies in the face of our democratic principles. I urge my colleagues to oppose it.

This isn't about the IRS. This is about hiding who contributes and how much. The IRS isn't for sale, but there are many buyers out there, Mr. Speaker, who want to remain unknown. You and I, the sponsor of this bill, we don't have that luxury. We have to put down everything when someone contributes to us. You know it, and I know it. I believe the PACs should have to do that, too. Why in God's name you don't think so, I have no idea.

Mr. ROSKAM. Mr. Speaker, one quick point. The gentleman said that it was a practical tool for auditing, and yet there was a lawsuit recently where the attorney general of California tried to disclose the Schedule B information. The Federal judge who struck down the public disclosure pointed out that it had not been used in a single concrete instance, not one. And, in fact, the folks in California had not had this information submitted for 10 years before they even noticed that it was missing.

Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. BOUSTANY), the distinguished chairman of the Subcommittee on Tax Policy.

Mr. BOUSTANY. Mr. Speaker, I want to applaud my colleague, Chairman ROSKAM, for bringing this legislation to the floor. It is an important piece of legislation, Preventing IRS Abuse and Protecting Free Speech Act.

Back in 2012, when I was the Chairman of the Oversight Subcommittee of the Committee on Ways and Means, I started this investigation into the IRS' unconstitutional targeting of conservative groups for their political beliefs. We passed some legislation back then to improve transparency and accountability at the IRS, but I can tell you much more needs to be done, and this is part of that effort to continue to hold this agency accountable.

Taxpayers deserve to know whether the IRS is violating their privacy. Chairman ROSKAM's bill furthers that effort by preventing the IRS from targeting nonprofits by prohibiting the agency from collecting the identity of donors who contribute to these organizations. We know that the IRS can impose an audit at any time, but there is no need for the IRS to just collect all this information when they can't even do some of the things they are supposed to be doing with the resources they have.

This bill is a step toward restoring individual privacy that the IRS has been exploiting and abusing, and I think the American people have had enough. Passing this bill would dramatically reduce the information that the IRS has the legal ability to demand, lessening that chance, that potential for abuse.

Specifically, the bill would limit the Secretary of the Treasury from requiring the name, address, or other identifying information of any contributor, regardless of the nature or size of the contribution, with two exceptions.

We know the IRS still operates under the shadow of a scandal in which it admitted to targeting organizations based on their political beliefs. We have to get to the bottom of this. This agency has to be reined in. We need to strengthen the laws that protect American citizens' privacy. This investigation is still ongoing. I can tell you, the IRS still refuses to admit that some of its employees engaged in intentional wrongdoing.

To successfully carry out its mission, the IRS must be viewed by the American people as an unbiased arbiter of the law. It cannot do that without coming clean. H.R. 5053 is a necessary step to require more accountability and transparency at the IRS. I urge my colleagues to support us in passing this critical bill.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. RANGEL), a truly distinguished member of our committee.

Mr. RANGEL. My colleagues, if you are frustrated, if you are down and out, if you lack self-esteem, if you really want to get a good shot in the arm, kick the IRS. I am telling you, I have been down here 46 years. It always works. It always works.

But to take away an institution that depends on the voluntary contribution of taxpayers, to take away the image of trying to do the right thing for the American people because we have had some severe setbacks, whether under Democrats or Republicans, is just the wrong thing to do.

□ 1415

I remember the days when people would say: Get some good grades and live a good life and do the right thing and you can run for public office.

I like to believe that not every Republican kid comes from a rich family. I like to believe that they have the same aspirations, no matter what the political party is.

But today, in communities throughout these great United States, if somebody says they want to serve in the local, State, or Federal Government, what is the first thing you ask? How much money do you have? And then, you contribute that to the negative ads, where an Independent listens to Republicans and the Democrats, and are they turned off?

But assuming that some foreigner wants to interfere with a local election, that should bring Democrats and Republicans together. We can fuss with each other, but we certainly don't like foreigners to interfere with our foreign policy.

Recently we have had some people come right here to the well from foreign governments and criticize our President. Criticism is one thing, but financing a political party or a political candidate is repugnant to everything that we stand for.

If you really want to accumulate hundreds of millions of dollars to support an individual, why in the heck would you not want your name to be known?

To say that the IRS cannot collect information is opening the door to a terrible thing that can happen to our country. If you want to break all of the laws which put caps on how much you are spending, then use a charitable organization and say: Hey, it is listed not as political, but I can get away with it.

It is the wrong thing to do, not for Republicans, but for Americans.

You know, people try to get even. To the victor belongs the spoils. So this time, it is Obama, and he is leaving. But I really think that the principle of having people go into public service is being shattered by this type of thing, where foreigners and rich people can make contributions and not be proud enough to state it.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from New York asked a provocative question. Here is why you don't want this type of capacity in the hands of the IRS, I would say, and it is this reason: there is a fundamental lack of trust. The IRS has run roughshod over people's freedoms in the past.

The Commissioner himself has said: I don't need this information. We don't need this information. There are other entities—that is, the Federal Election Commission, the Bank Secrecy Act, and so forth—that are in place that are protections against foreign influence. But, basically, the IRS—and based on the work that the committee has done—I would argue, we have seen where the IRS has not treated these things well.

So go back to a case that is famous, a case from years ago, a case during

the civil rights movement, where the NAACP was told: You have to disclose your donor information.

How absurd. How ridiculous. How unconstitutional, in fact, that was. We are not at the same threshold, I would submit, as the NAACP case, but I would suggest that there is something untoward about an agency here—the Internal Revenue Service—that has what? Power to take things away, power to put people in prison. And you are giving them information that they have squandered and abused in the past.

Mr. RANGEL. Will the gentleman yield?

Mr. ROSKAM. I yield to the gentleman from New York.

Mr. RANGEL. Let me make it perfectly clear. If the IRS had leaked information or had not done their job, they should not only be investigated, they should go to trial, and those who violate the law ought to be convicted and serve time for it.

You don't just take away the opportunity for somebody. I am not suggesting that you don't have rich people or foreign governments that are not nice people, but we should not provide a vehicle for them to influence our elections.

Just because the Commissioner says, I don't need additional responsibility, I don't care whether he is appointed by a Democrat or a Republican, it is not for Commissioners to say what is good for this country. It is for this House of Representatives and the Senate.

Mr. ROSKAM. Reclaiming my time, I agree.

I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACK) to give us more insight.

Mrs. BLACK. Mr. Speaker, I rise today in strong support of the Preventing IRS Abuse and Protecting Free Speech Act.

As we debate this legislation, I think back to June of 2013, when victims of the IRS targeting testified before our Ways and Means Committee, including someone from my own State, a fellow Tennessean, Kevin Kookogey, who is the founder of Linchpins of Liberty.

This legislation protects groups like Kevin's from further IRS abuse by repealing the so-called Schedule B requirement that compels tax exempt organizations to turn over names, addresses, and other personal identifiable information of their donors.

Now, we know this information has been misused before and that the IRS, as has already been said, doesn't use this information to determine a tax exempt status anyway.

So why in a free country would these groups need to turn over such personal information in the first place?

We should all be asking ourselves that question. This information is not needed, and it will protect those who choose to give to those organizations

without having their information misused.

Let's fix this problem today. I urge a "yes" vote on H.R. 5053.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. I thank the gentleman for yielding.

Mr. Speaker, in this House, the Republican leadership has failed to provide sufficient investment in major emergencies facing Americans. They have refused to address the horrible epidemic of gun violence that plagues communities like mine and provides extremists an easy tool to kill dozens of people in minutes.

Further, the Republican leadership has refused to give sufficient funds to combat the Zika virus, risking the health and well-being of Americans. They have refused to raise the minimum wage to help working families improve their quality of life and have advanced efforts to reduce access to school meals for low-income children.

Yet, today, the priority of Republican leadership is a bill to blindfold the Internal Revenue Service to large donors to any 501(c) organizations except under very narrow circumstances, opening the floodgates for unlimited, anonymous donations, possibly from foreign sources.

The confidential disclosure of donors provides an important check on secret money from foreign governments or individuals that could be funneled into our elections. This is not a freedom of speech issue. This is not a fight for American freedom. This is a fight to protect the secret efforts to funnel so much money into certain coffers to undermine the integrity of our election system.

I strongly oppose this bill and hope the Republican leadership will focus on addressing the true emergencies facing American families, such as gun violence, hunger, poverty, and health. These are real deal issues.

Mr. ROSKAM. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in support of the Preventing IRS Abuse and Protecting Free Speech Act.

The IRS requires tax exempt organizations to report sensitive information about their donors, but, frankly, the information is unnecessary.

There are numerous examples of the IRS targeting political groups, which demonstrates that the IRS is incapable of using this information for legitimate purposes. Even the IRS itself has indicated it is considering eliminating this requirement. By eliminating the IRS' power to inquire into the membership of private citizen groups, taxpayers' identities will be protected and the IRS will be prevented from improperly targeting certain organizations.

I urge my colleagues to join me in supporting H.R. 5053 to hold the IRS accountable and act in the best interest of the American taxpayer.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. BECERRA), a member of our committee and chairman of our Caucus.

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, I think it is, first, important to clarify how this legislation impacts tax exempt organizations under the Tax Code, section 501(c). Many of these tax exempt organizations we recognize as charities, like United Way and so forth, foundations. Social welfare organizations, they come in any variety.

A social welfare organization, typically when we think social welfare, it means, essentially, organizations that are promoting the common good and the general welfare of the people of a community. Social welfare organizations.

What the problem, then, here is that we have seen so many social welfare organizations, the 501(c)(4)s, become not promoters of social good, but some of the biggest campaign spenders in our election process. They use the loopholes in the Tax Code to be able to collect a whole bunch of money that usually Americans think goes to do social welfare and instead is now being used to drive our campaigns.

So this is now the problem with this particular legislation. This legislation says: You know what? Those organizations right now have to document who is giving them money, who is contributing the dollars to them, if it is bigger than a \$5,000 contribution.

This bill says no longer would any of those 501(c) organizations, those tax exempt organizations, have to file the name of the contributor.

At a time, right now, when so many Americans have become skeptical about our government's ability to promote the interests of our citizens first, at a time when so many believe our government is driven by special interests, we should be asking for more openness in our government, not less in how we do business. Secret money is hijacking our American democracy.

This bill would prohibit the disclosure of substantial contributions and promote special interest secrecy.

What do I mean by that? This bill becomes a license to secretly influence our elections.

How? A foreign government doesn't like where American policy is going, so guess what? They want to influence who gets elected.

What do they do? They don't make a contribution to a candidate because they can't under the law.

What did they do? They now give to one of these social welfare organizations and let them use the money to politic in our campaigns.

And guess what? If this bill becomes law, you will never know the name of that foreign government or foreign government official who makes that contribution. It can be a \$5,000 contribution. It can be a \$5 billion contribution. You never have to report it if you are one of these tax exempt organizations.

What else? Say there are drug traffickers who don't like that we may be getting tough on our drug laws. They don't like it. They want to elect people who won't be so tough. Because a drug trafficker won't give it directly to a candidate, they give it to one of these social welfare organizations. The social welfare organization, under this bill, won't have to report the contribution, the name of the contributor. If that drug trafficker gives \$5,000 or \$5 billion, it is never disclosed.

Who else? We are right now fighting ISIS. Say ISIS wants to make sure somebody gets elected to be the next President or a Member of Congress. They don't like somebody else. How do they influence our elections? They get one of their wealthy contributors to give money to one of these tax exempt organizations. And guess what? That ISIS contributor never gets disclosed.

Since when do Americans want us to have a system in our elections where contributions can be made to influence our elections if we don't know who is doing it?

If you don't believe it is true that that is going on, let me give you this statistic that will blow your mind. Four years ago, in our last Presidential election, the parties—the Democrat Party and the Republican Party combined, the parties that we know are there for politics—spent a quarter of a billion dollars in the 2012 elections.

Guess how much these social welfare organizations spent in that same election? More than the two parties combined.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 1 minute.

□ 1430

Mr. BECERRA. Mr. Speaker, the parties spent \$255 million in 2012 politicking because that is what they are there to do. They have a partisan position, so they are using their money that people contribute to politick.

And by the way, when you make a contribution, you have got to report it when you make a contribution to that political party.

\$257 million in 2012 was spent by these social welfare organizations on politicking, and under this bill, if it becomes law, guess what? Those contributors won't have to be identified; and so whatever your motives, you get to influence our elections without the American people—who can't do the

same thing, because if they give a contribution, they have got to disclose it—without the American people knowing who you are.

I don't believe that is where this country wants to go. And I don't care under what good-government kind of window you try to frame this, what you are doing is you are opening the door for secret money to influence our elections—as if it isn't bad enough how much our elections are influenced by people who have wealth and do much more than the average American can ever do.

So, Mr. Speaker, this is not a time to do that. Let's vote for openness. And if you vote for openness, you have to vote against this bill.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, did you notice something? Every one of the examples of the previous speakers were hypothetical, every one of them, drug dealers, drug traffickers, an ISIS strategy, as if ISIS is sitting around not cutting people's heads off and writing checks. How absurd.

The notion that there is no documentation is a false claim. Of course people have to have documentation. Of course all of these organizations have to document. They have to maintain records. They are subject to audit. They are subject to investigation.

But here is the point. We have been able to demonstrate actual harm to actual people who are actually subject to a capricious and vicious attack by their own government. That is the Internal Revenue Service, who turned their stare at them and intimidated them. That is a fact.

This House voted on the criminal referral of Lois Lerner. This House has investigated, time and time and time again, to the point where our friends on the other side of the aisle have basically begged for mercy, said: Do we have to talk about the IRS anymore?

Well, yes, we do because this is the group that has been the bad actor, Mr. Speaker, in the past. Let's realize who we are talking about.

Now, I think it is very, very important for us to recognize that we have an opportunity to do something, and that is this: let's follow the lead of Commissioner Koskinen. If the Commissioner of the Internal Revenue Service thought, wow, ISIS is coming in here and they are coming over the ramparts and they are going to completely flood us, and we have got to watch out for ISIS and drug traffickers, why would Commissioner Koskinen say this: "On your 990, you list donors"—and we are not about to try to change that. "As a general matter, who gives to you should not matter as to what you're about to do."

In other words, these things that the other side is saying are illegal, they are illegal. There is nothing in this that changes that.

But there is a plot trap in their logic, Mr. Speaker, and it is this: the IRS, by their own admission, is not going through this on a systematic basis. They acknowledge that. They are not going through these Schedule B's on a systematic basis. They are not investigating them.

So what happens?

They are prohibited under the law, Mr. Speaker, from disclosing this information, under section 6103, that makes that disclosure a crime. Oh, it makes it a crime—unless they do it to some conservative group and it happens to be an accident.

To give us more insight on this, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. Mr. Speaker, I walked in and was hearing the gentleman from California talking about all these foreign donations, and I thought for sure he was talking about the Clinton Foundation donations from foreign governments, that there is a big question about their influence on policy and appointments and other things. That is why I was glad the gentleman clarified the topic at hand here.

What we are doing here, really, is protecting the First Amendment's guarantee of freedom of speech. That is a very bedrock of our democratic society. As Benjamin Franklin once wrote: "Whoever would overthrow the Liberty of a Nation, must begin by subduing the Freedom of Speech."

See, American citizens should not be targeted by their own government for exercising their rights, their free speech, which is exactly why we are here today; because, under the Obama administration, the IRS has all too often targeted groups based on their political affiliation.

I don't care whether you are liberal, conservative, or somewhere in between, you shouldn't have your government targeting you, through the IRS, based on your political views. And they even disclosed the identities of supporters of these organizations.

This commonsense bill would protect the First Amendment by prohibiting the IRS from collecting sensitive information about citizens who support nonprofit organizations like charities, like education organizations, trade associations, and more.

This would, of course, apply to future administrations, too, and will simply serve to strengthen our constitutional right to free speech, no matter what party occupies the White House.

Even some IRS officials have admitted they don't need this information to enforce the Tax Code, though I imagine they did find it useful when they "accidentally" leaked at least one conservative organization's list of supporters to another nonprofit that, in turn, made that list public.

This bill would take away this power from the agency completely. That will

greatly reduce the chance this could happen again. Doing so would protect taxpayers' identities and sensitive information, and help prevent the IRS from going after certain organizations because they don't agree with that organization's mission.

So I urge support of this thoughtful legislation. Let's prevent taxpayers, protect them, and prevent abuse of taxpayers, and protect their free speech rights under the Constitution.

Mr. LEVIN. Mr. Speaker, can I ask how much time is available? How much time do we have, please?

The SPEAKER pro tempore. The gentleman from Michigan has 10½ minutes remaining. The gentleman from Illinois has 12 minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentleman for yielding.

Mr. Speaker, I just want to respond to my friend from Illinois and some of his comments, and my friend from Oregon.

The Clinton Foundation, great that you raise that because, see, the Clinton Foundation has raised a lot of questions in the minds of some. At least, some are trying to politicize it, whether you agree or don't agree with the money that came, because some money did come from foreign sources.

This bill would terminate the need for the Clinton Foundation to report any sources of its income. So, if you are concerned that the Clinton Foundation has gotten some contributions from foreign sources, this bill makes it worse because, under this legislation, the Clinton Foundation wouldn't have to report any of those contributions anymore. And so that is the craziness of this legislation.

It is not speculation to say what will happen. We have gone from virtually zero spending by social welfare organizations that are tax exempt for political purposes to, now, these social welfare organizations spending more than the political parties spend together.

So it is not speculation. The expert from the Joint Tax Committee said so himself. This is what will happen, could happen, if we pass this legislation.

Please reject this bill.

Mr. ROSKAM. Mr. Speaker, I think I am the last speaker on this side, so I am prepared to close, but I will defer to the gentleman from Michigan if he wants to wind it up.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. SARBANES), who has worked so hard for so long on this issue. It is a privilege.

Mr. SARBANES. I thank the gentleman for yielding.

Mr. Speaker, fundamentally, this is about which direction we want to move

in as a country, as a Congress, as a responsible institution, as a government, in terms of whether we are going to respect the American people and their voice, whether we are going to turn their voice over to Big Money, to special interests that are hijacking our politics and our government.

The problem with the proposal that is being put on the floor today is that it is moving us in the wrong direction. It is moving us away from the kind of disclosure information transparency in our political process that the American people are demanding.

If you talk to the average person out there, they feel disrespected, locked out, left out, left behind, pushed to the margins of their own democracy, feeling as though Big Money calls the shots, the insiders rule the roost, and the average person has no voice, is of no consequence.

They see the money being spent on these campaign commercials during election time. They don't know where it is coming from. They don't know what organizations are supporting it, and they feel like they don't have a stake in their own democracy anymore.

What is interesting is that, you know, traditionally, in the past, Republicans had argued for more transparency and disclosure; that all political activity, all contributions that were made and all expenditures, should be divulged. In fact, in 1996, MITCH MCCONNELL, the majority leader in the Senate, declared, proudly: "Public disclosure of campaign contributions"—public disclosure of campaign contributions—"and spending should be expedited so voters can judge for themselves what is appropriate."

We are moving even further away from public disclosure because this bill would say that the IRS isn't even going to be able to collect information on who is donating to these 501(c)(3) organizations. So at a time when the American people are saying we need more accountability in our politics, in our government when it comes to this secret money that is out there, at a time when Americans want more accountability, this bill moves us towards less accountability. It will move secret money even further into the shadows and contribute further to a less responsive and less transparent democracy.

I can hear the American people saying to the Republicans who are putting this on the bill, who are authoring this legislation: Are you new here? Are you new in this current environment, political environment, where we are so angry, as the American people, that we want to understand who is trying to hijack our politics, and you are going to move us in the opposite direction?

People already feel locked out. We don't have to do more to push them in that direction. We need more accountability, not less. For that reason, I

urge my colleagues to defeat this bill today.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the reasons people feel locked out and left out is the cold notion that the government that is supposed to be collecting taxes and evaluating things according to the law, it turns out that they were acting for a malevolent reason. It turns out that they were going after the very people that they were supposed to protect. Turns out they were investigating based on religious belief, political belief, education belief, and so forth.

So it is no wonder that the public feels disconnected from this. It is no wonder that they feel like they were trusting somebody that was just supposed to collect taxes and then they learned that they were being targeted. That is part of the locked out and left out feeling.

There is another problem, too, with the logic of the argument that we heard just a minute ago, and there is somehow an implication that this information is supposed to be public. That is news. Schedule B isn't public today, and nobody is proposing that it be public. And, in fact, the courts have said it would be unconstitutional to make it public.

So who is the beneficiary of this information, Mr. Speaker, if it is not the public, because it is not the public according to the law now. Who would be the beneficiary?

Oh, the IRS. They are the only ones, Mr. Speaker, that have access to this information. The public doesn't have it. And we already learned what happened. The courts have said: You cannot tell the NAACP, you cannot make them reveal their donors.

By that logic that we heard a minute ago, those organizations, during the civil rights movement, what would they have had to do? They would have had to disclose all of that information. And thanks be to God, Mr. Speaker, that the Court said no.

Speech is special, speech is sacrosanct, and speech ought not be manipulated and intimidated by people with power.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. SARBANES).

□ 1445

Mr. SARBANES. I just wanted to respond to this idea that the public wouldn't benefit from this. Yes, there are opportunities to develop more disclosure of this information to the public, and certainly the Democrats would like to see that. But the public would benefit from the IRS' getting more information about where this money comes from because it is the IRS' responsibility to determine whether

these 501(c)(3) organizations are getting hijacked and taken over by special interest money—potentially foreign interest—and so forth. So the public would absolutely benefit if the IRS, which is the organization that has responsibility for determining whether you should have tax-exempt status or not, can fulfill that function on behalf of the public, and this would make it even more difficult for that agency to do its job in that respect.

Mr. ROSKAM. Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there has been discussion here about abuse. There was mismanagement. I was among those who indicated that the person or the two people most responsible should be relieved of their duties.

It is also true, when we asked the inspector general, "Did you find any evidence of political motivation in the selection of the tax-exemption applications," the answer of the inspector general was, "We did not, sir," period.

There is another abuse here, and that is the abuse of 501(c)(4)s. It is scandalous. They are supposed to be doing social welfare. What has happened is they have used the mask of legality, many of these, to essentially become political organizations. That is the scandal.

Essentially what the Republican Party is doing here is saying that they want to essentially pull a mask over what is scandalous.

As Mr. SARBANES said, this bill goes in the wrong direction. We need more disclosure, not less.

The Achilles' heel in the argument of Mr. ROSKAM and others is this: A foreign government has to now disclose to IRS; a foreign individual would have to disclose a contribution that was illegal. They essentially want to eliminate that requirement in terms of this form altogether—eliminate it—so that there would be no way of knowing through that operation when there was a violation by a foreign government or an individual trying to influence the political process of this country.

It is bad enough that domestic money reigns so supremely. Essentially what the majority here wants to do is add foreign operations to that process.

You say that speech is power. But speech backed up by hidden money essentially undermines the democratic processes of this country. What you are doing today is coming forth here and essentially wanting to give a further imprimatur to this distortion of the democratic process. Money reigns too strongly in the political process, and you now essentially want to say: if it is foreign, all the better. It is terrible.

It is terrible what is going on in this country today in terms of the power of money over the political process. You make it worse by essentially inviting

foreign entities to join in that distortion of democracy in the United States.

Mr. Speaker, I urge a strong "no" vote on this bill, and I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I yield myself the balance of my time.

The foreign money invitation is a straw man argument, and we have spent a lot of time on it talking about it this afternoon. But remember, all these activities are legal. Also remember that it is the Internal Revenue Service based on past practice that has developed or communicated an inability to hold confidential information close. That is important.

It is also important to recognize that it was the Internal Revenue Service Commissioner who has essentially said: We don't need this information. We have had this debate and basically an admonition against the campaign finance laws. The minority's objection is largely directed to the United States Supreme Court and their conclusion in the Citizens United decision. That is all fine, well, and good.

But let's focus in here on what we are actually talking about. What we are talking about is the lack of trust that we have in the Internal Revenue Service based on past activities to hold this information close, based on their projections about their challenges as it relates to cybersecurity and identity theft, and I think a general recognition of the chilling effect of what happens when you have an organization that chooses to target people based on their political speech.

Mr. Speaker, I think we have thoroughly debated this. I urge its passage, and I yield back the balance of my time.

Mr. POE of Texas. Mr. Speaker, H.R. 5053, Preventing IRS Abuse and Protecting Free Speech Act is a common sense bill meant to help curb the rampant abuses of the IRS, an agency that has proven itself to be completely out of control in recent years.

In April, Federal Judge David Sentelle said that the IRS can't be trusted, and that there is strong evidence that the agency violated the constitutional rights of conservative groups when it delayed their nonprofit status applications and asked inappropriate questions about their political beliefs.

Currently, the IRS requires non-profits to submit a schedule B form, listing the names and addresses of their donors. According to the law, the IRS is forbidden from using this form for any purpose.

If they are forbidden from using this form for any purpose then, why are they even allowed to ask for this information? This doesn't make any sense.

This is another "mistake" waiting to happen. The mere presence of this form will make it easier for unscrupulous employees to target individuals for increased scrutiny based on their political beliefs or what non-profit they choose to give money to.

I have seen this kind of political targeting first hand with my constituent Catherine

Engelbrecht in Houston, Texas. She was targeted because she dared to attempt to start a voting integrity group called True the Vote.

This kind of political targeting needs to stop. It's un-American and Unconstitutional.

We need to reign in the IRS, and H.R. 5053 is a step in the right direction.

And that's just the way it is.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 778, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. SARBANES. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SARBANES. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Sarbanes moves to recommit the bill H.R. 5053 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 3. PROHIBITION ON REQUIRING CONTRIBUTOR IDENTITY NOT TO APPLY IN CASE OF ORGANIZATION INTERVENING IN POLITICAL CAMPAIGN.

The amendments made by section 2 of this Act shall not apply in the case of an organization described in section 501(c) of the Internal Revenue Code of 1986 which directly or indirectly participates in, or intervenes in, any political campaign on behalf of (or in opposition to) any candidate for public office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. SARBANES. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, we have had a debate here today on this larger issue of accountability to the American people when it comes to our politics, the way we govern, and the huge amounts of secret money that are pouring into our politics in a way that has left the average American feeling cynical and disconnected from their democracy. If anything, what Americans want to see is not less information and less accountability when it comes to politics, but more of it.

Now, many people out there are just kind of hanging on by a fingernail in terms of any confidence or trust when it comes to our democracy and our politics because they see how Big Money has sort of taken over the conversation and that the megaphone that Big

Money has is hard to compete with if you are just a regular person out there who wants your voice to be heard. But it is made even worse when you don't know who is holding that megaphone when that speech comes in with all that money behind it and you don't know who the speaker is because that is hidden away because all of this money has become secret.

One of the mechanisms that is being used by Big Money out there to kind of foist themselves onto our politics and push average Americans on to the margins of their own democracy is to go in there and try and hijack, commandeer, and takeover these 501(c) organizations. These tax exempt organizations end up really engaging primarily in political activity but are masquerading as these 501(c) organizations that are supposed to be engaged in tax exempt activities.

So what this motion to recommit would do is pretty straightforward. It says that if one of these 501(c) tax exempt organizations—and I am reading now from the motion to recommit, from the amendment that would be made—is directly or indirectly participating in or intervening in any political campaign on behalf of or in opposition to any candidate for public office, then in that instance, the IRS ought to be able to collect that information on who their donors are.

Look, it makes sense. Taxpayers out there are saying: We understand that there are organizations that should be tax exempt because of the good work that they are doing, that they are actually social welfare organizations, the local Boys & Girls Club, organizations like that, providing a public benefit. That is okay. We will pay our taxes. But we understand that those organizations shouldn't have to because they are doing something that is good for the public and good for the community and so forth.

But if an organization is getting taken over by some group that has got a political goal or political objective, then it shouldn't be entitled to that tax exemption anymore.

That is what this motion to recommit says: You don't get to deny the IRS the kind of information that will allow them to make a judgment as to whether you deserve to have that tax exempt status. So that is all that we are trying to do.

There are two things that the IRS needs to look at when they are deciding whether a C organization is engaged primarily in political activity. One is, where is the money going? How are they spending it? They will be able to see that. But the other is, where is the money coming from that is getting spent? Who is behind the thing? That helps them decide, is this organization really fulfilling tax exempt purposes, or is it just masquerading that way when, in fact, what it is doing is engaged primarily in political activity?

So we want the IRS to have the information that allows them to reach a judgment as to whether an organization that is benefiting from this tax exemption really deserves to get that tax exemption. That is what this motion to recommit would do.

We need more accountability, not less, in our politics. We need more information to decide who appropriately is benefiting from this tax exempt status.

Mr. Speaker, for that reason, I urge my colleagues to support the motion to recommit, and I yield the balance of my time.

Mr. ROSKAM. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. ROSKAM. Mr. Speaker, the motion to recommit essentially says this: All kind of speech is sacred, and all types of speech should be protected, except certain kinds. So you can say whatever you want to say, you can say it however you want to say it, but if it is political, we are going to treat it differently. And that is the problem; that is absolutely the problem.

H.R. 5053 is commonsense legislation that protects Americans from having their information improperly disclosed. It eliminates a burdensome reporting requirement for not-for-profits, and the IRS itself has indicated that it doesn't use the reported information for tax enforcement.

There is absolutely no reason not to eliminate the Schedule B on the Form 990. Not only is it unnecessary, but the IRS doesn't have a good track record at protecting sensitive information or treating everyone fairly. We shouldn't be giving the Internal Revenue Service access to this information, especially when they don't need it to do their job.

Mr. Speaker, I urge my colleagues to vote against the motion, "yes" on H.R. 5053, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. SARBANES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, and the order of the House of today, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 p.m.), the House stood in recess.

□ 1601

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee) at 4 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the order of the House of today, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of the motion to recommit H.R. 5053, and

Passage of H.R. 5053, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Any remaining electronic vote will be conducted as a 5-minute vote.

PREVENTING IRS ABUSE AND PROTECTING FREE SPEECH ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 5053) to amend the Internal Revenue Code of 1986 to prohibit the Secretary of the Treasury from requiring that the identity of contributors to 501(c) organizations be included in annual returns, offered by the gentleman from Maryland (Mr. SARBANES), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 180, nays 238, not voting 16, as follows:

[Roll No. 302]

YEAS—180

Adams	Capuano	Cuellar
Aguilar	Cárdenas	Cummings
Ashford	Carney	Davis (CA)
Bass	Carson (IN)	Davis, Danny
Beatty	Cartwright	DeFazio
Becerra	Castor (FL)	DeGette
Bera	Castro (TX)	Delaney
Beyer	Chu, Judy	DeLauro
Bishop (GA)	Clark (MA)	DeBene
Blum	Clarke (NY)	DeSaulnier
Blumenauer	Clay	Doggett
Bonamici	Cleaver	Doyle, Michael
Brady (PA)	Clyburn	F.
Brown (FL)	Cohen	Duckworth
Brownley (CA)	Connolly	Duncan (TN)
Bustos	Conyers	Edwards
Butterfield	Courtney	Ellison
Capps	Crowley	Engel

Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin

Lewis
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham (NM)
Lujan, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCaul
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel

Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Reed
Speier
Swallowell (CA)
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NAYS—238

Abraham
Aderholt
Allen
Amash
Amodi
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson

Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxy
Frank (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hanna
Hardy
Harper
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren

Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)

Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)

Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry

Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—16

Boyle, Brendan F.
Cicilline
Deutch
Dingell
Duffy

Fattah
Forbes
Goodlatte
Herrera Beutler
Hinojosa
Moore

Mulvaney
Rigell
Takai
Thompson (MS)
Wilson (FL)

□ 1622

Messrs. ROONEY of Florida, BRAT, and CULBERSON changed their vote from “yea” to “nay.”

Messrs. POCAN, HUFFMAN, Ms. BASS, Messrs. HIMES and CLYBURN changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DEUTCH. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 302.

Stated against:

Mr. MCCAUL. Mr. Speaker, during the second voting series today, I intended to vote “nay” in accordance with leadership recommendation on the first vote, Democrat Motion to Recommit H.R. 5053—Preventing IRS Abuse and Protecting Free Speech. I inadvertently voted “yes.” I intended to vote “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 182, not voting 12, as follows:

[Roll No. 303]

AYES—240

Abraham
Aderholt
Allen

Amash
Amodi
Babin

Barletta
Barr
Barton

Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hanna
Hardy
Harper
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren

Hartzer
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)

Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)

Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)

Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio

NOES—182

DeGette	Kind	Price (NC)
Delaney	Kirkpatrick	Quigley
DeLauro	Kuster	Rangel
DelBene	Langevin	Rice (NY)
DeSaulnier	Larsen (WA)	Richmond
Deutch	Larson (CT)	Roybal-Allard
Doggett	Lawrence	Ruiz
Doyle, Michael	Lee	Ruppersberger
F.	Levin	Rush
Duckworth	Lewis	Ryan (OH)
Edwards	Lieu, Ted	Sánchez, Linda
Ellison	Lipinski	T.
Engel	Loeb	Sanchez, Loretta
Eshoo	Lofgren	Sarbanes
Esty	Lowenthal	Schakowsky
Farr	Lowe	Schiff
Foster	Lujan Grisham	Schrader
Frankel (FL)	(NM)	Scott (VA)
Fudge	Luján, Ben Ray	Scott, David
Gabbard	(NM)	Serrano
Gallo	Lynch	Sewell (AL)
Garamendi	Maloney,	Sherman
Gibson	Carolyn	Sinema
Graham	Maloney, Sean	Sires
Grayson	Matsui	Slaughter
Green, Al	McCollum	Smith (WA)
Green, Gene	McDermott	Speier
Grijalva	McGovern	Swalwell (CA)
Gutiérrez	McNerney	Takano
Hahn	Meeks	Thompson (CA)
Hastings	Meng	Thompson (MS)
Heck (WA)	Moulton	Titus
Higgins	Murphy (FL)	Tonko
Himes	Nadler	Torres
Honda	Napolitano	Tsongas
Hoyer	Neal	Van Hollen
Huffman	Nolan	Vargas
Israel	Norcross	Veasey
Jackson Lee	O'Rourke	Vela
Jeffries	Pallone	Velázquez
Johnson (GA)	Pascarella	Visclosky
Johnson, E. B.	Payne	Walz
Kaptur	Pelosi	Wasserman
Keating	Perlmutter	Schultz
Kelly (IL)	Peters	Waters, Maxine
Kennedy	Pingree	Watson Coleman
Kildee	Pocan	Welch
Kilmer	Polis	Yarmuth

NOT VOTING—12

Dingell	Goodlatte	Mulvaney
Duffy	Herrera Beutler	Rigell
Fattah	Hinojosa	Takai
Forbes	Moore	Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1630

Ms. BROWN of Florida changed her vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 14, 2016.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 14, 2016 at 3:45 p.m.:

That the Senate concur in the House amendment to the bill S. 2276.

With best wishes, I am,
Sincerely,

KAREN L. HAAS.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2017

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5293, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 778 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 5293.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1633

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Indiana (Mr. VISCLOSKEY) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to present the Appropriations Committee recommendation for the fiscal year 2017 Department of Defense Appropriations bill.

I would like to begin by paying tribute to those who are not with us today—our men and women in uniform—all volunteers—who serve all across the globe defending our freedom. Our soldiers, sailors, airmen, and marines provide the mantle of security that allows us to meet in settings like this every day, and they should never be far from our minds.

Mr. Chairman, they, those who serve in uniform and their families, deserve our heartfelt thanks for their personal sacrifice.

I also want to thank Chairman ROGERS and Mrs. LOWEY for their support during the process, and special thanks

to my counterpart, PETE VISCLOSKEY, for his partnership in this effort. I thank him for his assistance and collaboration.

Mr. Chairman, our Defense Subcommittee conducted 11 formal hearings and had numerous briefings to help shape this legislation. These meetings allowed us to look in great detail into our national defense posture and the capabilities of our adversaries and our partners, and we are very concerned by what we see.

Over the past several years, we have largely focused on the dangers posed by Islamic terrorist organizations—al Qaeda, barbaric ISIS, al-Nusrah, and others. They remain a clear and present danger. But in recent years, new threats have emerged: a more aggressive and capable Russia, an expansionist China, emboldened states like Iran, and rogue nations like North Korea. At the same time, we are dealing with fiscal constraints imposed by sequestration and budget caps.

So, looking today at our Department of Defense and intelligence community, we note that our readiness levels are alarmingly low for our soldiers, marines, sailors, and airmen; our decisive technological edge over our adversaries is eroding; and our adversaries' resolve and their capability are only growing.

The bill before you begins to reverse these trends by providing more money for national security.

This measure includes a total of \$575.8 billion for the Department of Defense for functions under our subcommittee's jurisdiction and \$58.6 billion for overseas contingency operations/global war on terrorism funding.

Our recommendation mirrors the funding structure that the House Armed Services Committee and this House approved a few weeks ago and shifts roughly \$16 billion from the President's request for OCO operations into critical investments in our personnel, training, and equipment, while providing a bridge fund for our overseas operations through the end of April of 2017.

By that time, our new Commander in Chief will be able to assess our defense posture, reevaluate readiness levels and recapitalization efforts, and request a targeted supplemental to support our troops. Congress did a similar maneuver in 2008.

I am confident that Members of this House will work in a bipartisan way to ensure that this essential supplemental appropriations legislation is passed when that time comes. Rest assured that we will never let our troops down.

By providing a bridge fund to next April, our bill is able to make targeted investments in additional manning for the Army, Marines, and Air Force, more training, as well as the equipment they rely upon—all designed to repair the worrisome readiness gaps we see across our Armed Forces.

We currently have the lowest manning level in the Army since before World War II, and this legislation boosts Army and Marine Corps end strength.

Despite the Secretary's assurances that we are on our way to a 300-ship Navy, we now have 273 in our fleet, which is smaller than at any time since before World War I. This bill funds a significant increase in shipbuilding.

Our Air Force is flying the oldest planes in its entire history, and the bill before you boosts the modernization of our fighters, bombers, tankers, and other aircraft.

We are also able to increase funding by \$9.6 billion for equipment the service chiefs have requested in their unmet needs list.

Our investments will allow our military services to fully meet critical training requirements, such as flying hours, steaming days, depot maintenance, ground training, facilities improvement, and base operations.

I also want to note that our legislation again includes \$500 million to continue improvements for intelligence, surveillance, and reconnaissance for our combatant commanders. They need it; they will welcome it.

Mr. Chairman, as I close, I want to make an observation about this year's debate. The President's spokesman and Secretary of Defense were quick to criticize the funding structure of the National Defense Authorization bill and, indeed, this proposal, and issued a veto threat against our bill this morning.

The White House and Secretary Carter have suggested we are, in their own words, "gambling" with our troops' mission in the Middle East and that our approach is somehow "irresponsible" or, in their own words, "dangerous."

But what was really "gambling," "irresponsible," and "dangerous" was the administration's decision to pull all of our troops out of Iraq and Afghanistan—against the advice of our military leadership—and not anticipate that the resulting vacuum would be filled by ISIS, the Taliban, and other terrorist groups.

What was "gambling," "irresponsible," and "dangerous" was—and is—the constant changing of the military rules of engagement to meet political objectives.

What was "gambling" and "irresponsible" was ousting Qadhafi in Libya without any plan whatsoever for the aftermath.

Indeed, it is "gambling," "irresponsible," and "dangerous" to believe that Iran would not violate any aspects of the Geneva Agreement.

And surely it was a "gamble" to believe that the American people would ignore the capture and provocative treatment of 10 American sailors seized by the Iranian regime last January; and surely it was a "gamble" that the American people would not pay attention to increased military operations in Syria and Iraq and, yes, the tragic deaths of American service personnel, if the President refused to call them "combat operations."

There is more happening in the Middle East today than the airstrikes against ISIS, and we need to thank those warfighters on the ground that are there as we gather here this afternoon. They are risking their lives right now—every day—and their families are dispirited because their sons and daughters are in combat and do sustain injuries while the administration hides behind semantics of "no boots on the ground." There are boots on the ground.

Further, it was "gambling" and "dangerous" to establish a poorly thought-out and poorly executed "train and equip" scheme in Syria, or to conclude that Russia and China would not cease their aggressive challenges to American superiority around the world.

My friends, one thing we can all agree upon is that the last 2 years of budget cuts, constant deployments, and new crises have only eroded our military's readiness and capabilities.

The bill before you does not gamble. It is highly responsible.

Rather, our proposal wisely invests more money for our troops, more training for our troops, more modern equipment, expanded cybersecurity, more intelligence-gathering capabilities, and better healthcare outcomes for our troops and their families.

Mr. Chairman, it deserves your support; it deserves our support.

I reserve the balance of my time.

Department of Defense Appropriations Act - FY 2017 (H.R. 5293)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army.....	41,045,562	40,028,182	39,986,962	-1,058,600	-41,220
Military Personnel, Navy.....	27,835,183	27,951,605	27,774,605	-60,578	-177,000
Military Personnel, Marine Corps.....	12,859,152	12,813,412	12,701,412	-157,740	-112,000
Military Personnel, Air Force.....	27,679,066	27,944,615	27,794,615	+115,549	-150,000
Reserve Personnel, Army.....	4,483,164	4,561,703	4,468,983	-4,201	-102,740
Reserve Personnel, Navy.....	1,866,891	1,924,155	1,898,825	+31,934	-26,330
Reserve Personnel, Marine Corps.....	702,481	744,995	736,305	+33,824	-8,690
Reserve Personnel, Air Force.....	1,682,942	1,742,906	1,718,126	+35,184	-24,780
National Guard Personnel, Army.....	7,892,327	7,910,694	7,827,440	-64,887	-83,254
National Guard Personnel, Air Force.....	3,201,890	3,280,065	3,271,215	+69,325	-8,850
Total, Title I, Military Personnel.....	129,228,658	128,902,332	128,168,468	-1,060,190	-733,864
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army.....	32,399,440	33,809,040	34,436,295	+2,036,855	+627,255
Operation and Maintenance, Navy.....	39,600,172	39,483,581	40,213,485	+613,313	+729,904
Operation and Maintenance, Marine Corps.....	5,718,074	5,954,258	6,246,360	+528,292	+292,108
Operation and Maintenance, Air Force.....	35,727,457	37,518,056	38,209,602	+2,482,145	+691,546
Operation and Maintenance, Defense-Wide.....	32,105,040	32,571,590	32,263,224	+158,184	-308,366
Operation and Maintenance, Army Reserve.....	2,646,911	2,712,331	2,767,471	+120,560	+55,140
Operation and Maintenance, Navy Reserve.....	998,481	927,658	975,724	-22,757	+48,068
Operation and Maintenance, Marine Corps Reserve.....	274,526	270,633	320,088	+45,540	+49,433
Operation and Maintenance, Air Force Reserve.....	2,980,768	3,067,929	3,106,066	+125,298	+38,137
Operation and Maintenance, Army National Guard.....	6,595,483	6,825,370	6,923,595	+328,112	+98,225
Operation and Maintenance, Air National Guard.....	6,820,569	6,703,578	6,708,200	-112,369	+4,622
United States Court of Appeals for the Armed Forces.....	14,078	14,194	14,194	+116	---
Environmental Restoration, Army.....	234,829	170,167	170,167	-64,662	---
Environmental Restoration, Navy.....	300,000	281,762	289,262	-10,738	+7,500
Environmental Restoration, Air Force.....	368,131	371,521	371,521	+3,390	---
Environmental Restoration, Defense-Wide.....	8,232	9,009	9,009	+777	---
Environmental Restoration, Formerly Used Defense Sites.....	231,217	197,084	222,084	-9,133	+25,000
Overseas Humanitarian, Disaster, and Civic Aid.....	103,266	105,125	108,125	+4,859	+3,000
Cooperative Threat Reduction Account.....	358,496	325,604	325,604	-32,892	---
Total, Title II, Operation and maintenance.....	187,485,170	171,318,488	173,680,060	+6,194,890	+2,361,572
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army.....	5,866,367	3,614,787	4,628,697	-1,237,670	+1,013,910
Missile Procurement, Army.....	1,600,957	1,519,966	1,502,377	-98,580	-17,589
Procurement of Weapons and Tracked Combat Vehicles, Army.....	1,951,646	2,265,177	2,244,547	+292,901	-20,630
Procurement of Ammunition, Army.....	1,245,426	1,513,157	1,513,157	+267,731	---
Other Procurement, Army.....	5,718,811	5,873,949	6,081,856	+363,045	+207,907
Aircraft Procurement, Navy.....	17,521,209	14,109,146	15,900,093	-1,621,116	+1,790,945
Weapons Procurement, Navy.....	3,049,542	3,209,262	3,102,544	+53,002	-106,718
Procurement of Ammunition, Navy and Marine Corps.....	651,920	664,368	601,563	-50,357	-62,805
Shipbuilding and Conversion, Navy.....	18,704,539	18,354,874	18,484,524	-220,015	+129,650
Other Procurement, Navy.....	6,484,257	6,338,861	6,099,326	-384,931	-239,535
Procurement, Marine Corps.....	1,186,812	1,362,769	1,213,872	+27,060	-148,897
Aircraft Procurement, Air Force.....	15,756,853	13,922,917	14,325,117	-1,431,736	+402,200
Missile Procurement, Air Force.....	2,912,131	2,426,621	2,288,772	-623,359	-137,848
Space Procurement, Air Force.....	2,812,159	3,055,743	2,538,152	-274,007	-517,591
Procurement of Ammunition, Air Force.....	1,744,993	1,677,719	1,609,719	-135,274	-68,000
Other Procurement, Air Force.....	18,311,882	17,438,056	17,342,313	-969,569	-95,743
Procurement, Defense-Wide.....	5,245,443	4,524,918	4,649,676	-595,567	+124,958
Defense Production Act Purchases.....	76,680	44,065	74,065	-2,615	+30,000
Total, Title III, Procurement.....	110,841,627	101,916,357	104,200,570	-6,641,057	+2,284,213

Department of Defense Appropriations Act - FY 2017 (H.R. 5293)
(Amounts in Thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army.....	7,565,327	7,515,389	7,864,517	+299,190	+349,118
Research, Development, Test and Evaluation, Navy.....	18,117,677	17,276,301	16,831,290	-1,286,387	-445,011
Research, Development, Test and Evaluation, Air Force...	25,217,148	28,112,251	27,106,951	+1,889,703	-1,005,400
Research, Development, Test and Evaluation, Defense-Wide	18,695,955	18,308,826	18,311,236	-384,719	+2,410
Operational Test and Evaluation, Defense	188,558	178,994	178,994	-9,564	---
Total, Title IV, Research, Development, Test and Evaluation.....	69,784,665	71,391,771	70,292,868	+508,223	-1,098,883
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds.....	1,738,768	1,371,613	1,371,613	-367,155	---
National Defense Sealift Fund.....	474,164	---	---	-474,164	---
Total, Title V, Revolving and Management Funds....	2,212,932	1,371,613	1,371,613	-841,319	---
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program					
Operation and maintenance.....	29,842,167	32,231,390	31,096,337	+1,854,170	-635,053
Procurement.....	365,390	413,219	413,219	+47,829	---
Research, development, test and evaluation.....	2,121,933	822,907	1,467,007	-654,926	+644,100
Total, Defense Health Program 1/ 3/.....	32,329,490	33,467,516	33,576,563	+1,247,073	+109,047
Chemical Agents and Munitions Destruction, Defense:					
Operation and maintenance.....	118,198	147,282	147,282	+29,084	---
Procurement.....	2,281	15,132	15,132	+12,851	---
Research, development, test and evaluation.....	579,342	388,609	388,609	-190,733	---
Total, Chemical Agents 2/.....	699,821	551,023	551,023	-148,798	---
Drug Interdiction and Counter-Drug Activities, Defense1/					
Joint Urgent Operational Needs Fund.....	1,050,598	844,800	908,800	-141,798	+64,000
Office of the Inspector General 1/.....	---	99,300	---	---	-99,300
Office of the Inspector General 1/.....	312,559	322,035	322,035	+9,476	---
Total, Title VI, Other Department of Defense Programs.....	34,392,468	35,284,674	35,358,421	+965,953	+73,747
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund.....	514,000	514,000	514,000	---	---
Intelligence Community Management Account (ICMA).....	505,208	533,598	483,596	-21,610	-50,000
Total, Title VII, Related agencies.....	1,019,208	1,047,598	997,596	-21,610	-50,000

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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (Sec.8005).....	(4,500,000)	(5,000,000)	(4,500,000)	---	(-500,000)
FFRDC (Sec.8023).....	-65,000	---	-126,800	-61,800	-126,800
Overseas Military Facility Investment Recovery (Sec.8028).....	1,000	---	---	-1,000	---
Rescissions (Sec.8041).....	-1,768,937	---	-1,283,416	+485,521	-1,283,416
National grants (Sec.8048).....	44,000	---	44,000	---	+44,000
O&M, Defense-wide transfer authority (Sec.8052).....	(30,000)	(30,000)	(30,000)	---	---
Fisher House Foundation (Sec.8067).....	5,000	---	5,000	---	+5,000
Revised economic assumptions (Sec.8074).....	-1,500,789	---	-573,400	+927,389	-573,400
Fisher House O&M Army Navy Air Force transfer authority (Sec.8089).....	(11,000)	(11,000)	(11,000)	---	---
Defense Health O&M transfer authority (Sec.8093).....	(121,000)	(122,375)	(122,375)	(+1,375)	---
John C. Stennis Center for Public Service Development Trust Fund (O&M, Navy transfer authority)	(1,000)	---	---	(-1,000)	---
Basic allowance for housing.....	300,000	---	---	---	-300,000
Working Capital Fund, Army excess cash balances (Sec.8110).....	-389,000	---	-336,000	+53,000	-336,000
Working Capital Fund, Defense-wide excess cash balances (rescission).....	-1,037,000	---	---	+1,037,000	---
Revised fuel costs (Sec.8117).....	-2,576,000	---	-1,493,000	+1,083,000	-1,493,000
Military pay raise (Sec.8131).....	---	---	340,000	+340,000	+340,000
Total, Title VIII, General Provisions.....	-6,986,726	---	-3,423,816	+3,563,110	-3,423,816
TITLE IX					
OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM (GWOT)					
Military Personnel					
Military Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	1,846,356	2,051,578	1,271,302	-575,054	-780,276
OCO/GWOT For Base Requirements (GWOT).....	---	---	1,154,828	+1,154,828	+1,154,828
Subtotal.....	1,846,356	2,051,578	2,426,130	+579,774	+374,552
Military Personnel, Navy (GWOT)					
OCO/GWOT Requirements (GWOT).....	251,011	330,557	194,001	-57,010	-136,556
OCO/GWOT For Base Requirements (GWOT).....	---	---	63,500	+63,500	+63,500
Subtotal.....	251,011	330,557	257,501	+6,490	-73,056
Military Personnel, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT).....	171,079	179,733	104,542	-66,537	-75,191
OCO/GWOT For Base Requirements (GWOT).....	---	---	349,000	+349,000	+349,000
Subtotal.....	171,079	179,733	453,542	+282,463	+273,809
Military Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	728,126	719,896	446,792	-279,334	-273,104
OCO/GWOT For Base Requirements (GWOT).....	---	---	145,000	+145,000	+145,000
Subtotal.....	728,126	719,896	591,792	-134,334	-126,104

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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Reserve Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	24,462	42,506	30,812	+6,350	-11,694
OCO/GWOT For Base Requirements (GWOT).....	---	---	172,362	+172,362	+172,362
Subtotal.....	24,462	42,506	203,174	+178,712	+160,668
Reserve Personnel, Navy (GWOT)					
OCO/GWOT Requirements (GWOT).....	12,693	11,929	7,905	-4,788	-4,024
Reserve Personnel, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT).....	3,393	3,764	3,087	-306	-677
Reserve Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	18,710	20,535	15,979	-2,731	-4,556
National Guard Personnel, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	166,015	198,472	120,514	-45,501	-75,958
OCO/GWOT For Base Requirements (GWOT).....	---	---	316,454	+316,454	+316,454
Subtotal.....	166,015	198,472	436,968	+270,953	+240,496
National Guard Personnel, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	2,828	5,288	4,125	+1,297	-1,163
Total, Military Personnel OCO/GWOT Requirements....	3,222,673	3,562,258	2,199,059	-1,023,614	-1,363,199
Total, OCO/GWOT For Base Requirements.....	---	---	2,201,144	+2,201,144	+2,201,144
Grand Total, Military Personnel.....	3,222,673	3,562,258	4,400,203	+1,177,530	+837,945
=====					
Operation and Maintenance					
Operation & Maintenance, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	14,994,833	15,310,587	10,396,008	-4,588,825	-4,914,579
OCO/GWOT For Base Requirements (GWOT).....	---	---	2,186,672	+2,186,672	+2,186,672
Subtotal.....	14,994,833	15,310,587	12,582,680	-2,412,153	-2,727,907
Operation & Maintenance, Navy (GWOT)					
OCO/GWOT Requirements (GWOT).....	7,169,611	6,827,391	3,947,082	-3,222,529	-2,880,309
(Coast Guard) (by transfer) (GWOT).....	---	(162,692)	(162,692)	(+162,692)	---
OCO/GWOT For Base Requirements (GWOT).....	---	---	1,082,170	+1,082,170	+1,082,170
Subtotal.....	7,169,611	6,827,391	5,029,252	-2,140,359	-1,798,139
Operation & Maintenance, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT).....	1,372,534	1,244,359	749,596	-622,936	-494,763
OCO/GWOT For Base Requirements (GWOT).....	---	---	166,900	+166,900	+166,900
Subtotal.....	1,372,534	1,244,359	916,496	-456,038	-327,863
Operation & Maintenance, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	11,128,813	9,498,830	5,909,780	-5,219,033	-3,589,050
OCO/GWOT For Base Requirements (GWOT).....	---	---	960,626	+960,626	+960,626
Subtotal.....	11,128,813	9,498,830	6,870,406	-4,258,407	-2,628,424
Operation & Maintenance, Defense-Wide (GWOT)					
OCO/GWOT Requirements (GWOT).....	5,665,633	5,962,173	3,544,434	-2,121,199	-2,437,739
(Coalition support funds) (GWOT).....	(1,160,000)	(1,100,000)	(1,100,000)	(-60,000)	---
OCO/GWOT For Base Requirements (GWOT).....	---	---	351,000	+351,000	+351,000
Subtotal.....	5,665,633	5,962,173	3,895,434	-1,770,199	-2,086,739

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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operation & Maintenance, Army Reserve (GWOT)					
OCO/GWOT Requirements (GWOT).....	99,559	38,879	85,666	-13,893	+46,987
OCO/GWOT For Base Requirements (GWOT).....	---	---	186,381	+186,381	+186,381
Subtotal.....	99,559	38,879	272,047	+172,488	+233,368
Operation & Maintenance, Navy Reserve (GWOT)					
OCO/GWOT Requirements (GWOT).....	31,643	26,265	25,669	-5,974	-596
OCO/GWOT For Base Requirements (GWOT).....	---	---	112,350	+112,350	+112,350
Subtotal.....	31,643	26,265	138,019	+106,376	+111,754
Operation & Maintenance, Marine Corps Reserve (GWOT)					
OCO/GWOT Requirements (GWOT).....	3,455	3,304	5,078	+1,823	+1,774
OCO/GWOT For Base Requirements (GWOT).....	---	---	24,550	+24,550	+24,550
Subtotal.....	3,455	3,304	29,628	+26,173	+26,324
Operation & Maintenance, Air Force Reserve (GWOT)					
OCO/GWOT Requirements (GWOT).....	58,106	57,586	45,173	-12,933	-12,413
OCO/GWOT For Base Requirements (GWOT).....	---	---	27,550	+27,550	+27,550
Subtotal.....	58,106	57,586	72,723	+14,617	+15,137
Operation & Maintenance, Army National Guard (GWOT)					
OCO/GWOT Requirements (GWOT).....	135,845	127,035	142,341	+6,496	+15,306
OCO/GWOT For Base Requirements (GWOT).....	---	---	237,880	+237,880	+237,880
Subtotal.....	135,845	127,035	380,221	+244,376	+253,186
Operation & Maintenance, Air National Guard (GWOT)					
OCO/GWOT Requirements (GWOT).....	19,900	20,000	31,086	+11,186	+11,086
OCO/GWOT For Base Requirements (GWOT).....	---	---	247,950	+247,950	+247,950
Subtotal.....	19,900	20,000	279,036	+259,136	+259,036
Subtotal, Operation and Maintenance.....	40,679,932	39,136,209	30,465,942	-10,213,990	-8,670,267
Counterterrorism Partnerships Fund (GWOT).....	1,100,000	1,000,000	750,000	-350,000	-250,000
Afghanistan Security Forces Fund (GWOT).....	3,682,257	3,448,715	3,448,715	-203,542	---
Iraq Train and Equip Fund (GWOT).....	715,000	630,000	---	-715,000	-630,000
Counter-ISIL Train and Equip Fund (GWOT).....	---	---	880,000	+880,000	+880,000
Syria Train and Equip Fund (GWOT).....	---	250,000	---	---	-250,000
Total, Operation and Maintenance OCO/GWOT Requirements.....	46,147,189	44,464,924	29,960,628	-16,186,561	-14,504,296
Total, OCO/GWOT For Base Requirements.....	---	---	5,584,029	+5,584,029	+5,584,029
Grand Total, Operation and Maintenance.....	46,147,189	44,464,924	35,544,657	-10,602,532	-8,920,267

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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Procurement					
Aircraft Procurement, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	161,987	313,171	313,171	+151,184	---
OCO/GWOT For Base Requirements (GWOT)	---	---	481,900	+481,900	+481,900
Subtotal	161,987	313,171	795,071	+633,084	+481,900
Missile Procurement, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	37,280	632,817	632,817	+595,537	---
OCO/GWOT For Base Requirements (GWOT)	---	---	196,100	+196,100	+196,100
Subtotal	37,280	632,817	828,917	+791,637	+196,100
Procurement of Weapons and Tracked Combat Vehicles, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	486,630	153,544	388,544	-88,086	+245,000
OCO/GWOT For Base Requirements (GWOT)	---	---	212,000	+212,000	+212,000
Subtotal	486,630	153,544	610,544	+123,914	+457,000
Procurement of Ammunition, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	222,040	301,523	301,523	+79,483	---
OCO/GWOT For Base Requirements (GWOT)	---	---	240,200	+240,200	+240,200
Subtotal	222,040	301,523	541,723	+319,683	+240,200
Other Procurement, Army (GWOT)					
OCO/GWOT Requirements (GWOT)	1,175,596	1,373,010	1,373,010	+197,414	---
OCO/GWOT For Base Requirements (GWOT)	---	---	8,400	+8,400	+8,400
Subtotal	1,175,596	1,373,010	1,381,410	+205,814	+8,400
Aircraft Procurement, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	210,990	393,030	344,323	+133,333	-48,707
OCO/GWOT For Base Requirements (GWOT)	---	---	626,714	+626,714	+626,714
Subtotal	210,990	393,030	971,037	+760,047	+578,007
Weapons Procurement, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	---	8,600	8,600	+8,600	---
OCO/GWOT For Base Requirements (GWOT)	---	---	175,100	+175,100	+175,100
Subtotal	---	8,600	183,700	+183,700	+175,100
Procurement of Ammunition, Navy and Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	117,966	66,229	62,540	-55,428	-3,689
OCO/GWOT For Base Requirements (GWOT)	---	---	58,000	+58,000	+58,000
Subtotal	117,966	66,229	120,540	+2,574	+54,311
Shipbuilding and Conversion, Navy (GWOT)					
OCO/GWOT For Base Requirements (GWOT)	---	---	3,086,300	+3,086,300	+3,086,300
Other Procurement, Navy (GWOT)					
OCO/GWOT Requirements (GWOT)	12,166	124,206	111,551	+89,385	-12,655
OCO/GWOT For Base Requirements (GWOT)	---	---	102,530	+102,530	+102,530
Subtotal	12,166	124,206	214,081	+201,895	+89,875
Procurement, Marine Corps (GWOT)					
OCO/GWOT Requirements (GWOT)	56,934	118,939	106,204	+49,270	-12,735
OCO/GWOT For Base Requirements (GWOT)	---	---	107,463	+107,463	+107,463
Subtotal	56,934	118,939	213,667	+156,733	+94,728
Aircraft Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT)	128,900	859,399	709,833	+580,933	-149,566
OCO/GWOT For Base Requirements (GWOT)	---	---	1,295,716	+1,295,716	+1,295,716
Subtotal	128,900	859,399	2,005,549	+1,876,649	+1,146,150

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	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Missile Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	289,142	339,545	141,375	-147,767	-198,170
OCO/GWOT For Base Requirements (GWOT).....	---	---	194,420	+194,420	+194,420
Subtotal.....	289,142	339,545	335,795	+46,853	-3,750
Procurement of Ammunition, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	228,874	487,408	155,158	-73,716	-332,250
OCO/GWOT For Base Requirements (GWOT).....	---	---	323,000	+323,000	+323,000
Subtotal.....	228,874	487,408	478,158	+249,284	-9,250
Other Procurement, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	3,477,001	3,696,281	3,479,781	+2,780	-216,500
Procurement, Defense-Wide (GWOT)					
OCO/GWOT Requirements (GWOT).....	173,918	238,434	219,134	+45,216	-19,300
OCO/GWOT For Base Requirements (GWOT).....	---	---	170,000	+170,000	+170,000
Subtotal.....	173,918	238,434	389,134	+215,216	+150,700
National Guard and Reserve Equipment (GWOT)	1,000,000	---	1,000,000	---	+1,000,000
Total, Procurement OCO/GWOT Requirements.....	7,779,424	9,106,136	9,357,564	+1,578,140	+251,428
Total, OCO/GWOT For Base Requirements.....	---	---	7,277,843	+7,277,843	+7,277,843
Grand Total, Procurement.....	7,779,424	9,106,136	16,635,407	+8,855,983	+7,529,271
=====					
Research, Development, Test and Evaluation					
Research, Development, Test & Evaluation, Army (GWOT)					
OCO/GWOT Requirements (GWOT).....	1,500	100,522	100,522	+99,022	---
OCO/GWOT For Base Requirements (GWOT).....	---	---	67,000	+67,000	+67,000
Subtotal.....	1,500	100,522	167,522	+166,022	+67,000
Research, Development, Test & Evaluation, Navy (GWOT)					
OCO/GWOT Requirements (GWOT).....	35,747	78,323	40,333	+4,566	-37,990
OCO/GWOT For Base Requirements (GWOT).....	---	---	65,990	+65,990	+65,990
Subtotal.....	35,747	78,323	106,323	+70,576	+28,000
Research, Development, Test & Evaluation, Air Force (GWOT)					
OCO/GWOT Requirements (GWOT).....	17,100	32,905	32,905	+15,805	---
OCO/GWOT For Base Requirements (GWOT).....	---	---	10,000	+10,000	+10,000
Subtotal.....	17,100	32,905	42,905	+25,805	+10,000
Research, Development, Test and Evaluation, Defense-Wide (GWOT)					
OCO/GWOT Requirements (GWOT).....	177,087	162,419	159,919	-17,168	-2,500
OCO/GWOT For Base Requirements (GWOT).....	---	---	20,000	+20,000	+20,000
Subtotal.....	177,087	162,419	179,919	+2,832	+17,500
Total, RDTE OCO/GWOT Requirements.....	231,434	374,169	333,679	+102,245	-40,490
Total, OCO/GWOT For Base Requirements.....	---	---	162,990	+162,990	+162,990
Grand Total, Research, Development, Test and Evaluation.....	231,434	374,169	496,669	+265,235	+122,500
=====					

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Revolving and Management Funds					
Defense Working Capital Funds (GWOT).....	88,850	140,633	140,633	+51,783	---
Other Department of Defense Programs					
Defense Health Program: Operation and maintenance (GWOT).....	272,704	331,764	331,764	+59,060	---
OCO/GWOT Requirements (GWOT).....	---	---	450,000	+450,000	+450,000
OCO/GWOT For Base Requirements (GWOT).....	---	---	---	---	---
Subtotal.....	272,704	331,764	781,764	+509,060	+450,000
Drug Interdiction and Counter-Drug Activities, Defense (GWOT).....	186,000	215,333	215,333	+29,333	---
Joint [Improvised Explosive Device] Improvised-Threat Defeat Fund (GWOT).....	349,464	408,272	408,272	+58,808	---
Office of the Inspector General (GWOT).....	10,262	22,062	22,062	+11,800	---
Total, Other Department of Defense Programs OCO/GWOT Requirements.....	818,430	977,431	977,431	+159,001	---
Total, OCO/GWOT For Base Requirements.....	---	---	450,000	+450,000	+450,000
Grand Total, Other Department of Defense Programs.....	818,430	977,431	1,427,431	+609,001	+450,000
TITLE IX General Provisions					
Additional transfer authority (GWOT) (Sec.9002).....	(4,500,000)	(4,500,000)	(4,500,000)	---	---
Ukraine Security Assistance Initiative (GWOT) (Sec. 9014).....	250,000	---	150,000	-100,000	+150,000
Intelligence, Surveillance, and Reconnaissance (GWOT) (Sec.9018).....	500,000	---	500,000	---	+500,000
Rescissions (GWOT) (Sec.9020).....	-400,000	---	-669,000	-269,000	-669,000
Total, General Provisions.....	350,000	---	-19,000	-369,000	-19,000
Total, Title IX OCO/GWOT Requirements.....	58,638,000	58,625,551	42,949,994	-15,688,006	-15,675,557
Total, Title IX OCO/GWOT For Base Requirements.....	---	---	15,676,006	+15,676,006	+15,676,006
Grand Total, Title IX.....	58,638,000	58,625,551	58,626,000	-12,000	+449
Grand Total, Bill					
Appropriations.....	588,816,000	569,858,382	569,272,000	+2,656,000	-586,382
Global War on Terrorism (GWOT).....	(510,783,937)	(511,232,831)	(511,929,416)	(+1,145,479)	(+696,585)
Rescissions.....	(59,038,000)	(58,625,551)	(59,295,000)	(+257,000)	(+669,449)
Rescissions (GWOT).....	(-2,805,937)	---	(-1,283,416)	(+1,522,521)	(-1,283,416)
Rescissions (GWOT).....	(-400,000)	---	(-669,000)	(-269,000)	(-669,000)

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CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Lease of defense real property (permanent).....	33,000	37,000	37,000	+4,000	---
Disposal of defense real property (permanent).....	8,000	8,000	8,000	---	---
DHP, O&M to DOD-VA Joint Incentive Fund (permanent):					
Defense function.....	-15,000	-15,000	-15,000	---	---
Non-defense function.....	15,000	15,000	15,000	---	---
DHP, O&M to Joint DOD-VA Medical Facility					
Demonstration Fund (Sec. 8098):					
Defense function.....	-120,000	-122,375	-122,375	-2,375	---
Non-defense function.....	120,000	122,375	122,375	+2,375	---
Navy transfer to John C. Stennis Center for Public					
Service Development Trust Fund (Sec. 8107):					
Defense function.....	-1,000	---	---	+1,000	---
Non-defense function.....	1,000	---	---	-1,000	---
Tricare accrual (permanent, indefinite auth.) 4/.....	6,631,000	6,953,000	6,953,000	+322,000	---
Total, scorekeeping adjustments.....	6,672,000	6,998,000	6,998,000	+326,000	---
RECAPITULATION					
Title I - Military Personnel.....	129,228,658	128,902,332	128,168,468	-1,060,190	-733,864
Title II - Operation and Maintenance.....	187,485,170	171,318,488	173,680,060	+6,194,890	+2,361,572
Title III - Procurement.....	110,841,627	101,916,357	104,200,570	-6,641,057	+2,284,213
Title IV - Research, Development, Test and Evaluation...	69,784,665	71,391,771	70,282,888	+508,223	-1,098,883
Title V - Revolving and Management Funds.....	2,212,932	1,371,613	1,371,613	-841,319	---
Title VI - Other Department of Defense Programs.....	34,392,468	35,284,674	35,358,421	+965,953	+73,747
Title VII - Related Agencies.....	1,019,206	1,047,596	997,596	-21,610	-50,000
Title VIII - General Provisions (net).....	-6,986,726	---	-3,423,616	+3,563,110	-3,423,616
Title IX - Global War on Terrorism (GWOT).....	58,838,000	58,625,551	58,626,000	-12,000	+449
Total, Department of Defense.....	566,616,000	569,858,382	569,272,000	+2,656,000	-586,382
Scorekeeping adjustments.....	6,672,000	6,998,000	6,998,000	+326,000	---
Total mandatory and discretionary.....	573,288,000	576,856,382	576,270,000	+2,982,000	-586,382

1/ Included in Budget under Operation and Maintenance

2/ Included in Budget under Procurement

3/ Budget request assumes enactment of DoD's
pharmacy/Consolidated Health Plan proposals

4/ Contributions to Department of Defense

Medicare-Eligible Retiree Health Care Fund
(Sec. 725, P.L. 108-375). Amount does not include
Budget proposals to amend TRICARE

Mr. VISCLOSKY. Mr. Chairman, I yield myself such time as I may consume.

I would like to begin by conveying my deep appreciation, as well, for Chairman FRELINGHUYSEN's steady leadership of the Defense Subcommittee. His commitment to this subcommittee's tradition of cooperation and bipartisanship is unwavering, and it is a pleasure to be able to work with him.

I also would like to express my gratitude to Chairman ROGERS, Ranking Member LOWEY, and the other members of the subcommittee for their very good efforts.

Additionally, as we all know, this bill could not have been written without the dedication, long hours, and discerning and thoughtful input of our committee staff and associate staffs.

The chairman has well and clearly articulated the major elements of the bill and report. Under less than ideal circumstances and unsettled conditions, he and the subcommittee staff have, again, demonstrated their talent and acumen in putting together this legislation. There are many highlights to the bill. However, I will use my time during general debate to discuss the circumstances and conditions that led to the proposal to use nearly 27 percent of the overseas contingency operations, OCO, accounts to fund base Department of Defense programs, which gives me pause as an appropriator.

It was as an appropriator that I opposed the Budget Control Act of 2011 and its arbitrary spending caps that only address one-sixth of the Federal budget equation.

□ 1645

In each session of Congress, we should be making discrete decisions on how we annually invest our discretionary dollars. Setting inflexible spending targets for 10 years is, in my opinion, nonsensical. I believe we need to invest in our roads, ports, drinking water infrastructure, universities, and our Nation's defense. We need to generate more resources, and we need to have a fulsome discussion of our entitlement programs. My assumption is that there are very few people in Congress who believe that the Federal Government is currently making enough of a long-term investment in our Nation and its interests.

It was as an appropriator that I voted for the Bipartisan Budget Act of 2015, which mitigated the BCA caps on base discretionary funding and capped OCO spending for fiscal years 2016 and 2017. I, obviously, would have rather seen the complete repeal of the act. But, nevertheless, I supported it because it provided some clarity to the appropriations process for the balance of this Congress. As such, we were able to wrap up the fiscal year 2016 process, and with a top line number for fiscal

year 2017, I was guardedly optimistic that the House would have predictability this year.

The Defense Appropriations Subcommittee was far along in its 2017 process when the OCO to base strategy—conceived to placate some on other committees—was settled upon as the strategy for the House majority. While this bill technically does not violate the caps established by the BBA for base defense programs and OCO, it is hard to argue that this bill was assembled under what passes for normalcy in this Congress. And there is no doubt that the chairman and the subcommittee members and staff made smart investment decisions in executing the \$15.7 billion in OCO to base funding strategy. However, I am troubled with the circumstances that compelled the subcommittee's action.

First and foremost, the fiscal year begins October 1, 2016, not May 1, 2017, and it is the responsibility of us holding office in the second session of the 114th Congress to execute the 2017 fiscal year appropriations process. In order to make OCO funding available for base programs, our bill only provides enough funding to fully support the warfighter until the end of April 2017, which is 5 months before the end of the fiscal year. This is intended to force the next administration and the next Congress to pass a supplemental in calendar year 2017 to support ongoing combat operations.

It is not the responsibility of the 115th Congress to finish a predetermined fraction of our work, and we should not be dismissive of the difficulties created. To assume that there will be smooth sailing for a supplemental appropriations bill in the spring is very problematic. We do not know who will be in the White House. We do not know who will be the civilian leadership at the Department of Defense. And we do not know the composition in the next Congress. And as we have clearly seen from the Zika virus debate and, before that, Hurricane Sandy, supplemental appropriations bills are not without controversy.

Additionally, in making the \$15.7 billion in cuts to the OCO budget request, the committee has had to make some assumptions on the pace of combat operations between now and May 2017. While Chairman FRELINGHUYSEN exercised great care and caution, there is not much wiggle room in the interim. If the OCO spend rate were to increase for any reason in an uncertain world, Congress and a new administration would have to act quickly to pass a supplemental in early 2017. If that supplemental were not timely, the Department would likely be forced to reprogram or transfer base dollars to OCO, which shortchanges other priorities, negates the committee's funding levels, and still requires a supplemental to backfill both base and OCO while not

violating the BCA caps. Will said supplemental be funded by offsets from resources within the other 11 appropriations bills?

Adding to the uncertainty, the House majority is going it alone with this strategy. To date, it has been rejected by the administration, the Senate Appropriations Committee, as well as the full Senate. While those institutions are not infallible, I fear that if the House majority insists upon heading down this path, we are looking at an impossible conference process.

Putting concerns about uncertainty aside, I further believe that the OCO to base strategy abdicates our discretion—Congress' discretion—to the Department of Defense in executing the remaining OCO funding. In order to free \$15.7 billion, certain appropriations in OCO were subject to reductions. These reductions were done at the account level, not at the program level. For example, Navy O&M in the OCO title was reduced by \$2.9 billion from its requested level. The Department has discretion on how to apply that \$2.9 billion reduction across 10 programs under that account. I believe that should be our discretion.

A final concern I have—and one expressed in prior years—is that we should eliminate the reliance on OCO funding in the first instance and shift activities to the base budget. It is increasingly difficult after 15 years of war to argue that this operational tempo for our military is a contingency and not the new normal in defending our Nation and our interests. This subcommittee has correctly begun to limit what is an eligible expense in OCO, but under the act and this latest proposal, we could take a step back. For example, this bill proposes to increase end strength by 52,000 troops above planned reductions for the Army, Marine Corps, and Air Force. The chairman alluded to it in his opening remarks. I absolutely agree with him that we need new personnel, but this additional force structure costs \$3 billion in 2017. What remains unsaid is if you look out for the next 5 years, it will also increase spending by \$30 billion that is not budgeted for.

In closing, I have taken some time describing my concerns with the circumstances that impact less than 3 percent of the total bill. But the manufactured uncertainty introduced by these circumstances diminishes the likelihood that this committee and the Congress will complete its work on time. It is a mark of the talent of Chairman FRELINGHUYSEN and our staff, their commitment to our troops and our Nation's defense, and their seriousness of purpose, that they have done so much good to ameliorate the problems caused and highlighted in my remarks. I look forward to working with Chairman FRELINGHUYSEN and the Members of this House as we advance

the process over the next several days and complete the task before us. I also look forward to the debate on amendments.

Mr. Chair, I would like to begin by conveying my deep appreciation for Chairman FRELINGHUYSEN's steady leadership of the Defense Subcommittee. His commitment to this subcommittee's tradition of cooperative bipartisanship is unwavering and it is a pleasure working with him.

I also would like to express my gratitude to Chairman ROGERS, Ranking Member LOWEY, and the other Members of the Subcommittee for their efforts.

Additionally, this bill could not have been written without the dedication, long hours, discerning and thoughtful input of our committee staff and personal staffs. I want to thank Rob Blair, Sherry Young, Walter Hearne, BG Wright, Brooke Boyer, Adrienne Ramsay, Allison Deters, Megan Milam, Colin Lee, Cornell Teague, Matthew Bower, Rebecca Leggieri, Chris Bigelow, Steve Wilson, Joe DeVoght, and Luke Wood.

The Chairman has well and clearly articulated the major elements of the bill and report. Under less than ideal circumstances and unsettled conditions, he and the Subcommittee staff have again demonstrated their talent and acumen in putting together this legislation. There are many highlights to the bill. However, I will use my time during general debate to discuss the circumstances and conditions that led to the proposal to use nearly 27 percent of the Overseas Contingency Operations (OCO) accounts to fund base Department of Defense programs, which gives me pause as an Appropriator.

It was as an Appropriator that I opposed the Budget Control Act of 2011 (BCA) and its arbitrary spending caps that only address one-sixth of the federal budget equation. In each session of Congress we should be making discrete decisions on how we annually invest our discretionary dollars. Setting inflexible spending targets for 10 years is nonsensical. I believe we need to invest more in our roads, ports, drinking water infrastructure, universities, and our defense. We need to generate more resources, and the need to have a fulsome discussion of our entitlement programs. My assumption is that there are very few people in Congress who believe that the federal government is currently making enough of a long-term investment in our nation and its interests.

And it was as an Appropriator, that I voted for the Bipartisan Budget Act of 2015 (BBA), which mitigated the BCA caps on base discretionary funding and capped OCO spending for Fiscal Years (FY) 2016 and 2017. I obviously would have rather seen the complete repeal of the BCA, but nonetheless, I supported the BBA, because it provided some clarity to the Appropriations process for the balance of the 114th Congress. As such, we were able to wrap up the FY 2016 process and, with a number for FY 2017, I was guardedly optimistic that the House would have predictability this year.

The Defense Appropriations Subcommittee was far along in its FY 2017 process, when the OCO to Base strategy—conceived to placate some on other Committees—was settled

upon as the strategy for the House Majority. While this bill technically does not violate the caps established by the BBA for base defense programs and OCO, it is hard to argue that this bill was assembled under what passes for normalcy in this Congress. And there is no doubt that the Chairman and Subcommittee staff made smart investment decisions in executing the \$15.7 billion in OCO to Base funding strategy. However, I am troubled with the circumstances that compelled the subcommittee's action.

First and foremost, the fiscal year begins on October 1, 2016, not May 1, 2017, and it is the responsibility of those of us holding office in the 2nd session of the 114th Congress to execute the FY 2017 appropriations process. In order to make OCO funding available for base programs, our bill only provides enough funding to fully support the warfighter until the end of April 2017, which is five months before the end of the fiscal year. This is intended to force the next administration and the next Congress to pass a supplemental in calendar year 2017 to support ongoing combat operations.

It is not the responsibility of the 115th Congress to finish a predetermined fraction of our work, and we should not be dismissive of the difficulties we created. To assume there will be smooth sailing for a supplemental appropriations bill in the spring is problematic. We do not know who will be in the White House, who will be the civilian leadership at DoD, nor the composition of the next Congress. And as we can clearly see from the Zika Virus debate, and before that Hurricane Sandy, supplemental appropriations bills are not without controversy.

Additionally, in making the \$15.7 billion in cuts to the OCO budget request, the Committee had to make some assumptions on the pace of combat operations between now and May 2017. While Chairman FRELINGHUYSEN exercised care and caution, there is not much wiggle room in the interim. If the OCO spend rate were to increase for any reason, Congress and a new Administration would have to act quickly to pass a supplemental early in 2017. If that supplemental were not timely, the Department would likely be forced to reprogram or transfer base dollars to OCO, which shortchanges other priorities, negates the committee's funding levels, and still requires a supplemental to backfill both base and OCO while not violating the BCA caps. Will said supplemental be funded by offsets from resources within the other 11 Appropriations bills?

Adding to the uncertainty, the House Majority is going it alone with this strategy. To date, it has been rejected by the Administration, the Senate Appropriations Committee, and the full Senate. While those three are not infallible, I fear that if the House Majority insists upon heading down this path, we are looking at an impossible conference process.

Putting concerns over uncertainty aside, I further believe the OCO to Base strategy abdicates our discretion to the Department of Defense in executing the remaining OCO funding. In order to free up \$15.7 billion, certain appropriations in OCO were subject to reductions. These reductions were done at the account level, not at the program level. For ex-

ample, Navy O&M in the OCO Title was reduced by \$2.9 billion, from its requested level of \$6.8 billion. The Department has discretion on how it will apply that \$2.9 billion reduction across the tens of programs under that account.

A final concern I have, and one expressed in prior years, is that we should eliminate the reliance on OCO funding in the first instance and shift activities to the base budget. It is increasingly difficult after fifteen years of war to argue that this operational tempo for our military is a contingency and not the new normal in defending our nation and our interests. This Subcommittee had correctly begun to limit what is an eligible expense in OCO, but under the BBA and this latest proposal we would take a step back. For example, this bill proposes to increase end strength by 52,000 above planned reductions for the Army, Marine Corps, and Air Force. And I agree that we need more personnel, but this additional force structure costs \$3 billion in FY 2017 and is paid for with OCO to Base dollars. But, we defer the tough decisions. This is particularly true when recognizing the fact that BCA caps are scheduled to lower defense spending by \$2 billion in FY 2018. An increase in end strength creates a tail of spending in future years. The DoD estimates that the troop levels funded in the bill will increase spending by \$30 billion over five years. That is \$30 billion that is not budgeted for, but \$30 billion that our Committee will be expected to pay for.

In closing, I have taken some time describing my concerns with the circumstances that impact less than three percent of the total bill. But the manufactured uncertainty introduced by these circumstances diminishes the likelihood that this Committee and the Congress will complete its work. It is a mark of the talent of Chairman FRELINGHUYSEN and our staff, their commitment to our troops and our nation's defense, and their seriousness of purpose, that they have done so much good to ameliorate the problems caused by this approach. I look forward to working with Chairman FRELINGHUYSEN and the members of the House to advance the process and complete the task before us.

I look forward to the debate on amendments.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield as much time as he may consume to the gentleman from Kentucky (Mr. ROGERS), the full committee chairman.

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the chairman for yielding time.

I rise in support of this fine bill. This bill provides critical funding to uphold our defense posture, maintain our military readiness, and protect our Nation from those who would seek to do us harm. The world, of course, is changing rapidly. We are reminded regularly that we are still a Nation at war, and new threats arise daily. It is clear that a strong national defense is of the highest priority.

In total, as has been said, the bill contains \$575.8 billion in base and Overseas Contingency Operations funding

for critical national security needs, and the health and well-being of our troops.

The use of OCO funds in this bill is in line with the National Defense Authorization Act that the House passed on a bipartisan basis last month. This funding will provide the resources that our military needs to be successful in the fight right now, and that will improve our readiness for the future.

This includes over \$209 billion for operations and maintenance, the programs that help prepare our troops, like flight time and battle training, as well as base operations. The bill also includes \$120.8 billion for equipment and upgrades, providing the weapons and platforms needed to fight and win in the field.

And to improve this equipment, develop and test new technologies, and meet future security threats, the bill contains \$70.8 billion for research and development. This will help keep our Nation on the cutting edge, ensuring that we will remain the most superior military power in the entire world.

This legislation prioritizes a robust, healthy, and well-cared-for force. In total, \$132.6 billion is provided to support over 1.3 million Active Duty troops and over 826,000 Guard and Reserve troops. This wholly rejects the administration's proposed troop reductions by providing an additional \$3 billion to maintain our troop strength and fully funds the authorized 2.1 percent pay raise for our soldiers.

It is also critically important that we adequately fund the quality-of-life programs for our troops and military families need and deserve. The bill contains \$34 billion for defense headline programs—targeting increases to cancer research, facility upgrades, traumatic brain injury, psychological health research, and sexual assault prevention.

I want to thank Chairman FRELINGHUYSEN for his care and consideration in drafting this big bill. He, as well as the members of his subcommittee, have put the security of the Nation and the welfare of our warfighters above all else. I also want to thank the subcommittee staff for their expert work and dedication on this bill.

Mr. Chairman, this bill fulfills the Congress' most important responsibility—providing for the common defense. And it does so responsibly—funding those military needs that must be addressed now, planning and preparing for the future, and respecting the taxpayer by making commonsense budgeting decisions.

I urge my colleagues to vote "yes" on this bill to continue to protect our Nation from threats to our freedom, democracy, and way of life.

Mr. VISCLOSKY. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the Appropriations Committee.

Mrs. LOWEY. Mr. Chairman, with only the fourth appropriations bill of the year on the floor, we should not be patting ourselves on the back.

Today's bill blows up last year's budget agreement through a gimmick that needlessly creates a funding cliff next spring. It forces the new President, as one of her or his first actions in office, to request emergency supplemental funding.

The difference here is about more than bookkeeping. Sending our military men and women into some of the most dangerous places on Earth—Afghanistan, Iraq, and Syria—without ensuring mission support, including to combat ISIL, or their salaries for a full year, is the height of irresponsibility.

Here are some of the things that Secretary Carter has said about the Republican OCO budget gimmick: deeply troubling, flawed, gambling with warfighting money, creating a hollow force structure, working against our efforts to restore readiness, a road to nowhere, a high probability of leading to more gridlock, undercuts stable planning and efficient use of taxpayer dollars, dispirits troops and their families, baffles friends, and emboldens foes.

Additionally, President Obama issued a veto threat due to this harmful gimmick.

Mr. Chairman, I include in the RECORD the President's Statement of Administration Policy on H.R. 5293.

STATEMENT OF ADMINISTRATION POLICY
H.R. 5293—DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2017—REP. ROGERS, R-KY

The Administration strongly opposes House passage of H.R. 5293, making appropriations for the Department of Defense for the fiscal year (FY) ending September 30, 2017, and for other purposes.

While the Administration appreciates the Committee's support for certain investments in our national defense, H.R. 5293 fails to provide our troops with the resources needed to keep our Nation safe. At a time when ISIL continues to threaten the homeland and our allies, the bill does not fully fund wartime operations such as INHERENT RESOLVE. Instead the bill would redirect \$16 billion of Overseas Contingency Operations (OCO) funds toward base budget programs that the Department of Defense (DOD) did not request, shortchanging funding for ongoing wartime operations midway through the year. Not only is this approach dangerous but it is also wasteful. The bill would buy excess force structure without the money to sustain it, effectively creating a hollow force structure that would undermine DOD's efforts to restore readiness. Furthermore, the bill's funding approach attempts to unravel the dollar-for-dollar balance of defense and non-defense funding increases provided by the Bipartisan Budget Act of 2015 (BBA), threatening future steps needed to reverse over \$100 billion of future sequestration cuts to DOD. By gambling with warfighting funds, the bill risks the safety of our men and women fighting to keep America safe, undercuts stable planning and efficient use of taxpayer dollars, dispirits troops and their families, baffles our allies, and emboldens our enemies.

In addition, H.R. 5293 would impose other unneeded costs, constraining DOD's ability

to balance military capability, capacity, and readiness. The Administration's defense strategy depends on investing every dollar where it will have the greatest effect. The Administration's FY 2017 proposals would accomplish this by continuing and expanding critical reforms that divest unneeded force structure, balance growth in military compensation, modernize military health care, and reduce wasteful overhead. The bill fails to adopt many of these reforms, including through measures prohibiting the use of funds to propose or plan for a new Base Realignment and Closure (BRAC) round. The bill also continues unwarranted restrictions regarding detainees at Guantanamo Bay that threaten to interfere with the Executive Branch's ability to determine the appropriate disposition of detainees and its flexibility to determine when and where to prosecute Guantanamo detainees based on the facts and circumstances of each case and our national security interests.

In October 2015, the President worked with congressional leaders from both parties to secure the BBA, which partially reversed harmful sequestration cuts slated for FY 2017. By providing fully-paid-for equal dollar increases for defense and non-defense spending, the BBA allows for investments in FY 2017 that create jobs, support middle-class families, contribute to long-term growth, and safeguard national security. The Administration looks forward to working with the Congress to enact appropriations that are consistent with that agreement, and fully support economic growth, opportunity, and our national security priorities. However, the bill is inconsistent with the BBA, and the Administration strongly objects to the inclusion of problematic ideological provisions that are beyond the scope of funding legislation. *If the President were presented with H.R. 5293, the President's senior advisors would recommend that he veto the bill.*

The Administration would like to take this opportunity to share additional views regarding the Committee's version of the bill. *Department of Defense (DOD)*

Reduction and Misuse of OCO Funds. The Administration strongly objects to the Committee's proposal to substitute \$16 billion of DOD's OCO request in the FY 2017 Budget with \$16 billion of unsustainable base budget programs that do not reflect the Department's highest joint priorities. This approach creates a hollow force structure and risks the loss of funding for critical overseas contingency operations. This gimmick is inconsistent with the BBA, which provided equal increases for defense and non-defense spending as well as the certainty needed to prosecute the counter-ISIL campaign, protect readiness recovery, modernize the force for future conflicts, and keep faith with servicemembers and their families. Shortchanging wartime operations by \$16 billion would deplete essential funding for ongoing operations by the middle of the year, introducing a dangerous level of uncertainty for our men and women in uniform carrying out missions in Afghanistan, Iraq, Syria, and elsewhere. Our troops need and deserve guaranteed, predictable support as they execute their missions year round, particularly in light of the dangers they face in executing the Nation's ongoing overseas contingency operations.

Guantanamo Detainee Restrictions. The Administration strongly objects to sections 8097, 8098, 8099, and 8130 of the bill, which would restrict the Executive Branch's ability to manage the detainee population at the Guantanamo Bay, Cuba detention facility.

Section 8098 would prohibit the use of funds for the construction, acquisition, or modification of any facility to house Guantanamo detainees in the United States. Sections 8097 and 8099 would continue prohibitions and restrictions relating to transfers of detainees abroad. In addition, section 8130 would restrict the Department's ability to transfer U.S. Naval Station functions in support of national security. The President has repeatedly objected to the inclusion of these and similar provisions in prior legislation and has called upon the Congress to lift the restrictions. Operating the detention facility at Guantanamo weakens our national security by draining resources, damaging our relationships with key allies and partners, and emboldening violent extremists. These provisions are unwarranted and threaten to interfere with the Executive Branch's ability to determine the appropriate disposition of detainees and its flexibility to determine when and where to prosecute Guantanamo detainees based on the facts and circumstances of each case and our national security interests. Sections 8097 and 8099 would, moreover, violate constitutional separation-of-powers principles in certain circumstances.

Military End Strength. The Administration strongly objects to the unnecessary funding for end strength levels above the FY 2017 Budget request. The bill would force the Department to take additional risk in the training and readiness of the current force, as well as investment in and procurement of future capabilities. Adding unnecessary end strength in the manner proposed in the bill would increase military personnel and operation and maintenance support costs by approximately \$30 billion (FY 2017 through FY 2021). This would also invite a significant, unacceptable risk of creating a future hollow force, in which force structure exists, but the resources to make it ready do not follow. The Administration urges support of the Department's plan, which reflects sound strategy and responsible choices among capacity, capabilities, and current and future readiness.

Military Compensation Reform. The Administration is disappointed that the Committee has rejected the pay raise proposal and most of the health care reform proposals included in the FY 2017 Budget request. The FY 2017 Budget request includes a set of common-sense reforms that would allow the Department to achieve a proper balance between DOD's obligation to provide competitive pay and benefits to servicemembers and its responsibility to provide troops the finest training and equipment possible. The Administration strongly encourages the Congress to support these reforms, which would save \$500 million in FY 2017 and \$11 billion through FY 2021.

Availability of Funds for Retirement or Inactivation of Ticonderoga-Class Cruisers or Dock Landing Ships. The Administration strongly objects to section 8124 of the bill, which would prohibit the Navy from executing its phased modernization approach for maintaining an effective cruiser and dock landing ship force structure while balancing scarce operating and maintenance funding. It also would significantly reduce planned savings and accelerate the retirement of all Ticonderoga-Class cruisers. The Navy's current requirement for active large surface combatants includes 11 Air Defense Commander ships, one assigned to each of the active carrier strike groups. This requirement is met by the modernization plan proposed in the FY 2017 Budget request. Furthermore, section 8124 would require an additional \$3.2 bil-

lion across the Future Years Defense Program (FYDP) to fund manpower, maintenance, modernization, and operations when compared to the FY 2017 Budget request.

Restoration of Tenth Navy Carrier Air Wing. The Administration strongly objects to restoration of the Carrier Air Wing in Title IX of the bill. The tenth Carrier Air Wing is no longer needed, and results in ineffective use of the aircraft and pilot inventory in the Navy. The plan proposed in the FY 2017 Budget request optimizes Carrier Air Wing force structure to meet the Global Force Management Allocation Plan demand in a sustainable way. As an additional benefit, the plan also generates \$926 million in FYDP savings. Furthermore, if forced to retain the tenth Carrier Air Wing, the bill's current military personnel funding levels are insufficient. The Navy would require an additional \$48 million in FY 2017 for military personnel above the levels already in the bill, as well as an end strength increase of 1,167 above the Navy end strength in the bill.

Restoration of Third Littoral Combat Ship. The Administration strongly objects to the Committee's proposal to increase the purchase of Littoral Combat Ships (LCS) in FY 2017 from two to three. The FY 2017 Budget request reduced from 52 to 40 the total number of LCS and Frigates (FF) the Navy would purchase over the life of the program. A combined program of 40 LCS and FF would allow DOD to invest in advanced capabilities across the fleet and would provide sufficient capacity to meet the Department's warfighting needs and to exceed recent presence levels with a more modern and capable ship than legacy mine sweepers, frigates, and coastal patrol craft they would replace. By funding two LCS in FY 2017, the Budget request ensures that both shipyards are on equal footing and have robust production leading up to the competition to select the shipyard that would continue the program. This competitive environment ensures the best price for the taxpayer on the remaining ships, while also achieving savings by down-selecting to one shipyard. The bill prevents the use of resources for higher priorities to improve DOD's warfighting capability, such as undersea, other surface, and aviation investments.

Prohibition on Proposing Planning or Conducting an Additional Base Realignment and Closure (BRAC) Round. The Administration strongly objects to section 8121 of the bill and the proposed \$3.5 million reduction to funds that would support a 2019 BRAC round. By forcing the Department to spread its resources more thinly, excess infrastructure is one of the principal drains on the Department's readiness, which the Committee recognizes as a major concern. In addition to addressing every previous congressional objection to BRAC authorization, the Department recently conducted a DOD-wide parametric capacity analysis, which demonstrates that the Department has 22 percent excess capacity. In addition, the Administration's BRAC legislative proposal includes several changes that respond to congressional concerns regarding cost. Specifically, the revised BRAC legislation requires the Secretary to certify that BRAC would have the primary objective of eliminating excess capacity and reducing costs, emphasizes recommendations that yield net savings within five years (subject to military value), and limits recommendations that take longer than 20 years to pay back. The Administration strongly urges the Congress to provide BRAC authorization as requested so that DOD can make better use of scarce resources to maintain readiness.

Asia-Pacific Rebalance Infrastructure. The Administration strongly objects to the exclusion of a general provision requested in the FY 2017 Budget that would allow for \$86.7 million of the amounts appropriated for the Operation and Maintenance, Defense-Wide account to be available for the Secretary of Defense to make grants, conclude cooperative agreements, and supplement other Federal funds. This critical provision addresses the need to provide assistance for civilian water and wastewater improvements to support the military build-up on Guam, as well as critical existing and enduring military installations and missions on Guam. A key aspect of the Asia-Pacific rebalance is to create a more operationally resilient Marine Corps presence in the Pacific and invest in Guam as a joint strategic hub. This funding supports the ability and flexibility of the President to execute our foreign and defense policies in coordination with our ally, Japan. In addition, it calls into question among regional states our commitment to implement the realignment plan and our ability to execute our defense strategy.

Prohibition of Funds to Enforce Section 526 of the Energy Independence and Security Act of 2007. The Administration strongly objects to section 8132 of the bill, which would prohibit DOD from using FY 2017 funds to enforce section 526 of the Energy Independence and Security Act of 2007. Section 526 provides an environmentally sound framework for the development of future alternative fuels.

Evolved Expendable Launch Vehicle. The Administration objects to the reductions to both the Evolved Expendable Launch Vehicle and the Evolved Expendable Launch Vehicle Infrastructure requested in the FY 2017 Budget. The Evolved Expendable Launch Vehicle reduction would eliminate three launch service procurements, instead of the two procurements the Committee intended. Further, the Evolved Expendable Launch Vehicle Infrastructure reduction exceeds the amount ascribed to these two procurements, and would cause the Government to default on the current contract and the block buy, unnecessarily introducing costs and schedule risk for national security space payloads.

Missile Defense Programs. The Administration objects to the reduction of \$324 million from the FY 2017 Budget request for U.S. ballistic missile defense programs, including \$49 million to homeland defense programs, \$91 million to U.S. regional missile defense programs, \$44 million to missile defense testing efforts, and \$140 million to missile defense advanced technology programs. These programs are required to improve the reliability of missile defense system and ensure the United States stays ahead of the future ballistic missile threat. Furthermore, the Administration opposes the addition of \$455 million above the FY 2017 Budget request for Israeli missile defense procurement and cooperative development programs.

Coalition Support Fund (CSF). The Administration objects to section 9020 of the bill, which would rescind funds available for CSF by \$300 million. Reducing CSF would limit DOD's ability to reimburse key allies in the fight against ISIL and other extremist groups in the region. The rescission is especially harmful because it would reduce funds available for programs that are already underway and would limit DOD's flexibility to continue to program these funds for critical needs. The Administration urges the Congress to retain the authority to make certain funds available to support stability activities in the Federally Administered Tribal Areas as provided in section 1212(f) of the FY 2016 National Defense Authorization Act.

Counterterrorism Partnerships Fund (CTPF). The Administration objects to the reduction of \$250 million from the FY 2017 Budget request for CTPF because it would restrict the resources required to empower and enable partners in responding to shared terrorist threats around the world. The Administration also objects to the \$200 million rescission in FY 2016 CTPF resources in the bill. Both of these reductions would preclude DOD from continuing important security assistance programs begun in FY 2016. The Administration strongly encourages the Congress to provide the \$1 billion originally requested to continue support for CTPF activities in FY 2017 and restore the rescinded FY 2016 funding.

Elimination of Joint Urgent Operational Needs Fund (JUONF) Funding. The Administration objects to the elimination of the \$99 million JUONF base funding requested in the FY 2017 Budget. This funding is vital to the Department's ability to quickly respond to urgent operational needs. Eliminating this funding may increase life-threatening risks to servicemembers and contribute to critical mission failures.

Rapid Prototyping, Experimentation and Demonstration. The Administration objects to the reduction of \$42 million from the FY 2017 Budget request for the Navy's research and development funding to support the Rapid Prototyping, Experimentation and Demonstration (RPED) initiative. RPED is an essential element in the Navy's strategy to employ successful innovation technologies to help pace the dynamic threat of our adversaries, more quickly address urgent capability needs, accelerate our speed of innovation, and rapidly develop and deliver advanced warfighting capability to naval forces. This reduction would render the initiative ineffective in promoting rapid acquisition, hindering the Navy's ability to determine the technical feasibility and operational utility of advanced technologies before committing billions of dollars toward development. This reduction hinders the Department-wide goal of employing new techniques to make the acquisition process more agile and efficient.

Innovation and Access to Non-Traditional Suppliers. The Administration objects to the reduction of \$30 million for programs that seek to broaden DOD's access to innovative companies and technologies. Specifically, the Administration is concerned about the elimination of the investment funding associated with the Defense Innovation Unit Experimental (DIUx), as well as the reduction in funding for In-Q-Tel's efforts to explore innovative technologies that enable the efficient incorporation into weapons systems and operations capabilities. These investments would enable the development of leading-edge, primarily asymmetric capabilities and help spur development of new ways of warfighting to counter advanced adversaries.

Reduction of Funds for Countering Weapons of Mass Destruction (CWMD) Situational Awareness System. The Administration objects to the reduction of \$27 million from the FY 2017 Budget request for the development of a CWMD situational awareness information system, known as "Constellation." The Department is developing and fielding this system in response to requirements articulated by all Combatant Commands and validated by the Joint Requirements Oversight Council. This capability is critical to anticipating WMD threats from both nation-state and non-state actors and sharing information between DOD and its U.S. interagency and international partners. Funds were ap-

propriated in FY 2014-2016 specifically to develop and field the Constellation system, which would be deployed in July 2016 as an initial prototype. A reduction of \$27 million would effectively terminate this initiative and prevent DOD from developing a high priority capability needed to counter WMD threats.

Navy High Energy Lasers. The Administration objects to the reduction of \$20 million from the FY 2017 Budget request for the Power Projection Advanced Technology program, which would delay by one year fielding of the High Energy Laser (HEL) program laser and demonstration of its technology maturation. The HEL technology is a means of countering low-cost unmanned aerial vehicles and small surface vessels.

Limitation on Intelligence Community General Transfer Authority (GTA). The Administration objects to section 8096 of the bill, which reduces the Intelligence Community's (IC's) FY 2016 enacted GTA cap from \$1.5 billion to \$1.0 billion for FY 2017. This proposed cap would place severe limits on the IC's flexibility to manage resources and could compromise the ability to meet critical intelligence priorities at a time of shifting and dynamic worldwide threats, especially in urgent circumstances. This flexibility is especially important given the broad applicability of the GTA constraints to the appropriation accounts that fund IC.

Availability of Funds for Improvement of IC Financial Management. The Administration objects to section 8066 of the bill, which places limits on the ability of IC to review and take action on financial management improvement measures. The Office of the Director of National Intelligence and DOD are engaged in a comprehensive review of financial management practices that may result in recommendations for changes to financial management or appropriations structures.

Constitutional Concerns

Several other provisions in the bill raise constitutional concerns. For instance, sections 8055, 8071, 8121, and provisions under the headings "Operations and Maintenance—Defense-wide" and "Joint Improved Threat Defeat Fund" may interfere with the President's authority as Commander in Chief.

The Administration looks forward to working with the Congress as the FY 2017 appropriations process moves forward.

Mrs. LOWEY. Mr. Chairman, using OCO for base funds detracts from the true purpose of OCO, which is to fund wartime efforts. This prevents our Armed Forces from using these funds to counter ISIL and other threats.

A great deal of good elsewhere in the bill is overshadowed by this failure. I thank the chairman for his work to increase cybersecurity operations by nearly \$1 billion; invest in the intelligence, surveillance, and reconnaissance resources combat commanders clamor for; provide strong, bipartisan support for our allies in the Middle East; and finance important health initiatives that help warfighters and their families.

□ 1700

All of that could have been done while providing certainty for troops in Afghanistan, Iraq, and elsewhere. I urge my colleagues to oppose this bill.

Mr. FRELINGHUYSEN. Mr. Chair, how much time remains on both sides?

The CHAIR. The gentleman from New Jersey has 17½ minutes remaining. The gentleman from Indiana has 18 minutes remaining.

Mr. FRELINGHUYSEN. Mr. Chair, I yield 2 minutes to the gentlewoman from Texas (Ms. GRANGER), the vice chair of the Defense Appropriations Subcommittee.

Ms. GRANGER. Mr. Chair, I rise in strong support of the FY17 Defense Appropriations bill.

This very important bill provides for our national security by supporting our soldiers, sailors, airmen, and marines, on whom we rely to provide that security. During very dangerous times, we must ensure that the United States remains not only the greatest country in the world, but also the strongest.

Chairman FRELINGHUYSEN takes the constitutional responsibility of providing for the common defense very seriously, and he deserves all of our thanks for drafting such a significant and meaningful bill.

This is not an easy bill to draft. With increased threats and reduced budgets, the Department of Defense is being forced to make decisions it should never have to make. It is making decisions to align with the budget crisis instead of making decisions to protect the homeland and defeat our enemies. The military readiness accounts are an example of the shocking consequence of this budget environment. Already stretched thin by more than a decade of war, Marine aviation squadrons actually have to salvage aircraft parts from museums in order to keep planes flying. This is unconscionable. Our national security needs more. Our troops deserve better.

The bill Chairman FRELINGHUYSEN drafted takes a responsible approach in addressing these and other pressing issues. Rather than just throwing money at these crises, he exercises the subcommittee's oversight responsibilities by reducing funding for programs with unjustified cost increases or subpar performance. This allows the chairman to redirect those critical dollars in order to increase the number of troops, to increase funding for training, and to address many of the service chiefs' priorities.

The U.S. and our allies continue to face threats from countries such as Iran, Russia, China, and North Korea. Radical Islamist terrorists, such as ISIS, continue to threaten everything we stand for. As the chair of State, Foreign Operations, and Related Programs, and as vice chair of Defense Appropriations, I am very proud of what this bill does to ensure resources are available to counter all of these threats.

The passage of this bill ensures the United States will lead in this very dangerous world. I urge a "yes" vote.

Mr. VISCLOSKEY. Mr. Chair, I yield 3 minutes to the gentlewoman from Ohio

(Ms. KAPTUR), a member of the Defense Subcommittee.

Ms. KAPTUR. I thank Ranking Member VISCLOSKEY for the time.

Mr. Chair, I, regretfully, rise in opposition to this defense bill—a bill I certainly would prefer to support. Surely, this decision is difficult because of the deep respect I hold for the chairman, Congressman FRELINGHUYSEN of New Jersey, and for Ranking Member VISCLOSKEY of Indiana; but like this year's National Defense Authorization Act, this bill recklessly endangers our servicemembers by severely restricting the financial stability, certainty, and budgeting predictability that commanders need to plan beyond next April.

Over and over, our service chiefs and secretaries have requested one thing from Congress—stability and predictability in the budget so they can properly train and equip their troops for war. “Do your job,” they say, “so we can do ours.” This bill does not fulfill our responsibilities as a Congress nor does it uphold our end of the bargain with our servicemembers and their families.

Instead, this bill replaces predictability with political posturing, and it replaces stability with budget shortsightedness. It places our national defense in a position of uncertainty after April 30 of 2017, and it proclaims neither strength nor vision. Thus, it shortchanges our troops who need it most—those engaged in the battlefield. This bill creates a funding cliff that sends a message of hesitation to both our allies and our enemies during a time when steadfast resolve is vital to our success.

Throughout my career, I have always supported our troops and our national defense. Whether honoring veterans with the World War II Memorial or pushing for energy independence to increase security at home and abroad, our commitment to protect and defend the American people has always been my top priority as a Member of Congress. However, I can't support a bill that causes a soldier who is deployed in Afghanistan or in any theater to wonder whether or not he or she is going to be paid on May 1 of 2017. I urge my colleagues to vote against this flawed and incomplete bill.

Finally, in closing, let me extend special regards to my brother, Steve, who is as courageous a fighter as I have ever known.

Mr. FRELINGHUYSEN. Mr. Chair, I yield 2 minutes to the gentleman from Texas (Mr. CARTER).

Mr. CARTER of Texas. Mr. Chair, almost a year ago today, I stood on this floor to state my disgust at this administration's plans to slash the Army by 40,000 troops and make a large, non-proportional cut to Fort Hood, in my district, which is known as the Great Place and as the home of the heavy armor of the United States Army.

These cuts would have a disastrous effect on our national security and would lead to putting our Army, in the words of Chief of Staff General Mark Milley, at high risk. This is unacceptable. As Members of Congress, it is our sworn, constitutional duty to raise and support Armies. This is why I am proud to support the FY 2017 Defense Appropriations bill, which pays for an increase of 45,000 active, guard, and reserve soldiers, including their training and equipping for war.

I thank the committee for its continued support for Operation Phalanx, which is a proven program that is aimed at protecting our southern border—of which Texas has a lot—that remains in high demand. The DOD has received a request to execute the additional FY16 hours, and I would urge the Department to immediately take action on the FY17 hours.

Mr. Chair, from the years 2011–2014, the United States cut its budget for defense by 19 percent while Russia and China increased theirs by 31 and 30 percent. Given world events and the Director of National Intelligence's assessment that he could not recall a more diverse array of challenges and crises, it is clear that the Obama administration has failed to adequately address our national security needs.

This bill before us recognizes the military's shortfalls in modernization and force readiness. It makes targeted investments to ensure that the military has the tools, training, and manpower that is necessary to maintain peace and, if necessary, to defeat any potential enemy.

I thank Chairman FRELINGHUYSEN and his staff for their hard work, and I urge the adoption of this year's Defense Appropriations bill.

Mr. VISCLOSKEY. Mr. Chair, I yield such time as he may consume to the gentleman from Washington (Mr. HECK) for the purpose of colloquy.

Mr. HECK of Washington. I thank the ranking member for yielding.

Mr. Chair, I do, indeed, rise to engage the chairman of the Defense Subcommittee in a colloquy.

Mr. Chair, I express my profound gratitude to the committee for the inclusion of report language on the bill, an inclusion which notes the contributions made to our Nation's defense against digital threats by National Guard Cyber Protection Teams. The report language also expressed support for partnerships with Federal agencies, universities, and the private sector to achieve more effective training for missions like protecting the industrial control systems of critical infrastructure.

Mr. Chair, the report language refers specifically to Army National Guard Cyber Protection Teams, but as the chairman is likely aware, the Air National Guard is also leading efforts in this area. For example, the 194th Wing

of the Air National Guard, which is based in the 10th Congressional District of Washington State, at Camp Murray, has several Cyber Protection Teams with demonstrated expertise in industrial control system assessment, cybersecurity remediation, and cyber mission planning.

I ask the chairman whether the language in the report that expresses support for collaborative training efforts for Army National Guard Cyber Protection Teams would also apply to the Air National Guard.

Mr. FRELINGHUYSEN. Mr. Chair, the committee recognizes the important role of the Reserve, including the Army National Guard, as well as the Air National Guard, as a flexible and ready force that contributes to our cyber preparedness.

I thank the gentleman from Washington for raising this important issue, and I look forward to working with him as we move forward with this bill.

Mr. HECK of Washington. I thank the chairman for agreeing to work with me on this critically important issue as well as for his and the ranking member's leadership on this legislation.

Mr. FRELINGHUYSEN. Mr. Chair, I yield 2 minutes to the gentleman from Georgia (Mr. GRAVES), a vital member of our Defense Appropriations Subcommittee.

Mr. GRAVES of Georgia. Mr. Chair, we are considering this critical legislation in the wake of the horrific terrorist attack in Orlando, Florida, during which 49 innocent Americans were killed and 53 were wounded by a terrorist who pledged loyalty to the Islamic State. Make no mistake—we are a Nation at war with militant Islamic terrorism, and that is why this legislation is so important. It provides our brave men and women in uniform with the resources they need to defeat the enemy.

For example, this bill includes my provision to speed the replacement of a critical radar system and aircraft known as the JSTARS. The technology which is stationed at Robins Air Force Base in Georgia significantly enhances the ability of our warplanes and other military assets to target enemy combatants while helping, at the same time, to protect our soldiers on the ground by detecting threats and allowing for better coordinated and more effective support. This bill also prevents the retirement of the A-10 Warthog aircraft, which is the most potent close air support platform in our arsenal and is a key tool in fighting the Islamic State.

Now, with more than 100,000 soldiers, sailors, marines, and airmen in Georgia—the fourth largest military population in the Nation—I am proud to support our men and women in uniform by supporting this legislation.

I thank Chairman FRELINGHUYSEN for his great work on this bill.

Mr. VISCLOSKY. Mr. Chair, I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chair, I have long supported the Iron Dome weapons system to defend Israel from short-range missile attacks. I voted to authorize the United States to assist Israel in procuring the weapons. I voted for massive increases in funding for the Iron Dome during the summer of 2014 when Israel was under a daily barrage of missiles, and I spoke out repeatedly on the House floor in favor of fully funding the Iron Dome. I have been lucky enough to have visited Israel many times. Four years ago, I visited an Iron Dome battery in Israel. A single Iron Dome launcher can protect a medium-sized city. I am pleased that this bill includes \$62 million for the program.

I have offered an amendment to provide an increase in funding of \$10 million, which would be sufficient for the procurement of an additional 500 interceptors. My amendment is designed to ensure that Israel has the means to defend itself against an increase in rocket attacks.

As we all know, Israel lives in a dangerous part of the world. Since Israel withdrew from the Gaza Strip in 2005, terrorists have fired more than 11,000 rockets into Israel. Over 5 million Israelis currently live under the threat of rocket attacks, and more than a half a million Israelis have less than 60 seconds to find shelter after a rocket is launched from Gaza into Israel.

Therefore, I offer this amendment in defense of the civilian population of Israel. I am pleased to hear that the amendment will be accepted. I thank the chairman and the ranking member.

Mr. FRELINGHUYSEN. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chair, today, the Army celebrates its 241st birthday and a long, proud history of defending our great Nation. The Army and all of our military branches make up the finest fighting force in the world because of our extraordinary men and women who serve in them and because they have the tools that are necessary to carry out their missions.

□ 1715

Just days ago, we saw a tragic and horrific reminder in Orlando that we are a Nation very much at war with radical Islamic extremists. While there may be differing opinions on what steps our country can and should do to stop attacks on our homeland, there should be no daylight between all Members of this body in our commitment to ensuring our soldiers have the resources necessary to win this war.

I want to thank my friend and chairman of the Appropriations Subcommittee on Defense, RODNEY FRELINGHUYSEN, and all of my Appropria-

tions Committee colleagues for putting together a good bill that deserves all our support.

I urge all my colleagues to vote for this bill and continue to support our men and women in uniform as they defend our great Nation.

Mr. VISCLOSKY. Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), a great member of the Appropriations Subcommittee on Defense.

Mr. WOMACK. Mr. Chairman, I rise in support of the fiscal year 2017 Defense Appropriations bill.

In a world that is more dangerous and more complex than ever before, it is critically important that we ensure our military remains the best trained, the best equipped, and the best supported on the planet. This bill takes the next step toward fulfilling these necessary goals.

After years of budget cuts and sequestration, we are at a point now where we can no longer ask our military to keep meeting the needs of our Nation without providing the right amount of resources.

Mr. Chairman, if we are unable to provide our troops with proper funding, I fear that very soon we will find ourselves at risk of sending our men and women in uniform into conflict without the training, equipment, or support that they need. Our brave soldiers, sailors, airmen, and marines deserve better. And this Defense bill does better by helping our military return to full spectrum readiness in order to properly meet the challenges our Nation is facing on all fronts and across the globe.

I urge my colleagues on both sides of the aisle to do what is right by America by doing what is right for the men and women who sacrifice so much to ensure the freedoms that we enjoy today.

Vote "yes" on the bill. Vote "yes" for a strong American military. Vote "yes" to send a message to all our enemies that the American military is as strong as ever and that the United States remains steadfast and capable of defending herself and her allies against those who wish to do us harm.

I thank Chairman FRELINGHUYSEN and Ranking Member VISCLOSKY for their tireless work on behalf of our Congress and on behalf of the American public.

Mr. VISCLOSKY. Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT), a key member of the Appropriations Subcommittee on Defense.

Mr. ADERHOLT. Mr. Chairman, since I first was elected to Congress, one of the things that I talked most directly about was the fact that if there is one thing that is so important in the

Federal Government to do, it is the duty to provide for national security. The legislation that we have before us now may be the most important document that we will take up this entire year.

My colleague on the Republican side, Mr. FRELINGHUYSEN, and my colleague on the Democratic side, Mr. VISCLOSKY, both take their job very seriously. As they work on this bill, they work with great dedication and care, and it is a privilege to work with both of them, along with the committee staff, as they work forward to move this bill.

Our men and women in uniform carry out a broad spectrum of missions. Some missions are directly combat related. Some are related to rescue. And some are humanitarian missions. Health research to help our soldiers also benefits civilians of all ages and all backgrounds. This bill specifies both the base funding and also overseas contingency operations funding in a way that meets the needs to carry out all of those missions.

So I would encourage my colleagues, as we vote on this bill and as we move forward on this, to vote "yes" on it. We owe it to our men and women in uniform and our dedicated civil servant workforce to provide that stability and continuity and also to continue making sure that we stay the greatest and the strongest nation on the Earth.

Mr. VISCLOSKY. Mr. Chairman, I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield myself such time as I may consume.

I would like to join with Ranking Member VISCLOSKY in taking a moment to thank the hardworking and effective staff of the Appropriations Subcommittee on Defense. These are truly professional men and women who work on behalf of our national security and do remarkable things for our military that serve around the world and look after the needs of our intelligence community throughout the country and throughout the world.

Led by our clerk, Rob Blair, and our minority staff member, Becky Leggieri, the House owes both of these individuals a deep debt of gratitude for their hard work.

Along with Mr. VISCLOSKY, I also want to recognize, the work of others on the staff: Walter Hearne; Brooke Boyer; B.G. Wright; Adrienne Ramsay; Megan Milam; Allison Deters; Collin Lee; Cornell Teague; Matt Bower; the indispensable Sherry Young, who has been upstairs and downstairs at various points doing some incredible work on behalf of the committee; and Chris Bigelow.

I recognize my own staff: Nancy Fox, Steve Wilson, and Katie Hazlett. And I know that we give a shout-out to Joe DeVooght, who is dedicated to the whole process and works very closely with the ranking member.

I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Chair, I appreciate the chairman's remarks and would also recognize Lucas Wood, who is on our staff as a fellow from the Department of Defense this year. Also, the chairman and I express our gratitude to the associate members of our subcommittee for each of the members of the subcommittee.

I do join with the chairman. I appreciate him enumerating the names of all of the staff.

I would suggest, given the difficult circumstances I alluded to in my opening remarks, Mr. Chairman, they legislated this year with elegance, under very difficult circumstances and the country owes them a debt of gratitude. I appreciate the chairman recognizing them.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART), a key member of the Appropriations Subcommittee on Defense.

Mr. DIAZ-BALART. Mr. Chairman, I rise in strong support of the FY17 Defense Appropriations bill. I would start, by the way, by thanking and commending the chairman of the subcommittee, Mr. FRELINGHUYSEN, not only for putting together a great bill that recognizes the dangers that exist in this world, whether it is China and their expanding aggression around that part of the world, whether it is ISIS in the Middle East, or whether it is Russia with their aggressive nature. Wherever you look, Mr. Chairman, the world has gotten a lot more dangerous in the last number of years.

So I want to thank the chairman for putting together a bill which will increase readiness, increase the number of the Armed Forces of the United States.

I will close with this: All of those things are hugely important, and it is about time that we address them in an aggressive way like this bill does.

To the chairman of the Subcommittee on Defense, Mr. FRELINGHUYSEN, we all owe a great bit of gratitude for the way that he is treating and continues to treat the men and women in uniform, the men and women of the Armed Forces. This bill is a reflection of his passion for them.

Again, this is a great bill. We can all be very proud of what this bill does. It is about time, and I thank the chairman for his leadership.

I would ask for your favorable consideration of this bill.

The CHAIR. It is the Chair's understanding that the gentleman from Indiana has yielded back the balance of his time.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. ROONEY), a member of the authorizing committee, the Armed Services Committee. We thank him for joining us this evening.

Mr. ROONEY of Florida. Mr. Chairman, I rise in strong support of this 2017 Defense Appropriations bill, which is another example of the Appropriations Committee's hard work to provide the funding needed to keep our country safe and to take care of our soldiers and their families.

As a veteran, as my wife is a veteran, and as somebody who has a lot of friends who are still wearing the uniform and serving, we need to take care of our soldiers, our troops, our sailors, our airmen, and marines. And this bill makes sure that we do just that. It gives them the equipment that they need to complete their mission while also providing them the peace of mind that their families will have the support that they need; that when they are also veterans, they will be taken care of.

As the Islamic State continues to grow, the constant threat of global terrorism, the nuclear-ambitious Iran, the dangers our Nation faces continues to grow, and we must stand ready to defeat them.

This bill meets our defense needs for the next year. We do need a long-term plan to ensure that the men and women in our Armed Forces have the capability to protect our Nation in this increasingly dangerous world, and this bill goes very far and is the first step in doing that.

I thank the committee and I especially thank the chairman for allowing me to speak in its favor.

Mr. FRELINGHUYSEN. Mr. Chairman, I yield back the balance of my time.

Mr. COLE. Mr. Chair, H.R. 5293 is key to funding our country's national security programs and provides for the essential needs of our military.

Just as our military service members answer the call to defend the United States, so too should Americans always prioritize the funding they need to be successful in whatever mission they are tasked with. I am proud to support this bill and the important funding it provides for our Nation's military, security, and our courageous men and women in uniform.

This bill makes difficult budgetary choices but includes funding for safety, security, and the ongoing success of our service members and their families. Our armed forces will stay prepared, safe and trained to fight.

The legislation addresses not only current threats but instability in the Middle East, Russian aggression in the Ukraine and Baltic, and changing relationships in the Pacific.

Specifically, the bill provides \$517.1 billion, an increase of \$3 billion above last year's level, and \$58.6 billion in Overseas Contingency Operations (OCO Global War on Terrorism (GWOT) funding—the level allowed under current law.

\$219 billion is included for operations and maintenance, which provides for readiness programs that prepare our troops for combat and peacetime missions.

An effective military, one that is well equipped and well trained, is indispensable to

the common defense of our country and is in the best interest of all Americans.

I thank the Chairman for his outstanding leadership, appreciate the Ranking member's common commitment to work in a bipartisan manner and fund our military and intelligence community as they remain engaged in responding to instability abroad.

I has perhaps never been more urgent to invest in the future of our military and renew our ability to project power.

The funding levels in this bill will ensure our military remains the most capable, prepared, and exceptional armed force anywhere in the world.

Mr. VAN HOLLEN. Mr. Chair, I rise today in opposition to H.R. 5293, the Department of Defense Appropriations Act, 2017, because it fails to support our troops serving overseas. Like the defense authorization bill the House passed last month, the bill uses a budget gimmick to circumvent funding caps passed into law on a bipartisan basis, and by doing so it not only undermines the budget process, it puts our troops at risk. The bill diverts \$16 billion from what our military says is needed to fund our military forces engaged in operations around the globe to purchase ships, planes, end strength, and other items our military didn't request. Consequently, troops serving in Iraq and Afghanistan will run out of funds half way through the year and would then rely on Congress passing an emergency supplemental to fill the funding gap. We shouldn't gamble with the troops we send off to battle. It is irresponsible and reckless. They deserve predictable support for the entire year as they execute their missions, particularly in view of the dangers they face. Going forward, I am committed to work with my colleagues to eliminate this funding gimmick to ensure our troops are supported for the full year. We count on these selfless men and women who volunteer to serve in uniform to keep us safe each and every day. They only count on us to provide them the resources they need to do their jobs. That is the least we can do.

The CHAIR. All time for general debate has expired.

Mr. FRELINGHUYSEN. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MOOLENAAR) having assumed the chair, Mr. DUNCAN of Tennessee, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, had come to no resolution thereon.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF NORWAY CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114-142)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the “Act”), the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Norway Concerning Peaceful Uses of Nuclear Energy (the “Agreement”). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the proposed Agreement. (In accordance with section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.) The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of Norway’s export control system with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement contains all the provisions required by section 123 a. of the Act, and provides a comprehensive framework for peaceful nuclear cooperation with Norway based

on a mutual commitment to nuclear nonproliferation. It would permit the transfer of unclassified information, material, equipment (including reactors), and components for nuclear research and nuclear power production. Norway has no nuclear power program, and no current plans for establishing one, but the proposed Agreement would facilitate cooperation on such a program if Norway’s plans change in the future. Norway does have an active nuclear research program and the focus of cooperation under the proposed Agreement, as under the previous agreement, is expected to be in the area of nuclear research. The proposed Agreement would not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities or major critical components of such facilities.

The proposed Agreement would provide advance, long-term (programmatic) consent to Norway for the retransfer for storage or reprocessing of irradiated nuclear material (spent fuel) subject to the Agreement to France, the United Kingdom, or other countries or destinations as may be agreed upon in writing. The United States has given similar advance consent to various other partners, including to Norway under the previous U.S.-Norway Peaceful Nuclear Cooperation Agreement that was in force from 1984 to 2014. The proposed Agreement would give the United States the option to revoke the advance consent if it considers that it cannot be continued without a significant increase of the risk of proliferation or without jeopardizing national security.

The proposed Agreement will have a term of 30 years from the date of its entry into force, unless terminated by either party on 1 year’s advance written notice. In the event of termination or expiration of the proposed Agreement, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, or component subject to the proposed Agreement remains in the territory of the party concerned or under its jurisdiction or control anywhere, or until such time as the parties agree that such items are no longer usable for any nuclear activity relevant from the point of view of safeguards.

Norway is a non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Norway has concluded a safeguards agreement and additional protocol with the International Atomic Energy Agency. Norway is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material. It is also a member of the Nuclear Suppliers Group, whose non-legally binding guidelines set forth standards for the

responsible export of nuclear commodities for peaceful use. A more detailed discussion of Norway’s domestic civil nuclear activities and its nuclear nonproliferation policies and practices is provided in the NPAS and the NPAS classified annex submitted to the Congress separately.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the proposed Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee as provided in section 123 b. Upon completion of the 30 days of continuous session review provided for in section 123 b., the 60 days of continuous session review provided for in section 123 d. shall commence.

BARACK OBAMA.
THE WHITE HOUSE, June 14, 2016.

□ 1730

GOVERNMENT OVERREACH ON
SMALL BUSINESSES

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, in the last few months more than 175 Members of Congress from both parties and both Chambers have expressed concerns about the FCC’s proposed set-top box rules. Even the Small Business Administration has weighed in with concerns about how these rules could burden small operators.

Last month, the gentleman from Oregon (Mr. SCHRADER) and I authored a bipartisan letter signed by 59 of our colleagues that says, in part: “the proposal threatens the economic welfare of small pay-TV companies providing both vital communications services to rural areas and competitive alternatives to consumers in urban markets.”

Mr. Speaker, if continued innovation in the video industry is the goal, then this proposed rule is the wrong direction. In fact, it is estimated that this rule could cost up to a million dollars or more per system. Now, a million dollars may not be a lot to a big company, but to most of the companies in rural North Dakota, it could be the difference between staying in business or going out of business.

I also have strong concerns that the proposed rules are outside the Commission's legal authority. Instead of getting into another lengthy legal battle with Congress, I urge Chairman Wheeler and the FCC to drop these proposed rules because of the harm it could inflict on small rural operators.

NATIONAL RURAL ELECTRIC COOPERATIVE YOUTH TOUR

(Mr. ROKITA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROKITA. Mr. Speaker, I rise today to recognize more than 1,800 youth from 47 States across America visiting our Nation's Capital this week as part of the National Rural Electric Cooperative Youth Tour. This trip is a tradition that has continued for over 50 years.

Mr. Speaker, the goal of the tour is to bring together students from all walks of life to attend meetings with their Senators and Representatives to ask us questions and witness the legislative process firsthand. I just came from a meeting with those from Indiana, and they had excellent questions of me, and we had a great discussion.

These students are all sponsored by a local electric cooperative in which the student is a member or an associate member. This year, 34 of Indiana's 38 electric cooperatives have sponsored a total of 82 students for the trip. I am proud that many of them reside in my district.

I want to thank America's electric cooperatives, and specifically those from Indiana, for working with the National Rural Electric Cooperative Association to support and sponsor this opportunity for the next generation of young leaders.

EQUAL RIGHTS FOR ALL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. AL GREEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. AL GREEN of Texas. Mr. Speaker, I would like to thank the leadership on both sides of the aisle for extending the time tonight. I am very grateful to the staffs who have helped us with the preparation for this evening's activities.

Mr. Speaker, I am honored to be here this evening for many reasons. One of the reasons has to do with today being a very special day. Today is Flag Day. Flag Day is a day for us to honor the flag of the United States of America, which is one of the reasons I am wearing my flag tie. I want people to know that I am proud to be an American, and I am proud to honor the flag and to salute the flag. Flag Day is a date that

we honor the flag for its adoption back on June 14, 1777.

I say the Pledge of Allegiance to the flag, and I say it proudly. I say it proudly because it means something to me—each word means something to me—to pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

"With liberty and justice for all" are words of great importance tonight, and they are important because of some circumstances that have occurred in other parts of our country. We have had some tragic circumstances to befall some persons in Florida. I was reared in Florida. I went to Florida A&M University. I went to elementary school and high school in Florida.

Florida means something to me, but the people there are most important, because the people of Florida are people of goodwill, people who mean well, people who enjoy themselves. Florida is a vacation spot, if you will. Because so many people come there to vacation, it is expected that they would have the opportunity to enjoy themselves, to go out and be a part of the nightlife. We have Disney World in Florida, many attractions to attract people from around the country to Florida.

Unfortunately, some things have happened there recently that are going to cause us to pause for a moment as we, tonight, will celebrate, to a certain extent, commemorate, LGBT Pride Month. LGBT Pride Month, celebrate and commemorate this month. But we will also memorialize some of the things that have happened in terms of lives that have been lost.

I am proud tonight to note that there will be a Member joining me who has had some circumstances occur in his State that he will call to our attention that will have to be memorialized, and persons will have to be remembered for the services that they have given, but also because they lost their lives.

I am proud to ask my colleague to come over now, the Honorable JIM CLYBURN, and ask him to give his comments. He is a leader in this Congress. He is a person who stands for justice for all, as is indicated in the flag, "liberty and justice for all." He stands for this.

After the incident that took place in Mr. CLYBURN's State, I remember a lady who lost her child indicating at the probable cause hearing, "I forgive you. I forgive you," speaking to the person who had committed this deed. "I forgive you." She lost her child, but she forgave. But I believe that people who forgive still have an expectation that things will be done. Mr. CLYBURN, I am proud to say, is one who has legislation that can be of benefit to all. Not to some, but to all.

I am proud to yield the floor now to our leader, the Honorable JIM CLYBURN.

Mr. CLYBURN. Mr. Speaker, I thank Mr. GREEN for yielding to me.

Mr. Speaker, on Friday, June 17, we will commemorate the first anniversary of what I like to refer to as the Charleston 12. Nine people lost their lives that night at the Emanuel AME Church, but three people survived: two by playing dead and a third because the murderer went over to her and said: I am going to spare you so you can carry the message.

This young man who perpetrated this act did so after doing some significant research. We know that he went on the Internet, and he found the historic church that he thought would be the proper place to start, in his words, a race war. This young man was able to purchase a weapon that he did not qualify to purchase.

Under our laws, he was to be subjected to a background check, and he was; except that our law has created a loophole that says, though there is a 3-day waiting period that the background check should take place, if at the expiration of the 3 days the background check is not completed, then you can purchase the weapon.

Well, 3 days after he started the purchase, the background check was not completed. Why? Somebody keyed in or gave the wrong information.

Let's just think about this for a moment. A person knowing what the law is could very well give erroneous information knowing that it might take more than the 3 days for anybody to find the error. They found the error, but 3 days had expired. I have no idea whether or not this young man did this or whether or not the seller entered the wrong information.

There are two cities that border one river with a short bridge between the two: West Columbia and Columbia. This gun was purchased in West Columbia, but, as I understand it, the seller keyed in Columbia, and so the error was not found until too late.

I have proposed legislation here to close what has become known as the Charleston loophole by saying the purchase cannot be completed until the background check is completed. If it takes 3 days, fine. If it takes 1 day, that is fine. But it may take 4 or 5 days or may even be 10 days if the wrong information is keyed in.

So I don't understand why this commonsense piece of legislation cannot be brought to this floor so we can vote to close that loophole or attempt to close the loophole. I think it is time for us to go on record.

Now, Mr. Speaker, I grew up in South Carolina. I was a part of the movement that started back in the late 1950s and early 1960s that a lot of people have called the student movement. I was a part, along with JOHN LEWIS, a Member of this body, of the first and second organizing meetings of what became known as the Student Nonviolent Coordinating Committee.

I still remember my first meeting with Martin Luther King, Jr., October 1960, the same weekend that I met JOHN LEWIS for the first time. I spent that evening that I met Dr. King, I was with him until around 4, 4:30 the next morning. I started reading and studying everything I possibly could about Dr. King. I believe, of all of his speeches, of all of his writings, the one thing that stands out to me more than any other is his letter from the Birmingham City Jail.

□ 1745

It is an iconic document; a timely document, in my opinion. Dr. King wrote his letter from that jail in response to a letter that he had received from 8 White clergymen who called upon him to leave Birmingham because they thought his being there was disruptive.

In the letter to Dr. King, they said to him: We want you to understand, Dr. King, we believe that your cause is right, but your timing is wrong.

In responding to them, Dr. King said: Time is neutral. Time is never right; time is never wrong. Time is always what we make it.

Dr. King continued that thought by saying he was coming to the conclusion that the people of ill will in our society make a much better use of time than the people of good will. He closed that particular thought by saying that we are going to be made to repent not just for the vitriolic words and deeds of bad people, but for the appalling silence of good people.

We are suffering today because some real good people in this House are remaining silent when events cry out for our attention. We should not be ignoring these issues that lead to incidents like the one that occurred at Emanuel AME Church. We should not be silent after things like Sandy Hook. And we should not be silent today, after experiencing what we have earlier this week in Orlando, Florida.

I think that the more we look into this, we see that this is not about ISIS or any foreign terrorists. All of that, it seems to me, from what I have read, is to camouflage something else. And that is, in my opinion, this was, in fact, a hate crime. It certainly shows from the evidence that this young man who perpetrated this act hated a lot of the people he was around, and maybe even himself.

So I believe that the time has come for us to break our silence in this House. The LGBT community cries out for our involvement. This incident highlights what we ought to be doing to show our respect for that community as well as our respect for the rule of law.

Mr. AL GREEN of Texas. Mr. CLYBURN, before you step away, with reference to the letter from the Birmingham jail, which I agree with you,

is one of the greatest literary works that I have had an opportunity to read, it becomes especially important when you understand how Dr. King actually produced it. He did not have a library. He did not have persons to assist him. It is my understanding that he was able to slip notes out to people who would come and visit him, and they compiled these notes into the letter.

I want to mention this. Those clergy people that you talk about, in that letter that they wrote, if you read it first, you will see a line of logic that many people abide with, that many people of that time and this time would find very reasonable. It is after you get into Dr. King's message where he dissects each and every point that they make one by one by one that you realize that there is something not only special about Dr. King—and there is something very special about him—but that this was a seminal moment in time.

It was a seminal moment in time in that Dr. King was educating all of us in the evils of bigotry and hatred. Those warnings that he gave us and the lessons, he takes us back into Biblical Scriptures about those who, at that time in the biblical days, were considered outside educators. No one is an outside educator if you come for righteous reasons.

So I am mentioning this to you because I have a great appreciation for that letter as well, and I am pleased that you brought it up.

As you know, tonight our theme is: You are not alone. I greatly appreciate what you have said about the LGBTQ community, because we want them to know they are not alone. We are allies, we are friends. We are people on whom they depend. And we do so because of a debt we owe, to a certain extent. We didn't get here by ourselves. Someone suffered and sacrificed so that we could have this opportunity to stand in the Congress of the United States of America, and indeed to breathe the breath of freedom we have because of others. And they are not alone. I appreciate what you have said about the LGBTQ community. If you have additional commentary, I would welcome it.

Mr. CLYBURN. I appreciate that. I do have something I would like to say on that. Dr. King was sitting in jail in Birmingham, Alabama, because he found some injustices there. In fact, in the letter, he said—in responding to those ministers—that a threat to justice anywhere is a threat to justice everywhere. And I think that Dr. King, if he were here today, would be speaking out about the threat to justice that the LGBTQ community is now experiencing. I do want the people of that community to know that they are not alone. I do believe that we should all respect human beings.

If I may? I thought as you were speaking, Dr. King, in his letter, talked about those who carried the gospel and

how they were vilified. I thought about, I believe it is the 11th chapter in the Book of Second Corinthians, Paul, in his writings, talked about all that he had endured—the beatings, the jailings that he had endured—trying to spread the gospel.

I thought about those badges of honor—the jailings that Dr. King, JOHN LEWIS, and many others endured. I had a few sentences myself, but I thought about that, and these are, in fact, badges of honor.

So I want the people of the LGBT community to know that they are not alone in their trials and tribulations, and that at some point in, hopefully, the not too distant future, the good people in this body will rise up and break their silence.

Mr. AL GREEN of Texas. I will add to what you have just said, Mr. CLYBURN. When you are not alone and you have some people to show up, it means something. But there are people who believe that everybody has to show up for something significant to occur. This would take us to the eighth chapter of the Book of Judges and a man named Gideon.

The evidence has shown us—you and I, Mr. CLYBURN—that there are times when you can have too many people to get a job done. You don't have to have everybody to have the genesis of a movement. You don't have to have every person in Congress to sign onto something to have that become the genesis of the movement.

If you get enough people to sign on, what you have can be heard in this Congress. And that is called a discharge petition. There are some pieces of legislation right now that are pending with discharge possibilities.

What we have to do is take a few people, just as Gideon did; make enough noise, as he did; have a righteous cause, as he did; have a means of weeding out some of the people who may not be ready for the work that has to be done, and then work with those who are ready to work.

I believe that we can do great things in this Congress, understanding that we don't have to have everyone on board to have the genesis of a great movement.

Mr. CLYBURN. I agree. Of course, having served as the majority whip in this body, all it takes is 218. I do believe that there are 218 good people in this body who will vote for these—especially these three pieces of legislation dealing with what I call commonsense, good gun policy.

The fact of the matter is that all of us believe in the Constitution of these United States. It is the glue that holds us together as a country, as a people. The fact of the matter is the Constitution—our right to the Constitution—is not unbridled.

I am often amused to hear people talk about our First Amendment rights

to free speech and to peaceably assemble. Those of us back in the sixties lived and died advocating the First Amendment, but the fact of the matter is our rights under the First Amendment are not unbridled. The Supreme Court has spoken to that with the famous phrase: your First Amendment rights will not give you the right to yell "fire" in a crowded theater.

That means that the First Amendment is not unbridled.

Why is it, then, that we can't look at the fact that the Second Amendment rights that we have to bear arms, we are not taking that right away when we say the background check should be completed?

Maybe we will turn up that you are mentally incompetent to have a weapon. Maybe we will find that you at one time, if not another, are on this no-fly list.

One piece of legislation we have here deals with it. No fly, no buy. Anyone on the no-fly list, to me, ought not be able to get a firearm. If you are suspicious enough as to pose a threat and be on that list, I don't think you ought to be getting a firearm. If you have been convicted of a hate crime, which is another piece of legislation here, you ought not to be able to buy a gun.

Those are commonsense policies that ought to be put into law. And for us to lay prone at the altar of the NRA and not allow just simple, good faith bills to come to this floor, I don't quite understand that. I don't think that the American people will continue to be kind to us if we do not step up and do what is necessary to protect them.

Those 49 people who lost their lives in that nightclub in Orlando are deserving of a Congress that will protect them. Also, those nine lives at the Emanuel AME Church. If we had stepped up and not put that loophole in this law, they would have been protected. I am convinced from all that I have seen that those people would still be alive today if that loophole were not in the law.

□ 1800

Mr. AL GREEN of Texas. Mr. Speaker, the bill that you speak of, Mr. CLYBURN, H.R. 4063, that is Mr. CICILLINE's bill, the Hate Crimes Prevention Act; and that merely says, if you have been convicted of vandalizing a place of worship or assaulting someone based on their race, their religion, their gender, their sexual orientation, their gender identity or disability, then you ought not be able to buy a weapon.

Who believes that persons who have been convicted of these offenses ought to be able to buy weapons? If you believe that they should, then I am going to respect your opinion, but we ought to be able to debate those opinions on the floor of the United States Congress.

We don't have to win the vote. The people of this country expect us to at

least do that, however. They expect us to vote. And what Mr. CLYBURN is saying, and what many others have been saying, the clarion call, the hue and cry, is let's have a vote and let's have a debate. Let the debate precede the vote. Let us make some comments about these bills, and let's let the American people have an opportunity to judge why each of us holds a position with reference to this kind of legislation. That is not asking too much.

I respect my friends who have opinions different from mine. I don't, in any way, badger people who have opinions that are different from my opinions. But I do respect people even more when they are willing to stand in the well of the Congress of the United States of America and state their position and allow others to state theirs. And then, afterwards, have that vote, and let's let the American people know where the Congress stands, based upon empirical evidence and based upon arguments that have been presented, so that people can get a greater understanding and get greater clarity.

Another of the bills is the one that you have, Mr. CLYBURN, H.R. 3051, the Background Check Completion Act. "Completion," that is the operative word. Completion Act. Let the background check be completed before a person buys a firearm.

Now, if you differ with this, okay. Then let's bring this to the floor, state your difference, and let the American people know how we stand, where we stand, and then have a vote. That will make a difference for everybody in this country because people will know that the Congress of the United States is functional. There are many who believe that we are not functioning right now.

The final of the three that the gentleman mentioned is H.R. 1076. This is denying firearms and explosives to dangerous terrorists. Now, this is a bill that is being sponsored by the Honorable PETER KING. He is a Republican.

So the point to be made is that we have bipartisan legislation that can't get to the floor for a debate and then a vote. That is what we believe ought to happen. There ought to be a debate and a vote on these pieces of legislation that deal with what we believe to be legislation that can save some lives. It won't save all lives, no legislation will, but it can save some lives.

Well, someone would say that is not enough. One life is enough, to be quite honest with you. One life is enough. And to lose any life because we haven't acted is to lose too many.

At the end of the day, after having lost 49 lives in Orlando, do we want it said that after all was said and done, more was said than done? Or nothing was done and all was said? Is that what we want our legacy to be, that we did not act on pending legislation that could have made a difference for the people of the Nation?

Surely, asking for a vote, asking for debate, asking for an opportunity to be heard is not asking too much.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. CLYBURN) if he has further commentary.

Mr. CLYBURN. Well, I think the gentleman has summarized this adequately and, I think, appropriately.

Mr. AL GREEN of Texas. Mr. Speaker, I am so honored tonight to mention again that this is a resolution that we have on the floor, H. Res. 772. This is the LGBTQ Pride Month legislation, and I am honored that it is on this day, which is Flag Day, because the flag speaks to liberty and justice for all—not liberty and justice for some, not liberty and justice for some of a certain hue, not liberty and justice for some of a certain religion, but, rather, liberty and justice for all, regardless of your race, your creed, your color, your sexuality, liberty and justice for all, regardless of your religious affiliation—liberty and justice for all.

I assure you that the American people expect no less than what we pledge allegiance to, the flag of the United States of America. So I am honored tonight that we have this resolution.

This resolution is one that speaks to the accomplishments and the successes of the LGBTQ community. And there are accomplishments and successes that we should mention, notwithstanding the circumstance that we are, unfortunately, having to deal with at this time. There are these accomplishments and these successes. Let me just name a few of them as we move along.

First, I would like to mention the passage of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, a significant piece of legislation, a great success for America. However, the beneficiaries are persons who are discriminated against, who are harmed because of who they are.

People do that in this country. We have people who will hurt you and take your life, as has been evidenced recently, because of who you are.

This Congress took action and passed this law to say that, if you do this, whatever the punishment was, we will enhance it. We will make this punishment greater because you ought not target people because of who they are.

Someone would say, well, why would we want to enhance the punishment for this reason?

Here is the response. Here is the retort. Because we do it if you are a person in a blue uniform. You hurt a peace officer in the State of Texas, because he or she is a peace officer, your punishment is going to be enhanced.

There is nothing wrong with that. I celebrate that. That is why I celebrate the passage of this piece of legislation, the Matthew Shepherd and James Byrd Hate Crime Prevention Act. This is an accomplishment that the LGBTQ community as well as other communities and all should celebrate.

Of course, there is Don't Ask, Don't Tell. Can you imagine, as a heterosexual person, having to hide who you are every day of your life, having to be incognito in a sense, under an assumed identity, cannot be authentic, cannot be yourself? Can you imagine what that would be like?

That's what Don't Ask, Don't Tell was all about, asking people to hide your identity. Don't tell anybody who you are. And if you don't tell anybody who you are, we will let you die for the country. We will let you go into harm's way and die as long as you won't tell people who you are.

And I thank President Obama. When we eliminated Don't Ask, Don't Tell, we liberated a lot of people. One in particular that I am sure felt liberation was the Honorable Eric Fanning, because he now is the first openly gay Secretary of the Army.

Can you imagine how many persons with talents that could have benefited our country were overlooked as a result of Don't Ask, Don't Tell?

Some people refused to participate in that kind of system. So I am proud that this country has stepped away from this, because every person ought to be allowed to be himself or herself.

Every person was created by the same Creator. We know the Creator by many names, but by any name, the Creator is the one that created all that is and ever shall be. And each one of us is a creation of the Creator of the universe, and we all should be proud of who we are because we all owe allegiance to the same Creator.

I am proud to announce that 2012 was the first year that all 50 States had at least one LGBTQ elected official.

I remember many years ago, as an African American, how proud I was when I could read annually that we had persons who were getting elected across the country to various positions who were of African ancestry. I was so proud that they were getting elected because I knew that we were making progress; I knew that there was a certain amount of acceptance taking place.

This is what is happening with the LGBTQ community by having elected officials in all 50 States who can say "I am proud to be who I am," who can be authentic.

This is what America is all about, liberty and justice for all, pledge of allegiance to the flag, Flag Day. That is what this is all about: this country honoring who you are, letting you succeed on your merits and fail on your demerits, not based upon who you are.

Unfortunately, I will tell you this, there are still some places in this country where members of the LGBTQ community are discriminated against openly and notoriously. Twenty-eight States still allow someone to be fired for being gay—for that alone. Show up and tell, show up and don't pretend,

show up with a friend, and you could be fired in 28 States in this country.

I think that, among all of the legislation that we talk about, this is something that the Congress ought to address. No one should be fired because of who you are, because of what God has made you. You ought not be fired for that.

In 30 States, you can be fired for being a transgender person. In 28 States, you don't have protections for sexuality under housing discrimination laws, meaning, if someone believes or concludes or has evidence that you are a part of the LGBTQ community, then you can be discriminated against in housing.

Is that the way a great country that I love, that has the notion of liberty and justice for all in the pledge of allegiance behaves? Do we allow this to continue?

America stands for justice, stands for liberty, and it stands for it for all. It is time for us to extend all of the liberty and justice that I and others might have to the members of the LGBTQ community.

I am an ally of this community, and because I am an ally, I am proud that the Supreme Court decided that marriage between same-sex couples should take place.

The Constitution of the United States of America was not written for heterosexuals only. The 14th Amendment applies to people, not to sexuality. The 14th Amendment and the Constitution is something that is precious for all of us, and the Supreme Court has so said that these marriages between couples of the same sex have to be recognized and the licenses have to be issued. This is what allies of the LGBTQ community will call to the attention of persons on occasions such as this.

I am also proud to tell you that we who are allies of the LGBTQ community are of the opinion that we can make some of these changes. We know that we can make these changes because we have done so before. We have passed legislation after horrific events in this country. Because we have done it before, we can do it again; because we did it with the Civil Rights Act of 1968. It took us 7 days in the Congress of the United States of America to pass the Civil Rights Act of 1968 after the assassination of Dr. King.

We had 49 people assassinated in Orlando, Florida. Something can be done.

People, some would say: Well, what can be done? That is what we can debate on the floor of the Congress. Let's debate it. Rather than conclude that whatever is said is wrong and you don't deserve a hearing because what you have said is wrong, let's debate it.

We have bills to come before this Congress that we vote up and down on a daily basis. We vote them up or we vote them down. Why not have regular

order apply to hate crime legislation? Why not have regular order apply to gun safety legislation? Not gun control—I don't buy into that terminology—gun safety.

But if you think otherwise, then come to the floor, stand in the well, and state your position so that all can hear.

□ 1815

The Gun Control Act of 1968 passed after the assassinations of President Kennedy, Dr. King, and Robert Kennedy. That legislation, I am sure, could have passed at other times, but it didn't. It was after a horrific act, or horrific acts, that it passed.

I think that these lives were important. But the lives of the 49 people who died at Orlando are just as important as these lives that I call to your attention. Every life is precious. We should not allow ourselves to wait until it happens to be somebody that we perceive as being somebody. We ought not have to wait until someone who happens to hold public trust is harmed before we decide we are going to do something.

Every person who is in this country is under the protection of the Constitution of the United States of America. We can debate our issues, but we ought to at least bring them to the floor and let's have a vote on them. I will accept, by the way, the vote. I always do. But I don't accept the notion that you can never have a vote on something because someone else happens to think that it is not worthy of voting on.

I think all opinions have some value, and I think whether bills are presented by the Democrats or the Republicans, they are bills that have merit and bills that ought to receive consideration. Let them go through regular order. Let them come to this floor, and let's debate them.

Of course, the one that many people will remember is the Brady Handgun Violence Prevention Act of 1994. This was passed following the shooting of President Ronald Reagan.

By the way, I am pleased that we passed all of these things. I believe that we did the right thing. Someone might argue that we could have passed this without the shooting of President Reagan. Thank God the person who attempted to assassinate him was not successful. I am so grateful that he was able to live and serve out his Presidency. But that shooting, that act alone, allowed this Congress to act. It is a known fact that you cannot have an act of Congress if you don't have a Congress willing to act. I am grateful that the Congress was willing to act after the shooting of a President of the United States.

So, because we have done it before, I am convinced that we can do it again, and I am convinced that we should do it again. I believe that this is a seminal

moment in time. We have these seminal moments in time—seminal moments, moments that impact all time.

Rosa Parks, when she took that seat, ignited a spark that started a human rights-civil rights movement. That was a seminal moment in time. But there were also people who helped her at that time, which is one of the reasons why we come to the floor tonight, because we are allies of the LGBTQ community.

The African American community at that time had allies. We had people who were willing to stand up for us and stand up with us. When Rosa Parks went to jail, there were people who came to post her bond. The people who bailed Rosa Parks out of jail: Mr. Nixon was African American, but Mr. and Mrs. Durr were not. Mr. and Mrs. Durr were people of goodwill who understood that an injustice was taking place. In fact, Mr. Clifford Durr was a lawyer, and his wife was a noted person in the community. The people who posted the bail to get Rosa Parks out of jail were not all of African ancestry.

So we all have a debt that we owe. I am grateful to Rosa Parks. I wouldn't be here but for the efforts of the Rosa Parks of the world. So I have to repay that debt, and tonight I stand here to give an additional down payment on the debt that I owe that allowed me to be a part of the Congress of the United States of America.

There was the crossing of the Edmund Pettus Bridge on what was known as Bloody Sunday. Many people lost blood at the Edmund Pettus Bridge. If you haven't been to the Edmund Pettus Bridge, I would invite you to go. Every person ought to see the Edmund Pettus Bridge, because if you can see the Edmund Pettus Bridge, you will understand the level of angst and consternation that persons marching forward had to have as they were going up, knowing that on the other side was the constabulary prepared to do whatever was necessary to force them to go back to their starting point and not to proceed with the march.

Many of the people there with Congressman JOHN LEWIS, who said he thought he was going to die, were not African Americans. There were people of all hues at the Edmund Pettus Bridge there to see that justice was done. I owe a debt to the people who were willing to cross the Edmund Pettus Bridge on that fateful day.

I come to the floor tonight because I understand that I owe this debt. I believe that we owe a debt to those who have made it possible for us to be here, regardless of our hue. And believe me, regardless as to who you are, you owe a debt too. It may be to Patrick Henry: "Give me liberty or give me death." It can be to any number of the Founding Fathers. But you owe a debt to people who made it possible for us to be here in the Congress of the United States of

America and to have the liberties and freedoms that we have in this country. We ought to repay the debt so that we can pass on to others what has been passed on to us: a greater sense of freedom and a greater sense of belonging in the greatest country in the world.

I am honored to tell you tonight that this resolution will not pass. I am honored to tell you this, that it will not pass this Congress. But I must be quite candid and tell you that we rarely pass any resolutions in Congress now. So I want to be fair to my friends who are in leadership to let them know that I respect the fact that any resolution, not just this one, would probably get the same results.

But I do believe this: I am honored to tell you that it will pass some Congress. I hope I am here to see it pass. I hope I am here to cast my vote that will have it pass the Congress, that will give it a chance to be heard, and that will let people debate the issues of our time as they relate to this resolution. I hope I am here.

But whether I am here or not, I believe that, at some point, we will look back through the vista of time, and we will reflect upon this time. We will ask ourselves: Who was there? Who was there to stand up for people other than themselves? I want the record to reflect that there were a good many people of goodwill who said to the LGBTQ community: You are not alone. You are not alone. We are with you. We will stand with you, and we will fight injustice with you.

In the end, as Dr. King put it, "though the arc of the moral universe may be long"—the arc of the moral universe may be long—"it bends toward justice." We will bend the arc of the moral universe toward justice. There will be justice for the LGBTQ community.

Mr. Speaker, in addition to the comments that I have given tonight, I have a statement that I will be submitting for the RECORD, a statement that speaks to the tragic circumstances that occurred in Orlando, Florida. I will be submitting this for the RECORD because I want the RECORD to show that I, along with many of my friends, took a stand.

By the way, many of my friends who are taking a stand are Republicans. Many of my friends who are taking a stand are conservatives, and many of my friends who are taking a stand are persons of goodwill who happen to be Muslims.

By the way, the Muslim community in Houston, Texas, took a stand at the iftar that I attended. The Honorable M. J. Khan, former city council member, was loud and clear. He explained that the Muslim community respects the LGBTQ community, supports that community, and wants to fight for the community to have justice.

Also, I would add that Saeed Sheikh Muhammad was there. He too made

similar commentary. So there are persons across the spectrum who are supporting the LGBTQ community. I respect all of these persons, and I appreciate them for what they are doing. I want my statement to reflect that there are those of us who came together and said to the LGBTQ community: You are not alone.

Mr. Speaker, you have been more than generous. I greatly appreciate it. I want to thank my colleague who appeared. I want to thank the many colleagues who could not appear because of circumstances associated with an event that is taking place tonight. But I know that their hearts are here, and I know that they will do what they can at an appropriate time to make sure that the LGBTQ community understands and knows that the community is not alone.

Mr. Speaker, I yield back the balance of my time.

CELEBRATING THE CENTENNIAL ANNIVERSARY OF FARM CREDIT

The SPEAKER pro tempore (Mr. KNIGHT). Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. AUSTIN SCOTT) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I rise today to recognize Farm Credit's 100th anniversary of supporting our rural communities and providing reliable credit to those in the agricultural industry throughout our country.

Throughout this Congress, as the chairman of the House Agriculture Committee's Subcommittee on Commodity Exchanges, Energy, and Credit, I have worked with Farm Credit extensively. These interactions have reaffirmed what I already knew: the Farm Credit system is made up of dedicated Americans who understand the needs and champion the values of rural America.

I am honored to represent Georgia's Eighth Congressional District, most of which is farmland. A good portion of my constituents are farmers themselves or have family and friends who farm. Georgia's Eighth District is home to roughly 15 percent of Farm Credit borrowers in the State of Georgia. I myself come from an agricultural background, as both sets of my grandparents were farmers.

Farm Credit has met the credit needs of many of my constituents and maintains an active presence in south and middle Georgia, where we are leaders in Georgia's agricultural production. For a century, Farm Credit has been providing our farmers, ranchers, and rural communities with the capital they need to build and grow successfully.

The centennial anniversary coincides with a time when our agricultural industry is facing significant economic challenges. In the past few years, our farmers and rural communities have been faced with lower commodity prices, increased input costs, and unstable and inconsistent international markets, all of which are placing strains on our food producers and those who provide essential services to our agricultural industry. This not only affects the producers and manufacturers, but it also has a tremendous effect on the communities in which they live and work.

A strong agricultural economy is essential to the health and vitality of the communities I represent in 24 counties across south and middle Georgia. During times like this, farmers in rural communities depend on Farm Credit, whose mission is focused on helping rural communities and agriculture grow and thrive.

For example, in my home State of Georgia, young, beginning, and small farmers make up 72 percent of AgFirst Farm Credit's customers. While these customers represent the future of the agricultural industry, they have entered into the industry at a difficult economic time.

Our Nation's farmers, young and old, embody the American ideals of hard work and dedication, and their commitment to providing the food and fiber for a growing nation and needy world remain steadfast. Alongside them, Farm Credit's commitment to our agricultural future remains just as important as it was 100 years ago.

Farm Credit is a critical provider of credit, not only to producers but also to the communities they live in. They are dedicated to supporting rural communities' critical infrastructure needs such as access to clean water, efficient energy, sufficient healthcare facilities, and modern telecommunication services. Access to these essential services is critical to a thriving rural America. The future of our rural communities and the agricultural industry depends on a modern infrastructure, which requires access to affordable and reliable financing.

Additionally, I want to thank my colleagues who are here today to offer a few words and to celebrate Farm Credit's centennial. Rural communities in Georgia's Eighth Congressional District as well as the districts across this country are stronger when their infrastructure needs are efficiently and ef-

fectively met, and Farm Credit is providing the capital with which this can be achieved.

I want to say a special thank-you to my cohost for tonight's Special Order, the ranking member of the Commodity Exchange, Energy, and Credit Subcommittee, my friend from Georgia (Mr. DAVID SCOTT).

With that, Mr. Speaker, I yield to the gentleman from Georgia (Mr. DAVID SCOTT).

□ 1830

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I thank Mr. SCOTT, whom I affectionately refer to as my cousin from Georgia, and my good, dear friend in addition to that.

This is a remarkable 100-year observance of a truly remarkable organization that provided a great need at a great time. Imagine where we were 100 years ago. In 1916, the world teetering on World War I, boll weevil, a lot of things happening. Just a matter of, perhaps, 50 years, the South recovering from the Civil War. Great devastation.

Enter into this picture of great need comes Farm Credit. When we celebrate this 100-year anniversary, we have to celebrate it right. We have to let people know the importance, and why this organization came into existence. And I say, Mr. Speaker, that particularly in the South, we might not have really made it as quickly in terms of our recovery as we did if it were not for Farm Credit. On this 100th anniversary, we have so much to celebrate, so many fine people. Those who started it are gone, but they built it on a solid foundation that had lasted.

Agriculture is the single most important industry in the world. It is the food we eat, it is the water we drink, it is the clothes we wear, and it is the financial system that we have created. The very commitment that Chairman AUSTIN SCOTT and I share was birthed out of that—the Commodities Exchange. The South didn't have everything it needed, but it had the land and it had the crops. It had commodities. Farm Credit provided the liquidity that our farmers needed. So there is so much to cherish in this time that we are celebrating.

There is something else, too, Mr. Speaker, as we look at this. As Chairman SCOTT said, 72 percent of their loans are going to beginning, new farmers.

Now, why do I say that is so important?

Because the number one issue that we are faced with today is the age of the average farmer. To me, and to many of us in agriculture, this is not only a farming issue, it is a national issue, that the average age of a farmer today is 60 years of age.

What other industry has that? What other sector has that?

That is why we have to move aggressively. That is why I appreciate Farm

Credit so much—because they jumped out front. Seventy-two percent of their lending capacity goes to getting young, beginning farmers in.

The other thing is they are partnering with our committee and going a step further. There is so much we can do. But, Mr. Speaker, it was the land grant colleges in the South that was the pivot. The 1860s and the 1890s is what pulled this country and pulled the South together. Every 5 years, we put a farm bill together. In that farm bill, we allocate badly needed dollars to these 1890 land grant institutions as well as to the 1860s.

I mention that because we have to get young, beginning farmers—African Americans, White, all of America's people. So what we are doing is to open up a new spending category in the farm bill for these 1890s that we will be able to give loan forgiveness and scholarships to young people who will go into farming. That is how we solve this problem. And Farm Credit has to template. They are there with that other arm.

Mr. Speaker, it costs \$8,000 just for one acre of land. You can hardly get a tractor for less than \$50,000. It is needed—when these young people graduate and they have that loan forgiveness there, they have that debt in school—in order for them to go and become farmers. They have to pay \$8,000 to start with just an acre, and \$50,000. But if we would be able to help them and say: We will help your loan forgiveness.

I mention that because the people at Farm Credit said: Let me reach out a hand. Let me help Fort Valley State in Georgia to partner with the University of Georgia. Let me help Florida A&M University Land Grant to work with the University of Florida, a land grant. Let me help Alabama A&M University and Tuskegee Institute work with the University of Alabama.

That is how we solve this problem. That is why it is important for us to understand the foundation. Farm Credit was developed out of a crisis need, and here they are moving to help with another crisis need to get more young people involved in farming.

I say a national crisis because, Mr. Speaker, if we allow this to continue without addressing this highly escalating age of our farmers, we will be in serious trouble. For if we do not continue to be the leading agriculture producer in the world and have to depend on other nations to feed us, that is a national crisis.

So on this 100th anniversary, isn't it something that we celebrate Farm Credit when they ushered in and came and helped to restore and invigorate America at a great time, and they are still doing the same thing today?

With a century of experience and a focus on the future, I want to say to Farm Credit: God bless Farm Credit. God bless those 100 years. We look forward to many hundred more years. And

God bless the United States of America.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, again, I want to thank my colleague, Mr. SCOTT, for being here. It has been a wonderful partnership to work with him on our subcommittee.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. ABRAHAM).

Mr. ABRAHAM. Mr. Speaker, I first want to thank our chairman, Mr. AUSTIN SCOTT, and ranking member, Mr. DAVID SCOTT, for their leadership in bringing this vital topic to the floor.

Farm Credit System is not only part of our economic security of this great Nation, but I would argue it is also part of our national security with what they provide. We are here just to commend the cooperative owners, the employees of the Farm Credit System, as they celebrate this 100th anniversary.

The Federal Farm Loan Act of 1916 was passed by Congress and President Wilson in 1916. It was a permanent means to support the well-being and prosperity of the Nation's rural communities and agricultural producers of all types and sizes, a mission it has been accomplishing every day for a century.

It plays a vital role, as you have heard my colleague say, in the success of United States agriculture and our rural communities. It has provided more than \$237 billion in loans to more than 500,000 customers. I am one of those customers, Mr. Speaker. In fact, I am still paying on one of their loans.

The Farm Credit System helped me get started in farming back when I was 25 years old. It helped me buy the land I needed. I still farm that land today. It has helped my family buy land that it has needed to farm.

We are just a small part of a community of 1,349 borrower-customers from the Fifth District of Louisiana. We customers account for \$354 million in credit and investments in rural Louisiana.

In my State, Farm Credit serves more than 3,600 Louisianans, with a total loan volume of \$645 million.

What I and other farmers like about Farm Credit System is that they just seem to get it. In an age where we are losing this person-to-person contact and we are losing the sincerity, I think, sometimes of the people we come in contact with, Farm Credit System remains homegrown people who give out hometown loans.

We know these people. We go to church with them. We eat supper with them in the South. They are the DNA of our rural communities. That is why we trust them. We trust them to give honest and forthright advice. They are going to do the right thing every time for you as a borrower, as a cooperative owner, and just as a friend.

As you have heard from Mr. AUSTIN SCOTT and Mr. DAVID SCOTT, they are supporting the next generation of farmers by annually providing billions

of dollars of loans to young and beginning farmers, again, the future of this country—just like me once upon a time—through organizations like 4-H and the Future Farmers of America.

It helps communities moving forward by financing vital infrastructure to bring clean water, reliable energy, and high-speed Internet to places that normally would not have this available.

I am proud to cosponsor House Resolution 591 that commends the cooperative owners and employees of Farm Credit System for their 100 years of service to our rural communities.

I thank Chairman MIKE CONAWAY, Ranking Member COLLIN PETERSON, Representative AUSTIN SCOTT, and Representative DAVID SCOTT for introducing this resolution.

Congratulations to the Farm Service Agency on its 100 years of service. May it continue to help farmers and rural America for another 100 years.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I yield to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Speaker, I thank Congressman SCOTT for arranging this Special Order tonight.

Mr. Speaker, I rise to congratulate Farm Credit on their 100th anniversary. That is a significant anniversary.

Earlier this year, when I visited all 14 counties in Florida's Second Congressional District on the first-ever North Florida Farm Tour, I saw just how important Farm Credit System is to each and every one of our rural communities.

In the Second Congressional District alone, Farm Credit of Northwest Florida serves 439 borrower-customers, providing more than \$120 million in loans. That has helped small businesses like Southern Craft Creamery, where I performed a workday in a hair net making north Florida ice cream. It was very good. I recommend it to everyone. Remember Southern Craft Creamery.

These small businesses and small farms aren't just growing food; they are growing our economy and creating jobs. Mr. Speaker, Farm Credit is working to make sure the next generation of Americans are interested in farming and growing food for our growing country.

I am proud to have worked with them on workshops for new and veteran farmers like Bob Jackson, who Farm Credit has helped start a honey and bee business.

Mr. Speaker, again, I congratulate Farm Credit on their 100th anniversary, and I look forward to continue working with them to support Florida farmers.

□ 1845

Mr. AUSTIN SCOTT of Georgia. I thank Ms. GRAHAM.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. I thank my friend, the gentleman from Georgia.

Mr. Speaker, I rise to recognize the Farm Credit System for supporting agriculture and the rural communities in my home State of North Carolina for the past 100 years.

Established in 1916, Farm Credit provides farm families across America with consistent and reliable credit to help finance our Nation's food production needs. Without Farm Credit Services of America, our farmers would not have the resources they need to grow their crops and their livestock—putting food on the tables of every American family. Let me underscore that—putting food on the tables of every American family. Farm Credit organizations provide more than a third of the credit that is needed by United States agriculture, accounting for more than \$217 billion in loans, leases, and related services.

In my home district, our local farm lender is Cape Fear Farm Credit, which operates in a 12-county territory and issues loans to more than 2,500 farmers and rural North Carolinians. I applaud them for supporting farm families in my district with real estate and farm improvement loans, equipment loans, operating loans, country home loans, life insurance plans, and appraisal services. Cape Fear Farm Credit also helps young, beginning, small, and minority farmers become successful by offering courses that provide not only them but their families with a unique set of tools to increase the quality and sizes of their operations.

Without a doubt, Cape Fear Farm Credit is an incredibly valuable resource for our farm families and our rural communities in North Carolina's Seventh Congressional District. Our friends at Farm Credit should be proud of their great work. They have successfully delivered on their mission for the past 100 years, and I know they will continue to have great success. They are great and fine people who understand the unique needs of agriculture production, our farm families, and our rural communities. I am proud to stand with them.

Mr. AUSTIN SCOTT of Georgia. I thank Mr. ROUZER.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. MOOLENAAR).

Mr. MOOLENAAR. I thank the gentleman.

Mr. Speaker, I thank the two gentlemen from Georgia for hosting this hour to celebrate 100 years of Farm Credit and the important role it has played in our country.

For the past 100 years, Farm Credit has made vital contributions to the success of Michigan's Fourth Congressional District in our agricultural community, which includes over 10,000 farms and 15,000 farm operators. Farm Credit has allowed farmers and growers to invest in their operations with new equipment and buildings in good times, and, in tough times, it has provided

crop insurance and helped family farmers keep their lands. Farm Credit has helped Michigan farmers put healthy, delicious food on the tables of millions of people. In my district specifically, it has contributed to a districtwide output of \$1.7 billion in products sold across the country and around the world. These profits come back to our rural communities and help to keep them strong.

Mr. Speaker, Farm Credit has made America a more prosperous Nation, and I hope it will enjoy another 100 years of continued success.

Mr. AUSTIN SCOTT of Georgia. I thank Mr. MOOLENAAR.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. I thank the gentleman from Georgia (Mr. AUSTIN SCOTT) for holding this Special Order hour tonight so we may have the opportunity to recognize our friends at the Farm Credit System. I am glad to join my colleagues in doing so as the Farm Credit System has been a great service to agriculture and rural communities for these 100 years.

Originally enacted by Congress and signed into law by President Wilson 100 years ago, the Farm Credit System has played a very valuable and vital role in sustaining agriculture in our Nation. While many things have changed in the last 100 years, one thing has not: the need to feed and clothe our Nation. The Farm Credit System exists to help farmers and ranchers meet this challenge while it also adapts to meet the ever-changing agricultural needs.

For example, right now, the median age for farmers, as was mentioned by Mr. DAVID SCOTT of Georgia, is around 60 years old, with farmers who are 75 years old and up outnumbering those who are in their twenties and thirties. We have to do more to give those young people hope and the opportunity to be viable and have stability in the occupations they would choose.

With the population expected to increase by over 2 billion by 2050 and as prices for farmland and equipment significantly increase, the concerns of having enough farmers to feed the world are very real. Farm Credit initiatives have helped younger farmers not only access the financial tools that are necessary to get started, but also the education and advice they need to grow their business for years to come.

More generally, Farm Credit is vital to managing the everyday risks and the uncontrollable variables farmers face, such as the weather, natural disasters, or market distortions. Just this spring, in my part of California, high winds and heavy rains—even hail—have helped to shrink California's prune crop to half or less of its normal size, with some growers losing their entire crops for the year and with some not being able to even recover their costs for harvesting—therefore, not har-

vesting at all. This is on top of devastating profit losses and cutbacks that are due to the ongoing drought in the State of California.

While insurance, certainly, comes nowhere close to making up for these losses or even breaking even, it helps farmers survive another year—to get by—so they can continue growing the food, hopefully, in that good following year as they faithfully go out to their fields, to their orchards, to their vineyards to produce what Americans want and need. This helps keep our communities and local economies strong.

I am proud to stand with my colleagues and join in recognizing the critical role the Farm Credit System has played for over 100 years and to support our farmers and ranchers throughout rural communities across the country. Let's do everything we can to hold onto this vital piece of rural America, and let's keep food on the tables for all Americans and for those around the world who depend on it as well.

Mr. AUSTIN SCOTT of Georgia. I thank Mr. LAMALFA.

Mr. Speaker, I yield to the gentleman from Texas (Mr. CONAWAY), the chairman of the House Agriculture Committee.

Mr. CONAWAY. I thank my fellow colleague on the Agriculture Committee for hosting tonight's Special Order hour and for yielding.

Mr. Speaker, I rise to commend the Farm Credit System for 100 years of service to rural America and the agriculture industry.

The importance of the Farm Credit System is largely unknown to those who are outside of agriculture, often leaving it prone to political attacks. However, its importance to those it serves has never been greater as declining commodity prices have led to a sharp downturn in the farm economy. Thankfully, the Farm Credit System and its members have been there to help lessen that burden.

To understand the Farm Credit System, it is important to look back at its roots. In the early 1900s, credit was largely unavailable or unaffordable in many parts of rural America, and lenders avoided agriculture loans due to their associated risks. In 1908, President Theodore Roosevelt appointed a commission to explore the problem and, ultimately, found a need to develop more cooperatives and a cooperative credit system for farmers. From that idea, Congress passed the Federal Farm Loan Act of 1916, which eventually resulted in the establishment of the Farm Credit System, a system created to provide a permanent, reliable source of credit to American agriculture.

The Farm Credit System's mission has evolved over time. For example, in 1980, Congress empowered the Farm Credit System to provide valuable cap-

ital for infrastructure that is necessary for communities to thrive.

Since its inception, the Farm Credit System has never wavered in its mission of providing lines of credit to rural communities in good times and in bad. During the late 1980s, our farmers and ranchers faced particularly difficult times. Fortunately, the agriculture industry and the Farm Credit System were able to weather the storm together, and they emerged even more prepared for the years to come. Today, I believe that the Farm Credit System is fundamentally safe and sound and in a position to endure the challenges that it will inevitably face.

To acknowledge and celebrate a century of dedicated service to rural America, I was proud to sponsor H. Res. 591, which commemorates Farm Credit's 100th anniversary. Providing more than \$237 billion in loans to more than 500,000 customers, the Farm Credit System has worked tirelessly in all 50 States to ensure a vibrant rural economy, and I am proud to congratulate it on its 100 years of good work and the system we have in place today.

Mr. AUSTIN SCOTT of Georgia. I thank Mr. CONAWAY.

Mr. Speaker, again, I thank all of my colleagues for taking the time to come down here and recognize all of the great things that Farm Credit has done in the past 100 years. I thank all of the people who have been a part of the Farm Credit System over the past 100 years. I thank the men and women who are out there, working every day on the farm, to make sure that Americans have the food and fiber that they need. May God continue to bless them.

Mr. Speaker, I yield back the balance of my time.

Mr. PETERSON. Mr. Speaker, one hundred years ago, Congress recognized the need for a permanent means to support our nation's rural communities and agricultural producers and established the Farm Credit System.

Cooperatively owned and operated, the Farm Credit System was designed to be responsive to the needs of its borrowers while being able to adapt to changes in rural communities and agriculture.

Today, credit in rural America remains an important issue. The Farm Credit System maintains a vital presence in all 50 states as well as Puerto Rico. In my home state of Minnesota, Farm Credit serves more than 24,000 borrower-customers by making available \$6.9 billion in loans.

Credit is one of the most important tools available for farmers and ranchers. It is a vital piece of the farm safety net during times of low commodity prices and an important resource to the next generation of farmers and ranchers looking to get started.

Farm credit also supports rural economic development, helping to fund important infrastructure improvements, provide reliable energy to rural communities, and connect rural Americans through modern telecommunications.

The impact of the Farm Credit System is felt across the country, and I congratulate them on this milestone.

Mr. HUIZENG of Michigan. Mr. Speaker, I rise today to recognize the Farm Credit System's one-hundred years of serving rural communities in Michigan and across the country.

Michigan's Second Congressional District is among the most agriculturally diverse in the nation. West Michigan farmers grow countless specialty crops such as asparagus, apples, cherries, blueberries, carrots, and onions. They also lead the state in livestock, poultry, eggs, nursery, greenhouse, and floriculture production. For the last one-hundred years, the Farm Credit System has been there to provide agriculture producers with reliable, consistent credit and sound financial advice.

In Michigan, GreenStone Farm Credit Services has provided the support needed to keep agriculture running. Whether it is helping young, beginning, and small farmers get their start or transitioning family farms to the next generation, GreenStone has been committed to supporting rural communities.

GreenStone's mission is to provide reliable credit and financial services for rural communities and agriculture. It is a mission they have fulfilled for the last century, and this centennial milestone is an important achievement. As many producers face uncertain economic times, it is imperative that they have a partner who understands their business and the challenges they face. GreenStone has demonstrated their commitment to farmers.

I ask my colleagues to join me in honoring GreenStone and the entire Farm Credit System for their efforts to ensure a prosperous, productive agricultural sector for our nation.

Mr. DENHAM. Mr. Speaker, I rise today to recognize the centennial of the Farm Credit System and its unwavering dedication to our nation's agricultural sector. As an almond farmer, House Ag Committee member and Representative of California's abundant Central Valley, I understand that our nation's farmers and ranchers are continuously faced with unique credit and finance needs.

Since its inception 100 years ago, the Farm Credit System has worked to serve our nation's farmers and rural communities. Roughly \$240 billion in loans have been made to 500,000 borrowers nationwide. These funds have built viable farming operations, improved expanded existing ones, improved trade opportunities, and enhanced vital infrastructure needs. Farm Credit was integral in helping the ag sector to navigate the Great Depression, World War II, the Farm Crisis of the 1980s, and the Great Recession.

What may be more important than Farm Credit's impact on a national scale is its presence at the local level. Our local branch and representatives work hard to establish relationships and craft finance options that work for their clients, whether they are small farmers new to the business or the next generation of an established family operation. Over the years, this institution has also committed hundreds of thousands of dollars to support our district's student ag programs, scholarships, and community events.

I'm proud to cosponsor H. Res. 591, an overwhelmingly bipartisan commendation of the Farm Credit System and the service its cooperatives provide. California's Central Valley is the most productive ag region in the world, and I remain committed to ensuring our farm-

ers and their communities have access to the financial support that the Farm Credit System and others provide.

Mr. WALZ. Mr. Speaker, the availability of credit is of paramount importance to the success of farm country, and we learned this lesson the hard way. Over a century ago, our farm forbearers faced a credit crunch that threatened the viability of the industry. As a result, farmers, creditors, rural stakeholders and policymakers worked together to create the Farm Credit System (FCS). This system has been improved upon throughout the years as events require and has provided more than \$210,000,000,000 in loans to more than 500,000 customers.

Today, the availability of farm credit is as vital an issue for rural America as ever. Without credit, a beginning farmer or rancher will find it nearly impossible to purchase land, equipment and inputs to start a farming operation, and a long-time farmer will find it equally difficult to continue and pass on their legacy to the next generation.

To be clear, the importance of the FCS is not limited to the private land between the fence posts. Instead, the entirety of the rural economy benefits from services provided by the FCS whether those services include funding for housing, markets, or infrastructural upgrades.

Finally, the success of the FCS is equal to the sum of its parts. The system works because it is composed of individuals who care about what they do, who believe 100 percent in the mission of their enterprise to bring results and prosperity to a rural community where, without them, there might be none. These individuals are neighbors, friends and family members who take the time to get to know their customers so that they can best serve the needs of the community.

On this 100th anniversary, I am both proud to celebrate the successes of FCS and supportive of its future role in the fabric of our rural economy.

Ms. FUDGE. Mr. Speaker, I rise today to congratulate the cooperative owners and the employees of the Farm Credit System for 100 years of service in meeting the financial needs of our nation's agricultural producers.

The Farm Credit System was established by Congress through the Federal Farm Loan Act of 1916 and signed into law on July 17, 1916 by President Woodrow Wilson. This year marks the centennial anniversary of the founding of the cooperatively owned and operated Farm Credit System.

Congress designed the Farm Credit System as a permanent means to support the well-being and prosperity of our Nation's agricultural sector. Today, the Farm Credit System plays a vital role in the success of United States agriculture and the economic vibrancy of communities throughout all 50 States and Puerto Rico. The Farm Credit System provides more than \$237 billion in loans to more than 500,000 customers.

The Farm Credit System has served my home district, Ohio's 11th Congressional District particularly well. In 2012, three Farm Credit System organizations; AgriBank, CoBank and Farm Credit Services Mid-America joined to provide \$135,000 in financial support for Cleveland's Gardening for Greenbacks program.

The Gardening for Greenbacks program provides grants to local entrepreneurs for the development of for-profit urban food gardens. This program encourages economic development, improves access to fresh, healthy and affordable food, and has helped to establish the City of Cleveland as a model for local food system development.

I am proud to honor the Farm Credit System on its centennial. Happy 100th Anniversary to the Farm Credit System.

Mr. CUELLAR. Mr. Speaker, this July marks the 100-year anniversary of the Farm Credit System, and I rise today to commend the cooperative owners and employees for their continuing service and support in meeting the financial needs of rural communities and agricultural producers in the 28th District of Texas and across the country.

I was pleased to cosponsor House Resolution 591, introduced by House Agriculture Committee Chairman MIKE CONAWAY and Ranking Member COLLIN PETERSON as well as the Chairman and Ranking Member of the Subcommittee for Commodity Exchanges, Energy & Credit, Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT, and join my colleagues in celebrating the Farm Credit System for its 100 years of service.

Congress established the Farm Credit System through the Federal Farm Loan Act of 1916, which was signed into law on July 17, 1916 by President Woodrow Wilson. The Farm Credit System is comprised of independently owned cooperatives that are controlled by their borrowers. Each cooperative is therefore responsive to its borrowers' individual credit requirements and can continually adapt to the changing needs of our rural communities and agricultural producers.

Today, the Farm Credit System plays a vital role in the success of our country's agricultural sector, and the vibrancy of rural communities throughout the country. The Farm Credit System provides more than \$237 billion in loans to more than 500,000 customers nationwide. In the state of Texas specifically, Farm Credit has issued over 47,000 loans, providing \$9.5 billion in credit to farmers and other agricultural borrowers. 1,443 of those loans were made to people in the 28th District of Texas, totaling over \$593 million in loans. In 2013, Farm Credit returned nearly \$258 million to its borrowers in the state of Texas alone.

Farm Credit actively supports the next generation of agricultural producers by providing billions of dollars of funding to emerging farmers and producers, and providing financial support for organizations like 4-11 and Future Farmers of America. Additionally, Farm Credit finances reliable energy sources for farms and rural towns, clean water systems, and modern telecommunications systems that connect rural America with the rest of the world. By financing these vital infrastructure projects, Farm Credit supports the agricultural and rural communities in my congressional district and across the country.

Mr. Speaker, I am honored to recognize the Farm Credit System on the occasion of its centennial and extend my appreciation to the cooperative owners and employees for their commitment to providing innovative financial services to the people of the 28th District of Texas and to the nation as a whole.

Mr. GOODLATTE. Mr. Speaker, in rural communities, like those in the Sixth Congressional District of Virginia, the Farm Credit provides a variety of financial services to folks in their own communities. Since 1916, the Farm Credit System has served communities throughout the United States, playing an integral role in helping our country remain the world's greatest producer of food and fiber products while preserving our agricultural heritage.

Agriculture is by far the largest industry in the Commonwealth of Virginia, supplying nearly 311,000 jobs and making an economic impact of \$52 billion annually. The Farm Credit of the Virginias plays an important part in ensuring this industry continues to grow by providing more than \$1.5 billion in financing to rural homeowners, farmers, and landowners in 96 counties in Virginia, West Virginia, and Maryland. It has been a pleasure working with this group over the years.

Farm Credit has a decidedly local feel, and it is clear that the representatives know and understand the communities they are serving. As a cooperative, members of the Farm Credit are also the customers and borrowers. They are uniquely invested in ensuring Farm Credit is best serving its borrowers.

Whether a farmer is looking to purchase a new piece of equipment, a family is buying a new home, or a new agritourism business is trying to find the capital to take root, the Farm Credit has been there every step of the way, helping families live out the American dream. Thank you to Farm Credit organizations in Virginia and across the country for their hard work on behalf of America's rural communities. Congratulations to the Farm Credit on 100 years of promoting American agriculture.

Mr. KELLY of Mississippi. Mr. Speaker, as we near its 100th anniversary, I rise today to commend the cooperative owners and the employees of the Farm Credit System for their continuing service in meeting the credit and financial-services needs of rural communities and agriculture.

I was pleased to cosponsor House Resolution 591, commending the cooperative owners and employees of the Farm Credit System for 100 years of service. The legislation was introduced by House Agriculture Committee Chairman MIKE CONAWAY, Ranking Member COLLIN PETERSON, as well as the Chairman and Ranking Member of the Subcommittee for Commodity Exchanges, Energy & Credit, Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT.

The Farm Credit System plays a vital role in the national success of agriculture and the economic vibrancy of rural communities throughout all 50 States and Puerto Rico, providing more than \$237 billion in loans to more than 500,000 customers. For example, in my home state of Mississippi, Farm Credit serves 6,379 borrower-customers, providing \$1.2 billion in credit.

Farm Credit's mission also extends to supporting rural communities by financing vital infrastructure, bringing clean water to rural communities, providing reliable energy to farms and rural towns, and offering modern high-speed telecommunications that connect rural America to the rest of the world.

Mr. HARRIS. Mr. Speaker, I rise today to celebrate the 100 year anniversary of the es-

tablishment of the Farm Credit System. I was pleased to cosponsor House Resolution 591, commending the cooperative owners and employees of the Farm Credit System for 100 years of service.

The Farm Credit System was established by Congress through the Federal Farm Loan Act of 1916, signed into law on July 17, 1916, by President Woodrow Wilson, making 2016 the centennial anniversary of the founding of the cooperatively owned and operated Farm Credit System. Congress intended the Farm Credit System be designed as a permanent means to support the well-being and prosperity of the Nation's rural communities and agricultural producers of all types and sizes. It was designed as a network of cooperatives, independently owned and controlled by its borrowers, and meant to be responsive to individual needs for credit and financial services.

Since its inception the Farm Credit system has, and continues to, continually adapt in order to meet the changing needs of rural communities and agriculture. Today, the Farm Credit System plays a vital role in the success of the United States agricultural sector and the economic vibrancy of rural communities throughout all 50 States and Puerto Rico. The system provides more than \$237 billion in loans to more than 500,000 customers across the nation. In Maryland, Farm Credit serves nearly 5,000 borrower-owners representing over \$1.3 billion in loan volume. In my district alone, MidAtlantic Farm Credit serves over 2,000 borrower-owners, representing over \$633 million in loan volume.

The Farm Credit System actively supports the next generation of agricultural producers by annually providing billions of dollars in loans to young and beginning farmers and ranchers and through its ongoing financial support for organizations like 4-H and Future Farmers of America. In Maryland, Farm Credit serves over 3,200 young/beginning/small farmers representing over \$648 million in loan volume.

For all these reasons, Mr. Speaker, it is my pleasure to rise today in celebration of the 100th anniversary or the establishment of the modern American Farm Credit System.

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to commend the cooperative owners and employees of the Farm Credit System for their continuing service in meeting the credit and financial-services needs of rural communities and agriculture.

Since 1916, the Farm Credit System has served rural Americans.

I was pleased to cosponsor House Resolution 591, introduced by House Agriculture Committee Chairman MIKE CONAWAY & Ranking Member COLLIN PETERSON, as well as the Chairman and Ranking Member of the Subcommittee for Commodity Exchanges, Energy & Credit, Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT.

This resolution recognizes the cooperative owners and employees of the Farm Credit System for their 100 years of service to Rural America.

Today, the Farm Credit System plays a vital role in the success of United States agriculture, providing more than \$237 billion in loans to more than 500,000 customers.

For example, in my home state of Alabama, Farm Credit makes over 7,000 loans per year.

Almost 10 percent of the farmers they serve are considered Young Operators.

Since 2011, Farm Credit has returned \$10.9 million dollars back to their borrowers. I applaud the Farm Credit System's dedication to providing farmers with the means to serve America.

Mr. ASHFORD. Mr. Speaker, I would like to offer my congratulations to the Farm Credit System as its cooperative owners and employees celebrate one hundred years of service. The Farm Credit System has provided a dependable source of financing for farmers, ranchers, and farm cooperatives throughout the years to ensure the agriculture industry can continue to feed America and serve as the backbone of our economy. I am also honored to serve as a cosponsor of House Resolution 591 to formally commend the Farm Credit System for their one hundred years of service to America's farmers and ranchers since the Federal Farm Loan Act of 1916 was signed into law by President Woodrow Wilson.

Today in the second district of Nebraska, Farm Credit Services of America has been actively supporting the next generation of the agriculture workforce through its ongoing financial support for organizations like 4-H and Future Farmers of America. In addition to these groups, they are a key player in an industry-wide partnership to support Omaha Bryan High School's Urban Agriculture Academy. This innovative and important program allows students to study leadership skills, explore agriculture related careers, and gain a sense of community in the agriculture industry. One in three jobs in Nebraska is agriculture-related, and there is a strong demand for skills suited to those industries. Omaha Bryan is filling this demand with students who would otherwise not be aware of what a job in the agriculture industry can look like. Investment in the Omaha Bryan program by Farm Credit and many other Omaha businesses has been instrumental in getting the program, now in its fourth year, through the crucial, early development stages.

Thank you, Farm Credit, for your leadership and support of Nebraska agriculture and rural communities.

Mr. LUCAS. Mr. Speaker, I rise today to celebrate the 100th anniversary of Farm Credit. The Farm Credit system we know today was established in 1916 under the Federal Farm Loan Act. This law aimed to increase credit to rural family farmers by focusing on providing capital for agricultural development. This was important to our country primarily due to the fact that, at that time, families who lived and worked on farms made up the largest demographic of the country. While the demographics of our country may have changed over the past 100 years, the important role Farm Credit plays in our rural communities has not.

Farm Credit has made it a priority over the years to invest in and support the industries and individuals that are vital to the success of rural communities across the country. By supporting the future of the agriculture industry, Farm Credit helps to insure that agriculture and rural communities will continue to be a vibrant, successful and lasting part of our country.

Ms. STEFANIK. Mr. Speaker, I rise today to celebrate the centennial of the Farm Credit System.

One hundred years ago the Farm Credit System began its mission to provide American agriculture with a steady hand and dependability, which they needed to provide for our nation.

Throughout its history the Farm Credit System has helped our farmers through the Great Depression, the agriculture crisis of the 1980's, and even the market collapse of 2008.

This deep rooted understanding of our nation's complex agribusiness industry—and the people that work tirelessly to send products to market—is what makes the Farm Credit System so critical to our producers and their future success.

And this dedication, to my district in Upstate New York and to American agriculture across this great nation, is why I am proud to stand on the House Floor today and honor the Farm Credit System on its centennial.

Mr. KATKO. Mr. Speaker, I rise today to commemorate the centennial of the Farm Credit System.

The Farm Credit System was established by Congress through the Federal Farm Loan Act of 1916 which was signed into law by President Woodrow Wilson. Next month will mark the centennial of this vital network.

I was pleased to cosponsor House Resolution 591, introduced by House Agriculture Committee Chairman MIKE CONAWAY and Ranking Member COLLIN PETERSON—commending the cooperative owners and employees of the Farm Credit System for their important contributions over the last century.

Congress designed the Farm Credit System as a network of cooperatives that would be able to respond to the needs of farmers and rural communities.

My district covers an important agricultural area in Central New York. The 24th District of New York is home to some of the most productive fruit, vegetable, dairy and diversified farms in the state. According to the census of agriculture, Cayuga County ranks second in the state and Wayne County ranks fifth in terms of the value of agricultural production. Farms in my district are served by Farm Credit East, which has over \$4 billion in loan commitments to its nearly 9,000 customers in New York.

As part of its centennial celebration, Farm Credit sponsored the Fresh Perspectives program to identify 100 leaders that are making a difference in rural America. Leaders were nominated in 10 different categories. From the top 100 list, a top honoree in each category was selected. I'm proud to say that Christine Fesko, of Skaneateles, NY was selected as the top honoree in the category of Agriculture Education and Community Impact.

In addition to running a 600 cow dairy farm with her family, Chris operates the Discovery Center where children, who wouldn't otherwise be able to see a working farm, can learn about agriculture. She has also produced a series of award-winning educational videos to teach children about agriculture and modern farming practices. She was elected to the Farm Credit East board of directors where she served from 2003 to 2016.

As the Farm Credit System celebrates its centennial, I want to recognize farmers like

Chris who have made this cooperative system strong as it begins its next 100 years.

Mr. HANNA. Mr. Speaker, I rise today to commend the cooperative owners and employees of the Farm Credit System for meeting the credit and financial-services needs of rural communities and agriculture for 100 years.

I was pleased to cosponsor House Resolution 591 commemorating the Farm Credit System centennial. Congress designed the Farm Credit System as a permanent means to support the well-being and prosperity of the Nation's rural communities and agricultural producers of all types and sizes. Congress designed the Farm Credit System as a network of cooperatives, independently owned and controlled by its borrowers, responsive to their individual needs for credit and financial services.

Farm Credit East serves many farmers in my district through their offices in Cortland and Sangerfield. Further, the Farm Credit system actively supports our next generation of farmers with agriculture education and support for organizations like 4-H and Future Farmers of America.

One of Farm Credit East's recent stewardship initiatives focuses on improving ag education. One of the top FFA chapters and ag education programs in the state of New York is located in my district at Vernon-Verona-Sherrill High School—VVS.

In honor of the Farm Credit System centennial, Farm Credit East has committed substantial resources toward teacher scholarships to attend institutes sponsored by the Curriculum for Agricultural Science Education (CASE), a program of the National Association of Agricultural Educators.

The CASE program trains ag educators how to deliver hands on, STEM-based learning to agricultural students in subjects like plant and animal science. As a strong supporter of STEM education, I understand how valuable these investments in our children's education are, and I am grateful for their generous participation in this critical area of study.

Farm Credit East recently announced 15 teacher scholarships to attend CASE institutes, including Paul Perry and Sara Tuthill from VVS. Two other recipients are also from the 22nd district—Crystal Aukema from Oxford and Johanna Fox-Bossard from Hamilton.

VVS will be hosting an institute this summer to instruct educators on teaching the CASE introductory course: Introduction to Agriculture, Food and Natural Resources. Eleven of the Farm Credit East scholarship recipients will be attending this program.

I applaud Farm Credit's support of ag educators as they train the next generation of farmers. No doubt many of those students will become members of Farm Credit during its second century of service. Congratulations to the Farm Credit System's cooperative owners and employees on the System's centennial.

Mr. COSTA. Mr. Speaker, I rise today to recognize the 100th anniversary of the Farm Credit system in America.

The Farm Credit System in America was established 100 years ago through the Federal Farm Loan Act of 1916, signed into law on July 17, 1916, by President Woodrow Wilson.

It was founded to provide lending opportunities for American farmers, ranchers and dairy-

men; those who till the soil to put food on American dinner tables every night.

Congress intended the Farm Credit System be designed as a permanent means to support the well-being and prosperity of the nation's rural communities and agricultural producers of all types and sizes.

Further, it was designed as a network of cooperatives, independently owned and controlled by its borrowers, responsive to their individual needs for credit and financial services and continually adapting to meet the changing needs of rural communities and agriculture.

Through the success of the Farm Credit organizations throughout this country, such as Fresno-Madera Farm Credit and Yosemite Farm Credit we celebrate 100 years of that successful ability to make loans to young and old farmers alike, those just starting out or those who have been farming for generations.

And to those who in every region of America do their best to produce the healthiest, most nutritious and bountiful crops anywhere grown in the world.

The Farm Credit System today plays a vital role in the success of United States agriculture and the economic vibrancy of rural communities throughout all 50 States and Puerto Rico, providing more than \$237 billion in loans to more than 500,000 customers.

This is so American consumers can enjoy those food products at lowest cost value possible.

Clearly we know the success of American agriculture is in large part due to the success of Farm Credit across the country.

We commend the Farm Credit System for their efforts and celebrate 100 years of making America the most productive agriculture country in the world.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 54 minutes p.m.), the House stood in recess.

□ 2114

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOODALL) at 9 o'clock and 14 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5293, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2017

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-623) on the resolution (H. Res. 783) providing for further consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 15 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 15, 2016, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

5667. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's Major final rule — Member Business Loans; Commercial Lending (RIN: 3133-AE37) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5668. A letter from the Deputy Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting the Commission's final rule — Trade Acknowledgment and Verification of Security-Based Swap Transactions [Release No.: 34-78011; File No.: S7-03-11] (RIN: 3235-AK91) received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5669. A letter from the Deputy General Counsel, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5670. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [Docket No.: EERE-2009-BT-TP-0004] (RIN: 1904-AB94) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5671. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Advisory Committee; Transmissible Spongiform Encephalopathies Advisory Committee; Termination [Docket No.: FDA-2016-N-0001] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5672. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia Infrastructure Requirements for the 2012 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R03-OAR-2015-0838; FRL-9947-76-Region 3] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5673. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's direct final rule — Approval of California Air Plan Revisions, Eastern Kern Air Pollution Control District and Yolo-Solano Air Quality Management District [EPA-R09-OAR-2016-0124; FRL-9946-38-Region 9] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5674. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; UT; Revised format for Material Incorporated by Reference [EPA-R08-OAR-2014-0309; FRL-9945-65-Region 8] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5675. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Submit a State Implementation Plan; New Jersey; Interstate Transport Requirements for 2008 8-hour National Ambient Air Quality Standards for Ozone [EPA-R02-2016-0316; FRL-9947-77-Region 2] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5676. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Indiana; Ohio; Disapproval of Interstate Transport Requirements for the 2008 Ozone NAAQS [EPA R05-OAR-2011-0969; FRL-9947-71-Region 5] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5677. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2013-0235; FRL-9946-75] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5678. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clofentezine; Pesticide Tolerances [EPA-HQ-OPP-2014-0749; FRL-9942-23] received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5679. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Implementation of the February 2015 Australia Group (AG) Intersessional Decisions and the June 2015 AG Plenary Understandings [Docket No.: 160302176-6176-01] (RIN: 0694-AG88) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5680. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's direct final rule — Privacy Act of 1974; exemptions [FDMS No.: NARA-16-0005; NARA-2016-021] (RIN: 3095-AB91) received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

5681. A letter from the Director, Office of Regulations and Reports Clearance, Social

Security Administration, transmitting the Administration's interim final rule — Bipartisan Budget Act of 2015, section 701: Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 [Docket No.: SSA-2016-0009] (RIN: 0960-AH99) received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5682. A letter from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule — Categorical Exclusions [Docket No.: FHWA-2016-0008] (RIN: 2125-AF69; 2132-AB29) received June 9, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5683. A letter from the Deputy General Counsel, Office of the General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Government Contracting and National Defense Authorization Act of 2013 Amendments (RIN: 3245-AG58) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

5684. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applying for certification as a certified professional employer organization (Rev. Proc. 2016-33) received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5685. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2016-33] received June 8, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5686. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rules — Revised Medical Criteria for Evaluating Respiratory System Disorders [Docket No.: SSA-2006-0149] (RIN: 0960-AF58) received June 10, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 4768. A bill to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions, with amendments (Rept. 114-622). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 783. Resolution providing for further consideration of the bill (H.R. 5293) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-623). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. NEUGEBAUER:

H.R. 5465. A bill to repeal section 1075 of the Consumer Financial Protection Act of 2010 relating to rules for payment card transactions, and for other purposes; to the Committee on Financial Services.

By Mr. KNIGHT (for himself and Mr. HONDA):

H.R. 5466. A bill to secure the United States technological edge in commercial and military aviation; to the Committee on Science, Space, and Technology, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mr. BECERRA, Ms. BROWNLEY of California, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. TED LIEU of California, and Mr. SHERMAN):

H.R. 5467. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Natural Resources.

By Mr. BISHOP of Utah:

H.R. 5468. A bill to direct the Secretary of the Interior to allow for prepayment of repayment obligations under Repayment Contracts between the United States and the Weber Basin Water Conservancy District; to the Committee on Natural Resources.

By Mr. PEARCE (for himself and Ms. MOORE):

H.R. 5469. A bill to require the Secretary of the Treasury to direct the United States Executive Director at the International Monetary Fund to support the capacity of the International Monetary Fund to prevent money laundering and financing of terrorism; to the Committee on Financial Services.

By Ms. JACKSON LEE (for herself and Ms. BROWN of Florida):

H.R. 5470. A bill to amend chapter 44 of title 18, United States Code, to require a criminal background check to be conducted before a federally licensed firearms importer, manufacturer, or dealer may transfer a large capacity ammunition feeding device to a non-licensee, and to prohibit a semiautomatic assault weapon or large capacity ammunition feeding device from being so transferred until the Attorney General has verified that the prospective transferee has truthfully answered questions about whether the prospective transferee has been contacted recently by Federal law enforcement authorities; to the Committee on the Judiciary.

By Mr. MCCAUL (for himself, Mr. LOUDERMILK, Mr. FLEISCHMANN, and Mr. KATKO):

H.R. 5471. A bill to combat terrorist recruitment in the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. COFFMAN:

H.R. 5472. A bill to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. RANGEL):

H.R. 5473. A bill to amend part B of title IV of the Social Security Act to create a grant program to promote Federal, State, and local coordination to address substance use needs of families in the child welfare system,

in order to improve child well-being and permanency; to the Committee on Ways and Means.

By Mr. JOHNSON of Georgia (for himself, Mr. CONYERS, Ms. KAPTUR, Mr. ELLISON, Mr. SERRANO, and Ms. SCHAKOWSKY):

H.R. 5474. A bill to suspend United States security assistance with Honduras until such time as human rights violations by Honduran security forces cease and their perpetrators are brought to justice; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KELLY of Illinois (for herself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LINDA T. SÁNCHEZ of California, Ms. LEE, Ms. JUDY CHU of California, Mr. PAYNE, and Mr. BUTTERFIELD):

H.R. 5475. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Agriculture, Education and the Workforce, the Budget, the Judiciary, Veterans' Affairs, Armed Services, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut (for himself, Mr. KING of New York, Mr. PASCRELL, Mr. REICHERT, Mr. WALZ, Mr. COURTNEY, Ms. DELAURIO, Ms. ESTY, Mr. HIMES, Mr. GRIJALVA, Mr. CAPUANO, and Mr. MEEKS):

H.R. 5476. A bill to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; to the Committee on the Judiciary.

By Mr. LEWIS:

H.R. 5477. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. BEN RAY LUJAN of New Mexico (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico):

H.R. 5478. A bill to improve the implementation of the settlement agreement reached between the Pueblo de Cochiti of New Mexico and the Corps of Engineers, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM:

H.R. 5479. A bill to provide for programs under the Department of Health and Human Services to improve newborn screening, evaluation, and intervention for critical congenital heart defect; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio:

H.R. 5480. A bill to amend the Internal Revenue Code of 1986 to provide a credit for early payment of principal on certain home mortgages and to reduce the amount which may be treated as acquisition indebtedness for purposes of determining the home mortgage interest deduction; to the Committee on Ways and Means.

By Mr. SALMON (for himself and Mr. GROTHMAN):

H.R. 5481. A bill to amend the Higher Education Act of 1965 to authorize institutions of higher education to provide additional loan counseling, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TURNER (for himself and Mr. RYAN of Ohio):

H.R. 5482. A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants under 1 year of age with neonatal abstinence syndrome and their families; to the Committee on Energy and Commerce.

By Mr. STIVERS:

H. Res. 781. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. STEFANIK (for herself and Mr. BISHOP of Georgia):

H. Res. 782. A resolution encouraging the people of the United States to honor the service of military retirees who continue to serve the United States long after such retirees have completed military service; to the Committee on Oversight and Government Reform.

By Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. MCKINLEY):

H. Res. 784. A resolution expressing support for the designation of Journeymen Linemen Recognition Day; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

259. The SPEAKER presented a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Memorial 16-004, urging Congress to reauthorize the federal "Older Americans Act of 1965" and ensure that the reauthorization of the OAA treats all older adults fairly by eliminating the "hold harmless" provision; to the Committee on Education and the Workforce.

260. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Joint Resolution 16-022, concerning the designation of March 21, 2016 as "Colorado Aerospace Day" and to urge and request the government of the United States of America to take action to preserve and enhance United States leadership in space, spur innovation, and ensure our continued national and economic security; to the Committee on Science, Space, and Technology.

261. Also, a memorial of the General Assembly of the State of Colorado, relative to Senate Resolution 16-002, to encourage the United States Congress to restore the presumption of service connection for Agent Orange exposure to United States veterans who served on the waters off the coast of the Republic of Vietnam; to the Committee on Veterans' Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule MI of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. NEUGEBAUER:

H.R. 5465.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article 1, Section 8, Clause 3: "To regulate Commerce with foreign Nations, among the several States, and with the Indian Tribes."

By Mr. KNIGHT:

H.R. 5466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SCHIFF:

H.R. 5467.

Congress has the power to enact this legislation pursuant to the following:

Rim of the Valley Corridor Preservation Act is constitutionally authorized under and Article I, Section 8, Clause 18, the Necessary and Proper Clause. Additionally, the Preamble to the Constitution provides support of the authority to enact legislation to promote the General Welfare.

By Mr. BISHOP of Utah:

H.R. 5468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. PEARCE:

H.R. 5469.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Ms. JACKSON LEE:

H.R. 5470.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Mr. McCAUL:

H.R. 5471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or an Department or Officer thereof."

By Mr. COFFMAN:

H.R. 5472.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution of the United States

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5473.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. JOHNSON of Georgia:

H.R. 5474.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3: Congress shall have the power to regulate commerce with foreign nations; Article I, section 8, clause 18: Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

By Ms. KELLY of Illinois:

H.R. 5475.

Congress has the power to enact this legislation pursuant to the following:

This bill seeks to improve the health outcomes in, access to health care to, and accountability of health care providers for, underserved and minority communities. The power of Congress to enact such a measure rests in the General Welfare and Necessary and Proper clauses of Article I, as promoting health equity and accountability in minority communities promotes the well-being of minority Americans. U.S. Const., art. I, Sec. 8, cl. 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States[.]"); U.S. Const., art. I, Sec. 8, cl. 18 ("The Congress shall have the Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers[.]").

By Mr. LARSON of Connecticut:

H.R. 5476.

Congress has the power to enact this legislation pursuant to the following:

H.R. Article I, Section 8, Clause 18

By Mr. LEWIS:

H.R. 5477.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 5478.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

Article 4, Section 3, Clause 2

Article 1, Section 8, Clause 18

By Ms. MCCOLLUM:

H.R. 5479.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. RYAN of Ohio:

H.R. 5480.

Congress has the power to enact this legislation pursuant to the following:

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SALMON:

H.R. 5481.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18:

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. TURNER:

H.R. 5482.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to " . . . provide for the common Defence and general Welfare of the United States. . . ."

Article I, Section 8, Clause 3 (the Commerce Clause) of the United States Constitution, to "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 18 of the United States Constitution, "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Ms. ESHOO and Mr. ISRAEL.
H.R. 539: Mrs. BUSTOS.
H.R. 563: Mr. SMITH of Washington.
H.R. 605: Mr. HUDSON.
H.R. 711: Mrs. NAPOLITANO.
H.R. 932: Ms. LORETTA SANCHEZ of California.
H.R. 997: Mr. SCALISE.
H.R. 1062: Mr. SCHWEIKERT and Mr. STUTZMAN.
H.R. 1076: Ms. SLAUGHTER, Mr. KILDEE, Mr. SMITH of Washington, Mr. GARAMENDI, Mr. HUFFMAN, Mr. KILMER, and Mr. AL GREEN of Texas.
H.R. 1284: Mr. LARSEN of Washington and Mr. MEEKS.
H.R. 1319: Mr. GRAVES of Louisiana.
H.R. 1362: Mr. RENACCI and Mr. COLLINS of New York.
H.R. 1391: Ms. LOFGREN, Mrs. NAPOLITANO, Mr. PERLMUTTER, Ms. ADAMS, and Mr. BUTTERFIELD.
H.R. 1421: Mr. NADLER.
H.R. 1427: Mr. MOULTON and Ms. SEWELL of Alabama.
H.R. 1439: Ms. LORETTA SANCHEZ of California and Mr. FATTAH.
H.R. 1453: Mr. STEWART.
H.R. 1490: Ms. KUSTER.
H.R. 1548: Mr. MOULTON.
H.R. 1717: Mr. RYAN of Ohio, Mr. COLE, Mr. CUELLAR, Mr. FATTAH, Mr. CARTER of Texas, Mr. BISHOP of Georgia, Ms. KAPTUR, Mr. QUIGLEY, Mr. RUPPERSBERGER, Mr. PRICE of North Carolina, Mr. GENE GREEN of Texas, Ms. LEE, Ms. SCHAKOWSKY, and Mr. BARTON.
H.R. 1859: Mr. BUCSHON.
H.R. 1935: Mr. BRAT.
H.R. 1969: Mr. ASHFORD.
H.R. 2096: Mr. HINOJOSA.
H.R. 2102: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2151: Mr. GUTHRIE.
H.R. 2174: Mr. SMITH of Washington.
H.R. 2229: Mr. HINOJOSA.
H.R. 2315: Mr. GENE GREEN of Texas, Mr. HINOJOSA, and Mr. WEBSTER of Florida.
H.R. 2350: Mr. PASCRELL.
H.R. 2368: Ms. SCHAKOWSKY.
H.R. 2411: Mr. CONNOLLY.
H.R. 2446: Mr. COLLINS of New York.
H.R. 2646: Mr. VALADAO, Mr. THOMPSON of California, Mr. BISHOP of Georgia, and Mr. GRAYSON.
H.R. 2663: Ms. STEFANIK.
H.R. 2698: Mr. COLLINS of New York and Mr. HULTGREN.
H.R. 2713: Ms. DUCKWORTH.
H.R. 2726: Ms. DELBENE, Mr. MCKINLEY, Mr. MCGOVERN, Mr. QUIGLEY, Mr. MCNERNEY, Ms. SPEIER, Mr. PALLONE, Mr. LANGEVIN, Mr. RUSH, Mr. CLYBURN, Mrs. BUSTOS, Mr. VARGAS, Mr. BERA, Mr. NOLAN, Mrs. DAVIS of California, Mr. COOPER, Mr. MCDERMOTT, Mr. GARAMENDI, and Mr. SERRANO.
H.R. 2732: Mr. DELANEY.
H.R. 2739: Mr. LONG and Mr. DEUTCH.
H.R. 2802: Mr. GRIFFITH.
H.R. 2817: Mr. SCHIFF.
H.R. 2844: Mr. CONYERS.

H.R. 2849: Mr. RANGEL, Mr. AGUILAR, and Mr. LIPINSKI.
H.R. 2903: Mr. NUNES, Mr. NORCROSS, Mr. COSTA, Mrs. CAPPS, Mr. WILLIAMS, and Mr. WALZ.

H.R. 2942: Mr. GRIFFITH.
H.R. 2962: Mr. NOLAN.
H.R. 2980: Ms. LOFGREN, Mr. LIPINSKI, and Ms. BROWNLEY of California.

H.R. 2992: Ms. MCSALLY.
H.R. 3012: Mr. BISHOP of Michigan.
H.R. 3051: Mr. AL GREEN of Texas, Mr. BUTTERFIELD, Ms. WILSON of Florida, Mr. CROWLEY, Mr. LEWIS, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, and Mr. FARR.

H.R. 3094: Mr. HARDY.
H.R. 3099: Mr. SESSIONS, Mr. MCKINLEY, and Ms. SLAUGHTER.

H.R. 3198: Mr. ASHFORD.
H.R. 3299: Mr. RODNEY DAVIS of Illinois.
H.R. 3514: Ms. SPEIER.

H.R. 3535: Mr. HANNA.
H.R. 3590: Mr. BOUSTANY.
H.R. 3666: Ms. ESHOO.

H.R. 3684: Mr. KEATING.
H.R. 3706: Mr. BILIRAKIS and Mr. GUTIÉRREZ.

H.R. 3765: Mr. ISSA, Mrs. MIMI WALTERS of California, Mr. HOLDING, Mr. FITZPATRICK, and Ms. GRANGER.

H.R. 3870: Miss RICE of New York.

H.R. 3920: Mr. PITTENGER.
H.R. 4094: Mr. SCHWEIKERT.
H.R. 4247: Mr. LUCAS.

H.R. 4266: Mr. AGUILAR.

H.R. 4275: Mr. NEAL.

H.R. 4352: Mr. FOSTER.

H.R. 4368: Mr. COLLINS of New York.

H.R. 4381: Mr. WALZ.

H.R. 4435: Mr. AGUILAR and Mr. TAKANO.

H.R. 4481: Mr. DONOVAN.

H.R. 4514: Mr. NEWHOUSE, Mr. NORCROSS, and Mr. CRENSHAW.

H.R. 4538: Mrs. WAGNER.

H.R. 4592: Mr. ROKITA and Mr. HULTGREN.

H.R. 4603: Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Ms. SPEIER, Mr. BEYER, Ms. WILSON of Florida, Mr. AL GREEN of Texas, Mr. POCAN, Ms. CLARK of Massachusetts, Mr. VARGAS, Ms. TSONGAS, Ms. MATSUI, Mr. THOMPSON of California, Ms. CLARKE of New York, Ms. ADAMS, Ms. ESTY, Mr. SHERMAN, Mr. CÁRDENAS, Ms. NORTON, Mr. LARSON of Connecticut, Mr. MCGOVERN, Mr. AGUILAR, and Miss RICE of New York.

H.R. 4625: Mr. POLIQUIN.

H.R. 4626: Mr. PERRY, Mr. KIND, Mr. POLIQUIN, Mr. KLINE, Mr. BARR, Ms. LOFGREN, Ms. FUDGE, and Mr. WHITFIELD.

H.R. 4662: Ms. MATSUI and Ms. CASTOR of Florida.

H.R. 4681: Ms. KUSTER.

H.R. 4695: Mrs. NAPOLITANO, Ms. ESTY, and Mr. GARAMENDI.

H.R. 4708: Mr. BRADY of Pennsylvania and Mr. MOOLENAAR.

H.R. 4715: Mr. KIND.

H.R. 4756: Ms. PINGREE.

H.R. 4764: Mr. AUSTIN SCOTT of Georgia.

H.R. 4766: Mr. POSEY.

H.R. 4773: Mr. PITTENGER and Mr. BARTON.

H.R. 4813: Mr. BOUSTANY and Mr. MOULTON.

H.R. 4893: Mr. HINOJOSA.

H.R. 4938: Mr. ALLEN, Mr. JEFFRIES, Mr. KING of New York, Mr. BISHOP of Michigan, and Mr. HILL.

H.R. 4955: Mr. SEAN PATRICK MALONEY of New York and Mr. PETERS.

H.R. 5016: Mr. OLSON.

H.R. 5021: Mr. GUTHRIE.

H.R. 5025: Mr. KEATING, Ms. CLARK of Massachusetts, and Mr. KENNEDY.

H.R. 5029: Mr. ASHFORD.

H.R. 5044: Mr. CARNEY, Mr. SCHRADER, Mr. PETERSON, Mr. COOPER, Mr. KIND, Ms. GABBARD, Mr. MCNERNEY, Mr. BECERRA, and Mr. COSTA.

H.R. 5061: Mr. TURNER.

H.R. 5067: Mr. CUMMINGS.

H.R. 5119: Mr. BRIDENSTINE, Mr. BILIRAKIS, Mr. BRAT, and Mrs. MCMORRIS RODGERS.

H.R. 5143: Mr. FINCHER, Mr. LAHOOD, and Mr. MULVANEY.

H.R. 5166: Mr. KELLY of Mississippi, Mr. CRENSHAW, Mr. BOST, Mrs. LUMMIS, Mr. BRIDENSTINE, and Ms. SPEIER.

H.R. 5210: Mr. ADERHOLT, Mr. CRAWFORD, Mr. SIMPSON, and Mr. BILIRAKIS.

H.R. 5224: Mr. CHAFFETZ.

H.R. 5254: Mr. DESAULNIER and Ms. FRANKEL of Florida.

H.R. 5259: Mr. OLSON and Mr. PEARCE.

H.R. 5275: Mr. COLLINS of New York and Mr. HUDSON.

H.R. 5292: Mr. MESSER, Mr. PEARCE, Mr. MOULTON, Ms. KUSTER, Mr. FOSTER, Mr. ROUZER, Mr. BYRNE, Mr. WESTMORELAND, Mr. NORCROSS, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mr. QUIGLEY, and Mr. HARDY.

H.R. 5313: Ms. LOFGREN.

H.R. 5320: Mr. POSEY.

H.R. 5324: Mr. SCHWEIKERT.

H.R. 5333: Mr. YOUNG of Indiana, Mr. LAMBORN, Mr. GARRETT, Mr. ROSKAM, and Ms. MCSALLY.

H.R. 5373: Ms. BROWNLEY of California, Mr. GARAMENDI, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 5386: Mr. CARTWRIGHT.

H.R. 5396: Mr. BERA and Mr. LANGEVIN.

H.R. 5404: Mr. LOBIONDO.

H.R. 5406: Mr. COLE.

H.R. 5457: Mr. KLINE, Ms. JENKINS of Kansas, Mr. MCCLINTOCK, and Mr. ZELDIN.

H.R. 5458: Mr. ROSKAM and Mr. BLUMENAUER.

H.R. 5462: Ms. MOORE and Mr. BEN RAY LUJÁN of New Mexico.

H.J. Res. 47: Mr. NORCROSS.

H.J. Res. 85: Mr. GRIFFITH.

H. Con. Res. 19: Ms. DELBENE.

H. Con. Res. 40: Mr. RYAN of Ohio, Mr. DENHAM, and Mr. DONOVAN.

H. Con. Res. 136: Mr. WEBER of Texas.

H. Res. 54: Mr. WEBSTER of Florida.

H. Res. 94: Mr. AL GREEN of Texas.

H. Res. 169: Mr. SABLÁN.

H. Res. 590: Mr. CALVERT.

H. Res. 591: Mr. REED.

H. Res. 729: Mr. GIBSON, Mr. YODER, Mr.

ROTHFUS, Mr. AMODEI, Mr. AUSTIN SCOTT of Georgia, Mr. GOWDY, Ms. ESTY, Mr. WILLIAMS, Mr. VELA, Mr. MACARTHUR, Mrs. KIRKPATRICK, Mr. PALAZZO, Mrs. COMSTOCK, Ms. DELBENE, Mr. BEN RAY LUJÁN of New Mexico, Mr. CARNEY, Mr. GROTHMAN, Mr. VALADAO, Mr. HARRIS, and Ms. MATSUI.

H. Res. 750: Mr. NEWHOUSE and Ms. VELÁZQUEZ.

H. Res. 753: Ms. JACKSON LEE, Mr. BLUMENAUER, Mr. MEEKS, Mrs. CAROLYN B. MALONEY of New York, Mr. SERRANO, Mr. VAN HOLLEN, Mr. YARMUTH, Miss RICE of New York, Ms. MCCOLLUM, Mr. FATTAH, Mr. BUTTERFIELD, and Ms. WILSON of Florida.

H. Res. 759: Ms. SCHAKOWSKY.

H. Res. 769: Mrs. BEATTY, Ms. ESHOO, and Mr. CARTWRIGHT.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

69. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging congress to enact legislation that would establish uniform nationwide infrastructure and procedures for the holding of a Convention to propose an amendment to the United States Constitution, pursuant to Article V; to the Committee on the Judiciary.

70. Also, a petition of Delaware County Board of Supervisors, NY, relative to Resolution No. 68, urging the Veterans Affairs Administration to streamline requirements in determining conditions for Non-VA Care when veterans are seeking emergency care; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

RECOGNIZING GAGE MARINE AND THE 100TH ANNIVERSARY OF THE U.S. MAILBOAT

HON. PAUL D. RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today to recognize Gage Marine and the 100th anniversary of the U.S. Mailboat.

Only a few places in the United States still deliver the mail by boat. Lake Geneva is one of those places.

Mail delivery by boat was once a necessity; now, it is keeping a proud tradition alive. And this isn't your typical mail man, Mr. Speaker.

The mailboat can't stop or slow down, or the mail route would take too long. Instead, it's delivered by mail jumpers; young men and women who hop off the boat, run with the mail to the mailbox, and sprint back before the boat passes by.

The boat really never stops; if mail runners aren't fast enough, they'll soon be taking a swim in Lake Geneva.

And as of June 14th this year, the U.S. Mailboat will have been operating in Wisconsin's First District for 100 years. I want to commend them for reaching this milestone. Our country is still quite young, and to see such history right in my own back yard is very special.

So on behalf of the First District of Wisconsin, I want to say congratulations once again to the U.S. Mailboat's 100th anniversary.

PAYING TRIBUTE TO PASTOR BILLY EDMONDSON

HON. BARRY LOUDERMILK

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. LOUDERMILK. Mr. Speaker, I rise today to pay tribute to a pillar of our community, Pastor Billy Edmondson.

This year marks Pastor Edmondson's twenty-fifth anniversary of service as Senior Pastor of Sutalee Baptist Church in White, Georgia.

During his days studying at Reinhardt University and the Southeastern Baptist Theological Seminary, he prepared himself to serve. And, through his honorable service in the United States Marine Corps, on the Boards of the Georgia Baptist Mission and the Academy at Double H Ranch, as well as his tenure at Sutalee Baptist, his dedication to service in our community has been unwavering. Pastor Edmondson has made it his life's work to serve Christ and preach His word both inside and outside of the church.

On behalf of the people of Georgia's 11th Congressional District and the United States

House of Representatives, I would like to recognize and congratulate Pastor Edmondson on his many years of service.

IN RECOGNITION OF THE SPRINGFIELD HIGH SCHOOL BOYS LACROSSE

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. MEEHAN. Mr. Speaker, I rise today to honor the Springfield High School Boys Lacrosse team, the 2016 Pennsylvania Interscholastic Athletic Association (PIAA) champions.

The Springfield Boys Lacrosse team won the state title after defeating La Salle 4-3 in the championship game. They are the third straight team from Delaware County to win the PIAA Championship.

I want to congratulate the following students on the Boys Varsity Lacrosse team: Zac Methlie, Mike Gerzabek, Liam Difonso, Joe Debernardi, Ray Jeffers, Andrew Pickett, David Hentrick, Ian Reger, Jack Spence, Zac Venit, Kyle Long, Mike Vent, Jamie Bove, Dan Gluck, Vince Puppio, Pat Smyth, Aiden Travers, Geo Dotsikas, James Spence, Anthony Delvecchio, Nick Cutuli, Nick Martin, Matt Blake, Matt Ries, Zack Broomall, Max Difonso, Mike Ward, Nate Lohr, Nick Matty, Alex Grafstrom, Anthony Divario, and Pat Clemens. Their hard work, discipline and teamwork bring great pride to the 7th District.

I also want to congratulate Head Coach Tom Lemieux and assistant coaches Jason Orlando, Ryne Adolph, Austin Kaut, Mike Gurenlian, and Jordan Demcher.

Mr. Speaker, I once again congratulate Coach Lemieux, the coaching staff, the team, and the entire Springfield community on this outstanding accomplishment.

CHRIS WILLIAMS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Chris Williams for his leadership, hard work and dedication on behalf of the 2015-2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDICI, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics.

As a result of the work of Chris and his students, these veterans' stories will forever be preserved in the Library of Congress American Folklife Center. Chris was an integral part of making the film and provided invaluable support to the project and his students during the interview, production and editing phases.

Chris received his degree in Radio/Television/Film from the University of North Texas and began his career in television and video production working for two different television stations and ultimately owning his own video production company, Frosty Entertainment. He also worked as the Chief Editor for Fox Sports Net Rocky Mountain in Denver and worked with celebrities and sports stars like Don Henley, Jeff Gordon, Wayne Gretzky, Janine Turner, and Muhammad Ali.

In 2009, Chris decided to change career paths and became a teacher at TW Browne Middle School in South Dallas. After moving to Denver in 2012, Chris started as a substitute teacher in Adams County School District 50 and became a full time instructor at Westminster High School during the 2013-14 school year. Since then, Chris has worked to enhance the Basic Computers course as well as starting the Video Cinema Arts (VCA) program. Both courses have grown and become more successful under Chris' leadership and continue to thrive as evidenced by the addition of an Advanced VCA course next year. In 2016, Chris was also named Teacher of the Year.

I extend my deepest appreciation to Chris Williams for his hard work and tireless effort on the 2015-2016 Veterans History Project documentary film and for his contribution to the lives of so many students in our community.

HONORING THE 100TH BIRTHDAY OF MRS. ALICE NICHOLSON MADURO

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. NADLER. Mr. Speaker, I rise today to honor a fiercely determined and independent woman, Mrs. Alice Nicholson Maduro, whose 100th birthday is July 8, 2016.

Four years before women gained the right to vote, and 100 years before a woman first earned the nomination to become the President of the United States, Mrs. Maduro was born in New York City on July 8, 1916 to Leone "Claudine" Gensollin of Menton, France, and Walter Curtis Nicholson of New York State.

Since the grade-schooler Alice Nicholson favored her French mother's pronunciation of her first name, she began to spell it with a "y"

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

instead of an "i" (Alyce, pronounced "Aleeece"). The Nicholsons were a hard-working family, raising their children in modest circumstances. When Alyce's school-headmaster father died an early death, he left the family with few means and thus Alyce with little opportunity for higher education. However, this determined young woman was irrepressible and Alyce thrived as a reporter at the Summit New Jersey Herald, editorial assistant at McGraw Hill publications, and executive within the Information & Media Division of the "Marshall Plan" in Paris after the Second World War. From Paris, Alyce returned to the United States to work at Radio Free Asia in San Francisco, CA.

When Denis Brandon Maduro, Esq. met this intelligent, international, beautiful woman during her east coast visit he fell in love instantaneously. He proposed to her promptly and, in the face of her reticence, lovingly encouraged her to extend her trip indefinitely. The two married two and one-half months later, on August 1, 1953, and yielded three offspring, Denis Brandon Maduro, Jr., Timothy Nicholson Maduro, and Peter Nicholson Maduro.

As mother and wife, Mrs. Maduro devoted herself to making a home for her family until her husband Denis Sr.'s untimely death in 1967. Left alone to financially support her three boys, she needed to return to work. Constitutively industrious, Mrs. Maduro became a successful residential real estate broker in Manhattan and maintained an active broker's license through her 98th year. She was also the head of the parents' association at Collegiate School of New York City (the oldest still-operating educational institution in this country) where her children were enrolled. In that role, she was charged to welcome former First Lady Jacqueline Kennedy Onassis into the ranks of the parents' activities since John F. Kennedy, Jr. was then also enrolled there as a grade-schooler. In this connection, Mrs. Madura's eldest boy, Denis, was hired to be "big brother" to John Jr. during the summer of 1970 on the Onassis' Greek island summer home of Scorpions.

By her two eldest sons, Mrs. Maduro is the beloved grandmother of Gabriela Balaz Maduro and Andrea Balaz Maduro, of Jacksonville, Florida, as well as Leah Lee Maduro and Kona Lee Maduro, of Pacific Palisades, California.

Still "sharp as a tack" and always elegantly turned out, Mrs. Maduro lives completely independently on Manhattan's upper west side, eagerly follows the New York Ballet & Philharmonic, the Manhattan art scene, local and national politics and international current events. Moreover, she elects to take taxi cabs instead of the city bus or subway only when unduly constrained for time. Thrilled to witness an African American and now perhaps a woman lead our country as its chief executive, she hopes to live to the day when people of all genders, identities, ethnicities, origins and religions can achieve high-office without barrier or prejudice.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to an admirably "tough cookie" and an outstanding citizen of this great nation, Mrs. Alice Nicholson Maduro, in anticipation of her 100th birthday.

HONORING MOTHER MATTIE MAE AMOS-MARSHALL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mrs. Mattie Mae Amos-Marshall, who was born in a small community in Florence, Mississippi called Steen Creek on October 15, 1915 to the late Mr. Ben and Salle White-Amos.

Mrs. Marshall married her childhood sweetheart, the late Mr. Jessie Marshall, at the age of 18 and moved to Flora, Mississippi where she began a family of her own.

Mrs. Marshall was baptized at a young age at Stokes Chapel MB Church and later moved her membership to Jones Chapel MB Church where she is a member of the Mother's Board. Mrs. Marshall moved to Canton, Mississippi as a child and was educated in the Madison County School.

Mr. Speaker, I ask my colleagues to join me in recognizing Mother Mattie Mae Amos-Marshall.

COLIN LEE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Colin Lee for his leadership, hard work and dedication on behalf of the 2015–2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDIC!, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics. As a result of the work of Colin and his students, these veterans' stories will forever be preserved in the Library of Congress American Folklife Center. Colin was an integral part of making the film and provided invaluable support to the project and his students during the research, interview and production phases.

Colin has been a teacher for more than 20 years, including the past 15 years in Adams County School District 50. Throughout his career as a teacher, he's been heavily involved in student activities inside and outside the classroom including a Student Council Sponsor, Class Sponsor, track coach, International Baccalaureate Coordinator and Dean of Students. Currently, Colin serves as the sponsor of the National Honor Society. He earned his BS Education degree in History from Missouri State University.

I extend my deepest appreciation to Colin Lee for his hard work and dedication to the 2015–2016 Veterans History Project documentary film and for his contribution to the lives of so many students in our community.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote Number 297 on H.R. 4939. Had I been present, I would have voted "yes."

TRIBUTE TO PHIL WALDMAN

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Phil Waldman for his induction into the Florida Aviation Hall of Fame of 2016.

Mr. Waldman was a ferry pilot and the former President of the Florida Globe Aero. From 1975 to 1979, he ferried 400 planes a year and had 27 pilots on his payroll too.

Mr. Waldman flew planes all over the world and a lot of the time, they were single engine planes. That means for 20 to 30 hours of flight time, he would be alone with an extra gas tank in the seat beside him. He crossed the Atlantic and Pacific oceans over 250 times in small planes, almost beating the standing record for this type of flight.

Mr. Waldman is joining a rich history of aviation pilots in the Florida Aviation Hall of Fame and our community of Pinellas County is proud to have him as a neighbor. Although he semi-retired in 2008, he remains an active pilot. I respect Mr. Waldman for the work he put into aviation, and I ask this body join me in recognizing Phil Waldman for his accomplishments.

KIFFANY KIEWIET

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kiffany Kiewiet for her leadership and vision on behalf of the 2015–2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDIC!, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics. Kiffany's willingness to take on the project and her ongoing support of the project helped provide a very memorable and hands-on experience for the students. The Veterans History Project helps preserve the stories of our veterans for future generations and MEDIC! will forever be preserved in the Library of Congress American Folklife Center.

Kiffany became the principal in 2015 after serving as the assistant principal and athletic director for Westminster High School. Prior to that Kiffany worked as a community liaison at

Manual High School in Denver. Kiffany's career in education started in an at-risk high school program in Wisconsin before she moved to Colorado about five-and-half years ago. A lifelong learner herself, Kiffany demonstrates a willingness to take on new challenges and projects to help both teachers and students grow and learn.

I extend my deepest appreciation to Kiffany Kiewiet for her leadership on the 2015–2016 Veterans History Project documentary film and for her ongoing contribution to the lives of so many students in our community.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, June 13, 2016. Had I been present, I would have voted "yea" on roll call votes 297 and 298.

PERSONAL EXPLANATION

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. HUFFMAN. Mr. Speaker, on Tuesday, June 7, and Wednesday, June 8, 2016, I was absent for roll call votes 269, 270, 271, 272, 273, 274, & 275.

Had I been present for roll call vote 269, H. Con. Res. 129—Expressing support for the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to this goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs, as amended, I would have voted "yes".

Had I been present for roll call vote 270, H.R. 4906—To amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes, I would have voted "yes".

Had I been present for roll call vote 271, H.R. 4904—MEGABYTE Act of 2016, I would have voted "yes".

Had I been present for roll call vote 272, H.R. 1815—Eastern Nevada Land Implementation Improvement Act, I would have voted "yes".

Had I been present for roll call vote 273, motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 4775, H. Con. Res. 89 and H. Con. Res. 112, I would have voted "no".

Had I been present for roll call vote 274, H. Res. 767—Rule providing for consideration of H.R. 4775—Ozone Standards Implementation Act of 2016, H. Con. Res. 89—Expressing the

sense of Congress that a carbon tax would be detrimental to the United States economy, and H. Con. Res. 112—Expressing the sense of Congress opposing the President's proposed \$10 tax on every barrel of oil, I would have voted "no".

Had I been present for roll call vote 275, H.R. 3826—Mount Hood Cooper Spur Land Exchange Clarification Act, I would have voted "yes".

LAURA SEWARD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Laura Seward for her leadership, hard work and dedication on behalf of the 2015–2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDIC!, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics. The Veterans History Project is a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. The stories of these veterans will forever be preserved in the Library of Congress American Folklife Center. Laura and her students were an integral part of the film helping to provide b-roll photos along with designing all graphics and interactive media.

Laura earned a Bachelor of Fine Arts degree in photography and digital art and her K–12 Art Education Licensure from Metropolitan State College in Denver in 2008. Since then she has worked as the graphic design, interactive media and digital photography teacher at Westminster High School where she has increased enrollment in the program by 200 percent.

I extend my deepest appreciation to Laura Seward for her hard work and dedication to the 2015–2016 Veterans History Project documentary film and for her ongoing contributions to the lives of so many students in our community.

TRIBUTE TO FLORIDA DREAM CENTER

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize the efforts of the Florida Dream Center, an agency working to improve the lives of those living in our community.

The Florida Dream Center was started in 2012 with the goal of helping victims of homelessness, human trafficking, and neglect. Led by Executive Director Geoffrey Rogers and President Bill Losasso, the Florida Dream Center is committed to their goal for Pinellas County which entails restoring dreams, renewing hope, and rebuilding lives.

Most recently, The Florida Dream Center and the Pinellas County Human Services, partnered to make a dream become reality for a family of four through the Adopt-A-Block initiative. A single mom and her three boys, all of whom are under the age of 15, did not have a home to live in and were living in motels. Volunteers gave their time to remodel and restore a foreclosed property that the family will now be living in.

Along with revitalizing our communities and neighborhoods, the Florida Dream Center works hard to help combat hunger. At the beginning of April, the organization and other members of our community helped hand out food to those in need and they also provided repairs and maintenance to the community where they saw it was needed most. Additionally, the Florida Dream Center aids human trafficking victims and survivors to ensure they feel safe in Pinellas County.

Mr. Speaker, I want to thank the Florida Dream Center and Pinellas County Human Services and Fair Housing Assistance Program for continuing to aid and provide exemplary help to those in need in our county. Their acts of kindness are an inspiration and I ask that this body join me in recognizing them for the hard work they have done and continue to do for all of us in Pinellas County.

HONORING JOHN O. BADERO

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant Dr. John Olurotimi Badero who was born the 7th of 8th children to Chief Eliab Olufemi and Mrs. Stella Taiwo Badero in Lagos, Nigeria.

Dr. Badero attended St. Mary's Private School in Lagos, Nigeria for his primary education where he skipped the 4th grade due to his academic excellence, completing primary education in five years instead of the regular six years.

Dr. Badero received his secondary school education at Federal Government College Odogbolu in Ogun State, Nigeria where he completed 6 years of secondary school education graduating with 9 distinctions in his senior secondary school certificate education.

Dr. Badero's academic excellence dates back to his secondary school days where he won the best overall student in Nigeria in a national science quiz competition. He subsequently got admission into the medical school at Obafemi Awolowo University Ile-Ife.

Following Completion of his medical training at Obafemi Awolowo University Ile Ife, and internship training, Dr. Badero moved to the United States for further post-graduate medical education. He completed 3 years of Residency training in Internal Medicine at State University of New York (SUNY) Downstate Medical Center in Brooklyn, NY.

After completion of his residency training in internal medicine, Dr. Badero then completed a 2-year Fellowship training in Nephrology &

Hypertension at Emory University School of Medicine in Atlanta Georgia. Upon Completion of his Nephrology Fellowship at Emory University, Dr. Badero returned to SUNY Downstate Medical in Brooklyn, New York to complete yet another 3-year fellowship training in Cardiovascular Medicine.

After a distinguished Cardiology Fellowship, he gained admission into the prestigious Yale University School of Medicine, where Dr. Badero completed two Fellowship trainings in Invasive & Interventional Cardiology as well as Peripheral Vascular Angioplasty & Interventions. He completed his training at Yale University with distinction and a certificate of achievement for exemplary performance.

Dr. Badero then returned to SUNY Downstate Medical Center for another year of Fellowship training in Interventional Nephrology/Endovascular medicine & Dialysis Access intervention.

Dr. Badero in all completed an unprecedented 10 years of continuous post graduate medical training and he is currently board certified in: 1) Internal Medicine; 2) Nephrology & Hypertension; 3) Interventional Nephrology & Endovascular Access; 4) Cardiovascular Medicine; 5) Nuclear Cardiology; and 6) Invasive & Interventional Cardiology making him the only one in the state of Mississippi.

Dr. Badero is currently the only fully trained and board certified cardio-nephrologist (combined kidney and heart specialist) in the world today and recently received a recognition award by financial development magazine in Nigeria.

Dr. Badero performed the first transradial cardiac catheterization and coronary angioplasty at Central Mississippi Medical Center.

Dr. Badero is a recipient of many awards including:

The Association of Black Cardiologists scholarship award for the best cardiology fellow in the U.S.;

The 2014 Mississippi Healthcare Heroes in the state of Mississippi;

He was also named one of Jackson, Mississippi's Best Surgeons;

Distinguished Physician Award as the First and Only combined heart and kidney specialist in the United States;

Distinguished Physician, Marquis Who's Who in America;

Patients Choice Recognition Award; and Most Compassionate Doctor, New York.

Dr. Badero has authored many peer-reviewed journals and he is currently on the editorial board of the International Journal of Nephrology & Renovascular Disease.

He is a: 1) Fellow of the American College of Physicians; 2) Fellow of the American Society of Nephrology; 3) Fellow of the American Society of Diagnostic & Interventional Nephrology; 4) Fellow of the American Society of Nuclear Cardiology; 5) Fellow of the American College of Cardiology; and 6) Fellow of the Society for Cardiac Angiography & Interventions.

Dr. Badero is currently the Executive Director of Cardiac Renal & Vascular Associates.

Dr. Badero is on the global advisory panel of therapeutics experts on thrombosis and atherosclerosis, Merck Pharmaceuticals U.S.A.

Outside of medicine, Dr. Badero is the assistant pastor of Vine Chapel Church in Jackson, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Olurotimi J. Badero for his dedication to serving others.

MICHAEL LINERT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Michael Linert for his contribution to the 2015–2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDIC!, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics. The Veterans History Project is a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. The stories of these veterans will forever be preserved in the Library of Congress American Folklife Center. As the director of orchestras at Westminster High School, Michael contributed a very moving original musical score—an invaluable addition to the project.

Michael enjoys a varied musical career as a cellist, countertenor, composer, and strings teacher. As a cellist, he has performed with the American Baroque Orchestra, Commonwealth Opera, QV Ensemble, and the Summer Rhapsody Symphony Orchestra. He performs recitals regularly and his compositions have premiered in the United States, Australia, and Colombia. He has also appeared as a vocal soloist with the Indianapolis Baroque Orchestra, Indianapolis Symphonic Choir Chamber Singers, Hartford Symphony Orchestra, Indiana University Opera Theater, and the Bloomington Bach Cantata Project. Additionally, he has performed with Ensemble Lipzodes at the XIV International Sacred Music Festival in Quito, Ecuador and as a member of the Carnegie Hall Chamber Chorus with the Tallis Scholars.

Michael received a Bachelor of Music in Cello Performance degree summa cum laude from The Hartt School, a Master of Science in Music Education degree from Indiana University, and will soon receive a Vocal Performance Diploma from Indiana University.

I extend my deepest appreciation to Michael Linert for his important contribution to the 2015–2016 Veterans History Project documentary film.

PERSONAL EXPLANATION

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. HURT of Virginia. Mr. Speaker, I was not present for Roll Call vote Number 298 on H.R. 5312. Had I been present, I would have voted "yes."

RECOGNIZING THE 400TH ANNIVERSARY OF THE MAYFLOWER

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. FOSTER. Mr. Speaker, I rise today to recognize an important anniversary in our nation's history. In 2020, the United States will celebrate the 400th anniversary of the arrival of Pilgrims at Plymouth, Massachusetts.

Today, descendants of the Mayflower live in nearly every district in the country, which is why I introduced the Mayflower Commemorative Coin Act. This bill will recognize the lasting significance of the Mayflower's arrival for our nation's history and authorizes the U.S. Treasury to mint coins in honor of the anniversary.

Coin bills are revenue neutral and are not a burden to taxpayers. Proceeds from the sale will go to the General Society of Mayflower Descendants, the Wampanoag Nation, and other non-profit organizations in Plymouth, which will benefit education, scholarship, and outreach programs to honor the history of the Pilgrims. This includes a 50 year peace treaty with the Wampanoag Tribe and the creation of the Mayflower Compact—one of our country's first examples of self-governance in the New World.

Mr. Speaker, the arrival of the Pilgrims remains an important symbolic moment in our country's history. I encourage all my colleagues to join me in recognizing this historic occasion.

PATRICK LEE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Patrick Lee for his contribution to the 2015–2016 Veterans History Project documentary film produced by the students and faculty of Westminster High School in Westminster, Colorado.

The film, MEDIC!, highlights the stories of five brave veterans who served their country and their fellow veterans as combat medics. The Veterans History Project is a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. The stories of these veterans will forever be preserved in the Library of Congress American Folklife Center. Patrick contributed to the project with a very moving original musical score—an invaluable addition to the project.

Patrick began playing piano in 1988 at the age of 7 and has played for the last 25 years, including professionally for the last 15 years. He earned his Bachelor's Degree in Jazz Piano in 2006 from CU Boulder. Patrick has played notable Colorado venues like Red Rocks, the Fox & Boulder Theatres, and the Fillmore and has played with bands including De La Soul, Victor Wooten, Thundercat, and Soulive. Patrick has also worked as a producer creating jingles for ESPN, Crocs, Showtime, and Details Magazine.

I extend my deepest appreciation to Patrick Lee for his important contribution to the 2015–2016 Veterans History Project documentary film.

TRIBUTE TO MAYOR MARIA LOWE

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I want to recognize Mayor Maria Lowe, the mayor of St. Pete Beach, who will be stepping down at the end of this year.

Mayor Lowe was elected in 2014. Prior to becoming mayor, she graduated from West Point, served in the Afghan War, and received her MBA from George Washington University. She is also an active member of our community serving as a full-time community volunteer, a systems engineer, a member of the Pass-a-Grille Women's Club, and part of the Historic Preservation Board.

She has decided that her time as Mayor has come to an end, and will be relinquishing her post at the end of this year. She will be working with her husband at the American Battle Monuments Commission, which tends graves of fallen soldiers worldwide. The headquarters are in Paris, so she and the family will be moving there, primarily maintaining the U.S. cemetery for military personnel near Normandy, France. While she will miss St. Pete Beach, she is very proud to be doing her patriotic duty.

Mr. Speaker, I want to thank Mayor Maria Lowe for her service to St. Pete Beach and Pinellas County. I also am proud that she will continue to be doing a great service for us as a community and nation abroad. I ask that this body join me in recognizing Mayor Maria Lowe's accomplishments and we wish her the best of luck in her future endeavors.

HONORING GLORIA COLEMAN DOTSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Gloria Coleman Dotson.

Gloria Coleman Dotson grew up and lives in Claiborne County as the oldest of seven children of Curtis Coleman and Ethel Allen in the town Ulysses S. Grant said was "Too Beautiful to Burn." She is a 1973 graduate of Port Gibson High School. She received her Bachelor of Science Degree in Business Education from Jackson State University in 1977.

After graduation, Ms. Dotson was employed by the Claiborne County Board of Supervisors in the Chancery Clerk's Office. She worked under the supervision of two Chancery Clerks: Mrs. Stella Jennings-Greenwood and Mr. Frank Wilson. She worked in the Chancery Clerk's Office for twenty-five years as Deputy Chancery Clerk prior to being elected Chan-

cery Clerk in 2000. She is currently serving her fourth term as Chancery Clerk.

Ms. Dotson is a member of First Christian Disciples of Christ Church, a choir member and Sunday School Treasurer. She is involved in several civic organizations including: Port Gibson Main Street, MS Cultural Crossroad Board of Directors, Mississippi Delta Strategic Compact, a member of NAACP and the Chancery Clerk's Association.

Ms. Dotson has been married to Joe Dotson, Jr. for twenty-two years. They are the proud parents of three children: JaBari, JaNetra, and JoKevy. They have an eleven year old granddaughter, KaMeryal and a one year old grandson, KaMari.

The title "Chancery Clerk" does not adequately describe the various duties and responsibilities that Ms. Dotson has attendant to in the office. The Chancery Clerk's Office has a multitude of duties and functions which are governed by an assortment of statutes and court rules, along with following guidelines established either by the State Department of Audit or the Department of Finance and Administration. The Chancery Clerk's position is a four year elected term.

Ms. Dotson often states, "I thank God for allowing me to serve as a Public Official. I love my job. When I'm not serving my constituents, I spend time with my family and friends, work in the yard and reading."

Mr. Speaker, I ask my colleagues to join me in recognizing Gloria Coleman Dotson for her dedication and support to the Claiborne County Community.

VANCE A. SILVIA, SERGEANT FIRST CLASS, UNITED STATES ARMY (RET.)

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Vance A. Silvia, Sergeant First Class, United States Army (ret.), for his service to our country.

Sergeant First Class Silvia served in the United States Army and the Texas, Wyoming and Colorado Army National Guard from March 1998 through June 2009. As an Army Medical Specialist, Sergeant First Class Silvia had the opportunity to serve as a combat medic while on active duty in support of Operation Iraqi Freedom with service in Iraq and Kuwait.

Sergeant First Class Silvia participated in the 2015–2016 Veterans History Project documentary film produced by the students and Westminster High School in conjunction with our office. The film is part of the Library of Congress' Veterans History Project (VHP), a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. As a result, my office had the honor and privilege of getting to know Sergeant First Class Silvia and hearing about his experiences as a combat medic. Sergeant First Class Silvia's stories will be submitted to the Library of Congress to forever be preserved in our nation's history.

Sergeant First Class Silvia's courageous service has charted the path for future generations of men and women to serve in the military. I extend my deepest appreciation to Sergeant First Class Vance A. Silvia for his dedication, integrity and outstanding service to the United States of America.

HONORING RANDY DAVIS

HON. JASON SMITH

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor Mr. Randy Davis, who retires June 30, 2016 after 33 years in education in Missouri.

Mr. Davis began his career in Licking where he taught Social Studies and coached boys' basketball. He became principal of Salem High School and I am proud to say he was principal when I was a student there. He also coached girls' basketball. After that, he moved on to Potosi—first as the assistant superintendent for five years and then as superintendent for 13 years.

At Potosi, Assistant Superintendent Jamie Thompson said he took great pride in helping the school district become a vital part of the community. "He told us to 'treat every child the way you would want your child treated,'" she said. "And, his big thing was to emphasize our school colors and say, 'Love Purple, but Live Gold!'"

Shelly, his wife of 32 years said, "Randy has loved making a difference in the lives of kids and setting the bar higher for the students and staff." I would agree, he made positive impacts on the futures of his students because he certainly impacted mine.

For devoting his life to the education of Missouri's students, it is my pleasure to recognize Mr. Randy Davis of Potosi before the United States House of Representatives.

TRIBUTE TO JOHN ELIAS, TOWN ATTORNEY

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to acknowledge Mr. John Elias for his service to Pinellas County as a town attorney for Belleair Shores for 18 years.

Mr. Elias has worked for Belleair Shores since 1998. When he started, he was hired on a six-month trial period. Because of his exemplary work, his trial period was extended and he worked for the town for 18 years. He has proudly served Belleair Shores and its residents.

Mr. Elias is retiring in July after his years of service. He is known for his dedication and high morals and serves as a role-model for the town. I ask this body to join me thanking John for his service to us, and wishing him the best of luck in the future.

LEON A. RODRIGUEZ, SERGEANT
FIRST CLASS, UNITED STATES
ARMY (RET.)

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Leon A. Rodriguez, Sergeant First Class, United States Army (ret.), for his service to our country.

Sergeant First Class Rodriguez served in the United States Army from August 1955 through August 1975. As an Army Medical Specialist, Sergeant First Class Rodriguez had the opportunity to serve as a combat medic while on active duty in Vietnam.

Sergeant First Class Rodriguez participated in the 2015–2016 Veterans History Project documentary film produced by the students and Westminster High School in conjunction with our office. The film is part of the Library of Congress' Veterans History Project (VHP), a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. As a result, my office had the honor and privilege of getting to know Sergeant First Class Rodriguez and hearing about his experiences as a combat medic. Sergeant First Class Rodriguez's stories will be submitted to the Library of Congress to forever be preserved in our nation's history.

Sergeant First Class Rodriguez's courageous service has charted the path for future generations of men and women to serve in the military. I extend my deepest appreciation to Sergeant First Class Leon A. Rodriguez for his dedication, integrity and outstanding service to the United States of America.

HONORING JACK HEALY AS HE RETIRES FROM MASSACHUSETTS MANUFACTURING EXTENSION PARTNERSHIP

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. McGOVERN. Mr. Speaker, I rise today to honor Jack Healy, President and CEO of the Massachusetts Manufacturing Extension Partnership (MassMEP), as he retires from a long and successful career in manufacturing.

For over 50 years, Jack has worked in various capacities within the manufacturing industry. Jack began his career with Squibb-Beech-Nut Inc., and continued his work at Lego Systems, Presmet Corporation, Wellesley Consulting Group, and MassMEP.

Notably, Jack served as a Senior Vice President of Lego Systems, where he co-founded the U.S. division and was responsible for the establishment and operation of Lego's U.S. based manufacturing operations. With the help of Jack, the Lego brand has become a household name in the United States.

As a founding Director of Operations for MassMEP, Jack has dedicated himself to helping small- and medium-sized manufactur-

ers in Massachusetts identify and implement growth opportunities through advanced manufacturing and management practices. He's known as the "voice of manufacturing" in our Commonwealth, and is relied upon for his expertise in manufacturing competitiveness and workforce strategies.

During my time in Congress, I have had the pleasure of working with Jack and his organization on efforts to revitalize our manufacturing base and create good paying jobs in Massachusetts. Under his leadership, MassMEP has become a recognized leader in manufacturing competitiveness, helping to create thousands of jobs during its 17 year history. MassMEP has also developed an award-winning Mobile Outreach Skills Training (M.O.S.T) Program, which trains and recruits future workers with little or no prior manufacturing experience for entry level production jobs.

Jack has also been instrumental in numerous projects in my Congressional district and throughout Massachusetts. In particular, he has played a key role in the "Manufacturing Our Future" effort in Massachusetts, which has served as a catalyst for critical developments like Worcester's Gateway Park, and has led partnerships that bring together various stakeholders from industry, academia, and government to advance manufacturing competitiveness and create pipelines to careers in advanced manufacturing.

I wish Jack all the best as he retires from an incredible career, and know he will enjoy spending time with his wonderful wife, Hilda, his children, and his grandchildren. Jack has been an incredible partner in revitalizing the Massachusetts manufacturing base, and I'm proud to call him a friend.

I ask my colleagues to join me in recognizing Jack Healy's contributions to the Massachusetts economy and our country's manufacturing sector.

HONORING MRS. LATONYA WILLIAMS-BRADLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable entrepreneur, Mrs. LaTonya Williams-Bradley.

Strands of long, black locks fell effortlessly onto the floor as a pair of young eyes looked on eagerly—carefully observing the technique of the hands behind the shears that snipped away to create a new, edgy look.

Mrs. Williams-Bradley of Cleveland watched intently as her mother cut, washed and curled mane after mane, building a strong clientele at her Rosedale salon.

She remembers while sitting and observing her mother at her salon as a child, that she desired to follow in her mother's footsteps and become a hair stylist.

But, what she didn't know was that she would also become an agent, to help others do the same, as owner and CEO of Goshen School of Cosmetology in Cleveland, Mississippi.

As a single parent Mrs. Williams-Bradley received her cosmetology education at Coahoma Community College in Clarksdale, Mississippi, where she graduated in 2006.

After passing the state licensure to become a licensed cosmetologist, Mrs. Williams-Bradley returned to Coahoma Community College to further her cosmetology career to become a cosmetology instructor and completed that course of study in 2009. She was immediately offered the opportunity to become a cosmetology instructor at Coahoma Community College.

After working at Coahoma Community College she worked at Blue Cliff College in Gulfport, Mississippi as a cosmetology instructor.

During her tenure as an instructor she decided that it was time to pursue her dream of owning her salon and began researching entrepreneurship practices and opportunities, eventually, deciding it was time to pursue her dream of one day opening her own salon. In 2011 she opened Goshen Salon and Boutique in Cleveland, Mississippi. She chose the biblical name Goshen because it is a land of plenty, comfort and growth in Egypt. On July 29, 2013 she opened Goshen School of Cosmetology with a core curriculum and institution designed to promote growth, increase and comfort.

Now, what was once the dream of a little girl has become a reality. Mrs. Williams-Bradley has enjoyed substantial success in the exciting field of cosmetology. Where over the last nine years she owned and managed two successful hair salons while teaching at two colleges, inspired numerous students to strive for excellence and to achieve their maximum potential.

The motto she shares with others is "Whatever is your passion and your heart's desire—pursue it and be the best at it and believe that there is nothing too hard for God."

Mrs. Williams-Bradley is married to Tony Bradley and has four children: Teara, Tamaryea, Zira and Lauren. She is the daughter of Freddie and Barbara Graham and has two (2) siblings: Erica Jackson and Beauty Braham.

Mr. Speaker, I ask my colleagues to join me in recognizing an amazing entrepreneur.

JOSHUA D. AGEE, SERGEANT, UNITED STATES ARMY (RET.)

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Joshua D. Agee, Sergeant, United States Army (ret.), for his service to our country.

Sergeant Agee served in the United States Army and the Colorado Army National Guard from September 1999 to June 2009. During his service, he served in support of Operation Enduring and Iraqi Freedom, both in Kuwait and Iraq. As an Army Medical Specialist, Sergeant Agee had the opportunity to serve as a combat medic while on active duty, including his tour in Iraq.

Sergeant Agee participated in the 2015–2016 Veterans History Project documentary film produced by the students and Westminster High School in conjunction with our office. The film is part of the Library of Congress' Veterans History Project (VHP), a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. As a result, my office had the honor and privilege of getting to know Sergeant Agee and hearing about his experiences as a combat medic. Sergeant Agee's stories will be submitted to the Library of Congress to forever be preserved in our nation's history.

Sergeant Agee's courageous service has charted the path for future generations of men and women to serve in the military. I extend my deepest appreciation to Sergeant Joshua D. Agee for his dedication, integrity and outstanding service to the United States of America.

CONGRATULATING THE FAIRFIELD
MEDICAL CENTER

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. STIVERS. Mr. Speaker, I rise today to congratulate the Fairfield Medical Center, located in Lancaster, Ohio, as it celebrates its 100th Anniversary.

The Fairfield Medical Center has followed its historic mission to provide the best care to all, while serving as a foundation for year-round community efforts to encourage healthier lifestyles. The Fairfield Medical Center's commitment to promoting the well-being of all of southeastern Ohio can be seen in the useful health information it provides to members of the community, its all-inclusive appeal, and its strong advocacy for members of the community who have mental or physical disabilities.

On October 10, 1916, The Lancaster Municipal Hospital opened its doors for the first time on 10 acres just outside of the city's limits. At the time of the hospital's opening, there were 36 beds and 10 bassinets to serve the city of approximately 15,000 people. As the hospital grew, it changed its name to the Fairfield Medical Center to reflect its role as the leading medical institution both in the county and throughout southeastern Ohio, a role it still serves as the county's largest employer.

Today, the Fairfield Medical Center has gained increased recognition for its excellence in healthcare and treatment. Now with over 200 beds and multiple affiliate locations in Fairfield County, the Fairfield Medical Center offers a variety of premier services to the people of southeastern Ohio, including oncology care, cardiovascular surgery, obstetrics, orthopedics, therapy, and emergency services.

Throughout its history, the Fairfield Medical Center has been unwavering in the promotion of the health of the community. I would like to thank the Fairfield Medical Center for its dedication to serving the community for 100 years.

CONGRATULATING THE GREEK ORTHODOX PARISH OF LOUDOUN COUNTY ON THEIR 10TH ANNIVERSARY

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mrs. COMSTOCK. Mr. Speaker, I am pleased to extend my congratulations and best wishes to the members of the Greek Orthodox Parish of Loudoun County as they celebrate their 10th anniversary this year.

What an incredible journey of faith and dedication it has been for them. Ten years ago, a few courageous people started reaching out to Greek families in the phone book and before long a dynamic new community had been established in Loudoun County. Today, this community has a membership of more than 150 families who are participating in 20 different ministries.

Not only has the Greek Orthodox Parish of Loudoun County been a source of spiritual support and development for its own members, it has also been a blessing to other residents of Loudoun County through its support of charitable projects such as the Good Shepherd Alliance, the Loudoun Abused Women's Shelter, the Loudoun County Youth Shelter and the Twin Oaks Assisted Living Center, whose residents enjoy the special Christmas visits of parish members.

Another important contribution of the parish to the larger community is the "Taste of Greece" festival. Our understanding of the contribution of Hellenic culture and heritage to our national culture is enhanced through the wonderful food, music, and history that the members of the parish share with others at this annual festival.

I have learned from parish leaders that their plans for the next ten years are just as ambitious as the last decade, culminating in the building of a permanent place of worship in Loudoun County. As their representative in Congress, I offer my prayers and personal best wishes as they embark on this important journey.

Mr. Speaker, I ask that my colleagues join me in congratulating the members of the Greek Orthodox Parish of Loudoun County as they continue to be a source of inspiration and support for our community.

ANGELA M. MILLER, SERGEANT,
UNITED STATES ARMY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Angela M. Miller, Sergeant, United States Army, for her service to our country.

Sergeant Miller served in the United States Army and the Iowa and Colorado Army National Guard from February 2003 through December 2012. As an Army Medical Specialist, Sergeant Miller had the opportunity to serve

as a combat medic while on active duty, supporting Operation Enduring Freedom in Iraq.

Sergeant Miller participated in the 2015–2016 Veterans History Project documentary film produced by the students of Westminster High School in conjunction with our office. The film is part of the Library of Congress' Veterans History Project (VHP), a congressionally chartered project that works to collect, preserve and make accessible personal accounts of American war veterans. As a result, my office had the honor and privilege of getting to know Sergeant Miller and hearing about her experiences as a combat medic. Sergeant Miller's stories will be submitted to the Library of Congress to forever be preserved in our nation's history.

Sergeant Miller's courageous service has charted the path for future generations of men and women to serve in the military. I extend my deepest appreciation to Sergeant Angela M. Miller for her dedication, integrity and outstanding service to the United States of America.

HONORING REVEREND THOMAS H.
PEOPLES, JR.

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. BARR. Mr. Speaker, I rise to honor a very special man, Reverend Thomas H. Peoples, Jr. He serves as pastor of Historic Pleasant Green Missionary Baptist Church in Lexington, Kentucky.

Reverend Peoples has led this wonderful congregation, which numbers over 1,300 members, for the past thirty-seven years. Historic Pleasant Green Missionary Baptist Church was founded in 1790 and is the oldest African-American active congregation west of the Allegheny Mountains. Rev. Peoples is the eighteenth minister to serve the church. Under his leadership, the church has grown in membership and in its community outreach. Reverend Peoples is greatly loved and respected by his congregation and by the Lexington community.

Reverend Peoples is a native of Lexington. He is a graduate of Paul Laurence Dunbar High School and Simmons Bible College.

Reverend Peoples has been married for fifty-three years to Delma Bennett Peoples. They are the proud parents of five children, including three sons in the ministry. They also have numerous grandchildren and a great-grandchild.

Through the ministry of this good Christian man, many people have come to know Jesus Christ and serve Him through Historic Pleasant Green Missionary Baptist Church and beyond. Countless lives have been changed by this man of God and the world is a better place because of his ministry. It is my sincere honor to recognize him before the United States House of Representatives.

PERSONAL EXPLANATION

HON. J. RANDY FORBES

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. FORBES. Mr. Speaker, I was unable to cast my vote yesterday for two pieces of legislation. Had I been in the chamber I would have voted YES on the United States-Caribbean Strategic Engagement Act, H.R. 4939 and YES on the Networking and Information Technology Research and Development Modernization Act, H.R. 5312.

TRIBUTE TO ITWOMEN GROUP OF TAMPA AND GIRLS INC OF PINELLAS AFTER SCHOOL ENRICHMENT PROGRAM

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize a non-profit organization striving to make a difference in the technology and engineering fields for girls and women. The ITWomen Group of Tampa looks to provide all of the necessary support for females who want to pursue a career in technology.

The national organization was started in 2002 by senior level women from several technology companies. Their goal was to provide professional development, support, education, and scholarships to girls and women looking to break into technology and engineering fields. By working with non-profits, universities, various sponsors and organizations, they are successfully closing the gender gap in a field generally dominated by men.

The ITWomen of Tampa Bay is a new branch and is increasing their influence in Pinellas County and by partnering with Girls Incorporated of Pinellas After School Enrichment Program. The Girls Incorporated of Pinellas works to make sure our sisters, daughters, friends, family, and neighbors will become the leaders of tomorrow by providing them with programs that promote female empowerment. Their combined goal is to inspire girls in our community to confidently strive towards a career in technology.

Mackenzie Baird, a high school sophomore from our community who is hoping to pursue a career in technology, works with ITWomen of Tampa Bay and the Girls Incorporated of Pinellas After School Enrichment Program. In her free time, she helps mentor and educate younger elementary school girls about computer programming as well as the role of women in the technology sector. She is an exceptional young woman and I wish her luck in her future endeavors.

Mr. Speaker, I would like to acknowledge and thank the ITWomen of Tampa and Girls Incorporated of Pinellas After School Enrichment Program for working hard to achieve equity in fields of engineering and technology. Their spirit and passion inspires our community, and ask that this body join me in thanking them for their efforts.

HONORING THE SERVICE OF
FRANK HART, JR.**HON. ANDY BARR**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. BARR. Mr. Speaker, I rise to honor a great American, Frank Hart, Jr. Mr. Hart was born in 1926 in Sharpsburg, Kentucky. While a student at Sharpsburg High School in January of 1944, he enlisted as a reserve in the U.S. Army Air Corps. He graduated in May of 1944.

Mr. Hart entered the U.S. Army Air Corps for active duty on August 8, 1944. He was in training as an aviation cadet, but was physically unable to serve. He then volunteered for gunnery school and was shipped to Florida for training. As a new corporal, he was sent in June of 1945 for training on a B-29 bomber crew as a "Right Scanner" on an Overseas Training Unit. The training was to end on August 21 and all crews were set to be sent overseas. August 14 was V-J Day and the war with Japan ended. Mr. Hart was promoted to sergeant and later earned another stripe as staff sergeant. Mr. Hart was discharged at Ft. Leavenworth, Kansas on June 26, 1946.

Following his time in the U.S. Army Air Corps, Mr. Hart enrolled in the University of Kentucky along with many other veterans. The legendary coach Paul "Bear" Bryant began his first year at the University of Kentucky that same year.

Mr. Hart married Beulah Moore in 1947 and began his farming career. They have been married more than sixty eight years and have two adult children, three grandchildren, and a new great-grandchild.

Mr. Hart, now retired, farmed and raised tobacco crops for fifty years. He also worked in highway construction, ran a service station, and worked at the Lexington Bluegrass Army Depot.

As a part of the Greatest Generation, Mr. Hart is to be commended for his service to his country. Because of his willingness to sacrifice, and the willingness of his fellow men and women in uniform, our freedoms are secured. Mr. Hart truly is an outstanding American and an inspiration to us all. I am proud to recognize his service before the United States House of Representatives.

RECOGNIZING RICHARD (DICK) L.
ROYER**HON. STEVE STIVERS**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. STIVERS. Mr. Speaker, I rise today to recognize Richard (Dick) L. Royer, who passed away on May 27, 2016 at the age of 77. Royer was an MAI appraiser and realtor who also served as President of the Columbus Realtors, The Ohio Association of Realtors, and the Columbus Rotary Club for significant portions of his lifetime.

Royer was born in 1938 in Canton, Ohio, where he attended Canton Lehman High

School. He earned his degree from The Ohio State University College of Business in 1962, and soon after, joined the real estate company Kohr and Kohr where he would spend his entire business career. Over 50 years later, the firm still operates today as Kohr, Royer, Griffith Inc. (KRG). Royer's service to the real estate industry in Columbus was fueled by his love for the city.

Outside of KRG, Royer held many offices and board positions over the years. He served as President of the local Appraisal Institute Chapter and was an active member at the King Avenue United Methodist Church in Columbus. Royer was a resident of the suburb Upper Arlington, which he cherished as his home and held as high in his heart as he did the City of Columbus.

There is no doubt of the enormous legacy Dick Royer has left behind on the real estate industry and the greater Columbus community. I'm extremely grateful for his service to our city and state.

PERSONAL EXPLANATION

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. YARMUTH. Mr. Speaker, I unfortunately was unable to be present for several votes taken on the House floor on June 10, 2016, missing Roll Call Vote Number 289 through Number 296. Had I been present, I would have voted in the following manner:

Roll Call Number 289: YEA, Roll Call Number 290: NAY, Roll Call Number 291: YEA, Roll Call Number 292: NAY, Roll Call Number 293: YEA, Roll Call Number 294: NAY, Roll Call Number 295: NAY, Roll Call Number 296: NAY.

HONORING COLONEL LEE HUDSON

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. BARR. Mr. Speaker, I rise to honor a very special individual, Colonel Lee Hudson. He currently serves as commander of the Blue Grass Army Depot in Richmond, Kentucky and is retiring from military service following a long and distinguished career.

Colonel Hudson was commissioned as a Second Lieutenant of Infantry in 1990 following completion of a BS degree from Auburn University. He holds an MBA from Hawaii Pacific University and a Master's degree in National Security Strategy from the National War College.

Colonel Hudson has served our nation in many leadership positions over his career, including Commander of the 1st Special Forces Group (Airborne) Support Battalion from 2008-2010 and Commander of the Mission Support Element, United States Army Office of Military Support from 2010-2012, supporting strength-of-force and counterterrorism missions in Iraq, Afghanistan, Philippines, and

North Africa. It has been my honor to know him as Commander of Blue Grass Army Depot in Richmond, Kentucky, where he has led in an exemplary manner and his service is greatly appreciated by the community.

Colonel Hudson's awards and decorations include: Bronze Star Medal; Defense Meritorious Service Medal; Meritorious Service Medal; Joint Service Commendation Medal; Korea Defense Service Medal; Army Commendation Medal; Iraq Campaign Medal; Global War On Terror (GWOT) Service Medal; and Master Parachutist, Ranger, Pathfinder, and Air Assault Badges.

Colonel Hudson is to be commended for his service, dedication, and loyalty to our nation through his years of leadership in the United States Army. I join with a grateful nation in thanking him and wishing him the best in the years to come. It is my honor to recognize this great American before the United States House of Representatives.

TRIBUTE TO OFFICER CATHI LONG

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize a member of the Clearwater Police Department who was named our 2016 School Resource Officer of the Year for Pinellas County Schools. Officer Cathi Long was awarded this great honor on May 17, 2016 for her devotion to students living in our community.

Officer Long has been a member of the Clearwater Police Department since 2004 and has served as a School Resource Officer for Countryside High School since 2013. During that time, she has been a part of multiple school initiatives including Teen Court and Students against Drunk Driving. She is a hero to the families of our community.

Officer Long has also used her own personal time to help mentor seniors who are struggling to graduate and is instrumental in the coordination of the Operation Graduate program that helped at-risk students plan for their future. Additionally, the Teen Court initiative that she is a part of helps students defer from the judicial system and potentially avoid permanent marks on their records.

Officer Long is known to her students as a "Second Mom". Recently she received a letter from a student thanking her for always being there for guidance and support. Additionally, a hallway banner created by the students has been hung up above lockers to honor Officer Long for what she does. She is a role model for her students and Pinellas County.

Mr. Speaker, I want to thank and recognize Officer Long for being an inspiration to our kids and for being a caring and supportive individual in our community. I am proud to have her in our Clearwater Police Department. I ask that this body join me in recognizing the efforts of Officer Long as she continues to help students within our community.

FCC STB RULE IMPACTS ON SMALL PROVIDERS

HON. KURT SCHRADER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. SCHRADER. Mr. Speaker, I rise today to share my deep concern with the Federal Communications Commissions (FCC) proposed rules on set-top-boxes. On May 5th, I along with Rep. CRAMER (R-ND) and 58 of our House colleagues sent a letter to Chairman Wheeler at the FCC. That letter focused on the burdens these rules would impose on small cable operators.

I've heard from several of my rural cable operators, and they are worried the FCC is failing to fully understand the impact these rules will have on small providers. Many of them will spend over a \$1 million per system in order to comply with these rules, diverting resources that would otherwise be spent investing in broadband. Furthermore, it is estimated these costs could cause as many as 200 cable operators nationwide to go out of business or simply exit the video market place.

We all support and want to encourage increased innovation and competition. In fact, many small operators are heavily investing in upgrading their existing networks to provide faster high-speed broadband. They also support innovative boxes from TiVo and apps that work on Roku boxes.

The Small Business Administration Office of Advocacy agrees the proposal "will be disproportionately and significantly burdensome" for small cable operators. The SBA went on to say the "FCC has not adequately attempted to quantify or describe the economic impact of its proposed rules" nor did the FCC make "any attempt to explain what kinds of costs small operators might incur in order to comply" with the rule. Mr. Speaker, it is inconceivable to me that the FCC would propose new rules and seek to impose new regulations without fully understanding the economic impacts of their actions—especially when it comes to the many small rural providers in my district.

Recognizing the burdens these new rules would have on small providers, consumer groups like Public Knowledge and innovative companies like TiVo support taking a different approach with small operators. I urge the FCC to reconsider imposing these rules on small operators because of the tremendous burden it would impose on them. If these new rules cause operators to go out of business or limit video services the Commission may end up hurting the very people they are seeking to help and that's the consumer.

HONORING THE CITY OF CARLISLE, KENTUCKY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. BARR. Mr. Speaker, I rise to honor the City of Carlisle, Kentucky as it celebrates its bicentennial. The City of Carlisle was founded

in 1816 as the county seat of Nicholas County, Kentucky. Carlisle has rich history and its citizens are very proud to call Carlisle home. They have done a wonderful job preserving several historic buildings and keeping the history of the community alive.

I always enjoy visiting Carlisle and Nicholas County, where the people are friendly, hard-working, faith-centered, and family-oriented. I congratulate all the citizens of Carlisle on the two-hundredth anniversary of their town's founding and I wish them the best for the future. It is my honor to recognize the occasion before the United States House of Representatives.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$19,218,850,296,387.20. We've added \$8,591,973,247,474.12 to our debt in 6 years. This is over \$7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO CHILDREN'S DREAM FUND

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to congratulate the Children's Dream Fund on their 35th anniversary.

The Children's Dream Fund was established in 1981 as the Suncoast Children's Dream Fund. Franise Geringer, a small South African boy with aging disease, had a dream to meet his hero, Pinocchio. The Sunshine City Jaycees of St. Petersburg raised funds for the family to visit Disneyworld and any excess funds raised would go to the family. However, the family denied the extra funds and instead chose for the money to go to helping other children.

After twenty years, the Suncoast Children's Dream Fund was renamed to the Children's Dream Fund. It now serves children in West Coast Florida who are referred to by neighboring children's hospitals. It helps children between ages three and eighteen with life threatening diseases and has fulfilled over two thousand dreams. These dreams range from a celebrity meet, a trip, a gift, or most frequently, a week at the Give Kids the World Village in Kissimmee.

Mr. Speaker, I want to recognize the Children's Dream Fund for their excellent work over the past 35 years. They have given hope to so many kids and their families in Pinellas County and West Central Florida. I ask that this body join me in recognizing their efforts.

HONORING FATHER JIM SICHKO

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. BARR. Mr. Speaker, I rise to honor a very special individual, Father Jim Sichko. He has served as Pastor of St. Mark Roman Catholic Parish in Richmond, Kentucky for the past twelve years. He leaves Richmond soon to begin a one-year appointment from Pope Francis as a Missionary of Mercy.

Father Sichko is the youngest of five children. He received an undergraduate degree in vocal performance from the New England Conservatory of Music and performed as an opera singer before deciding to enter the priesthood. He studied theology at Sacred Heart School of Theology and was ordained into the Ministerial Priesthood of Jesus Christ on May 23rd, 1998.

As pastor of St. Mark's Parish, Father Sichko is well known for his storytelling. He travels throughout the United States and presents retreats, missions, and days of recollection. He once disguised himself as a homeless man as part of his ministry. He authored a book entitled "Among Friends." Father Sichko has invited many celebrities to his parish for fundraising events over the years, including Dolly Parton, First Lady Laura Bush, Donnie Osmond, and, most recently, Jay Leno.

Father Sichko has made quite a difference in his parish and in the Richmond community. He will be greatly missed and I wish him well as he leaves to serve God in a different role. I am proud to recognize and honor him before the United States House of Representatives.

PERSONAL EXPLANATION

HON. MAC THORNBERRY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. THORNBERRY. Mr. Speaker, on Monday, June 13, 2016, because of airline delays I missed roll call votes No. 297 "To increase engagement with the governments of the Caribbean region, the Caribbean diaspora community in the United States, and the private sector and civil society in both the United States and the Caribbean, and for other purposes" and No. 298 "To amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes." Had I been present, I would have voted "yes" on both bills.

PERSONAL EXPLANATION

HON. TULSI GABBARD

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Ms. GABBARD. Mr. Speaker, on June 9, 2016, I was unavoidably detained due to a traffic accident and was unable to record my

vote for roll call No. 283. Had I been present, I would have voted "nay" on consideration of the resolution.

RECOGNIZING MISSOURI TALK
RADIO HOST WARREN KRECH ON
HIS RETIREMENT**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Mr. Warren Krech. "Mr. Jefferson City", has retired after 30 years in Jefferson City radio and over 40 years in the radio industry. Warren most recently spent his time entertaining listeners as the morning news and talk host on KWOS News Radio 950.

A native of South Dakota and graduate from the University of Minnesota, Mr. Krech found his love of radio while serving in the United States Army—specifically with the American Forces Radio & TV in East Africa. Warren and his family moved from Wisconsin to Jefferson City, Missouri in 1984. When Mr. Krech moved to Missouri, he worked for Frank Newell at KJMO. While some consider broadcasting to be a nomadic business, Warren wanted to settle his then young family in the Jefferson City community.

Throughout his radio years, Mr. Krech sat in the DJ chair, but found his niche when he was able to enter talk radio format. For 23 years, Warren has worked with John Marsh at KJMO and KWOS. During Operation Desert Storm, Mr. Krech and John Marsh, hosted a "Tape from Home" at the local mall where people could come record their comments for friends and family who were serving in the military.

Mr. Krech is the current and three time winner of the News Tribune's "Readers' Choice" award for favorite local radio personality. Additionally, Warren is an active local emcee and speaker for charities including: Samaritan Center, Special Olympics, and Heart Association. Mr. Krech has been host of the Jerry Lewis MDA Telethon for 13 years on KOMU-TV.

With this retirement, Mr. Krech will now be able to spend more time with his wife, Marcia, who is a retired Jefferson City teacher. He has a daughter, Sarah, who lives in St. Louis and a son, Ben, who lives in Washington, DC. Warren also enjoys the St. Louis Cardinals, running, cycling, gardening, and his two cats.

I ask you to join me in recognizing Mr. Warren Krech on his retirement. His commitment to the radio industry and his local community makes this a commendable accomplishment.

TUESDAYS IN TEXAS: RED ADAIR

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. POE of Texas. Mr. Speaker, born the son of an Irish blacksmith in Houston, Paul Neal Adair, commonly known as "Red" started

his long service as a fire fighter in World War II with the 139th Bomb Disposal Squadron. While enlisted, he was sent across Japan to find undetonated bombs and safely disarm them. However, it wasn't until after his service in the Army that he became renowned for his bravery and skill as a fire fighter.

He began working under Myron Kinley, a pioneer and innovator in oil-well firefighting. Adair worked diligently to learn the many new inventions and techniques Kinley had created, and by 1959 he was ready to strike out on his own. He founded the Red Adair Co., a private company solely devoted to fighting large scale oil fires, and over the course of his career he put out more than two thousand of these fires, both on land and on offshore platforms.

In November of 1961, a particularly large fire, nicknamed the "Devil's Cigarette Lighter," broke out in the middle of the Algerian Sahara. Mr. Speaker, the flame was over four hundred and fifty feet high. Despite best efforts, the fire burned continuously, with no end in sight. That was, until Adair and his crew were called to the scene.

Driving a modified bulldozer right up to the well where the fire was burning, Adair was able to get a large nitroglycerin charge into the well, allowing the explosion to displace enough oxygen that the monster of a fire was finally extinguished.

His feats in the Sahara gained him and his crew a reputation worldwide. They additionally helped with a large gas leak off the coast of Australia, and contributed to capping the biggest oil well blowout to have ever been recorded in the North Sea.

Even in 1991 at the age of seventy-five, Adair took part in the extinguishing of countless oil well fires that were set by Iraqi troops in Kuwait during the Gulf War. Soon after he retired, he sold his world famous company. His top employees went on to form their own company, the International Well Control. His great courage and success in his field led to a John Wayne movie called "Hellfighters" to be made, which was loosely based on his encounters in the Sahara. In 2004, at the age of eighty-nine, Paul Adair passed away, but both his men and many others will remember him as a pioneer in firefighting who not only saved many cities from millions of dollars in damages from these large scale oil fires, but also thousands of lives.

And that's just the way it is.

75TH ANNIVERSARY OF
WAPPAPELLO LAKE AND DAM**HON. JASON SMITH**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. SMITH of Missouri. Mr. Speaker, I rise today to honor the 75th anniversary of Wappapello Lake and Dam in Wayne County, Missouri. Lake Wappapello hosts 2.5 million people annually and has made an incredible impact on its surroundings.

Senator John Overton proposed the Wappapello Lake and Dam project in June of 1936. The U.S. Army Corps of Engineers began the project in 1938 and completed

Wappapello Lake and Dam in 1941. It was constructed along the St. Francis River in order to provide flood control and hydroelectricity to southeastern Missouri.

Wappapello Lake is one of five man-made lakes in the St. Louis District and is one of the nation's oldest Corps of Engineers projects. The project includes 44,000 acres of land and water, providing ample opportunity for water recreation. With largemouth bass, white bass, channel catfish, crappie, and bluegill atop the list, fishing is a great pastime for lake goers. Lake Wappapello State Park is located on the edge of the lake and is run by the Missouri Department of Natural Resources. The 1,854-acre State Park offers fishing, swimming, picnicking, and, lodging as well as trails for horseback riding, all-terrain biking, and backpacking. The park also offers camping with both modern and traditional, rustic campgrounds.

For the special place it holds in the hearts and lives of many in the community, as well as its place as a landmark in Wayne County, it is my pleasure to recognize the 75th anniversary of Wappapello Lake and Dam.

PERSONAL EXPLANATION

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. WELCH. Mr. Speaker, I was unable to vote on Roll Call 283. I would like to indicate that I would have voted "Nay" on Roll Call 283 had I been there.

MARITIME PIRACY AND PIRATES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. POE of Texas. Mr. Speaker, when the word pirate comes to mind, many envision treasure seeking ruffians with eye patches. Unbeknownst to most of us, pirates still exist: lurking the coast of East Africa, specifically Somalia and Kenya, the Gulf of Aden, the Gulf of Guinea, The Malacca Strait, and the Indian subcontinent. Pirates today, however, can do more damage than forcing a poor fellow to walk the plank. Regions plagued by poverty and extreme terrorism have raised a whole new breed of manipulative, violent, maritime hijackers who will stop at nothing to achieve their goals. Modern piracy is not simply a matter of economic loss or threatened safety, but a risk to the entire globe due to the close-knit ties pirates have with terrorists.

All eyes of the international community were suddenly turned to the coast of Somalia when pirates hijacked a Russian supertanker full of oil and army tanks. What did the American government do? Nothing. Nothing that is, until the unimaginable happened. A U.S. cargo ship was openly attacked by pirates, and the captain was held as ransom for several days. Since then, efforts have been taken to defend

ships from maritime crime, such as legalization of weapons on board for commercial shipping vessels. Is this passive defense enough? When analyzing the cost of insurance, freight, rerouting, and ransoms, the price we pay to watch these pirates roam the high seas ranges to as high as \$16 billion a year. Yet there are far greater non-monetary costs awaiting us in the future. If a ship is attacked at just the right place, it could result in the closure and seizure of invaluable international waterways.

Though many pirates have different motives than terrorists, terrorist tactics are frequently used in hijackings. Both terrorists and pirates traumatize civilians and prey off of fear. As of now there is no international community specifically designated to prevent piracy like there is for terrorism, simply because the legal jurisdiction of piracy is in question. What we all should agree on, however, is that maritime piracy is a devastating form of terrorism.

The topic of most apprehension is the proven fact that modern pirates fund terrorist groups. Whether taken by force or friendship from the pirates, Al-Qaeda now possesses around 15 cargo vessels. Confiscation of vessels hasn't been the only recent breach in maritime security. Thanks to unobstructed leadership of Somali pirates, we've experienced an increase in maritime trafficking of narcotics, people and illicit goods, and arms proliferation. The evidence shows that maritime terrorism has recently gained the attention of most terrorist groups. Large and heavily loaded commercial vessels, offshore gas rigs, and maritime hub ports are easy shots for maritime terrorists, who seek mass destruction of human life, infrastructure, and nature.

Though piracy off the Somalia coast has recently decreased, it has caught flame and prospered in other regions of Africa, such as the waters of Guinea and Nigeria. Squashing these pirates once and for all is easier said than done. They do not proudly announce their presence on the sea, but rather use silence and stealth to steal an average of \$5,000 to \$15,000 per ship. Some of these raids are exceedingly violent, while others are bloodless. In both terrorism and maritime piracy, there must be extensive planning, and those involved must be willing to sacrifice their lives.

Our friends in England recently recognized a dire loophole in worldwide attempts to combat terrorism. Since 2010, the international community has poured billions into the hands of pirates as ransom for the release of vessels and crew. These pirates are not necessarily terrorists themselves, yet many have direct connections to major terror groups. We can be sure that piracy has summoned nearby terrorist groups with the scent of money and the bribe of civilian fear. Maritime piracy is now used as the ever-prosperous bank for terrorists. Great Britain understands this and is in the midst of editing a bill which prohibits all forms of ransom payments to terrorists.

Somali pirates appear to give the ransoms from their pirated material to al-Qaeda. There is no doubt that piracy could not only fund, but also be used as a form of terrorism or for political purposes, especially because of the unusual amount of security breaches easily accessible on ports and at sea compared to

land. Take for example al-Qaeda's attack on United States. It only took two men in a tiny boat to kill seventeen U.S. citizens and injure 39 more, just by placing a shape charge against the hull of the USS *Cole* while it was refueling at a Yemeni port.

We must ensure the future does not hold a pirate-terrorist group merger. This event would spin to a halt all anti-terrorism efforts. Al Shabaab and al-Qaeda are difficult and resilient as it is, but imagine these groups with access to strategic waterways, billions of dollars, high grade ships in their grasp, and American captives at their disposal. Debate on the floor of the House has found, piracy is "Booming without any credible deterrence, without the type of deterrence you saw at one point in time from the British navy or from the U.S. fleet. As we speak, there are 27 vessels and 449 hostages being held by Somali pirates" Yet nothing substantial is done.

Though many ships are now well-armed, piracy continues without hiccup. It's time the United States takes some action and put these outlaws in the high seas out of business and send them to Davy Jones' locker. An estimated \$160 million was paid as ransoms to pirates in one year alone. Using a private navy is almost as drastic of a cost. So, the question is: what should we do? One of the most considered solutions is that of modern privateering. Privateers as defined by international law are "vessels belonging to private owners, and sailing under commission of war empowering the person to whom it is granted to carry on all forms of hostility which are permissible at sea by the usages of war." Privateers will be given the opportunity to disable dangerous non-state enemies, and in the process, create revenue. This is not a hard decision. It's a win-win.

The U.S. military has used a form of privateering in the past certain types of air combat and warfare. In fact, in the 1930's, the U.S. Navy bought blimps from—and hired—a private company, Goodyear Tire and Rubber Company, to build a fleet of airships and blimps. These blimps were previously used for advertising, yet the Navy used these simple civilian mechanisms to help defend the country.

In the past, the problem of piracy was largely wiped out due to privateers. The privateers, though used as a sort of political pawn, were extremely successful and motivated. In a system of capitalism, it's important to consider all parties, and the relationship in which each benefits another. If privateering and letters of marque were used by the United States government today, the government would gain a significant amount of hegemony, credibility, and sea power. The privateering ship owners would receive rewards or payments in return for the seized pirate ships, as well as a higher safety and low insurance prices. Maritime piracy is indeed a threat that, if not soon stopped, will lead to increased terrorism and economic disaster.

In my Congressional office, we employ interns to help with writing and tasks around the office. One of our interns, Rachel Jones, researched this issue regarding piracy on the open seas. Her help this summer was valuable and I thank her for all of her work and assistance. I wish Rachel luck in her future endeavors and with the rest of her time at my alma mater—Abilene Christian University.

And that's just the way it is.

WHAT KIND OF HISTORY SHOULD WE MAKE?

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Ms. SEWELL of Alabama. Mr. Speaker, today on this Restoration Tuesday, I rise to acknowledge the continued voter suppression around the country during this election year and the ongoing battle for protection of the constitutional right to vote.

This Restoration Tuesday is particularly special, as it is the last primary vote. At the closing of the polls, we will officially be embarking on the first general election in 50 years without the full protection of the Voting Rights Act of 1965.

Countless Americans gathered together in the years up to the passing of the historic legislation that banned discrimination in voting polls, and solidified voting equality. Backpedaling into times of racial disparity in the voting process is a dangerous course of action that we should refrain from venturing into. We are currently defacing the legacy of those who gave up their lives in order to secure equal representation in the voting booth.

It is imperative that we rally together and Restore The Vote. We cannot allow this presidential election to greet us without being protected against those who wish to slant the election through harsh voting laws. It is the right of every eligible American to cast a ballot in the favor of their interests without hurdles being placed in their path. Through the passage of the Voting Rights Advancement Act of 2015, we will be able to complete the order handed down to us by the Supreme Court of the United States. We will be able to recreate the safe haven in voting, where everyone feels entitled and able to exercise their democratic right. I ask my colleagues to join me in support of the Voting Rights Advancement of 2015 so that we can make the democratic process democratic again.

TRIBUTE TO EMERGENCY MEDICAL SERVICE WORKERS

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize the emergency medical service (EMS) workers of Pinellas County for their hard work and sacrifice.

From May 15th to May 21st we recognize the importance of our EMS workers who sacrifice every day to provide the emergency care our community needs.

EMS workers put their lives on the line for the people of Pinellas County. City Council Member Jerry Beverland's son was recently saved by his local EMS team who were on the scene within four minutes of his call for help. It is only right that EMS workers get the recognition they deserve for their dutiful efforts.

Several members of our local emergency response teams received awards for their efforts. Aaron Gonzalez, a Fire Rescue administrator for Oldsmar, accepted the EMS Week Award, and Chris Collins, who has been a Sunstar paramedic for two years, was recognized as Paramedic of the Year. Nick Eberhardt won the Emergency Medical Technician of the Year award, and Eric Fayad was named Emergency Medical Dispatcher of the Year. He also works fulltime as a lieutenant for the Seminole Fire Department.

Mr. Speaker, I want to thank and acknowledge these award winning emergency response workers who sacrifice their time and lives for the residents of Pinellas County. Their work makes our community a better place, and I ask that this body join me in recognizing our EMS teams of Pinellas County for their exceptional work.

CELEBRATING 100 YEARS OF THE GIRL SCOUT GOLD AWARD

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. PAYNE. Mr. Speaker, I rise today to congratulate Girl Scouts of the USA for 100 years of making meaningful and lasting change in their communities and around the world through the Gold Award.

Girl Scouts who pursue the Gold Award—the highest award in Girl Scouting—aspire to transform ideas into action.

Young women who earn their Gold Award are true leaders, dedicated to civic engagement and community empowerment.

Since 1916, approximately 1 million Girl Scouts have earned this prestigious award or its equivalent.

Girl Scouts builds girls of courage, confidence, and character.

They build true leaders, in fields as diverse as business, medicine, and politics.

As Juliette Gordon Low, the founder of Girl Scouts said, "Scouting rises within you and inspires you to put forth your best."

I am pleased to join Girl Scouts as they celebrate 100 years of the Girl Scout Gold Award, and wish them continued success in inspiring girls to excel and make a difference in the world.

IN MEMORY OF GORDIE HOWE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. CONYERS. Mr. Speaker, I rise today in remembrance of Gordie Howe, who passed away on June 10, 2016, at the age of 88. Our thoughts and prayers are with his family, friends, and fans across the country.

Born on March 31, 1928, he grew up in Saskatoon, Saskatchewan before coming to Detroit, where he made his National Hockey League debut on October 16, 1946, scoring in his first game at the age of 18. Gordie Howe,

or as he was known to a generation and beyond, "Mr. Hockey", was the embodiment of the National Hockey League, and an ambassador from Detroit to the rest of the country and to the world. I speak here for Detroit, for the Red Wings, and for the entire NHL, when I say that we will miss him dearly.

Gordie Howe, a 23-time All-Star, was unmatched on the ice, and in his twenty-five seasons with the Red Wings, he led the city of Detroit to four Stanley Cups, winning numerous distinctions along the way. He was also instrumental in the conception of what would become the National Hockey League Players' Association. But Gordie Howe was so much more than a man with a hockey stick; he was a force for good off the ice as well. Gordie, whose wife Colleen "Mrs. Hockey" Howe, suffered from Pick's Disease, was heavily involved in the search for a cure to degenerative brain diseases, founding the Gordie and Colleen Howe Fund for Alzheimers, in partnership with the University of Toronto Baycrest.

Mr. Speaker, on June 10, we lost one of the greats. For almost half of his adult life, Gordie Howe represented the city of Detroit with distinction and class, and his legacy will live on long after we are gone, on the banners hanging in Joe Louis Arena, at the charities he championed in retirement, and in the hearts of millions of hockey fans across the continent.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE GIRL SCOUTS GOLD AWARD

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Ms. SINEMA. Mr. Speaker, today we honor Girl Scouts of the USA and Girl Scouts-Arizona Cactus-Pine Council, as they celebrate the 100th anniversary of the Gold Award, Girl Scout's highest honor.

Congratulations to the young women who earn the distinguished Gold Award and become exemplary leaders in communities across our country. This accomplishment reflects outstanding leadership and civic engagement. Today, women pilot rockets into space, lead international conglomerates, pioneer new innovations in medicine and technology, and occupy positions of international leadership in countries all over the world. Many of those female leaders are Girl Scout alumnae.

As a Girl Scout, I learned how to be an effective leader and how to work as part of a team. I also learned the importance of being part of a community. The Girl Scouts enables young women to discover their passions. Scouting empowers girls and young women, and teaches the importance of working collaboratively. The Gold Award inspires girls in Arizona to find greatness inside themselves and to channel ideas and passions to benefit our communities.

Thank you to Girl Scouts-Arizona Cactus-Pine Council and Girl Scout councils across the nation for giving young women courage, confidence, and character.

TRIBUTE TO DAVE AND LAYLE
KREMSKE AND DOTTIE AND BOB
BELLAVANCE

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I would like to recognize Dave and Layle Kremske, and Dottie and Bob Bellavance, the new inductees of the 2016 Senior Hall of Fame.

For decades, these two couples have made significant contributions to the city of Dunedin. They have donated their time and effort to Pinellas County by being active members of many charitable organizations.

The Kremskes are members of the Friends of the Library program, an organization that provides funding, enhancements, and support to the staff and programs of the Dunedin Library. Layle also served as PTA President and President of the Dunedin Youth Guild, which focuses on supporting youth-focused community projects in Dunedin. Dave has been an active member of the Stadium Advisory and Parks Recreation Advisory committees.

Dottie Bellavance is also on the board of the Friends of the Library program and is active with the Dunedin Youth Guild. She mentors students and volunteers at the Church of the Good Shepherd and serves at the Dunedin Cares Food Pantry. Bob Bellavance has served as CEO and President of the Dunedin Chamber of Commerce and has been a member of the Dunedin Rotary Club for years. He was also a member of the Dunedin Fine Arts Center. Due to his efforts, many local businesses have a stronger relationship with their local government.

Mr. Speaker, I would like to acknowledge the Kremskes and Bellavances for their work and efforts for Pinellas County. They have made their city of Dunedin a better place, and I ask that this body join me in recognizing and thanking them for their diligence and care for our community.

PERSONAL EXPLANATION

HON. BLAKE FARENTHOLD

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. FARENTHOLD. Mr. Speaker, on roll call Nos. 297 and 298, I missed votes because of a flight delay due to weather conditions. Had I been present, I would have voted Yes.

CELEBRATING THE SERVICE OF
RABBI DOUG KAHN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Ms. PELOSI. Mr. Speaker, it is with great pride that I rise with Representatives JACKIE SPEIER, JARED HUFFMAN, MIKE THOMPSON, BARBARA LEE, ANNA ESHOO and ERIC

SWALWELL to honor Rabbi Doug Kahn as he retires as Executive Director of the Jewish Community Relations Council (JCRC) of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties.

For 34 years, Rabbi Kahn has served with distinction and led with integrity. Rabbi Kahn's analytical mind, diplomatic skills, endless energy and compassion have earned him the admiration of people around the world. As a consensus builder and community leader, Rabbi Kahn has dedicated his life to answering the sacred call, "tikkun olam," to repair the world.

Since 1938, JCRC has been committed to improving relations between the Jewish community and the community at-large. A strong advocate for the Bay Area Jewish community, Rabbi Kahn has masterfully managed sensitive and challenging issues, built bridges with Americans of many faiths, interests, and ethnic groups.

Under his leadership, JCRC confronted anti-Semitism, the oppression of Soviet Jews, and anti-Israel activities on college campuses.

A fourth-generation San Franciscan, Doug Kahn was born in 1951 to a family that discussed current events around the dinner table. The Civil Rights Movement and protests against the Vietnam War sparked his passion for social justice.

As a UC Berkeley student in 1971, he joined the Bay Area Council for Soviet Jewry and, at great personal risk, traveled to the Soviet Union. Inspired by that journey, he attended rabbinical school in Israel, where he immersed himself in Jewish traditions and developed a personal connection to the Jewish faith.

In 1979, the Reform Movement's Hebrew Union College ordained Rabbi Kahn. He then served as the executive director of George Washington University Hillel. In 1981, Rabbi Kahn returned to San Francisco and joined JCRC as assistant director.

During the Soviet Jewry exodus, Rabbi Kahn fought for the freedom of Soviet Jews. Influenced by his two mentors, legends in our community, then-JCRC Director Earl Raab and Associate Director Rita Semel, Rabbi Kahn helped mobilize the community.

In 1987, Rabbi Kahn and a cheering crowd welcomed to San Francisco "refusenik" Natan Sharansky, who had been freed from a Soviet prison.

Later that year, Rabbi Kahn was promoted to Associate Director of JCRC and in 1999, he became Executive Director following the retirements of Raab and Semel. Rabbi Kahn has built strong interfaith and interethnic relationships with African American, Asian American, Latino and Muslim American communities championing civil rights, employment, housing, equality in education, immigration, nuclear nonproliferation, domestic violence prevention, marriage equality and the end of apartheid in South Africa.

In the face of crises and tragedy, Rabbi Kahn built bridges. From standing on the pulpit at San Francisco's Third Baptist Church in affirmation of a strong African American-Jewish alliance after the Rodney King verdict to performing outreach to the local Bosnian Muslim community after the brutal human rights violations against Bosnians in the 1992-95 civil war, and more recently, standing in soli-

arity with Muslim Americans threatened by Islamophobia, Rabbi Kahn and the JCRC have made our communities stronger.

Although Rabbi Kahn is leaving JCRC, he will continue to offer his wisdom and superb skills for JCRC's values and priorities.

My colleagues and I hope his departure from JCRC will allow Rabbi Kahn to spend more time with Ellen, his beloved wife, and their two sons, Joey and Daniel.

Mr. Speaker, we ask the House of Representatives to join us in celebrating the outstanding contributions our good friend Rabbi Doug Kahn has made to the Bay Area and beyond. His moral compass, eternal optimism, unwavering dedication and perseverance have profoundly strengthened our communities.

TRIBUTE TO WAYNE HEFTY

HON. DAVID W. JOLLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. JOLLY. Mr. Speaker, I want to recognize Wayne Hefty for his service to Pinellas County.

Mr. Hefty has worked in Pinellas for many years. In 1975, he worked in Gulfport as a park supervisor landscaping and designing green spaces. In 1979, he opened up his own business where he designed and installed parks and playgrounds all over the community.

In 1992, he applied to be the Director of Public Works in Indian Rocks Beach, and among sixty applicants, Mr. Hefty was chosen for the job. His first task was to fix up the city for the annual Art in the Park show in 1992 which he completed successfully. From there, he finished dozens of projects including the city's Nature Park and Beach Access walkovers. Mr. Hefty was also involved in Keep Pinellas Beautiful, an organization formed in 1996. He was an active member of the board for ten years and served as a treasurer.

In 1998, Mr. Hefty became a consultant for the Pinellas County School Board and Pinellas County Utilities. His first assignment was to find out the energy usage for 140 different school buildings in eleven different municipalities. He also worked with the county's water management and created the energy team to manage the county's water, recycling, and trash programs. This project saved the city twelve million dollars. In 2004, he joined the Energy Systems Group which proposed energy saving strategies across thirteen states.

Mr. Speaker, I want to recognize Wayne Hefty for his hard work for Pinellas County. He has shown exceptional dedication to the community and it has been a pleasure having him as a neighbor. I ask that this body rise to recognize Mr. Hefty for his years of service.

ON THE TRAGIC ORLANDO PULSE
NIGHTCLUB SHOOTING**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. AL GREEN of Texas. Mr. Speaker, I would like to express my deepest sympathies to the victims, as well as their families and friends, all of whom have been devastated by the senseless carnage at the Orlando, Florida Pulse Nightclub, which took place on Sunday, June 12, 2016.

As of June 14, 2016, 49 innocent people have lost their lives and many more were wounded in the brutal slaughter, as they sought to enjoy their weekend. We must not allow the hatred of LGBTQ Equality by a dastard to define their lives. We must remember and respect each of the victims for their individuality and the joy they brought to the lives of others.

Mr. Speaker, especially since this month is LGBTQ Pride Month, we should mourn their passing with deep sorrow and celebrate their lives with an abundance of love.

Mr. Speaker, we must also do more than speak heartfelt words of love and condolences. We must speak through legislation that may not save all lives but can save some lives.

We cannot allow history to record that when all was said and done, more was said than done.

HONORING THE LIFE OF
MITCHELL ALEXANDER WINEY**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. VISCLOSKY. Mr. Speaker, it is with immense sorrow and great respect that I rise to remember United States Military Academy (USMA) Cadet Mitchell Alexander Winey for his patriotism and dedication to serving his country. His untimely death occurred on June 2, 2016, at Fort Hood, Texas, while participating in Cadet Troop Leader Training. Cadet Winey was a member of the USMA Class of 2018, B Company, First Regiment.

Mitchell Winey, born in Valparaiso, Indiana, graduated from Chesterton High School in 2014, where he served as class president for four years. Mitchell excelled in his studies and was an honor roll student who belonged to the National Honor Society. In addition, he was nominated by his peers to participate in the Natural Helpers Program during his high school tenure, which was a testament to his helpfulness and kind-hearted spirit when it came to serving others in his community. An accomplished athlete, Mitchell was also the captain of his high school soccer team and enjoyed skiing and hiking. Later, at West Point, Cadet Winey went on to become a founding member of the newly-formed free-style ski team.

On July 2, 2014, Mitchell reported to the United States Military Academy at West Point.

He was a rising leader in his class and had an exemplary academic record as an engineering management major. Cadet Winey's outstanding academic performance earned him recognition on the Dean's List for four semesters, and he also earned the Army Physical Fitness Badge three times while participating on his company's soccer and ultimate Frisbee teams.

Lieutenant General Robert L. Caslen Jr., Superintendent of the United States Military Academy, depicted Winey as immensely proud to be a cadet and one who exemplified the ideals and values of West Point in all he set out to do. For his service, Cadet Winey received the National Defense Service Medal and the Army Commendation Medal.

Friends and teachers describe Mitchell as a gracious and enthusiastic young man who excelled as a student leader. His friends will remember him as talented, intelligent, hard-working, and adventurous. Residents in the community are remembering Cadet Winey as a dedicated American hero.

Mitchell leaves behind a beloved host of family and friends. He is survived by his loving mother, Margo, and proud father, Tim. Mitchell also leaves to cherish his memory his dear sister, Paige. He will be greatly missed by his grandparents, Shirley Winey and Ronald Groff, and by many other friends and family members, as well as an appreciative, yet profoundly saddened, community.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, USMA Cadet Mitchell Winey. Cadet Winey sacrificed his life during training for service to his country, and his death comes as a great tragedy to our nation. Cadet Mitchell Alexander Winey will forever endure as a hero in the eyes of his family, his community, and his country. Thus, let us never forget the ultimate sacrifice he made to preserve the ideals of our country as a free and democratic society.

COMMENDING THE FARM CREDIT
SYSTEM FOR 100 YEARS OF
SERVICE TO RURAL AMERICA
AND THE AGRICULTURAL INDUS-
TRY**HON. K. MICHAEL CONAWAY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. CONAWAY. Mr. Speaker, today, I rise to commend the Farm Credit System for 100 years of service to rural America and the agriculture industry.

The importance of the Farm Credit System is largely unknown to those outside of agriculture, often leaving it prone to political attacks. However, its importance to those it serves has never been greater, as declining commodity prices have led to a sharp downturn in the farm economy. Thankfully, the Farm Credit System and its members have been there to help lessen the burden.

To understand the Farm Credit System, it's important to look back to its roots. In the early 1900s, credit was largely unavailable or unaffordable in rural areas, and lenders avoid-

ed agricultural loans due to their associated risks. In 1908, President Theodore Roosevelt appointed a commission to explore the problem and ultimately found a need to develop more cooperatives and a cooperative credit system for farmers.

From that idea, Congress passed the Federal Farm Loan Act of 1916, eventually resulting in the establishment of the Farm Credit System—a system created to provide a permanent, reliable source of credit to American agriculture.

The Farm Credit System's mission has evolved over time. For example, in 1980, Congress empowered the Farm Credit System to provide valuable capital for infrastructure necessary for communities to thrive.

But since its inception, the Farm Credit System has never wavered in its mission of providing lines of credit to our rural communities in good times and in bad. During the late 1980's, our farmers and ranchers faced particularly difficult times. Fortunately, the agriculture industry and the Farm Credit System were able to weather the storm together and emerged even more prepared for the years to come. Today, I believe that the Farm Credit System is fundamentally safe and sound and in a position to endure the challenges that it will inevitably face.

To acknowledge and celebrate a century of dedicated service to rural America, I was proud to sponsor House Resolution 591, commemorating Farm Credit's 100th anniversary. Providing more than \$237 billion in loans to more than 500,000 customers, the Farm Credit System has worked tirelessly in all 50 states to ensure a vibrant rural economy, and I am proud to congratulate them today.

DR. ROBERT E. WITT, CHAN-
CELLOR OF THE UNIVERSITY OF
ALABAMA SYSTEM**HON. ROBERT B. ADERHOLT**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. ADERHOLT. Mr. Speaker, I would like to recognize and honor Dr. Robert E. Witt for his academic career and the impact he had on higher education. As Dr. Witt closes another successful chapter of his life as the Chancellor of the University of Alabama System, I believe it is important to recognize a few of his numerous accomplishments and his service to the nation and to the great State of Alabama.

Dr. Robert Witt began his educational endeavors at Bates College in Lewiston, Maine, where he received his Bachelor of Arts in Economics in 1962. In 1964, Witt received his MBA from the Tuck School at Dartmouth College, and his Ph.D. in Business Administration from Penn State in 1968. Over the next 35 years, he established a career of excellence in higher education. Dr. Witt served in various positions at The University of Texas, including serving as dean of the Business School at the University of Texas at Austin and president of the University of Texas at Arlington.

In March of 2003, Dr. Witt was appointed President of The University of Alabama. During his nine-year tenure as President, Witt led

an ambitious plan for academic growth and achievement that has positioned UA as one of America's fastest growing public universities. In 2012, he was appointed by the University's Board of Directors to serve as the Chancellor of the University of Alabama System. The University of Alabama System is comprised of the universities in Tuscaloosa, Birmingham and Huntsville as well as the University of Alabama at Birmingham Health System.

Dr. Witt has held several important roles aside from his leadership at the University of Alabama, including serving as the chairman of the Council of Presidents of Alabama's public colleges and universities. Dr. Witt has played a leadership role in various organizations during his time in Alabama which include the Governor's College & Career Ready Task Force; the American Cast Iron Pipe Company Board of Directors; the Alexis deTocqueville Executive Committee; the Advisory Board, Elizabeth Project Care Board. He is past chairman of the Chamber of Commerce of West Alabama, a past member of the Tuscaloosa County IDA Board and the Black Warrior Council Boy Scouts of America. In 2011 he was inducted into to the Alabama Academy of Honor, which is comprised of 100 living Alabamians elected on the basis of service to the state.

I want to commend Dr. Witt for his success and his dedication to higher education. While Dr. Witt's career may be coming to a close over the next few months, the impact he has left on students and faculty will echo for several generations to come. I wish him and his family all the best in the future.

COMMEMORATING THE 176TH ANNIVERSARY OF THE YELLOW RIVER BAPTIST CHURCH IN BAKER, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2016

Mr. MILLER of Florida. Mr. Speaker, I rise to commemorate the 176th anniversary of the Yellow River Baptist Church in Baker, Florida.

For 176 years, the Yellow River Baptist Church has served the citizens of the Gulf Coast, and today it stands as a pillar of the Northwest Florida community as the first Baptist church in Walton and Escambia counties and one of the oldest Baptist churches in the State of Florida.

The Yellow River Baptist Church was established on Sunday, June 14, 1840 with the as-

sistance of two representatives of the Bethlehem Baptist Association of Alabama, nearly five years before Florida entered its statehood. What started with a small handful of congregants residing along the upper Yellow River just south of the Alabama line has grown over the years, and throughout the course of its history, the church family has consisted of members including from the Baggett, Barrow, Blackman, Campbell, Carver, Clary, Cobb, Collingsworth, Cook, Danelly, Gartman, Gaskins, George, Hart, Helms, Howell, King, Madden, Milligan, Parker, Peaden, Richbourg, Senterfitt, Stegall, Steele, Stewart and Wilkinson families.

The success of the Yellow River Baptist Church, without question, is a true testament to the congregation's strong faith in the Lord and strength of its community, and it is my privilege to honor them on this important occasion.

Mr. Speaker, my wife Vicki joins me in congratulating this small but faithful congregation for its 176 years of service and dedication to God and to the Northwest Florida community. May God grant the congregants of Yellow River Baptist Church many more years to come and may His blessings continue to shine down on them.